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Va. Targets Funeral Homes' Standards

By Josh White
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The Virginia board that oversees the state's funeral services industry has proposed significant changes to regulations that govern the handling of human remains, months after whistleblowers accused their employer of inappropriate practices at a Northern Virginia facility.

The proposed regulations are in direct response to alleged mishandling of bodies at a Service Corporation International regional facility in Falls Church.

Employees at National Funeral Home, which doubles as a regional storage and embalming facility for Houston-based SCI, reported that bodies were left balanced on boxes in a garage that was not climate-controlled, were stored for months in coffins on garage racks and were left in unrefrigerated areas of the facility, leaking fluids onto the floor.

Some military veterans awaiting burial at Arlington National Cemetery were housed in the facility's garage, even though their loved ones had no idea they were there and expected the bodies to be refrigerated at individual funeral homes.

The Washington Post first reported the allegations earlier this year, when embalmer and former Maryland state trooper Steven Napper came forward with details. Photographs and several of Napper's colleagues backed up his claims.

SCI officials have maintained that they did nothing that violated state regulations and that former employees, such as Napper, embellished the situation.

The proposed changes would require funeral service providers to refrigerate unembalmed bodies if they are to be stored for more than 48 hours, create standards for storage and transportation of bodies to protect their "dignity and com position," and require funeral homes to tell family members where their loved ones' bodies are going to be stored.

Members of a Virginia Board of Funeral Directors and Embalmers committee wrote in policy documents that "recent articles in the Washington Post have called attention to the fact that there are no such regulatory standards for the storage, transportation and handling of dead human remains by funeral establishments" and that "without more specific regulation, there is the possibility of decomposition of unembalmed remains prior to burial and of inappropriate storage and covering of remains."

The board wants to require funeral homes to properly cover bodies while they are refrigerated and require that bodies outside of refrigerators be maintained in a container that can be closed and will not leak. If bodies are to be stored at a central facility, funeral establishments would have to disclose where and how they are to be stored.

Several families who used SCI funeral homes in Virginia said they were unaware of the central facility at National Funeral Home and were shocked to learn about how their loved ones' remains were handled. One of those family members witnessed what he called "horrible" conditions after following his father's body there in the middle of the night.

Kim Brooks-Rodney, a District lawyer, is representing another family, that of Army Col. Andrew DeGraff, in a lawsuit claiming that SCI inappropriately handled his body. She says it is unfortunate that some families had to suffer such indignity. That lawsuit is scheduled for trial in October in Fairfax County.

"It's sad that it takes something like this for people to realize that there is a need for these rules," Brooks-Rodney said.

Lisa Marshall, an SCI spokeswoman, said that SCI officials had not yet seen the proposed regulations but that the company "is very supportive of reasonable regulations for our profession" and that SCI is pleased with state officials' approach to the process.

The state board is investigating National Funeral Home's practices. Currently, to find that there is a violation, the board must determine that allegations amount to "inappropriate handling" of bodies, a broad distinction that could apply to National. Under the proposed rules, some of the allegations, if proven, would be clear violations.

The process for implementing the proposed regulations is just beginning and could take as long as two years. Napper, who works at another Virginia funeral home, said Monday that he feels good about the proposed changes.

"These families and these deceased have already lost so much in terms of dignity," Napper said. "But I do think this is a step in the right direction, as long as it is policed."

Board members met with funeral home representatives from across the state and reviewed regulations from eight other states in determining the need for new requirements. The board is seeking public comment on the regulations.