



Texas Funeral Service Commission Annual Report ~ Fiscal Year 2021

Introduction

Mission Statement

To protect the public from deceptive practices in the funeral and death care industry through a process of impartial enforcement, inspection, licensing and education in order to guarantee every citizen's final disposition is conducted professionally and ethically.

Vision Statement

Educate ~ Regulate ~ Effectuate

Executive Director Statement

As with any new year, there are peaks and valleys which an agency must work through focusing on our common goal. This past year was no different. There were multiple waves of the COVID-19 pandemic where outside influences of our community made it a challenge for the staff to return to the office. The agency pivoted in an attempt to stay ahead of any situation. Just as we were hitting our stride with the pandemic, we experience severe building and office damage as a result of Winter Storm Uri in February. For the next two months, the entire agency worked remotely while the Texas Facilities Commission restored parts of Tower 2 in the Hobby Building. Prior to the storm, the staff was working in a hybrid model of partial time in the office and working remotely. Once the building was accessed for damaged, the agency quickly posted a message on the website informing the public that we will be working remotely until the building could be repaired. This created a challenge for the agency since US mail delivery was still occurring and most of the applications and consumer complaints were delivered through the US mail system. The staff determined how best to support the consumers, the licensees and each other by working remotely and stopping by the security desk at the Hobby building to pick up and deliver outbound mail. There have been some staffing changes in the agency; however, the staff continues to work together providing the best resource to the licensees and public.

Strategies

Licensing

During the Fiscal Year 2021, 387 provisional licenses were issued which was an increase of 5% from the previous year. There were 38 reciprocal licenses issued individuals relocating to Texas from other states which was an increase of 111% from the previous year. 2324 individual licenses were renewed during the FY 2021. 59 new funeral homes, 12 new commercial embalming facilities and 13 new crematories received their initial licenses which was a 38% of new licensed establishments from the previous year. 1557 funeral facilities renewed their establishment licenses during the FY 2021. Of the license renewals, 84.7% renewed through the TFSC online renewal portal. Along with the license processing, this department reviews and approves the Continuing Education Vendors and their CE classes. For the calendar year 2021, the TFSC approved 21 individual CE providers offering multiple approved CE courses available for the licensees. The Licensing staff also answered the majority of informational emails sent to the office.

Inspection

During the Fiscal Year 2021, the TFSC inspectors completed 323 funeral establishment inspections. This was 54% lower than the previous year due to the ongoing COVID-19 pandemic, the turnover in the Compliance staff and the Winter Storm Uri. The statutory requirement for funeral establishment physical inspection is every three years. However, the legislative performance measure sets the requirement of 1000 funeral establishments physically inspected on an annual basis.

Enforcement

During the Fiscal Year 2021, the TFSC received 237 written complaints and resolved 217 of them (92%). 18.4% of the complaints closed were licensees who received disciplinary action for a statute violation during the current fiscal year. The percent of funeral establishments with no recent violations for the past three years was 98.7%.

Complaint Information

The current average time the TFSC experiences to resolve a complaint is 184 days. The annual performance measure set by the legislation, establishes the maximum number of days for a complaint to be resolved is 120 days. The overage can be explained due to staff turnover in the compliance and legal divisions, the continuing COVID-19 pandemic limitations and the Winter Storm Uri. 60% of the written consumer complaints received during the Fiscal Year 2021 were resolved within 6 months.

Changes in Commission Policies

During the past fiscal year, the Commission did not bring forward any rule change that would affect the licensees or the agency operation. The Commission participated in the 87th Legislative Session through the testimony in the Senate Finance Committee and the House Appropriations Committee and several other committees which had bills addressing funeral home or cemetery operation.

Conclusion

The FY 2021 saw the conclusion of the first legislative session under the Commission's new executive Director. The continuing COVID-19 pandemic guidelines for working remotely and in the office still present challenges to effectively complete the work of the Commission. At the end of the FY 2021, most of the FTE's were replaced with new staff members being hired in essential staffing positions. As the Executive Director, more of my time has been dedicated to video conferencing meetings with various state agencies and private associations in regards to the emergency response to the global pandemic and addressing the needs of the agency to bring the performance measures into compliance. However, with the support of the TFSC Commissioners, the staff has been able to continue to provide support and guidance to the licensees and to the public.

Prepared by:

A handwritten signature in black ink on a light pink background, reading "Glenn Bower".

Glenn A. Bower, CFSP

Executive Director