



Department of Health

ANDREW M. CUOMO
Governor

HOWARD A. ZUCKER, M.D., J.D.
Commissioner

SALLY DRESLIN, M.S., R.N.
Executive Deputy Commissioner

April 12, 2020

DAL: BFD
Subject: Executive Order 202.15 COVID-19
Guidance for Funeral Directors

Dear Funeral Director:

In response to the COVID-19 public health emergency, the New York State Department of Health (Department) Bureau of Funeral Directing is distributing the following guidance. As you may know, [Executive Order \(EO\) 202.15](#), issued on April 9, 2020, authorizes the Commissioner of Health (Commissioner) to:

[P]ermit funeral directors licensed and in good standing in any state or territory of the United States to practice as a funeral director in New York State upon the approval of, and pursuant to such conditions as may be imposed by, the Commissioner, without civil or criminal penalty related to lack of licensure in New York State, provided that such funeral director shall practice under the supervision of a funeral director licensed and registered in New York State.

EO 202.15 further:

[P]ermits a funeral director licensed in New York State, but not registered in New York State, to practice in New York State upon the approval of, and pursuant to such conditions as may be imposed by, the Commissioner, without civil or criminal penalty related to lack of registration in New York State, provided that such funeral director shall practice under the supervision of a funeral director licensed and registered in New York State.

Additionally, EO 202.15 authorizes the Commissioner to deputize persons to act as agents of a funeral director or undertaker to be present and personally supervise and arrange for removal or transfer of each deceased human body. A deputized agent of a funeral director (DAFD) must be:

- A mortuary science student, currently registered as such with the Department;
- A funeral home employee who is also a trained health care worker, firefighter or emergency medical technician (EMT); or
- Any other regular employee of the funeral home who is duly trained and compliant with all OSHA regulations.

All out of state funeral directors (OOSFDs); unregistered (passive and inactive) but licensed funeral directors (PAILFD); and DAFDs must:

- Provide an executed letter on the letterhead of the funeral firm where a New York State duly licensed and registered supervising funeral director is employed, that is substantially similar to the template letter attached herein. Letters that are not substantially similar will be deemed invalid.
- Produce such letters when requested for inspection. Such letters may be in electronic form on a portable device, or any other method that can easily displayed.

Persons under the supervision of the supervising funeral director pursuant to the Executive Order 202.15 may act as a volunteer or an employee.

As new guidance and information becomes available the most current information will be posted on the Department's Novel Coronavirus website at <https://www.health.ny.gov/diseases/communicable/coronavirus/>.

If you have any questions, please contact the Bureau of Funeral Directing by telephone at 518-402-0785 or by email at funeral@health.ny.gov.

Sincerely,

A handwritten signature in black ink, appearing to read "Thomas W. Fuller". The signature is fluid and cursive, with the first name "Thomas" being the most prominent.

Thomas W. Fuller, Director
Bureau of Funeral Directing