

# Texas Funeral Directors Association

## Ethics Committee

## Code of Conduct

*Adopted: June 2012*

The TFDA Code of Conduct is designed to address the commitment of the Funeral Professional in five key areas:

*Commitment to the Family*  
*Commitment to the Care of the Decedent*  
*Commitment to the Public*  
*Commitment to the Government*  
*Commitment to TFDA*

Each area begins with an ethical principle that sets forth the goals and ideals of the profession. The ethical principle is followed by the applicable sections of the Code of Conduct which lists specific types of conduct that is either recommended or discouraged.

Ethical principles are the driving forces that every funeral professional should base their conduct on. They serve as the foundation for the actions presented in the Code of Conduct. The Code of Conduct is what each TFDA member should strive for every day in caring for the families they serve

Every TFDA Firm, Individual, Retired and Student Member should know and strive to adhere to the requirements of the Code of Conduct. For the protection of the families we serve, the decedents we care for, the profession we dedicate ourselves to, the communities in which we live, and the Association that represents us.

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**I. COMMITMENT TO THE FAMILIES**

Ethical Principle: Members shall serve each family in a professional and caring manner, being respectful of their wishes and confidences, being honest and fair in all dealings with them, and being considerate of those of lesser means.

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- I-1 Members shall provide funeral services to families without regard to religion, race, color, national origin, sex, sexual orientation, or disability.
- I-2 Members shall comply with all applicable federal or state laws or regulations relating to the prearrangement, prepayment or prefinancing of funeral services or merchandise.
- I-3 Members shall release deceased persons to the custody of the person or entity who has the legal right to affect a release without requiring payment prior to the release.
- I-4 Members shall not use any funeral merchandise previously used and sold without prior permission of the person selecting or paying for the use of the merchandise.
- I-5 Members shall comply with the Federal Trade Commission's Funeral Industry Practices Regulation.
- I-6 Members shall protect confidential information pertaining to the deceased or the family of the deceased from disclosure.
- I-7 Members shall not profit from the disclosure of information pertaining to the deceased or the family of the deceased.
- I-8 Members shall carry out all aspects of the funeral service in a competent and respectful manner.
- I-9 Members shall properly account for and merit any monies, documents, or personal property that belongs to others that comes into the member's possession.
- I-10 Members shall not engage in any unprofessional conduct of a character likely to deceive, defraud or harm the families they serve in the course of providing professional services.

## **II. COMMITMENT TO THE CARE OF THE DECEDENT**

Ethical Principle: Members shall care for each deceased person with respect and dignity and transport, prepare and shelter the remains in a professional, caring and conscientious manner.

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- II-1 All deceased persons shall be treated with proper care and dignity during transfer from the place of death and subsequent transportation of the remains.
- II-2 Only personnel authorized by the funeral home or those persons authorized by the family shall be in attendance during the preparation of the remains.
- II-3 Members shall only allow embalmers, apprentices and interns, who are licensed to the extent required by state law, to embalm human remains.
- II-4 All deceased persons in the preparation room shall be treated with proper care and dignity and shall be appropriately covered at all times.
- II-5 Members shall not transport, hold, or carry out the disposition of human remains without all permits and authorizations required by law.
- II-6 Members shall not violate any statute, ordinance, or regulation affecting the handling, custody, care, or transportation of human remains.
- II-7 Members shall not knowingly dispose of parts of human remains that are received with the body by the funeral home in a manner different from that used for the final disposition of the body, unless the person authorizing the method of final disposition gives permission that the body part may be disposed of in a manner different from the disposition of the body.

### **III. COMMITMENT TO THE PUBLIC**

Ethical Principle: Members should offer their services to the public and to operate their businesses in accordance with principles of honesty, fair dealing, and professionalism.

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- III-1 Members shall not engage in any unprofessional conduct which is likely to defraud or deceive the public.
- III-2 Members shall not engage in false or misleading advertising.
- III-3 Members shall not personally, or through an agent or employee, unwontedly solicit its services, whether the solicitation occurs after death or while death is imminent; provided, however, that general advertising directed to the public at large would not constitute a violation of this section.
- III-4 Members shall not pay, or offer to pay, a commission or anything of value to third parties, such as medical personnel, nursing home and hospice organizations or employees, clergy, government officials or others, to secure deceased human remains for funeral or disposition services.
- III-5 Members shall not use alcohol or drugs to the extent that such use adversely impacts the member's ability to carry out his or her obligation as a funeral service professional.
- III-6 Members shall not commit or be convicted of any felony or any crime involving immoral conduct.
- III-7 Members shall not offer to sell or arrange the sell of funeral goods or services on a preneed basis in violation of any applicable federal or state laws or regulations.

#### **IV. COMMITMENT TO THE GOVERNMENT**

Ethical Principle: Members shall maintain compliance with all laws and regulations that impact the funeral consumer, the funeral profession, and the public health.

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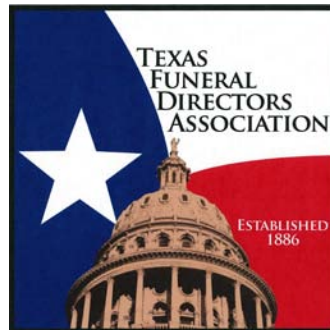
- IV-1 Members engaging in the profession of funeral directing or embalming shall hold all necessary licenses to engage in such businesses.
- IV-2 Members shall require any person in their employ or under their control who serves as a funeral director or embalmer, or as an apprentice or intern, to have all appropriate licenses.
- IV-3 Members shall not knowingly make a false statement on a death certificate.
- IV-4 Members shall not knowingly make or file false records or reports in the practice of funeral service.
- IV-5 Members shall comply with all federal, state or local laws, rules or regulations governing or impacting the practice of funeral service.
- IV-6 Members shall comply with all federal, state or local laws, rules or regulations that were enacted to protect consumers.
- IV-7 Members shall comply with all federal, state or local laws, rules or regulations that were enacted to protect the environment.

## **V. COMMITMENTS TO THE TEXAS FUNERAL DIRECTORS ASSOCIATION**

Ethical Principle: Members have an ethical commitment to promote, participate, and support the Texas Funeral Directors Association in its mission to help all members enhance the quality of funeral service to families.

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- V-1 Members shall comply with the Constitution and Bylaws of the Texas Funeral Directors Association.
- V-2 Members shall conduct themselves in a proper and appropriate manner while attending or participating in TFDA sponsored events and in all communications with TFDA staff.
- V-3 Members shall cooperate in a timely, professional, and respectful manner in all phases of an investigation, hearing and resolution of a complaint brought before the Ethics Committee.



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