

DIRECT DISPOSAL ESTABLISHMENT, APPLICATION FOR LICENSE INFORMATION & INSTRUCTIONS

CAUTIONS: *This document is prepared by the Florida Division of Funeral, Cemetery & Consumer Services, Dept of Financial Services, and is available on the Division website. This document sets out the usual and generally applicable requirements for licensure and does not purport to set out or exclude any exceptions that may exist to the generally applicable requirements. In addition, this documents sets out the application steps in the order most applicants take them, and does not purport to address or prohibit other procedural options that may exist.*

These Information & Instructions documents are revised from time to time. If you are reading this document in paper form, then unless you know for sure when this document was downloaded from the Division website, you are urged to visit the Division website and print a copy yourself, so you can know for sure you have the most recent revision.

TERMS USED

“Division” refers to the Division of Funeral, Cemetery & Consumer Services. The Division is part of the Florida Dept of Financial Services. The Division has a website -- go to the website of the Dept of Financial Services (www.MyFloridaCFO.com), click on Division and Offices, click on Funeral and Cemetery.

“Board” refers to the Board of Funeral, Cemetery, and Consumer Services, established by section 497. 101, Florida Statutes. The Board is administratively located within the Division. The Board and the Division are partners in enforcing chapter 497, Florida Statutes. The Board makes the final decisions as to whether a license will be issued. The Division provides the administrative processing of applications, performs background investigations, and makes recommendations to the Board.

LICENSE REQUIREMENTS

Applicants for Florida direct disposal establishment license should apply to the Board using the Division form entitled Application For Direct Disposal Establishment License, available on the Division website. Direct disposal establishment license applications are controlled by s. 497.604, Florida Statutes, and related rules.

Applicants must generally meet the following requirements in order to be approved for licensure:

1. Applicant must be one of the following:
 - Natural person (sole proprietorship, not incorporated)
 - Corporation
 - Limited liability company (LLC)
 - Partnership

2. If applicant is a corporation, partnership, or LLC, applicant must be in good standing under the business organization laws of Florida (and their home state, if other than Florida).

For example, if applicant is a corporation , the corporation must be duly registered and in good standing as a domestic or foreign corporation with the Florida Division of Corporations, with all applicable fees and reports filed.

3. Applicant must have agreement with a Florida licensed direct disposer or funeral director, to serve as full-time licensee in charge at the establishment, if the application is approved. The licensee in charge can be changed at any time, but the change of licensee in charge must be promptly reported to the Division.

4. The direct disposal establishment must be located a fixed location, in a non-residential building owned or leased by the applicant herein, with at least 625 contiguous interior square feet for operation of the direct disposal establishment.
5. There must be no other funeral establishment or direct disposal establishment at the same address as the applicant will be located at.
6. The direct disposal establishment applicant must show that it will itself provide at the direct disposal establishment and subject to the requirements of Chp. 497: removal service, refrigeration facilities for bodies, and cinerator facilities; or, the applicant must produce contracts with other licensees to provide such services.
7. The direct disposal establishment must display at its entrance the name of the establishment, and the name of the licensed funeral director or direct disposer in charge.
8. The direct disposal establishment must not transact business in any name other than the name by which it is licensed.
9. Applicant must submit fingerprints of its principals, as more specifically required by s. 497.142, Florida Statutes, for a criminal background check, and the applicant and its principals must have no demonstrated history of conduct indicating a lack of competence, good character, trustworthiness or integrity in business or professional matters.
10. Applicant must pass a pre-licensure inspection by Division staff, to verify compliance with Chp. 497 and Board rules. The establishment must pass annual inspection thereafter.