

This is a checklist of inspection items that Department of Labor and Industry inspectors refer to when inspecting mortuaries and branch establishments in Montana. This document is intended for reference only so licensees are aware of specific inspection items.

Inspection Checklist and Inspector Guidelines – Mortuaries (MTY) and Mortuary Branch Establishments (MBF)

- This is the same checklist used for initial licensure of new facilities and the annual inspections.
- If a facility does not meet compliance standards and is found to be "noncompliant" then inspector must notify the licensee of issue(s) of noncompliance and give them 10 days for the mortician-in-charge to submit written response per [ARM 24.147.403](#).

	Inspection Item	If "Yes"	If "No"	If "N/A"
1.	Is mortuary or branch establishment license current?	In compliance - mortuary or branch establishment is licensed per ARM 24.147.901(7) and 37-19-401, MCA	Not in compliance – mortuary or branch establishment is unlicensed and cannot operate.	
2.	Are mortuary or branch establishment license and all licensed employee licenses displayed in a conspicuous place so they can be seen by members of the public?	In compliance – licenses are displayed per ARM 24.147.901(7) and 37-19-401, MCA .	Not in compliance – licenses are not displayed per ARM 24.147.901(7) and 37-19-401, MCA .	
3.	Does mortuary or branch establishment have a suitable room for viewing?	In compliance – per 37-19-101(28) or (5), MCA, that a mortuary must have a room suitable for viewing or visitation. A branch establishment may have a viewing room but is not required to have one.	Not in compliance - per 37-19-101(28) , MCA, a mortuary must have a suitable room for viewing. Without a viewing room the mortuary does not meet the requirements for licensure.	Branch establishment is not required have a viewing room per definition in 37-19-101(5) , MCA. No viewing room associated with this branch establishment.
4.	Does mortuary or branch establishment have a preparation room?	In compliance – per 37-19-101(28) or (5), MCA, a mortuary must have a preparation room. A branch establishment may have a preparation room but is not required to have one.	Not in compliance - per 37-19-101(28) , MCA, a mortuary must have a preparation room. Without a preparation room a mortuary does not meet the requirements for licensure.	Branch establishment is not required to have a preparation room per definition in 37-19-101(5) , MCA. No preparation room is associated with this branch establishment.
5.	Is mortuary or branch establishment preparation room maintained in a clean and sanitary condition per ARM 24.147.901(3) ?	In compliance – meets standards in ARM 24.147.901(3) for mortuaries and branch establishments to maintain preparation rooms in "a clean and sanitary manner".	Not in compliance – does not meet standards in ARM 24.147.901(3) for mortuaries and branch establishments to maintain preparation rooms in "a clean and sanitary manner".	Branch establishment is not required to have a preparation room per definition in 37-19-101(5) , MCA. No preparation room is associated with this branch establishment.

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6.	Are there any unnecessary articles in the mortuary or branch establishment preparation room?	In compliance – meets standards in ARM 24.147.901(3) for mortuaries and branch establishments to maintain preparation rooms in "a clean and sanitary manner".	Not in compliance - does not meet standards in ARM 24.147.901(3) for mortuaries and branch establishments to maintain preparation rooms in "a clean and sanitary manner".	Branch establishment is not required to have a preparation room per definition in 37-19-101(5) , MCA. No preparation room is associated with this branch establishment.
	Are the floor and walls of the mortuary or branch establishment preparation room made of tile, concrete, or other nonporous surfaces to allows cleaning and disinfection per ARM 24.147.901(3)(a) ?	In compliance – meets requirements in ARM 24.147.901(3)(a) for floor and walls to be made of tile, concrete, or other non-porous surfaces "wall-to-wall" to allow for cleaning and disinfection.	Not in compliance – does not meet requirements in ARM 24.147.901(3)(a) for floor and walls to be made of tile, concrete, or other non-porous surfaces "wall-to-wall" to allow for cleaning and disinfection.	Branch establishment is not required to have a preparation room per definition in 37-19-101(5) , MCA. No preparation room is associated with this branch establishment.
7.	Is the mortuary or branch establishment preparation room connected to publicly owned treatment works such as city sewage, waste and drainage. (See next question)	In compliance - ARM 24.147.901(3)(h) requires mortuaries and branch establishments discharge effluents in compliance with state and local environmental laws pertaining to drainage. Connection to a publicly owned treatment works indicates the facility has passed/complies with state and local building codes.	Not in compliance - does not meet standards in ARM 24.147.901(3)(h) which require mortuaries and branch establishments discharge effluents in compliance with state and local environmental laws pertaining to drainage.	<p><u>N/A Option 1</u> Mortuary or branch establishment does not have to be connected to publicly owned treatment works per ARM 24.147.901(3)(h) requires preparation room to be connected to publicly owned treatment works such as city sewage, waste and drainage necessary applicable groundwater discharge permits; or, to have applicable groundwater discharge permits or evidence from the county regulator or state Department of Environmental Quality that a groundwater permit is not required if the preparation room is not connected to a publicly owned treatment works.</p> <p><u>N/A Option 2</u> Branch establishment is not required to have a preparation room per definition in 37-19-101(5), MCA. No preparation room is associated with this branch establishment.</p>
8.	Per ARM 24.147.901(3)(h) , if the mortuary or branch establishment preparation room is not connected to a publicly owned treatment	In compliance - ARM 24.147.901(3)(h) requires that mortuaries and branch establishments discharge effluents in	Not in compliance - does not meet standards in ARM 24.147.901(3)(h) which require mortuaries and branch	<p><u>N/A Option 1</u> ARM 24.147.901(3)(h) requires preparation room to be connected to publicly owned</p>

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	works, does the licensee have: evidence of the necessary applicable groundwater discharge permits; or, evidence from the county regulator or state Department of Environmental Quality that a groundwater permit is not required?	compliance with state and local environmental laws pertaining to drainage. Proof of the proper permit(s) constitutes compliance.	establishments to have applicable groundwater discharge permits or evidence from the county regulator or state Department of Environmental Quality that a groundwater permit is not required if the preparation room is not connected to a publicly owned treatment works.	treatment works such as city sewage, waste and drainage necessary applicable groundwater discharge permits; or, to have applicable groundwater discharge permits or evidence from the county regulator or state Department of Environmental Quality that a groundwater permit is not required if the preparation room is not connected to a publicly owned treatment works. N/A Option 2 Branch establishment is not required to have a preparation room per definition in 37-19-101(5) , MCA. No preparation room is associated with this branch establishment.
9.	Are there privacy coverings on doors and windows of mortuary or branch establishment preparation room which prevent viewing of the room and its contents from the outside per ARM 24.147.901(3)(c) ?	In compliance - ARM 24.147.901(3)(c) regarding preventing people from viewing the preparation room from the outside.	Not in compliance – does not meet requirement in ARM 24.147.901(3)(c) regarding preventing people from viewing the preparation room from the outside.	Branch establishment is not required to have a preparation room per definition in 37-19-101(5) , MCA. No preparation room is associated with this branch establishment.
10.	Does mortuary or branch establishment preparation room have proper ventilation per Occupational Safety and Health Administration (OSHA) Formaldehyde Standard 29 CF 1910.1048 ?	In compliance – complies with Occupational Safety and Health Administration (OSHA) Formaldehyde Standard 29 CF 1910.1048 per ARM 24.147.901(3)(e) .	Not in compliance – does not comply with Occupational Safety and Health Administration (OSHA) Formaldehyde Standard 29 CF 1910.1048 per ARM 24.147.901(3)(e) .	Branch establishment is not required to have a preparation room per definition in 37-19-101(5) , MCA. No preparation room is associated with this branch establishment.
11.	Are mortuary or branch establishment preparation room tables, hoppers, sinks, receptacles, instruments, and other appliances thoroughly cleansed and disinfected at the conclusion of each preparation per ARM 24.147.901(3)(f) ?	In compliance – mortuary or branch establishment preparation room tables, hoppers, sinks, receptacles, instruments, and other appliances thoroughly cleansed and disinfected at the conclusion of each preparation per ARM 24.147.901(3)(f) .	Not in compliance - mortuary or branch establishment preparation room tables, hoppers, sinks, receptacles, instruments, and other appliances are not thoroughly cleansed and disinfected at the conclusion of each preparation per ARM 24.147.901(3)(f) .	Branch establishment is not required to have a preparation room per definition in 37-19-101(5) , MCA. No preparation room is associated with this branch establishment.

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12.	Is mortuary or branch establishment preparation room entrance(s) marked "private", "authorized persons only" or "no admittance" in order to restrict access per ARM 24.147.901(3)(d) ?	In compliance - preparation room entrance(s) marked "private", "authorized persons only" or "no admittance" in order to restrict access per ARM 24.147.901(3)(d) .	Not in compliance - preparation room entrance(s) are not marked "private", "authorized persons only" or "no admittance" in order to restrict access per ARM 24.147.901(3)(d) .	Branch establishment is not required to have a preparation room per definition in 37-19-101(5) , MCA. No preparation room is associated with this branch establishment.
13.	Are all mortuary or branch establishment preparation room medical, hazardous, or infectious waste disposed of in compliance with all federal, state, and local laws per ARM 24.147.901(3)(g) and (9)?	In compliance – medical, hazardous, or infectious waste is disposed of per requirements in Title 75, chapter 10, parts 4 and 10 , MCA (DPHHS statute); OSHA Bloodborne Pathogen Standard, 29 CFR 1910.1030 ; U.S. Department of Transportation Hazardous Material Regulations, 49 CFR Part 171 .	Not in compliance - medical, hazardous, or infectious waste is not disposed of per requirements in Title 75, chapter 10, parts 4 and 10 , MCA (DPHHS statute); OSHA Bloodborne Pathogen Standard, 29 CFR 1910.1030 ; U.S. Department of Transportation Hazardous Material Regulations, 49 CFR Part 171	Branch establishment is not required to have a preparation room per definition in 37-19-101(5) , MCA. No preparation room is associated with this branch establishment.
14.	Does the mortuary or branch establishment preparation room disposal container for used sharps meet the requirements in 75-10-1005(1)(a) , MCA?	In compliance - preparation room disposal container for used sharps meet the requirements in 75-10-1005(1)(a) , MCA	Not in compliance - establishment preparation room disposal container for used sharps does not meet the requirements in 75-10-1005(1)(a) , MCA	Branch establishment is not required to have a preparation room per definition in 37-19-101(5) , MCA. No preparation room is associated with this branch establishment.
15.	Per ARM 24.147.411(1) , do mortuary or branch establishment contracts for funeral goods and services (including at-need and preneed) contain the prominently displayed current address, telephone number and name of the board? Additionally, the information shall be in 10-point boldface type and make the following statement: "FOR MORE INFORMATION ON STATE CEMETERY, CREMATION AND MORTUARY REGULATIONS CONTACT: BOARD OF FUNERAL SERVICE, 301 SOUTH PARK, P.O. BOX 200513,	In compliance - mortuary or branch establishment contracts for funeral goods and services (including at-need and preneed) contain the information required by ARM 24.147.411(1) .	Not in compliance - - mortuary or branch establishment contracts for funeral goods and services (including at-need and preneed) contain the information required by ARM 24.147.411(1) .	

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	HELENA, MT 59620-0513; TELEPHONE NUMBER (406) 841-2300."			
16.	Do all mortuary or branch establishment disclosures concerning general price lists, statements of funeral goods and services selected, and statement on embalming meet Federal Trade Commission (FTC) regulations as adopted by the board under ARM 24.147.406 and 24.147.902 ?	In compliance - all mortuary or branch establishment disclosures concerning general price lists, statements of funeral goods and services selected, and statement on embalming meet Federal Trade Commission (FTC) regulations as adopted by the board under ARM 24.147.406 and 24.147.902	Not in compliance - all mortuary or branch establishment disclosures concerning general price lists, statements of funeral goods and services selected, and statement on embalming do not meet Federal Trade Commission (FTC) regulations as adopted by the board under ARM 24.147.406 and 24.147.902	
17.	Does this mortuary or branch establishment comply with ARM 24.147.902(2) and 37.116.103 regarding transportation, storage, and embalming and/or refrigeration?	In compliance – meets requirements of ARM 24.147.902(2) and 37.116.103 regarding transportation, storage, and embalming and/or refrigeration.	Not in compliance – does not meet requirements of ARM 24.147.902(2) and 37.116.103 regarding transportation, storage, and embalming and/or refrigeration.	
18.	Does this mortuary or branch establishment general price list (GPL) contain the FTC disclosure on embalming statement next to the price for embalming as required under ARM 24.147.902(1) ?	In compliance – general price list contains the FTC disclosure on embalming statement next to the price for embalming as required under ARM 24.147.902(1)	Not in compliance – general price list does not contain the FTC disclosure on embalming statement next to the price for embalming as required under ARM 24.147.902(1)	
19.	Mortuary or branch establishment have a casket price list price list (CPL) meets FTC requirements as adopted by the board under ARM 24.147.406 ?	In compliance – casket price list meets FTC requirements as adopted by the board under ARM 24.147.406 .	Not in compliance - casket price list does not meet FTC requirements as adopted by the board under ARM 24.147.406 or caskets are not listed separately on the general price list.	Retail price of each casket is listed on the general price list. Separate casket price list is not required when casket retail prices are listed on the general price list.
20.	Mortuary or branch establishment outer burial container (OBC) price list meets FTC requirements as adopted by the board under ARM 24.147.406 ?	In compliance – outer burial container price list meets FTC requirements as adopted by the board under ARM 24.147.406 .	Not in compliance – outer burial container price list does not meet FTC requirements as adopted by the board under ARM 24.147.406 ; or, outer burial containers are not listed separately on the general price list.	<u>N/A Option 1</u> Retail price of each outer burial container is listed on the general price list. Separate outer burial container price list list is not required when outer burial container retail prices are listed on the general price list. <u>N/A Option 2</u>

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				Licensee does not sell outer burial containers.
21.	Does this mortuary or branch establishment provide a Statement of Funeral Goods and Services Selected (Statement) that meets FTC requirements as adopted by the board under ARM 24.147.406 ?	In compliance - provides a Statement of Funeral Goods and Services Selected (Statement) that meets FTC requirements as adopted by the board under ARM 24.147.406	Not in compliance – does not provide a Statement of Funeral Goods and Services Selected (Statement) that meets FTC requirements as adopted by the board under ARM 24.147.406	
22.	Does this mortuary or branch establishment maintain completed Statements of Funeral Goods and Services and the associated price lists for three years from the dates of the arrangement conferences per ARM 24.147.406 (4)?	In compliance - maintains completed Statements of Funeral Goods and Services and the associated price lists for three years from the dates of the arrangement conferences per ARM 24.147.406 (4)	Not in compliance	
23.	Does this mortuary or branch establishment make the general price list available to the public per ARM 24.147.406 ?	In compliance - makes the general price list available to the public per ARM 24.147.406 .	Not in compliance – does not make the general price list available to the public per ARM 24.147.406 .	
24.	Does this mortuary or branch establishment offer funeral packages on your general price list? If yes, is the cost information for each individual item within the package itemized on the Statement of Funeral Goods and Services Selected (Statement) per FTC requirements as adopted by the board under ARM 24.147.406 ?	In compliance – funeral packages are offered and the cost information for each individual item within the package is itemized on the Statement of Funeral Goods and Services Selected (Statement) per FTC requirements as adopted by the board under ARM 24.147.406 .	Not in compliance - funeral packages are offered and the cost information for each individual item within the package is not itemized on the Statement of Funeral Goods and Services Selected (Statement) per FTC requirements as adopted by the board under ARM 24.147.406 .	Licensee does not offer funeral packages and itemized everything individually on the general price list.
25.	Mortuary or branch establishment casket price list (CPL) meets FTC requirements as adopted by the board under ARM 24.147.406 ?	In compliance – casket price list meets FTC requirements as adopted by the board under ARM 24.147.406 .	Not in compliance – casket price list does not meet FTC requirements as adopted by the board under ARM 24.147.406 ; or, casket retail prices are not listed separately on the general price list.	Retail price of each casket is listed on the general price list. Separate casket price list is not required when casket retail prices are listed on the general price list.
26.	Mortuary or branch establishment includes service fees in the listed casket prices. And, the price list contains the following disclosure which meets FTC requirements	In compliance – casket price includes service fees in the listed prices and contains the required FTC disclosure.	Not in compliance – casket price includes service fees in the listed prices but does not contain the required FTC disclosure.	Licensee itemizes services fees on the general price list and does not include them in the listed casket prices.

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	as adopted by the board under ARM 24.147.406 : "Please note that a fee of (specify dollar amount) for the use of our basic services and overhead is included in the price of our caskets. This same fee shall be added to the total cost of your funeral arrangements if you provide the casket. Our services include (specify)".			
27.	Are past copies of disclosure records kept in the business office?	N/A	N/A	Already answered in question 22.
28.	List all licensees working at the mortuary or branch establishment and whether they are morticians or mortician interns.			<p>The two types of licenses associated with a mortuary or branch establishment other than the facility license are: (1) mortician; and (2) mortician intern.</p> <p>The reason that the inspector is asking these questions is to find out two things:</p> <p>(1) Is there a mortician-in-charge for the facility and does that name match the one currently listed on the license record? One of the licensed morticians must be designated as the mortician-in-charge of the facility, as defined in ARM 24.147.302(5). Every mortuary or branch establishment must have a mortician-in-charge in order to operate per ARM 24.147.901(1)(b).</p> <p>(2) Are all the morticians and mortician interns currently licensed (this can be ascertained by looking at the license records for those individuals and checking the printed licenses which must be posted for the public per question 2). Everyone practicing mortuary science must have a current license as either a mortician or a mortician intern.</p>

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				<p>Potential areas of noncompliance and potential remedies.</p> <p>(1) Mortician-in-charge has changed and the department has not been notified per ARM 24.147.409. Per ARM 24.147.409 the mortuary or branch establishment must designate a new mortician-in-charge and notify the board within 10 days of any change. Inspector should give licensee the <i>Change of Mortician-in-Charge</i> form.</p> <p>(2) Not all staff listed as licensees have current licenses. Those staff members cannot practice mortuary science until they have current licenses.</p>
29.	List all nonlicensed personnel working at the mortuary or branch establishment. What are the duties performed by each of those individuals?			
30.	Was the mortician-in-charge of the mortuary or branch establishment present for the inspection?	List name and license number in comments	List name and license number (if applicable) of individual present for inspection in comments	

Mortuary & Branch Establishment Inspection Items