

2011 POLICY

DEVELOP AND ADVOCATE FOR A FEDERAL MASS FATALITY MANAGEMENT PLAN

NFDA Position

That NFDA continues its active involvement with all relevant federal or state departments, agencies and private organizations to insure that the role of funeral service in any natural or man-made mass fatality disaster is clearly defined and adequately reflected in their policies.

Background

As a result of the September 11th terrorist attacks on the United States, the anthrax event in Washington, DC and, most recently, the natural disaster caused by Hurricane's Katrina and Rita, the whole concept and definition of mass fatality management has changed dramatically. Moreover, the threat of an avian flu pandemic has been the catalyst for HHS, DHS and other federal, state and local governments to develop response plans that may or may not include a mass fatality management component.

NFDA has been in the forefront of advocating that the federal government and all federal agencies recognize the need and importance of funeral service and a national policy for the orderly recovery, identification, processing and the conduct of funeral services and final dispositions for those who died from and during a natural or man-made mass fatality event.

In that regard, NFDA was invited to participate in a two-day NORTHCOM Pandemic Flu symposium at Ft. Monroe Virginia and subsequently was appointed to establish and chair a Fatality Services Sub-Council to the larger Healthcare Services Coordinating Council. The latter is one of 17 Councils established by HHS and DHS to identify and protect critical infrastructure and functions in these emergency situations. NFDA, along with the medical examiners, has clearly become the leader and "go-to" organization for the federal government in the area of mass fatality management.

Discussion

As a result of our previous efforts, NFDA continues to work closely with all of these Departments and their relevant agencies such as FEMA, D-MORT, NDMA, CDC as well as others to insure the role of funeral service in all its component parts in a mass fatality event, whether natural or man-made, is recognized in their emergency plans. As an example, NFDA successfully worked with CDC to move funeral service personnel from Category 3 to Category 2 on the pandemic flu vaccination priority list. Further, NFDA continues to advocate that a national

mass fatality management plan should be a major component of the National Response Plan and National Response Framework. NFDA is also working with all our state funeral service associations to provide them with the necessary information so that they can advocate for the same policies at the state and local levels.

Among the issues which NFDA has identified as critical to any mass fatality management plan are:

1. A Mass Fatality Management Component **MUST** be developed and made part of the National Response Plan (NRP) and any federal Agency Response Plan or Policy. Such a Plan should include:
 - a. Policies and procedures dealing with the dignified recovery, storage, identification and processing of remains as well as the timely issuance of death certificates and the orderly conduct of the funeral and final disposition.
 - b. The establishment of a **SINGLE** Agency and Agency official responsible for implementing and managing the mass fatality component of any disaster response plan.
2. Establishment of a national missing person's database and locator for displaced family members.
3. Funeral homes, cemeteries, crematories and morgues and their suppliers should be included as a priority for logistical and workforce support, including vaccinations, during emergency situations that may involve quarantines, restrictions on transportation, travel and public gatherings as well as the actual conduct of the funeral and final disposition.
4. Emergency licensing reciprocity for Medical Examiners, Coroners, funeral directors and other licensed fatality service personnel to allow them to support the needs of fatality services in other jurisdictions and provide limited liability protection and worker's comp benefits for any negligent actions while acting in a volunteer capacity
5. Temporary suspension of certain federal, state and local laws, rules and regulations governing the conduct or practice of funeral directing, cemetery or crematory operations and which may otherwise hinder the proper conduct of fatality services in an emergency situation. These would include but not be limited to the FTC Funeral Rule, various workplace, wage and hour and environmental policies.
6. Limited legal liability protection for funeral homes, cemeteries and crematories to fully comply with a preneed contract or failure to adequately comply with the federal, state and local laws, rules and regulations mentioned in item 5 above.

In 2008, we also encouraged DHS and HHS to hold several workshops specifically on mass fatalities for relevant government agencies and private sector individuals, groups and organizations dealing in mass fatality or disaster management. While the results of these efforts are yet to be determined, it is clear that our advocacy efforts have forced the key federal departments and agencies as well as the other Sector Coordinating Councils to focus on mass fatality management.

In early 2009, NFDA was invited as the only private sector organization to participate in a two-day working group hosted by NORTHCOM at their HQ in Colorado Springs and facilitated by HHS to develop a federal mass fatality Concept of Operations (CONOPS). Surprising to every participant, we accomplished our goal and a final product was scrubbed by HHS and sent to the appropriate senior officials for review and approval. No word yet on the status of our submission. In addition, we all agreed that a state/local component should be added so that there would be a seamless operation between all governments and the private sectors in the recovery, identification, processing and final disposition of the dead as well as the establishment and operation of family assistance centers. We will continue to strongly advocacy for an integrated federal and state mass fatality plan that incorporates all our concerns and is designed to best serve the families who have lost loved ones as a result of a mass disaster.

In 2010, NFDA was invited as the only private sector funeral service organization to participate in a three-day mortuary affairs conference sponsored by the Department of Defense Joint Mortuary Affairs Command at Ft. Lee, Virginia. The purpose of the conference was to indentify the mortuary affairs needs of the United States military both in CONUS and overseas and improved their ability to properly perform their duties.

NFDA continues to represent funeral service in any and all federal efforts to establish and better manage mass fatality situations separately and in conjunction and corporation with state, local and private sector resources.

NFDA Governance History:

1998: Committee Action 1/13/98; Policy Board Action 3/30/98

1999: Committee Action 1/26/99; Policy Board Action 3/15/99

2000: Committee Action 2/1/00; Policy Board Action 3/27/00

2001: Committee Action 1/30/01; Policy Board Action 3/19/01

2002: Committee Action 1/29/02; Policy Board Action 3/18/02

2003: Committee Action 1/23/03; Policy Board Action 3/24/03

2004: Committee Action 1/26/04; Policy Board Action 3/15/04

2005: Committee Action 1/18/05; Policy Board Action 3/7/05

2006: Committee Action 1/17/06; Policy Board Action 3/8/06

2007: Committee Action 1/16/07; Policy Board Action 3/26/07

2008: Committee Action 1/14/08; Policy Board Action 3/10/08

2009: Committee Action 1/29/09; Policy Board Action 3/30/09

2010: Committee Action 1/20/10; Policy Board Action 3/08/10

2011: Committee Action 1/27/11; Policy Board Action 3/09/11

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