Code of Professional Conduct

Approved October 19, 2002
Amended March 10, 2008
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The NFDA Code of Professional Conduct is designed to address the obligations of the funeral professional in five key areas:

Obligations to the Family
Obligations for the Care of the Decedent
Obligations to the Public
Obligations to the Government
Obligations to NFDA

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 Professional Conduct which lists specific types of conduct that is either required or prohibited.

Ethical Principles are goals that every funeral professional should strive to achieve. They serve as the justification for the specific requirements of the Code of Professional Conduct. Unlike the Ethical Principles, the Code of Professional Conduct is binding upon NFDA members and violations may subject the member to disciplinary action in accordance with the NFDA Constitution and Bylaws. The Code of Professional Conduct is preempted by applicable law.

It is the duty of every NFDA Firm, Individual, Retired and Student Member to know and strictly adhere to the requirements of the Code of Professional 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, the members of NFDA agree to abide by the Code of Professional Conduct.

I. Service to Families

Ethical Principle: Members have an ethical obligation to 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 effect 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 carry out all aspects of the funeral service in a competent and respectful manner.

I - 8 Members shall properly account for and remit any monies, documents, or personal property that belongs to others that comes into the member's possession.

I - 9 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. Care of the Decedent

Ethical Principle: Members have an ethical obligation to care for each deceased person with the highest respect and dignity, and to 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 authorized personnel of 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 properly 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. Obligations to the Public

Ethical Principle: Members have an ethical obligation to the public to offer their services and to operate their businesses in accordance with the highest 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 defamation nor in false or misleading advertising.

III - 3 Members shall not personally or through an agent or employee solicit deceased human remains, 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 professional.

III - 6 Members shall not be convicted of any felony or any crime involving immoral conduct.

III - 7 Members shall not offer to sell or arrange the sale of funeral goods or services on a preneed basis in violation of any applicable federal or state laws or regulations.

IV. Obligations to the Government

Ethical Principle: Members have an ethical obligation to maintain strict compliance with the letter and spirit of all governmental 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. Obligations to the National Funeral Directors Association

Ethical Principle: Members have an ethical obligation to promote, participate and support the National 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 National Funeral Directors Association.

V - 2 Members shall conduct themselves in a proper and appropriate manner while attending or participating in NFDA sponsored events and in all communications with NFDA 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 Professional Conduct Committee.