

Requirements for Funeral and Memorial Services

Funeral and memorial service providers will be required to meet the same Healthy at Work [Minimum Requirements](#) as businesses. In addition, funeral and memorial service providers must meet the requirements below in order to reopen and remain open:

Social Distancing Requirements

- Funeral and memorial service providers conducting in-person funerals, memorials or burials should limit attendance to no more than 50% of the building occupancy capacity, excluding any officiants, funeral directors, clergy and staff members, while maintaining social distance between household units of at least six (6) feet. A funeral or memorial service provider that cannot maintain this space must further reduce occupancy capacity until this is achieved. Additionally, funeral and memorial service providers should, to the greatest extent practicable, conduct alternative services, including recorded video and live video internet broadcasted services (e.g. live streaming social media broadcasts).
- Funeral and memorial service providers, for outdoor funerals, memorials or graveside services, should encourage services which allow their attendees remain in their vehicles and not socialize through their vehicle windows, except at a distance of more than six (6) feet. Attendees should turn off their vehicles to avoid idling and protect everyone's health. If drive-up outdoor services are not possible, attendees to an outdoor service must maintain of at least six feet of social distance, if they are not of the same household.
- Funeral and memorial service providers should ensure, to the greatest extent practicable, that officiants, funeral directors, clergy, staff-employees, and service attendees wear coverings (e.g., cloth mask or bandana) over their mouths and noses while attending services.
- Funeral and memorial service providers should, to the greatest extent practicable, limit congregational singing during services, as doing so may aerosolize infectious particles. To the extent practicable, funeral and memorial providers should consider alternatives to congregational singing, including by playing pre-recorded or live instrumental music (e.g. pianos and guitars - no wind instruments) during services.
- Funeral and memorial service providers should consider taking attendees' temperatures and asking about signs of illness before admitting them into the funeral home, house of worship or other buildings where funeral or memorial services are held.
- Funeral and memorial service providers should not allow individuals with elevated temperatures or signs of illness (coughing, runny nose, sneezing) to attend in-person services. Funeral and memorial service providers should direct those having symptoms of

COVID-19, as well as people who have had close contact with a person who has symptoms like dry cough, chest tightness, and/or fever, to refrain from participating in any aspect of in-person services and stay at home or seek immediate medical care.

- Funeral and memorial service providers making restrooms available must ensure restrooms are only used by one person at a time and high touch surfaces are appropriately disinfected after each use (e.g. door knobs and handles).
- Funeral and memorial service providers conducting in-person services must, to the greatest extent practicable, provide hand sanitizer, handwashing facilities, tissues and waste baskets in convenient locations.
- Funeral and memorial service providers should not provide communal food or beverages to officiants, funeral directors, clergy, staff-employees, or attendees.
- Funeral and memorial service providers should restrict access to common areas, to the greatest extent practicable, in order to maximize social distancing and reduce congregating. These common areas include, but are not limited to, foyers, lobbies, vending areas, and community and multi-purpose rooms. Funeral and memorial service providers should arrange seating that allows for social distancing of at least six feet separation between family or same household attendees.
- Funeral and memorial service providers should, to the greatest extent practicable, find and encourage alternatives to handshaking, handholding and hugging.
- Funeral and memorial service providers should encourage those at higher risk for severe illness per CDC guidelines not to attend in-person services. These guidelines are available at: <https://www.cdc.gov/coronavirus/2019-ncov/faq.html#Higher-Risk>. Instead, funeral and memorial service providers should, to the greatest extent practicable, provide alternative services, including live streaming social media broadcasts. If a funeral or memorial service provider is unable to provide alternative services, they should, to the greatest extent practicable, implement hours where service can be safely provided to congregants at higher risk for severe illness.
- Funeral service providers should encourage funeral directors, staff and pallbearers to wear face coverings and minimize verbal interaction while they are in close proximity to one another while honoring the deceased.

Personal Protective Equipment (PPE) Requirements

- Ensure appropriate face coverings are used by employees whenever they are within six (6) feet of anyone else, so long as such use does not jeopardize the employees' health or safety. Funeral and memorial service providers must train employees when to use PPE, what PPE is necessary, and how to properly put on, use, and remove PPE.
- Provide gloves to employees and/or volunteers whose routine job duties include cleaning equipment, workspaces, and other high-touch areas of the business.

- Pursuant to Executive Order 2020-586 and 902 KAR 2010E, which are attached to this document, all funeral and memorial service providers must ensure that all customers, vendors, contractors, and any other member of the public who enters the premises wear a face covering so long as they are not subject to any of the exemptions listed in the Executive Order.

If any person attempts to enter the facility or service without a face covering, the service provider must inform them of the requirement to wear a face covering. If the individual refuses and is not subject to any of the exemptions listed in the Executive Order, the individual must not be permitted entry onto the premises.

If an individual who was previously wearing a face covering removes it while on the premises and not subject to any of the exemptions listed in the Executive Order, the service provider must ask them to put it back on. If the individual refuses to do so, the service provider must not provide them service and must ask them to leave.

Service providers who fail to follow these requirements of the Executive Order will be subject to a fine and may also be subject to an order from a local health department or the Labor Cabinet requiring immediate closure.

Cleaning and Disinfecting Requirements

- Funeral and memorial service providers should ensure facilities are properly cleaned and ventilated.
- Funeral and memorial service providers must ensure cleaning and sanitation of frequently touched surfaces with appropriate disinfectants. Appropriate disinfectants include EPA registered household disinfectants, diluted household bleach solution, and alcohol solutions containing at least 60% alcohol. Funeral and memorial service providers must establish a cleaning and disinfecting process that follows CDC guidelines when any individual is identified, suspected, or confirmed as COVID-19 positive.
- Funeral and memorial service providers, as appropriate, must ensure they do not use cleaning procedures that could re-aerosolize infectious particles. This includes, but is not limited to, avoiding practices such as dry sweeping or use of high-pressure streams of air, water, or cleaning chemicals.
- Funeral and memorial service providers should put into place protocols to reduce or eliminate repeat touching of surfaces by officiants, funeral directors, clergy, staff-employees and attendees (e.g. flowers or flower arrangements, microphones, doors and door knobs or handles). If alternative expressions of support (e.g. donations to charitable organizations representing a cause the deceased or their family supports) would aide in reducing repeat touching then funeral or memorial service providers should consider encouraging those options.

Training and Safety Requirements

- Funeral and memorial service providers should ensure appropriate signage is posted throughout their facilities to inform officiants, funeral directors, clergy, staff-employees, and congregants about good hygiene and new requirements.

Healthy at Work



- Funeral and memorial service providers should ensure officiants, funeral directors, clergy, staff-employees, and congregants are instructed to avoid touching their faces, including their eyes, noses, and mouths, particularly until after they have thoroughly washed their hands upon completing work and/or removing PPE, to the greatest extent practicable.
- Funeral and memorial service providers should ensure officiants, funeral directors, clergy, staff-employees, and congregants are informed that they may identify and communicate potential improvements and/or concerns in order to reduce potential risk of exposure.



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2020-996
December 3, 2020

STATE OF EMERGENCY

WHEREAS, the novel coronavirus (COVID-19) is a respiratory disease causing mild to very severe illness, including death, and many cases of COVID-19 have been confirmed in the Commonwealth; and

WHEREAS, I declared on July 9, 2020, through Executive Order 2020-586 that Kentuckians were required to wear face coverings in many public places to fight the continued spread of COVID-19 for the reasons set forth in that Order; and

WHEREAS, I renewed that Order: on August 8, 2020, through Executive Order 2020-651; on September 4, 2020, through Executive Order 2020-750; on October 6, 2020, through Executive Order 2020-856, and; on November 4, 2020, through Executive Order 2020-931; and

WHEREAS, data from the University of Oxford show an inverse correlation between the number of COVID-19 mitigation measures taken by a state, such as a face covering mandate, and the seriousness of the virus's third spike within that state;

WHEREAS, the Centers for Disease Control and Prevention conducted a study of Kansas's face covering mandate, wherein the 24 counties who complied with the mandate experienced a 6% decrease in new COVID-19 infections but the 81 counties who opted out of the mandate experienced a 100% increase in new COVID-19 cases;

WHEREAS, the Kentucky Constitution and Kentucky Revised Statutes, including, but not limited to, KRS Chapter 39A, empower me to exercise all powers necessary to promote and secure the safety and protection of the civilian population; and

WHEREAS, under those powers, I declared by Executive Order 2020-215 on March 6, 2020, that a State of Emergency exists in the Commonwealth and the State of Emergency continues:



ANDY BESHEAR
GOVERNOR

EXECUTIVE ORDER

Secretary of State
Frankfort
Kentucky

2020-996
December 3, 2020

NOW, THEREFORE, I, Andy Beshear, Governor of the Commonwealth of Kentucky, by virtue of authority vested in me pursuant to the Constitution of Kentucky and KRS Chapter 39A, do hereby Order and Direct the following:

1. For the purposes of this order, a “face covering” is a material that covers the nose and mouth and is secured to the head with ties, straps, or loops over the ears, or is wrapped around the lower face. It can be made of a variety of materials, including cotton, silk, or linen, and ideally has two or more layers. Face coverings may be factory-made, homemade, or improvised from household items such as scarfs, bandanas, and t-shirts. Guidance on how to make a face covering at home is available at: <https://www.cdc.gov/coronavirus/2019-ncov/prevent-getting-sick/how-to-make-cloth-face-covering.html>.
2. The provisions of this Order shall apply to members of the public in Kentucky. Existing sector specific requirements mandating face coverings for employees of entities in the Commonwealth remain in effect and are available online at: <https://healthyatwork.ky.gov>.
3. People in Kentucky must cover their nose and mouth with a face covering when they are in the following situations that represent a high risk of COVID-19 transmission:
 - a. While inside, or waiting in line to enter, any: retail establishment; grocery store; pharmacy; hair salon/barbershop; nail salon/spa; tattoo parlor; child care facility; restaurant or bar (when not seated and consuming food or beverage); health care setting, or; any other indoor public space in which it is difficult to maintain a physical distance of at least six feet from all individuals who are not members of that person’s household;
 - b. While waiting for or riding on public transportation or paratransit, or while riding in a taxi, private car service, or ride-sharing vehicle, or driving any of the above while customers are present; or
 - c. While in outdoor public spaces in which the person cannot maintain a physical distance of six feet from all individuals who are not members of



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the person's household and is not otherwise covered by previously issued guidance.

4. The following are exempt from wearing face coverings:
- a. Children who are age 5 or younger;
 - b. Any person with disability, or a physical or mental impairment, that prevents them from safely wearing a face covering;
 - c. Any person who is deaf or hard of hearing and is actively communicating, or any person who is actively communicating with someone who is deaf or hard of hearing, and is able to maintain a safe distance of six feet from all individuals who are not members of that person's household;
 - d. Any person engaged in work that a state or federal regulator has concluded would make wearing a face covering a risk to their health or safety;
 - e. Any person who is seated and actively consuming food or beverage at a restaurant, bar, or other establishment that offers food or beverage service;
 - f. Any person who is obtaining a service that requires temporary removal of the face covering in order to perform the service;
 - g. Any person who is required to temporarily remove their face covering to confirm their identity or for security or screening purposes;
 - h. Any person who is giving a speech or broadcast to an audience and is able to maintain a safe distance of six feet from all individuals who are not members of the person's household;
 - i. Any person who is in a swimming pool, lake, or other body of water;
 - j. Any person who is exempt from wearing a face covering under guidance provided by the



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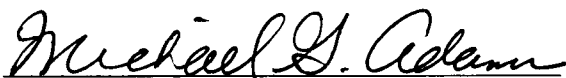
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Kentucky High School Athletics Association or under guidance for athletic activities at institutions of higher education;

- k. Any person who is engaged in a lawful activity where federal or state law prohibits wearing a face covering.
5. Failure to follow the requirements provided in this Order and any other Executive Order and any Cabinet Order, including but not limited to the Orders of the Cabinet for Health and Family Services, is a violation of the Orders issued under KRS Chapter 39A and must result in a loss of access to a business's services. Failure to follow the requirements could also subject a person or entity to penalties as authorized by law.
6. All local, county, and city government offices and agencies are encouraged to adopt or incorporate the requirements provided in this Order.
7. Nothing in this Order should be interpreted to interfere with or infringe on the powers of the legislative and judicial branches, or other constitutional officers to perform their constitutional duties or exercise their authority. However, the legislative and judicial branches, and other constitutional officers, are encouraged to adopt or incorporate the requirements provided in this Order.
8. This Order is effective at 5:00 p.m. on December 3, 2020, for a period of 30 days, and is subject to renewal.



ANDY BESHEAR, Governor
Commonwealth of Kentucky



MICHAEL G. ADAMS
Secretary of State

RECEIVED AND FILED

DATE

12/4/2020

MICHAEL G. ADAMS
SECRETARY OF STATE

COMMONWEALTH OF KENTUCKY

BY

Sarah M. Dungen