

APPLICATION INSTRUCTIONS FOR A PRENEED MAIN LICENSE

BELOW IS INFORMATION AND LINKS TO THE APPLICATION AND FORMS NEEDED TO APPLY FOR A PRENEED MAIN LICENSE.

In order to sell, advertise to sell, make an arrangement for a preneed contract, make an arrangement for a services, merchandise, or burial rights on a preneed basis, or accept any funds for these items, you **MUST** have a **VALID PRENEED LICENSE**.

No person or entity may obtain a preneed license under this chapter for the preneed sale of merchandise or services unless such person or entity holds a license as a funeral establishment, cemetery company, direct disposal establishment, or monument establishment-builder.

A preneed contract is any arrangement or method, of which the provider of funeral merchandise or services has actual knowledge, whereby any person agrees to furnish funeral merchandise or service in the future (Section 497.452, F.S.).

Please read all information carefully.

These instructions are for informational purposes only and are to be used as a checklist. The purpose of the checklist is to ensure the application is thoroughly completed; if the application is not, you will receive a deficiency letter within thirty days of receipt of the application. The forms to be submitted with this application are listed and included as hyperlinks below. If you have further questions after following the checklist, please feel free to contact the Division of Funeral, Cemetery, and Consumer Services at 850-413-3039 or 1-800-323-2627.

- Application Fee: \$505.00 nonrefundable application fee** (Governed under Section 497.453, Florida Statutes)
- Applicant's Name**
- FEIN, or Social Security Number.**
- Type of Applicant: Natural person (sole proprietorship, not incorporated), a corporation, a limited liability company (LLC) or a partnership.
- Fingerprint submissions** for each officer, owner, manager and/or director (who has a certain percentage of ownership). Please see Electronic Fingerprint Procedures
- Attach written documentary evidence that the applicant is an entity in good standing under the business organization laws of Florida. (e.g., a "Certificate of Status" issued by the Division of Corporations of the Florida Department of State, or equivalent certification) If the establishment is a Corporation or LLC or has a **Fictitious Name**, such names must be filed with the Department of State (www.sunbiz.org) and a copy of the certificate must be submitted with the application.
- If applicant is a corporation, limited liability company, or partnership, complete and submit with the application, the Division form entitled **Business Entity – List of Principals**.
- If the applicant now holds, or has ever held, a license or registration in Florida or any other state or jurisdiction, as a funeral director, embalmer, direct disposer, funeral establishment, direct disposal establishment, cinerator facility, removal service, centralized embalming facility, refrigeration service, cemetery, monument establishment, or preneed sales business, you must complete and submit with this application an **Other Licenses Form**.
- Qualifying Entity Designation (Corporate Entity):**
Include the name and license number of the funeral establishment, cemetery company, direct disposal establishment, or monument establishment under whose license this application is being made. Also provide a copy of the current license.
If your qualifying business entity closes or fails to renew its license, you are to contact the Division to advise concerning what arrangements have been made to honor your outstanding preneed contracts.

If after your preneed license is issued you thereafter fail to renew the preneed license, you must immediately **cease all preneed sales, and you must trust 100% of all amounts there after received from customers as installment payments or other payments for preneed sale made prior to the expiration of the preneed license.**

- Provide the **types of preneed contracts** proposed to be written (i.e., Trust Funded Contracts, Insurance Funded Contracts, or Surety Bonded Contracts). The applicant's preneed contract forms and related forms shall be completed and approved by the Board prior to use.
- **Financial Statement**, must be completed and submitted with the application.
- **Historical Sketch** must be completed and submitted by any person with power to direct the management or policies of the Applicant.
- **Confirm Financial Requirements** (Click her for rule requirements)
 - The Preneed Licensee's financial statements must demonstrate the following levels of net worth:
 - 1. Preneed Licensee that has total preneed contracts \$100,000 or less-\$10,000 net worth;
 - 2. Preneed Licensee that has total preneed contracts of \$100,001 to \$200,000-\$20,000 net worth;
 - 3. Preneed Licensee that has total preneed contracts of \$200,001 to \$400,000-\$40,000 net worth;
 - 4. Preneed Licensee that has total preneed contracts of \$400,001 to 600,000-\$60,000 net worth;
 - 5. Preneed Licensee that has total preneed contracts of \$600,001 to \$800,000-\$80,000 net worth;
 - 6. Preneed Licensee that has total preneed contracts in excess of \$800,000-\$100,000 net worth.

□ **Adverse Licensing Action History**

You must complete and submit along with the application, an **Adverse Licensing Action History Form** if the answer to any of the questions below is **YES**:

1. Have you ever had any deathcare industry license revoked, suspended, fined, reprimanded, or otherwise disciplined, by any regulatory authority in Florida or any other state or jurisdiction?
2. Have you ever had any application for a deathcare industry license denied for any reason by any regulatory authority in Florida or any other state or jurisdiction?
3. Have you ever voluntarily relinquished or surrendered a deathcare industry license while under investigation, or after initiation of a disciplinary proceeding against you or the license?
4. Are you currently to your knowledge under investigation by any regulatory or law enforcement authority in Florida or any other state or jurisdiction in regard to alleged misconduct or incompetency in the performance of work under a deathcare industry license?

□ **Criminal History**

This section is applicable to and should include information for the following persons:

1. *If the applicant is a natural person, only the natural person making application.*
2. *If the applicant is a corporation, all officers and directors of that corporation.*
3. *If the applicant is a limited liability company, all managers and members of the limited liability company.*
4. *If the applicant is a partnership, all partners.*
5. *The licensed direct disposer or funeral director in charge.*

If the applicant answers "yes" to any of the following questions, there must be completed and submitted a **Criminal History Form** for each person subject to disclosure requirements for whom the YES answer applies. The completed form must include details of every criminal action included.

1. Has any person subject to disclosure requirements ever plead guilty, been convicted, or entered a plea in the nature of no contest, regardless of whether adjudication was entered or withheld by the court in which the case was prosecuted, in the courts of Florida or another state of the United States or a foreign country, regarding any crime indicated below:

- a. Any felony or misdemeanor, no matter when committed, which was directly or indirectly related to or involving any aspect of the practice or business of embalming, funeral directing, direct disposition, cremation, funeral or cemetery preneed sales, funeral establishment operations, cemetery operations, or cemetery monument or marker sales or installation. **YES NO**
- b. Any other felony not already disclosed under subparagraph 1. immediately above, which was committed within the 20 years immediately preceding the date this application is submitted. **YES NO**
- c. Any other misdemeanor not already disclosed under subparagraph 1. above, which was committed within the 5 years immediately preceding the date this application is submitted? **YES NO**