**Section 1250.205 Advertising**

a) Funeral director and funeral director and embalmer licensees may advertise in any medium. All advertising shall be truthful and not be fraudulent, deceptive, inherently misleading or misleading in practice. Advertising shall contain all information necessary to communicate the information contained in that advertising to the public in an accurate, direct, dignified and readily comprehensive manner.

b) A person may not, in any advertisement by newspaper, periodical, internet web page, telephone book listing, direct mail, or electronic mail advertisement, represent that the person conducts the business of a funeral director and embalmer or provides any funeral or embalmer service, unless the advertisement includes a name of at least one licensed individual and the address of one funeral establishment or place of business at which the advertising person or entity conducts business or provides services.

c) Advertising may include, but is not limited to, the following information:

1) Licensee's business hours;

2) Schools attended;

3) Announcement of the opening of, change of, or return to practice;

4) Announcement of additions to or deletions from professional staff;

5) Availability of pre-need arrangements;

6) Professional society memberships;

7) Credit arrangements;

8) Foreign language ability;

9) Fees for professional services and merchandise that must include a statement that fees may be adjusted due to unforeseen circumstances;

10) Description of the establishment in which the licensee practices, e.g., accessibility to the handicapped, chapel facilities on the premises, convenience of parking; or

11) Other information about the licensee, the licensee's practice, or the types of practice relevant to seeking the licensee's services.

d) Television or radio advertisements shall be prerecorded and approved for broadcast by the licensee, and a recording and/or videotape of the advertisement shall be retained by the licensee for at least 5 years.

e) Untruthful, fraudulent, deceptive, inherently misleading, or misleading in practice advertising includes, but is not limited to, advertising:

1) Containing a misrepresentation of fact or omitting a material fact required to prevent deception;

2) Taking advantage of a prospective client's fears, anxieties, vanities or other emotions;

3) Containing testimonials and/or exaggerations pertaining to the quality of funeral services;

4) Describing products or services that are not permitted by State or federal laws; and

5) Describing professional services that the licensee is not licensed to provide.

(Source: Amended at 41 Ill. Reg. 11361, effective September 8, 2017)