



NORTH CAROLINA BOARD OF FUNERAL SERVICE

Minutes

October 8, 2025 Board Meeting

The North Carolina Board of Funeral Service convened for a duly scheduled Board meeting on October 8, 2025, at the Board offices at 1033 Wade Avenue, Suite 108, Raleigh, NC 27605.

Present: Mr. Thomas Hilderbrand, President; Mr. Richard Hinchey, Vice President; Ms. Le'Shekia Coleman, Secretary; Mr. Robert Nunnaley; Dr. Steven Lyons, Mr. Brian Sutphin, and Mr. Gary Overcash. Staff in attendance were Ms. Amy Acord, Executive Director; Ms. Kaylan Krcelic, Administrative Assistant; Mr. Brett Lisenbee, Compliance Officer; and Ms. Catherine Lee, General Counsel. Guests in attendance were Mr. Eric Willoughby with the Funeral Directors and Morticians Association of NC and Mr. Creighton Knight with Hedrick Gardner.

Mr. Hinchey convened the meeting at 9:12 a.m. and recognized Mr. Overcash for the Pledge of Allegiance to the flag. He asked Mr. Nunnaley for the invocation. Following the invocation, Mr. Hinchey read the Statement of Ethics and asked if any Board members had any conflict or appearance of conflict of interest. Mr. Allen recused himself from Case No. C25-0079.

Mr. Hinchey recognized Ms. Coleman for the presentation of the minutes from the September 10, 2025 meeting. Ms. Coleman stated that staff had provided the minutes prior to the meeting for review and invited any changes or amendments. Mr. Hinchey invited a motion for approval of September 10, 2025, minutes.

Upon a motion by Mr. Overcash and a second by Mr. Sutphin, the Board voted unanimously by roll call to approve the September 10, 2025, minutes as presented.

Mr. Hinchey then asked Dr. Lyons to present the Disciplinary Committee report. Dr. Lyons stated that staff had provided the Disciplinary Committee report prior to the meeting for review and invited any questions or comments. No comments were offered. Mr. Hinchey then invited motions for approval of the Disciplinary Committee report.

Upon a motion by Dr. Lyons and a second by Mr. Overcash, the Board voted unanimously by roll call to approve the Disciplinary Committee report with the following dispositions:

- Summary Dismissal for Case No. C25-0089
- Dismissals for Case Nos. C25-0079, C25-0083, C25-0086, C25-0090, C25-0091, C25-0092, C25-0093, C25-0094, C25-0097, 25-0099
- Issuance of Letter of Caution for Case Nos. C25-0085, C25-0087
- Notice of Hearing: C2-0088

Mr. Hinchey then recognized Ms. Acord for summarizing the Finance and Personnel Committee report.

Finance and Personnel Committee Report

Ms. Acord highlighted the report from the Finance and Personnel Committee based on the Committee report which follows. She noted that the Committee met on October 2, 2025, and reviewed the statement of net position and the statement of revenues and expenses for the period ending August 31, 2025.

Her summary was based upon the following committee report:

Ms. Acord indicated that the financials for the reporting period ending August 31, 2025, remained stable, with minimal changes to the Statement of Net Position. She confirmed that everything was tracking as expected. Ms. Acord indicated that the First Horizons money market account, which was opened year ago, has increased by approximately \$4,000.00.

Ms. Acord then reported that revenue currently stands at 79.5% of the total budget of \$1.7 million. For comparison, during the same reporting period in FY2024, revenue was at 81.4% based on a \$1.6 million budget. She also noted that expenses were tracking as expected, with no notable fluctuations to highlight. Additionally, Ms. Acord was pleased to share that total operating expenses for the current reporting period were at 65.4%, which is 1.3% below the expected 67.7%.

Dr. Lyons asked what the Employee Educational Exp. line item was used for. Ms. Acord indicated that her HR certification CE requirements and membership fees were paid out of this line item.

Mr. Hinchler then asked if there were any further items to discuss. Mr. Hilderbrand asked for an update on the employee handbook revision. Ms. Lee responded that her firm is actively working on the project and anticipates presenting a draft to the Committee at its November meeting.

Upon a motion by Ms. Coleman and a second by Dr. Lyons, the Board voted unanimously by roll call for approval of the financial reports for the period ending August 31, 2025.

Mr. Hilderbrand asked that the remainder of the Finance & Personnel Committee report be discussed after the remaining agenda items.

Mr. Hinchler recognized Mr. Hilderbrand for the Preneed Committee report.

Preneed Committee Report

Discussion No. 1: Review of Pending Preneed Recovery Fund Application

P25-0002 Summary: The Preneed Committee recommends that Preneed Recovery Fund Claim #P25-0002 in the amount of \$1,005.00 be approved.

Preneed Recovery Fund Applicant submits a Preneed Recovery Fund Claim on behalf of her mother, who purchased an insurance-funded preneed contract in 2008 for herself. The funeral service licensee who sold the preneed contract to the Purchaser in October 2008 died in January 2012. The establishment for which the preneed contract was sold now is closed. No preneed contract for the

Purchaser currently is registered with the Board. The preneed sales license of the funeral service licensee who sold the preneed contract previously was revoked by the Board in December 2007 for mishandling preneed contracts and funds. However, the establishment for which the preneed contract was sold held a preneed establishment permit at the time of the transactions below.

Applicant alleges that her mother (the "Purchaser") made three payments in cash toward her preneed contract, as follows: (i) \$505.00 on October 23, 2008 (at the time the preneed contract was formed); (ii) \$200.00 on October 20, 2010; and (iii) \$300.00 on July 6, 2012.

In support of the application, the Applicant provides a preneed receipt indicating a payment of \$200 on Oct. 20, 2010, which also indicates an undated previous payment of \$500; and a preneed receipt indicating a payment of \$300 on July 6, 2012. Applicant also provides a preneed Cremation Authorization form bearing the signature of the deceased funeral service licensee who sold the preneed contract to the Purchaser. The Applicant also provides a Statement of Goods and Services dated Oct. 23, 2008, bearing the Purchaser's name, along with a written notation of total charges of \$1005.00, a payment of \$505.00, and a remaining balance of \$500. The Statement of Goods and Services does not appear to be signed.

Recommendation: Recommend that Preneed Recovery Fund Claim # P25-0002 in the amount of \$1,005.00 be approved.

Upon a motion by Ms. Coleman and a second by Dr. Lyons, the Board voted unanimously by roll call for approval of the Preneed Recovery Fund Claim # P25-0002 in the amount of \$1,005.00.

Mr. Hinchler then recognized Ms. Acord for the Executive Director's report.

Executive Director's Report

Ms. Acord based her report upon the following:

Background Checks – Pursuant to S. L. 2025-76, the Board is authorized to engage other vendors for obtaining criminal histories of all applicants. Criminalrecordcheck.com (CRC), a vendor utilized by other licensing Boards, has been identified as a potential provider. Board staff are currently working to transition background check services from the NCSBI to CRC. This change is expected to enhance the overall efficiency of the licensing process.

HB 926/S.L. 204-94 – This legislation requires that all occupational licensing Boards confirm the validity of Social Security numbers provided by applicants. Board staff are working on mechanisms to comply with this unfunded mandate.

OSFM Memorandum - In September, the North Carolina Office of State Fire Marshal (OSFM) instructed occupational and professional licensing boards to purchase insurance through the North Carolina Association of Insurance Agents (NCAIA), citing G.S. 58-31-55 and G.S. 93B-16. However, legal reviews by attorneys found no statutory basis for this mandate, noting that these boards are not state agencies under G.S. 93B-2. Despite the legal uncertainty, attorneys acknowledged the practical appeal of NCAIA's low-cost, comprehensive coverage and suggested boards should go ahead and comply.

CE credits – Licensee’s continuing education credits will show on the licensee verification page of the Board’s website this week.

Mr. Nunnaley asked when the Annual Meeting of The Conference would be held in 2026. Ms. Acord indicated that it was set for February 24 – 26 at the Seelbach Hilton in Louisville, Kentucky.

Legal Report

Ms. Lee presented the following metrics regarding disciplinary and preneed matters:

DISCIPLINARY MATTERS

Current Active Cases: 57

Pending Investigation: 30

Pending Review by Disciplinary Committee: 0

Pending Dispositive Action: 14

 Pending Hearing: 9

 Post-Hearing: 0

 Other: 4

New files opened since last Board meeting: 7 C-Files; 2 M-Files

Notices of Hearing sent since last Board meeting: 2

Consent Orders received since last Board meeting: 1

Cases reviewed by Disciplinary Committee since last Board meeting: 14

PRENEED RECOVERY FUND CLAIMS

Current Active Preneed Recovery Fund Claims: 3

 Pending Investigation: 2

 Pending Dispositive Action: 1

Preneed Recovery Fund Claims received since last Board meeting: 0

Preneed Recovery Fund Claims re-opened since last Board meeting: 0

Preneed Recovery Fund Claims reviewed by Committee since last Board meeting: 0

Ms. Lee thanked the Disciplinary Committee for the time and effort in reviewing disciplinary cases each month. Mr. Hilderbrand asked whether the number of complaints received for 2025 was consistent with previous year. Ms. Lee indicated that the number of complaints received so far is higher than received in the past two years.

Ms. Lee also noted that under HB 926, boards are now required to provide licensees with 30 days' notice before a hearing, compared to the previous requirement of 15 days.

Mr. Hinchler then asked Mr. Lisenbee if he had any updates from the Inspections department. Mr. Lisenbee indicated that he was happy to answer any questions.

Public Hearing

At 10:00am, the Board held a public hearing for the following:

- 21 NCAC 34A .0101 (Agency Name and Address)
- 21 NCAC 34A .0123 (Consumer Complaint Form)
- 21 NCAC 34A .0127 (Submission of Documents)
- 21 NCAC 34B .0104 (Change in Employment)
- 21 NCAC 34B .0110 (Work Reports and Checklists)
- 21 NCAC 34B .0126 (Trainee Final Affidavits)
- 21 NCAC 34B .0202 (Applications)
- 21 NCAC 34B .0401 (Establishment and Approval of Courses)
- 21 NCAC 34B .0414 (Accreditation of Computer-Based CE)
- 21 NCAC 34B .0507 (Courtesy Cards)
- 21 NCAC 34B .0508 (Application Form for Courtesy Card)
- 21 NCAC 34B .0510 (Courtesy Card Renewal Form)
- 21 NCAC 34B .0605 (Permits: Transfer of Ownership of Establishment)
- 21 NCAC 34B .0613 (Disclosure statement)
- 21 NCAC 34B .0615 (Funeral Establishment Inspection Form)
- 21 NCAC 34B .0703 (Disposal of Refuse: Ventilation)
- 21 NCAC 34B .0706 (Registration of Embalming Facility Located Outside of a Funeral Establishment)
- 21 NAC 34D .0304 (Transfer of Trust Funds to Substitute Financial Institution)
- 21 NCAC 34B .0501 (Application for License) (repeal)
- 21 NCAC 34C .0305 (Monthly Reports) (repeal)

Public comment was received, and the hearing was concluded at 10:30am.

Upon a motion by Ms. Coleman and a second by Dr. Lyons the Board voted unanimously by roll call to amend the following rule:

- 21 NCAC 34D .0202

Upon a motion by Dr. Lyons and a second by Mr. Nunnaley the Board voted unanimously by roll call to amend the following rules:

- 21 NCAC 34A .0201 (Fees and Other Payments)
- 21 NCAC 34B .0103 (Authorized Practice: Supervision)
- 21 NCAC 34B .0105 (Funeral Director Trainee Application Form)
- 21 NCAC 34B .0106 (Embalmer Trainee Application Form)

- 21 NCAC 34B .0107 (FSL Trainee Application Form)
- 21 NCAC 34B .0120 (Trainee Final Affidavits)
- 21 NCAC 34B .0211 (National Board Certificate)
- 21 NCAC 34B .0310 (Practice of Funeral Service or Funeral Directing Not as an Owner, Employee, or Agent of a Licensed Funeral Establishment)
- 21 NCAC 34B .0313 (Procedures for Provisional Licensure)
- 21 NCAC 34B .0408 (Continuing Education Program)
- 21 NCAC 34B .0502 (Application Form and Equivalent Examinations for Reciprocal License)
- 21 NCAC 34B .0608 (Application Form for Funeral Establishment Permit and Branch Establishment Permit)
- 21 NCAC 34B .0610 (Application Form for Funeral Establishment Permit and Branch Establishment Permit)
- 21 NCAC 34B .0616 (Body Identification Tags)
- 21 NCAC 34B .0617 (Practicing During Disasters)
- 21 NCAC 34B .0801 (Definitions)
- 21 NCAC 34B .0802 (Initial Transporter Permit Application Form)
- 21 NCAC 34B .0803 (Transporter Permit Renewal Application Form)
- 21 NCAC 34D .0305 (Transfer of Trust Funds to Insurance Funded Product)
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Upon a motion by Mr. Hilderbrand and a second by Mr. Overcash the Board voted unanimously by roll call to repeal the following rules:

- 21 NCAC 34A .0122 (Character Affidavit) (repeal)
- 21 NCAC 34B .0618 (Practicing During Emergencies) (repeal)
- 21 NCAC 34C .0101 (Election to Crematory Authority) (repeal)

Upon a motion by Mr. Nunnaley and a second by Dr. Lyons the Board voted unanimously by roll call to amend the following rules:

- 21 NCAC 34B .0807 (Initial Transportation Service Permit Application Form)
- 21 NCAC 34B .0808 (Transportation Service Permit Renewal Application Form)
- 21 NAC 34D .0305 (Transfer of Trust Funds to Insurance Funded Product)

Upon a motion by Mr. Hilderbrand and a second by Mr. Overcash the Board voted unanimously by roll call to convene in closed session to hear matters subject to attorney-client confidentiality pursuant to N.C. Gen. Stat. § 143-318.11.

Upon a motion by Mr. Hilderbrand and a second by Mr. Overcash the Board voted unanimously by roll call to reconvene in open session.

Upon a motion by Mr. Sutphin and a second by Dr. Lyons the Board voted unanimously by roll call to accept the Consent Order in that matter of Alan Dale Parker d/b/a Bostic-Kendrick Funeral Home and Alan Dale Parker d/b/a R.C. Bostic & Son Funeral Services, Board Case Nos. M24-0039; M24-0040; M25-0014; M25-0015.

Upon a motion by Mr. Overcash and a second by Mr. Hilderbrand, the Board voted unanimously by roll call to go into closed session to discuss a personnel matter not subject to public disclosure pursuant to N.C. Gen. Stat. § 143-318.11(6).

Upon a motion by Mr. Overcash and a second by Dr. Lyons the Board voted unanimously by roll call to reconvene in open session.

Mr. Hinchey then asked Ms. Acord to continue the Finance & Personnel Committee report. Ms. Acord continued the report based on the following:

Ms. Acord then presented an updated organizational chart for the Committee's review. She explained that organizational charts are dynamic tools that can be adjusted to reflect current staffing levels and workflow, providing a clear visual representation of the structure and roles within the organization. Ms. Acord noted that the updated chart depicts the management team as equals. She emphasized the importance of maintaining an up-to-date chart to support the hiring process for current staff vacancies. Discussion ensued.

Ms. Acord then presented a salary study she had conducted using data from the NC Office of Human Resources to establish salary ranges for the Board's current positions. She also shared preliminary budget documents for review. Following extensive discussion, the Committee recommended that Board staff develop a simplified performance appraisal plan to implement before the completion of the 2026 budget.

The Committee also reviewed a recruitment proposal from moss+ross, an executive search firm, for the vacant Assistant Director position. Members engaged in an in-depth discussion about desired candidate qualifications, with particular emphasis on the requirement that candidates either hold a North Carolina funeral service license or be able to obtain one within 6 months of hire.

The Board agreed not to take action on the updated organizational chart and salary recommendations until they had an opportunity to analyze the 2026 Budget.

Upon proper motion, the Board voted unanimously by roll call not to engage moss + ross for the vacant Assistant Director position and instead post a vacancy for Officer Manager on the Board website, the NCFDA website, the FDMANC website, LinkedIn, the NFDA website, and the NFDMA website.

Old Business - None

New Business - None

Upon a motion by Mr. Overcash and a second by Dr. Lyons the Board voted unanimously by roll call to adjourn the meeting.

Affirmation:

Thomas T. Hilderbrand

Mr. Thomas T. Hilderbrand, President

Le'Shekia Coleman

Ms. Le'Shekia Coleman, Secretary

November 19, 2025

Date