



**PROPOSED TEMPORARY RULE FOR
PUBLICATION ON THE OAH WEBSITE**

OFFICE USE ONLY

Published on the OAH
website:

CHECK APPROPRIATE BOX:

- Proposed Temporary Rule [G.S. 150B-21.1(a3)]
 Proposed Temporary Rule simultaneously adopted as an emergency rule [G.S. 150B-21.1A(a)]

1. Rule-Making Agency: North Carolina Board of Funeral Service

2. Proposed Action -- Mark the appropriate box(es) and list rule citation(s) beside proposed action:

ADOPTION: 21 NCAC 34B .0707

AMENDMENT:

REPEAL:

3. Public Hearing:

Date: March 10, 2021

Time: 10:00 AM

Location: 1033 Wade Ave, Ste 108, Raleigh, NC 27605

4. Reason for agency adopting rule(s) under temporary action:

- A serious and unforeseen threat to the public health, safety or welfare.
 The effective date of a recent act of the General Assembly or of the U.S. Congress.
Cite:
Effective date:
 A recent change in federal or state budgetary policy.
Effective date of change:
 A recent federal regulation.
Cite:
Effective date:
 A recent court order.
Cite order:
 Other:

Explain: On March 10, 2020, the Governor of North Carolina, by issuing Executive Order No. 116, declared a state of emergency to coordinate a response and enact protective measures to help prevent the spread of COVID-19. The COVID-19 is a respiratory disease that can result in serious illness or death. Since January 1, 2021, the number of daily deaths in North Carolina related to COVID-19 has continued to escalate at an unprecedented rate, putting significant strain on practitioners in the death care industry to ensure that unembalmed decedents are properly stored and maintained until final disposition. Rule 21 NCAC 34B .0707 regulates a funeral establishment's use of temporary refrigeration units and off-site refrigeration units, to ensure proper protocols for a decedent's identification, care, and chain of custody.

5. Comments from the public shall be directed to:

Name: Stephen E. Davis

Address: North Carolina Board of Funeral Service, 1033 Wade Ave, Ste 108, Raleigh NC 27605

Phone (optional): 919-733-9380

Fax (optional): 919-733-8271

E-Mail (optional): sdavis@ncbfs.org

6. Comment Period Starts: February 19, 2021

Comment Period Ends: March 12, 2021

7. Rule-making Coordinator: Stephen E. Davis

Address: NC Board of Funeral Service, 1033 Wade Ave,
Ste 108, Raleigh, NC 27605

Phone: 919-733-9380

E-Mail: sdavis@ncbfs.org

Agency contact, if any:

Phone:

E-mail:

8. The Agency formally proposed the text of this rule(s) on
Date: February 10, 2021

9. Signature of Agency* Head or Rule-making Coordinator:



***If this function has been delegated (reassigned) pursuant to**
G.S. 143B-10(a), submit a copy of the delegation with this form.

Typed Name: Don D. Brown

Title: Board President



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2. Proposed Action -- Mark the appropriate box(es) and list rule citation(s) beside proposed action:

ADOPTION:

X **AMENDMENT:** 21 NCAC 34C .0202

REPEAL:

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