



From The NC Board of Funeral Service.....

As the Coronavirus continues to spread across the United States, it has direct and immediate impact on North Carolina. With regard to the practice of funeral service, the NC Board of Funeral Service will send you regular updates on the crisis as more information is announced at both the state and federal levels.

As an important first step, please visit the Board website at www.ncbfs.org for links to current, critical sources of information regarding the virus and its impact on our state and profession.

UPDATE TO LICENSEES: EXECUTIVE ORDER 117

March 16, 2020

On March 14, 2020, Governor Cooper issued an Executive Order pertaining to the Coronavirus and its impact on North Carolina. The Order prohibits mass gatherings of 100 individuals or more in the same location and closes K-12 public schools pursuant to the Emergency Management Act. Violations of this provision may be punishable as a Class 2 misdemeanor. Here's the pertinent text from the Governor's Executive Order:

Pursuant to NC General Statute 166A-19.30(b)(3), which allows for the undersigned to regulate and control the congregation of persons in public places or buildings and with the concurrence of the Council of State, to help protect the health and well-being of North Carolinians, I hereby prohibit mass gatherings in the State of North Carolina.

- a. A mass gathering is defined as any event or convening that brings together more than one hundred (100) persons in a single room or single space at the same time, such as an auditorium, stadium, arena, large conference room, meeting hall, theater, or any other confined indoor or outdoor space. This includes parades, fairs and festivals.*
- b. A mass gathering does not include normal operations at airports, bus and train stations, medical facilities, libraries, shopping malls and centers, or other spaces where more than one hundred (100) persons are gathered. It also does not include office environments, restaurants, factories, grocery stores or other retail establishments.*

Staff understands from the Office of the Governor that the Order does not exclude funeral establishments from the definition of a "mass gathering" described in *subsection a* above.

While we cannot offer legal guidance on the interpretation or application of the Order, we do offer the exact language so that you are aware of this restriction. You should also be aware that the federal Centers for Disease Control (CDC) have recommended that mass gatherings be limited to no more than fifty (50) individuals in the same location. Please note that the CDC recommendation is just that – the restriction expressed in the Governor's Executive Order is binding pursuant to NC General Statute 166A.

Questions and Answers

Should I cancel funeral services and related events or activities to comply with the Executive Order?

The Board has no authority to compel your compliance with the Order and cannot offer advice on whether or not your establishment should plan and conduct funeral services and related activities. The Board suggests considering practical and reasonable alternatives to funeral services to include live-streaming services, encouraging families to limit services to family members only, or postponing memorial services in your discussions with families.

The CDC has announced that mass gatherings be limited to no more than 50 – and President Trump has encouraged gatherings of no more than 10 individuals in the same location. What is the actual requirement?

The Governor's Executive Order of prohibiting mass gatherings exceeding 100 individuals in the same location is the current threshold that is binding on funeral service and other occupations and organizations specified in the Order. The CDC and President Trump are offering recommendations and guidance according to national news organizations. We are not aware of any revisions to the Governor's Executive Order or any subsequent Order that changes the prohibition in North Carolina of mass gatherings exceeding 100 individuals.

Is cremation mandatory for the disposition of bodies where death resulted from COVID-19 infection?

Representatives from the CDC commented on disposition this morning in the webinar hosted by the National Funeral Directors Association. Following is the text from CDC guidelines which were conveyed this morning:

Prompt cremation or burial of the remains of individuals who have died of COVID-19 can help prevent worker exposure to the virus. (State and local requirements may dictate whether or not the remains of individuals who have died of certain infectious diseases can be buried or if they must be cremated.)

Board staff is not aware of any state mandate or directive that cremation is the only method for the disposition of human remains in cases where COVID-19 was the cause of death.

Board staff appreciates your questions and acknowledges your concerns. If you have other questions or suggestions for additional topics associated with the COVID-19 crisis, please let us know by email. The Board office is closed to the public through the end of March, and staff are working on a staggered hours basis in concert with telecommuting.

Email is a preferred method for letting us know your questions and concerns.

Thank you again for your critical role in assuring professional funeral service to those who rely upon us for guidance during this public health crisis.