

An Advisory To Licenseesfrom 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.

IMPORTANT INFORMATION & UPDATES FOR LICENSEES

Governor Cooper Extends Executive Order 141; Adds Requirement for Face Coverings

Earlier this week, the Governor issued Executive Order 147, *Extension of Phase 2 Order and New Measures to Save Lives in the COVID-19 Pandemic*. Among other provisions, the new Executive Order retains the exemptions for mass gatherings announced on May 20, 2020. You will recall that EO 141 exempted funerals from the limits imposed on mass gatherings although the Governor's Office stated that visitations and receptions prior to or following a funeral service are subject to no more than 10 individuals in the same room at the same time if indoors, and no more than 25 individuals if outdoors. This exemption remains in effect.

Executive Order 147 extends Phase II of North Carolina's reopening through July 17, 2020. It also imposes a statewide requirement for residents over the age of 11 years to wear a face covering in public. We have included an FAQ which offers additional information on the provisions of the Executive Order which is effective at 5:00 p.m. on June 26, 2020. The Governor's Order continues to encourage citizens to take all reasonable measures to assure social distancing; to practice hand hygiene through frequent hand-washing; and to wear face coverings in public places.

Board Adopts Waivers of Certain Administrative Rules in June

The NC Rules Review Commission approved an emergency rule earlier this year for the NC Board of Funeral Service to waive certain administrative rules not otherwise mandated by general statute. When the NC General Assembly convened in late April, it quickly passed legislation [*An Act to Provide Aid to North Carolinians in Response to the Coronavirus Disease 2019 (COVID-19Crisis)*] allowing state agencies and occupational licensing boards to waive statutes or administrative rules that might be necessary in their response to the COVID-19 pandemic.

At its June 10th meeting, the Board approved two waivers under the legislation. We sent you information pertaining to these waivers on June 12th, and you will find the text of each the NCBFS website homepage under **Important Notices!**

The Board waived the limitation for online instruction in meeting the 5-hour Continuing Education requirement for annual license renewal. Currently, the Board's rules do not permit licensees to accrue more than 2 hours of online instruction in meeting the 5-hour CE requirement. The Board has waived that limitation and will now allow licensees to accrue up to 5 hours of online course instruction through the end of 2020. Several licensees have asked for clarification of this waiver, and we have offered the following FAQ in addressing your questions:

- *Before I heard about the waiver for online hours, I had already been awarded 3 hours of credit for classroom instruction and 2 hours for online instruction for a total of 5 hours. How does the waiver affect my current credit hours?*

You have already accrued sufficient hours for 2020 to meet your requirement for annual license renewal. You may accrue an additional 3 hours of online instruction which will bring your total online hours to 5 which complies with the Board's waiver. Your new total would then be 8 hours of CE credit for 2020 presuming you do not attend any additional CE courses. You may apply 5 of the 8 hours to your 2021 license renewal and carry-over 3 hours to next year.

- *What if I get my 5 hours of CE credit this year by online instruction and an additional 5 hours by either webinar or classroom instruction – how do I apply these hours?*

You can apply your 5 hours of online CE credit to your 2020 requirement and roll over the other 5 hours to 2021. Or, you can apply the 5 hours of webinar/classroom instruction to your 2020 requirement and roll over the additional 5 hours of online credits to 2021.

- *Will the Board allow licensees to get their 5 hours of CE credits in 2021 by online instruction like this year?*

The Board's waiver pertaining to Continuing Education applies only to 2020. Future waivers will depend upon legislation or administrative rules that would enable the Board to consider such action.

We will keep you informed of any future actions the Board may adopt regarding continuing education requirements. Please keep in mind that even if you have accumulated more than 10 hours of CE credit in 2020, you can only roll over 5 hours from one year to the next.

Shout Out to Lowe Funeral Home in Burlington, NC!

The June issue of *Southern Calls: Journal of the Funeral Profession* has an impressive feature story on the funeral home and the Lowe family. Congratulations on an exceptional highlight and well-deserved accolades!

NEXT BOARD MEETINGS: WEDNESDAY, JULY 15, 2020 and WEDNESDAY, JULY 22, 2020

The Board has scheduled two meetings in July to accommodate respondents receiving Notices of Hearing. Some respondents may wish to appear in person; others may prefer a remote hearing. The Board will make every effort to accommodate licensees appearing before the Board in response to the current COVID-19 pandemic. We will post any scheduling or location changes for the meetings on the Board website at www.ncbfs.org and the public meetings calendar on the Secretary of State website at www.sosnc.gov.

New York, Connecticut, and New Jersey Announce Travel Advisory

The States of New York, Connecticut, and New Jersey have joined in issuing a travel advisory which requires residents traveling to states with a seven-day rolling average of positive COVID-19 tests in excess of 10% or the number of positive cases exceeding 10 per 100,000 residents to self-quarantine for 14 days upon their return. As of June 25, 2020, the travel advisory identified 8 states with high rates of positive tests meeting the criteria for a mandatory self-quarantine. North Carolina is among these 8 states.

We have included the text of the travel advisory on the Board website under Important Information and Communications on the Coronavirus Advisory page. While we cannot offer legal guidance or interpretations of the advisory, please note that you may contact the Departments of Health in New York, Connecticut, or New Jersey for guidance. We have heard from licensees that family members who reside in these states may be in attendance at a funeral service in North Carolina, and there are questions as to whether or not they must self-quarantine upon their return home. Questions have also arisen concerning funeral service workers from North Carolina traveling to these three state for the removal and transportation of decedents to North Carolina.

There are likely other questions concerning the application of the travel advisory and self-quarantine for those traveling from North Carolina to New York, Connecticut, or New Jersey. We advise that you consult your attorney for guidance and/or contact the Departments of Health in these three states for the impact of their travel advisory on residents attending funeral services in North Carolina, or on funeral workers responsible for the removal and transportation of decedents from these states to North Carolina.
