

NORTH CAROLINA BOARD OF FUNERAL SERVICE

Minutes March 30, 2020 Emergency Board Meeting

The North Carolina Board of Funeral Service met in emergency session by conference call at 9:00 a.m. on March 30, 2020, at the Board's office located at 1033 Wade Avenue, Suite 108, Raleigh, North Carolina.

Present: Mark Blake, President; Don Brown, Vice-President; Chris Watson, Secretary; Valdus Lockhart; Steve Herndon; Craig Olive; Hubert Saunders; and Dr. Steven Lyons.

Staff and Counsel: Stephen Davis, Executive Director; Amy Mauldin, Assistant Director; Catherine Lee, General Counsel; and Brett Lisenbee, Compliance Officer.

Guests and Visitors: None

Mr. Blake called the meeting to order at 9:01 a.m. Mr. Blake read the Statement of Ethics and asked if any members found it necessary to recuse themselves from the meeting. None recused.

Mr. Blake explained that the meeting was necessary and critical to consider a proposed emergency rule in response to the coronavirus pandemic which prompted the Governor to issue a statewide stay-at-home order through Executive Order 121 on March 27, 2020. Mr. Blake recognized that many local governments had issued their own directives which in some cases were more restrictive than the Executive Order. He noted that these state and local directives potentially had impact on the Board's responsibility for regulatory oversight, licensure and protection of the public's safety and well-being.

Mr. Blake then asked Ms. Lee to explain the rule and the rationale for its provisions. Ms. Lee noted that the proposed emergency rule, 21 NCAC 34A .0128, would allow the Board to waive any rule within its enforcement authority that was not mandated by statute. Ms. Lee said that other occupational licensing boards were seeking similar emergency authority for waiving administrative rules as a way to address the impacts of the coronavirus in North Carolina. She further noted that the Board would follow prescribed procedures from the NC Rules Review Commission in adopting a temporary rule for the waiver but would initially seek an emergency rule that would require the Board to consider seven (7) factors before waiving an administrative rule.

Members discussed the proposal for the Board to waive administrative rules pursuant to rulemaking procedures.

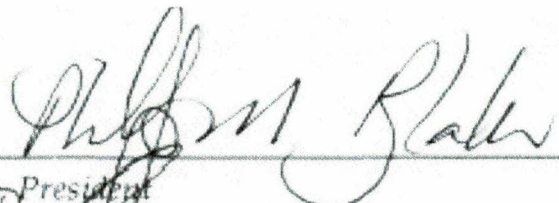
Upon a motion by Mr. Lockhart and a second by Mr. Brown, the Board voted unanimously to direct Ms. Lee to pursue the adoption of the emergency rule and then a temporary rule for waiver of administrative rules in response to the coronavirus pandemic.

Mr. Blake then asked members for their thoughts on whether or not the Board should convene for its duly scheduled meeting in April or cancel the meeting in response to the coronavirus crisis. Members briefly discussed whether or not to convene the April meeting.


Upon a motion by Mr. Olive and a second by Mr. Brown, the Board voted unanimously to cancel the April meeting in response to the public health crisis imposed by the coronavirus pandemic and in consideration of Executive Order 121.

Without further business before the Board, the President adjourned the meeting.

Affirmation:



Mark Blake, President



Chris Watson, Secretary

May 13, 2020

Date