

North Carolina Board of Funeral Service

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The next meeting of the Board will be 9 a.m. Wednesday, October 12, 2011 at the Board offices, 1033 Wade Avenue, Ste. 108, Raleigh, NC 27605. The agenda for the meeting can be viewed by [following this link](#).

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BOARD ACTIONS- Actions and Results from the September 14 Board meeting:

- A. Welcomed new Board member Mr. Lawrence Jackson, III. Mr. Jackson's Oath of Office was administered on September 9, 2011. He was appointed by the Governor to replace Mr. Frank McCree, Sr.
- B. Approved a resolution in appreciation of Mr. McCree's service.
- C. On the recommendation of the Laws, Rules and Legislative committee, the Board adopted the advisory opinion clarifying issues on jurisdiction for North Carolina crematories and funeral homes cremating bodies in NC of persons who die outside of NC. The opinion may be viewed [by following this link](#).
- D. On the recommendation of the Preened committee, the Board adopted an advisory opinion on when a consumer has an irrevocable preneed contract for a traditional service, but upon death the family wishes direct cremation and a refund of the balance on deposit. The opinion may be viewed [by following this link](#).
- E. Approved the report on permanent rules in accordance with the requirements of SL2011-398. The legislation required Board review of all permanent rules under the following criteria: determination if any rule is mandated by a federal law or regulation, or if not mandated by federal laws or regulations determination if a federal regulation is analogous to the rule and if a federal statute or regulation is analogous, is the rule more stringent than the analogous federal law or regulation. None of the Board's permanent rules met the criteria.

DISCIPLINARY MATTERS

CASE FILE NUMBER: V07-042.

LICENSEES: Ashelawn Memorial Chapel, Jefferson (FE #13); Badger Funeral Home, West Jefferson (FE #16); Joshua Roten (FSL #2561).

SUMMARY: Complainant, a competitor of Funeral Establishment, alleges Funeral Establishment has engaged in misleading advertising holding out a

"local owner" when the firm is majority owned by a corporation headquartered outside North Carolina. Funeral Establishment was given a previous staff letter concerning similar language.

BOARD ACTION: The Board accepted a consent order levying a civil penalty of \$2,000.00.

EFFECTIVE DATE: September 14, 2011.

SYMPATHIES ARE EXTENDED TO THE FAMILIES OF:

Charles Ray Burke, president of Burke Mortuaries, Maiden, who died September 23.