

North Carolina Board of Funeral Service

1033 Wade Avenue, Suite 108, Raleigh, NC 27605

(919)-733-9380 or 1-800-862-0636

www.ncbfs.org

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Next meeting of the Board is 9 a.m. Wednesday, July 10, 2013 at the Board offices, 1033 Wade Avenue, Suite 108, Raleigh, NC 27605. The agenda will be posted by July 5 and can be viewed by [following this link](#).

[CLICK HERE FOR CONTINUING EDUCATION PROGRAMS](#)

IMPORTANT ANNOUNCEMENTS-

Board of Funeral Service offices will be closed on Thursday, July 4 in observance of Independence Day. The Board and Board Staff wish you and your family a safe and happy holiday.

LEGISLATIVE MATTERS-

The following bills are currently before the Legislature (as of June 17, 2013) which affect funeral service in North Carolina:

H19 – This bill assigns criminal penalties for disorderly conduct within 500 feet of a funeral or memorial service, procession route or burial site. The bill was signed by Governor McCrory on March 6, and becomes law on December 1, 2013.

H460 – This bill would require local Boards of Election to make available forms for reporting the deaths of registered voters. The bill recommends that funeral homes have the forms available to give to families. The bill has passed the House and has been sent to the Senate Committee on Rules & Operations.

H660 – This bill clarifies the right-of-way laws and vehicle requirements regarding funeral processions. It has passed the House and has been sent to the Senate Committee on Transportation.

H808 – This bill proposes the merger of the NC Board of Funeral Service and the NC Cemetery Commission into a single entity to be known as the NC Funeral Service and Cemetery Board. The bill is in the House Committee on Regulatory Reform.

H811 – This bill, “Amend Practice of Funeral Service Laws” has passed the House Judiciary Subcommittee C, and is now with the House Finance Committee. There are changes and amendments to several existing laws included in the bill.

S403 – This bill would allow preneed funds to be invested per the provisions of the “Uniform Prudent Investor Act.” Basically, it would allow preneed funds to be invested in trust with a financial institution which may include

financial assets, interests in closely held enterprises, tangible and intangible personal property, and real property. The Board is on record as not supporting the bill in its current format, in the absence of a better-defined set of rules regarding the investments. The bill passed the Senate and is with the House Committee on Banking.

TRAINEE CORNER

Important Policy change: Effective July 1, 2013, ALL trainees, both full-time AND part-time, are required to report their hours worked on their monthly trainee reports.

We continue to receive late trainee reports. **Both the trainee and the supervisor** share responsibility for the timely submission of reports. Late submissions could require an appearance before the Board for both the trainee and the supervisor...taking both of you away from the funeral home for at least a morning - if not longer. The solution is simple - *don't be late!*

CONTINUING EDUCATION

The year is almost half over. Have you taken any CE yet? Remember - there could be NO GRACE PERIOD if H811 passes. Plan to get your CE finished early!

SYMPATHY IS EXTENDED TO THE FAMILIES OF:

George D. Johnson of Wiseman Mortuary, Fayetteville, who died on June 1, 2013

John Phillip Munden, Sr. co-owner of Munden Funeral Home and Crematory, Morehead City, who died on June 14, 2013

PRENEED REMINDER - BANK TRUSTS

§90-210.61(a)(2) found on page 65; §90-210.64(e)(2) found on page 71 in your 2010 green Law Book:

If you retain any funds upon initiation of a preneed trust contract, you must credit that amount back to the family when the contract becomes at-need. Additionally, if the contract is an inflation-proof trust, the amount retained must be added to the total available funds, and be included in the cash advance calculation.

NOTICE OF PROPOSED RULE CHANGES

Proposed Effective Date: *November 1, 2013*

21 NCAC 34A .0201 sets the fee schedule for the Board and is proposed for amendment. Interested parties may submit written comments by fax to (919) 733-8271, by email to pmburke@ncbfs.org, or by mail to Peter Burke, NC Board of Funeral Service, 1033 Wade Avenue, Suite 108, Raleigh, NC 27605. Oral comments may be made at the public hearing

Public Hearing:

Date: *August 14, 2013*

Time: *9:00 a.m.*

Location: *1033 Wade Avenue, Suite 108, Raleigh, NC 27605*

Reason for Proposed Action: *To increase fees.*

Procedure by which a person can object to the agency on a proposed rule: Interested parties may attend the public hearing or submit written comments.

Comments may be submitted to: Peter Burke, NC Board of Funeral Service, 1033 Wade Avenue, Suite 108, Raleigh, NC 27605; phone (919) 733-9380; fax (919) 733-8271; email pmburke@ncbfs.org

Comment period ends: August 30, 2013

Procedure for Subjecting a Proposed Rule to Legislative Review: If an objection is not resolved prior to the adoption of the rule, a person may also submit written objections to the Rules Review Commission after the adoption of the Rule.

21 NCAC 34A .0201 FEES AND OTHER PAYMENTS

(a) Fees for funeral service shall be as follows:

Establishment permit	
Application	\$250.00
Annual renewal	\$150.00 <u>\$200.00</u>
Late renewal fee	\$100.00
Establishment and embalming facility reinspection fee	\$100.00
Courtesy card	
Application	\$ 75.00
Annual renewal	\$ 50.00
Out-of-state licensee	
Application	\$200.00
Embalmer, funeral director, funeral service	
Application, North Carolina resident	\$150.00
Application, non-resident	\$200.00
Annual renewal	
Embalmer	\$ 40.00 <u>\$ 75.00</u>
Funeral Director	\$ 40.00 <u>\$ 75.00</u>
Total fee, embalmer and funeral director, when both are held by the same person	\$ -60.00 <u>\$100.00</u>
Funeral service	\$ -60.00 <u>\$100.00</u>
Inactive status	\$ 30.00
Reinstatement fee	\$ 50.00
Resident trainee permit Application	\$ 50.00
Voluntary change in supervisor	\$ 50.00
Annual renewal	\$ 35.00
Late renewal	\$ 25.00
Duplicate License certificate	\$ 25.00
Chapel registration	
Application	\$150.00
Annual renewal	\$100.00
Late renewal	\$ 75.00

(b) Fees for crematories shall be as follows:

License	
Application	\$400.00
Annual renewal	\$150.00
Late renewal fee	\$ 75.00
Crematory reinspection fee	\$100.00
Per-cremation fee	\$ 10.00

Late filing or payment fee for each cremation	\$ 10.00
Late filing fee for cremation report, per month	\$ 75.00
Crematory Manager Permit	
Application	\$150.00
Annual renewal	\$ 40.00
(c) Fees for preneed funeral contract regulation shall be as follows:	
Preneed funeral establishment license	
Application	\$150.00
Annual renewal	\$150.00
Late renewal fee	\$100.00
Reinspection fee	\$100.00
Preneed sales license	
Application	\$ 20.00
Annual renewal	\$ 20.00
Late renewal fee	\$ 25.00
Preneed contract filings	
Filing fee for each contract	\$ 20.00
Late filing or payment fee for each contract	\$ 25.00
Late filing fee for each certificate of performance	\$ 25.00
Late filing fee for annual report	\$150.00
(d) Fees for Transportation Permits	
Application	\$125.00
Annual renewal	\$ 40.00 <u>\$ 75.00</u>
Late fee	\$ 50.00

Authority G.S. 90-210.23(a); 90-210.25(c); 90-210.28; 90-210.67(b),(c),(d),(d1); 90-210.68(a).

