

# 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](http://www.ncbfs.org)

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Next meeting of the Board is 9 a.m. Wednesday, January 14, 2015 at the Board office, 1033 Wade Avenue, Suite 108, Raleigh, NC 27605. The agenda will be posted by January 9 and can be viewed by [following this link](#).

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**[CLICK HERE FOR CONTINUING EDUCATION PROGRAMS](#)**

## IMPORTANT ANNOUNCEMENTS-

### BOARD APPOINTMENT

Governor McCrory's office has appointed Joseph T. Clay of East Bend to the Board of Funeral Service, effective December 3, 2014. Mr. Clay will complete the unexpired term previously held by Lawrence Jackson, III, which expires on December 31, 2015.

The Board acknowledges with grateful appreciation the service of Tryphina Wiseman, CFSP and Rev. John Shields, as their terms as Board members conclude. Ms. Wiseman, of Fayetteville, has served since 2007. Her position on the Board will be filled by Mr. Valdus T. Lockhart of Fayetteville. Rev. Shields, a public member from Gibsonville, has served since 2012. His replacement will be named shortly.

### 2015 OFFICERS

The Board elected the following officers for 2015 at the duly scheduled meeting on December 10, 2014:

President:	Kenneth D. Stainback, Graham
Vice President:	W. Stephen Aldridge, III, Albemarle
Secretary:	Elizabeth Williams-Smith, Charlotte

### CHRISTMAS

Board of Funeral Service office will be closed Wednesday-Friday, December 24-26 in observance of Christmas, and on New Year's Day, Thursday, January 1, 2015. The Board and staff wish everyone a safe and happy holiday season.

### EBOLA

The Centers for Disease Control and Prevention has issued guidelines for the handling of human remains of Ebola victims. The information can be found on the CDC website at <http://www.cdc.gov/vhf/ebola/hcp/guidance-safe-handling-human-remains-ebola-patients-us-hospitals-mortuaries.html>



The Occupational Safety and Health Administration has also published information which can be found at <https://www.osha.gov/SLTC/ebola/standards.html>

### RENEWALS

License renewals are underway. Be sure to renew EARLY to avoid that "oops – I forgot" moment and the issues that come with it. *Your license expires on December 31, 2014...*

If you are going to fill out your form online and then print and submit, be sure it reflects the correct date. The online forms have been updated, however we have heard some licensees are opening the form from the website and old information is presented. If this happens to you, hit the refresh arrow in your address bar at the top of the page.

\*REMINDER: Certificate of Performance was revised in September, 2012. ALL preneed providers are required to use this form: <http://www.ncbfs.org/applications/1cop.pdf>

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### LAWS AND RULES REVIEW:

Cremation Authorizing Agents

Applicable Statutes: § 90-210.124, 130A-420(a),(a1).  
Board staff receives several calls per week related to cremation authorizing agents. The hierarchy is as below:

An individual at least 18 years of age may authorize the type, place, and method of disposition of the individual's own dead body (written authorization). If a decedent has left no written authorization for the disposition of the decedent's own body, the following competent persons in the order listed may authorize the type, method, place, cremation, and disposition of the decedent's body:

- a. The surviving spouse.
- b. A majority of the surviving children who are at least 18 years of age and can be located after reasonable efforts.
- c. The surviving parents.
- d. A majority of the surviving siblings who are at least 18 years of age and can be located after reasonable efforts.
- e. A majority of the persons in the classes of the next degrees of kinship, in descending order, who, under State law, would inherit the decedent's estate if the decedent died intestate who are at least 18 years of age and can be located after reasonable efforts.



- f. A person who has exhibited special care and concern for the decedent and is willing and able to make decisions about the cremation and disposition.
- g. In the case of indigents or any other individuals whose final disposition is the responsibility of the State or any of its instrumentalities, a public administrator, medical examiner, coroner, State-appointed guardian, or any other public official charged with arranging the final disposition of the decedent may serve as the authorizing agent.
- h. In the case of individuals who have donated their bodies to science or whose death occurred in a nursing home or private institution and in which the institution is charged with making arrangements for the final disposition of the decedent, a representative of such institution may serve as the authorizing agent in the absence of any of the above.
- i. In the absence of any of the above, any person willing to assume responsibility as authorizing agent, as specified in this act.

*Be sure to review the statutes listed for more specific details. Do not hesitate to call the Board office if you have questions or are not sure...*

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#### TRAINEE CORNER

Trainees, supervisors or trainee candidates with questions related to the Traineeship Program are encouraged to contact the Board office. Do not rely on others to tell you how the program works.  
Reminder – trainee reports must include the total number of hours worked per month.

#### CONTINUING EDUCATION

There are less than three weeks remaining in 2014. You cannot renew your license for 2015 unless you have completed the required five hours of CE.

#### CREMATORIES TAKE NOTE

If your firm is planning to open a crematory or add an additional retort, the unit must be inspected by the Board prior to operating it. You must notify the Board when you are planning to conduct your “first burn” so that a Board inspector can be present.

KNOW who is contacting you if you are called to perform a “trade cremation.”  
Verify the establishment that contacts you. Is it a North Carolina or NC border state licensee? Have you done business with them before????

#### SYMPATHY IS EXTENDED TO THE FAMILIES OF:

**Oliver C. Pennington, Jr.**, retired vice president of Brown-Wynne Funeral Home, Raleigh, who died on November 9, 2014.

**George L. Slay, Sr**, former owner of Charlotte Mortuary Service, Charlotte, who died on November 15, 2014.



**Mary Agnes Jackson Carter**, former co-owner of Carter Funeral Home, Rockingham, who died on November 25, 2014.

**James E. Wall**, former part-owner of Cox Funeral Home, licensee with Howell Funeral Home, Pilot Mountain, who died on December 4, 2014.

DISCIPLINARY MATTERS:

CASE FILE NUMBER: C14-032

LICENSEES: Martin's Funeral Home (FE #378; PNE #105); Alton Hunnicutt, Jr. FDL #2869).

SUMMARY: The firm sold a preneed contract but did not file the contract with the Board or deposit the funds into a trust account or insurance policy within the time allowed by law.

BOARD ACTION: The Board adopted a consent order placing the firm's preneed establishment and sales licenses on three (3) years' probation. The Board also placed the funeral establishment permit and funeral service license on one (1) year probation. The parties were required to make restitution, pay a \$1,000.00 compromise penalty, and attend a continuing education class in preneed.

EFFECTIVE DATE: October 8, 2014

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