

# 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, March 11, 2015 at the Board office, 1033 Wade Avenue, Suite 108, Raleigh, NC 27605. The agenda will be posted by March 6 and can be viewed by [following this link](#).

[CLICK HERE FOR CONTINUING EDUCATION PROGRAMS](#)

## IMPORTANT ANNOUNCEMENTS-

### STAFF UPDATE

The Board is pleased to announce that M. David Hall is joining the staff as an Inspector. Mr. Hall will begin on March 1, 2015, and will be responsible for the Southeastern Region.

### VITAL RECORDS UPDATE

Effective February 1, 2015, local deputy/assistant registrars are required to forward death certificates to NC Vital Records on a weekly basis. This should greatly improve turnaround times in processing requests for citizens.

### PROTOCOL

As a matter of protocol, questions/issues/concerns regarding any Board business, legal issues etc. are to be directed to Board staff, not directly to Board members.

### 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>

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### LAWS AND RULES REVIEW:

Federal Trade Commission – “The Funeral Rule”

Authority: 16 CFR Part 453, Funeral Industry Practices

First enacted on April 30, 1984 and subsequently revised in 1994, the FTC's "Funeral Rule" is designed to provide protection for consumers of funeral goods and services by requiring specific, consistent information and certain mandatory disclosures.

It is really pretty simple to follow the requirements of The Rule. There are six disclosures which must be included on your General Price List which address right of selection, basic services, embalming, alternative containers, caskets and vaults. The rule does require *specific wording* in these disclosures, so be sure to follow the script verbatim!

The Funeral Rule also mandates the inclusion of 16 separate itemized prices. However, you are not required to list a particular price for any item (good or service) that you do not normally provide.

Your casket and outer burial container price lists must include those products which you normally (regularly) offer for sale, which do not require special ordering. Keep in mind...if your casket representative asks if you want to "see if this unit will sell" and you are not sure you want to display it and you keep it in your garage...put it on your price list! You did not special order it.

The Federal Trade Commission's link to "Complying With The Funeral Rule" is here: <http://www.ftc.gov/tips-advice/business-center/guidance/complying-funeral-rule> . If you have questions when working on your forms and aren't sure...call the Board office and we will assist you.

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#### CONTINUING EDUCATION

It's February...have you taken any continuing education yet? There is a plethora of opportunities on the Board website. Do it now – get it behind you!

#### CREMATORIES TAKE NOTE

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:

**Climent Mills**, founder of Mills Funeral Home, Kinston, who died December 26, 2014.

#### DISCIPLINARY MATTERS:

CASE FILE NUMBER: C13-052.

LICENSEES: Adams Funeral Home (FE #1; PNE #63).

SUMMARY: After the firm manager entered into a consent order in 2013 admitting to embezzling preneed funds, the firm was asked to make

restitution to its clients but did not fix the violations of the manager within a reasonable time.

BOARD ACTION: The Board adopted a consent order placing the firm's preneed licenses on probation for one (1) year. The firm will fix the violations and complete preneed continuing education.

EFFECTIVE DATE: February 11, 2015.

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CASE FILE NUMBERS: C13-065; M13-001; C14-039.

LICENSEES: Jackson Funeral Home (FE #281; PNE #097). Elouise Jackson (FD #2712).

SUMMARY: Jackson Funeral Home had several errors on its General Price List and Statement of Goods and Services Selected. Jackson Funeral Home also failed to file a preneed annual report on time and transferred a preneed contract within a reasonable time.

BOARD ACTION: The Board adopted a consent order placing the firm's preneed licenses on probation for two (2) years and its funeral establishment for one (1) year. The Board also placed Mrs. Jackson on probation for one year. The parties would also take continuing education in the Funeral Rule and preneed.

EFFECTIVE DATE: February 11, 2015.

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CASE FILE NUMBER: M14-020.

LICENSEES: Anthony Mitchell (FS #1407).

SUMMARY: Prior to applying for a new establishment permit, Mr. Mitchell was the licensee for a funeral and used the new firm's name on the death registration.

BOARD ACTION: The Board entered into consent orders placing Mr. Mitchell on probation for one (1) year. The Board also denied the application for the new funeral establishment.

EFFECTIVE DATE: February 11, 2015.

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CASE FILE NUMBER: M15-002.

LICENSEES: Reginald Moody, Jr. (FS #1489).

SUMMARY: Mr. Moody pled guilty to more than one criminal conviction.

BOARD ACTION: The Board adopted a consent order suspending Mr. Moody's license until 2017. Mr. Moody could have his license reinstated early or permanently revoked based on his conduct in the interim.

EFFECTIVE DATE: February 11, 2015.

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