

North Carolina Board of Funeral Service

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www.ncbfs.org

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Next meeting of the Board is 9 a.m. Wednesday, July 8, 2015 at the Board office, 1033 Wade Avenue, Suite 108, Raleigh, NC 27605. The agenda will be posted by July 2 and can be viewed by [following this link](#).

[CLICK HERE FOR CONTINUING EDUCATION PROGRAMS](#)

LEGISLATIVE MATTERS

The following bills affecting funeral service have been filed with the Legislature. The Board staff will continue to monitor as the legislative season progresses:

H-296: Amend Funeral Service Practice Laws

H-340: W/E Burials/State Veterans Cemeteries – sent to Governor

H-422: Amend Funeral Procession Law

H-517: Assignment of Death Benefits

H-905: Merge Cemetery Commission & NCBFS

The Legislature's bill look-up link can be accessed here:

<http://www.ncleg.net/Legislation/Legislation.html>

FTC CONSUMER COMPLAINT SCAM

The Federal Trade Commission is reporting that the consumer complaint scam is back. Businesses receive official-looking e-mails with links inside. The FTC is warning to NOT click on the links. You may [Visit the FTC website](#) for instructions should you receive one...

FUNERAL RULE MANUAL REVISED

The Federal Trade Commission has issued a revised version of "Complying With the Funeral Rule." A link to the document can be found here: <https://www.ftc.gov/tips-advice/business-center/guidance/complying-funeral-rule> and is also included on the Board website. The majority of the information is unchanged from prior versions, however there are two items which will require changes to your General Price List; they are both illustrated on page 5 of the manual: The order of the wording of the embalming disclosure is changed. The words "if relevant" should be removed from your Direct Cremation description if you have it there now.

NEW OCME RELEASE FORM

The Office of Chief Medical Examiner has updated the "Authorization for Release of Remains" form. OCME will require the use of this form **beginning July 1, 2015**. Funeral establishments and transport services should plan on using the form only when making a removal from the Medical Examiner's Office. OCME preference is for the driver to have the completed form in hand when making the removal. The form is on the Board website under "At Need Miscellaneous" forms; OCME has installed a link on their website:

(www.ocme.dhhs.nc.gov) under "Forms." You may print as many as you think you may need so you have a few handy. Questions concerning the new form should be directed to the Office of Chief Medical Examiner. The actual removal procedure is unchanged...only this new form is required instead of any other (old) forms you may be using.

ICFSEB Update

Effective **January 1, 2016**, the International Conference of Funeral Service Examining Boards will return to "instant results reporting" for National Board Exam (NBE) candidates. All candidates must be graduates of American Board of Funeral Service Education programs prior to taking the NBE. Therefore, the Projected Graduation Date forms will no longer be accepted by ICFSEB after October 1, 2015.

In another change, beginning January 1, 2016 NBE and State Board Exam (pathology, arts, sciences) may be taken up to three times in a calendar year. The 90-day waiting period for retakes is still in effect.



LAWS AND RULES REVIEW:

Preneed Bond Requirement

Authority: §90-210.67(b)

"...A funeral establishment receiving a new preneed establishment license after January 1, 2008, or whose preneed establishment license has lapsed or was terminated for any reason after January 1, 2008, shall obtain a surety bond in an amount no less than fifty thousand dollars (\$50,000) for five years, or upon demonstrating that is is solvent, no less than one year from the date the original license is issued. The Board may extend the bond requirement in the event there is a claim paid from the bond."

The bond requirement applies to new establishments, and also to establishments which are under new ownership. Documentation of the bond must be received by the Board prior to the issuance of the preneed establishment license.

Establishments requesting waiver of the bond must submit certified financial statements which demonstrate solvency (balance sheet at a minimum) prepared by a third party (the firm's CPA, for example) after a minimum of one year. The Board's preneed committee reviews said documentation, and if found to be satisfactory will recommend to the Board that the bond be waived upon request of the establishment.

Some firms have reported, from time to time, the reluctance of some bonding agencies to issue a bond, fearing that the bonding company would be liable for claims on the life of all contracts written during the period of coverage. However, the intent of the bond requirement is to cover occurrences and claims during the period of coverage only, and not for the life of the contracts written during the period of coverage. The Board has a

letter available to licensees who encounter this issue which explains this to insurance agents and surety bond companies.

NEW FUNERAL ESTABLISHMENTS

Bryant-Grant Funeral Home, Franklin
Legacy Funeral Home & Cremation Service, Rockingham

NEW LICENSEES

The Board congratulates the following individuals who were licensed in May:
Trey Michael Duncan (FD), Ayden; Daniel Lee Marley (FD), Seagrove; Judith C. Picard (FD), Greensboro; Leida M. Cooper (FS), Washington; William F. Knight (FS), Chapel Hill

NEW TRAINEES

New Trainees registered with the Board in May:
Tremecia Michelle Bell-Wilson, Rosadale Funeral Parlor, Charlotte
April Dawn Breed, Omega Funeral Service, Burlington
Donald Stephen Copley, Hayworth-Miller Funeral Home, Kernersville
Kevin Michael Knox, Jones Funeral Home, Jacksonville
Katrina Roschelle Richmond McLean, Knotts Funeral Home, Sanford
Sidney McLean, Walker Memorial Funeral Home, Lillington
Katherine E. Puckett, Hayworth-Miller Funeral Home, Winston-Salem
Carla Jo Simpkins, Whitfield & Whitley Funeral Home, Washington
Corey Tryon Smith, Unity Funeral Service, Fayetteville
Gloria Adams Stephens, Blake Phillips Funeral Service, Greenville
Brittney Elisabeth Vermillion, Cremation Society of Charlotte
Tionna DiShay White, Ebony & White's Funeral Service, Lillington

CONTINUING EDUCATION

There are many opportunities to complete your continuing education requirements for 2015 listed on the Board's website. In fact, there are 178 hours available before Labor Day! You only need five. Don't wait until the last minute!

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:

Ralph Avery Barbee, retired funeral service licensee of Concord, who died on March 17, 2015

Thomas Lee Tucker, president of Melton Funeral Home, Sylva, who died on May 3, 2015.

Stinson Thompson, Sr., president of Thompson's Mortuary, Forest City, who died on May 8, 2015.

Andrew F. Cannady, brother of Cary Cannady of Montlawn Funeral Home, Raleigh, who died on May 11, 2015

William S. (Steve) Aldridge, Jr., retired owner of Stanly Funeral Home, Albemarle, and father of NCBFS Vice President W. Stephen Aldridge, III, who died on May 16, 2015.

Jeffery L. Sutton, retired assistant operations manager of Arnold Wilbert Corporation, Goldsboro, who died on May 26, 2015

William F. Bazemore, funeral director at Hunter's Funeral Home, Ahoskie, who died on May 30, 2015

Hazel Yates, mother of Scottie Yates of Briggs Funeral Home, Denton, who died on June 3, 2015

DISCIPLINARY MATTERS:

CASE FILE NUMBER: M15-009.

LICENSEES: Mitchell-Fair Funeral Home (FE #398; PNE #506); Rosalind Mitchell (FD #3192); Florence-Progressive Mutual Burial Association.

SUMMARY: After being on probation for mishandling burial association funds, the Board examiner found that the parties did not replace them. The building for the firm had also been condemned.

BOARD ACTION: The Board accepted a consent order surrendering all licenses and permits.

EFFECTIVE DATE: June 10, 2015.

CASE FILE NUMBER: M15-012.

LICENSEES: Madison Funeral Home (FE #362; PNE #362); Larry Peek (FS #2404); Scott Peek (FS #3111) Monica Adkins (FS #2617).

SUMMARY: The funeral home and its licensees engaged in unlicensed practice by failing to renew their licenses. The firm also failed to deposit preneed funds for four contracts and did not file a contract within ten (10) days.

BOARD ACTION: The Board accepted a consent order revoking the licenses of Larry Peek and the firm. Scott Peek was placed on probation for three years. A \$500.00 penalty was assessed for the unlicensed practice by Scott Peek and Monica Adkins.

EFFECTIVE DATE: June 10, 2015.

