

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, June 10, 2015 at the Board office, 1033 Wade Avenue, Suite 108, Raleigh, NC 27605. The agenda will be posted by June 5 and can be viewed by [following this link](#).

[CLICK HERE FOR CONTINUING EDUCATION PROGRAMS](#)

IMPORTANT ANNOUNCEMENTS-

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: Weekend Burials/State Veterans Cemeteries

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>

NEW FTC BOOKLET

The Federal Trade Commission has issued a new version of the "Complying With The Funeral Rule" booklet. Board staff has ordered a supply which we will have available in Raleigh in the coming weeks. You may order your own copy(ies) free of charge directly from the FTC at

<https://bulkorder.ftc.gov/publications/complying-funeral-rule> .

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>



LAWS AND RULES REVIEW:

Solicitation

Authority: §90-210.125(e)(1); 21 NCAC 34A.0124(a)(4)

“Solicitation” shall mean any uninvited, intentional contact with an individual for the purpose of procuring the right to provide funeral services or merchandise, either immediately or at a future date when financial gain is a significant motive.

No licensee, or licensee’s agent, employee or assistant may solicit business from a prospective customer. Prohibited methods are all-inclusive: In-person contact, phone calls, e-mails, texts etc. General advertising is, of course, permissible.

The statute prohibits “employment directly or indirectly of any resident trainee, agent, assistant or other person, on a part-time or full-time basis, or on commission, for the purpose of calling upon individuals or institutions by whose influence dead human bodies may be turned over to a particular licensee.” Basically, this would include such actions as providing gifts and/or gratuities to healthcare facilities or individuals, churches, etc so as to direct calls to a particular licensee and/or establishment.

CONTINUING EDUCATION

The year is one-third over. How is your continuing education requirement progressing? You need five hours...

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:

Michael L. Baker, brother of Kenneth Caulder of Leavitt Funeral Home, Wadesboro, who died on March 15, 2015.

Jean White Baynard, grandmother of Adam Baynard of Hartsell Funeral Home, Concord, who died on April 12, 2015.

James Shelton Joyner, funeral director at Joyner’s Funeral Home, Wilson, who died on April 24, 2015.

Richard T. Harris, director at Powell Funeral Home, Southern Pines and former owner of Harris Funeral Home, Eden, who died April 26, 2015.

DISCIPLINARY MATTERS:

CASE FILE NUMBERS: M12-022; C13-058; C14-004.

LICENSEES: Mitchell's Funeral Home (FE #725; PN #861); Corrine Culbreth (FS #1314); Vivian Cummings (FD #3140).

SUMMARY: Mitchell's Funeral Home did not comply with a past Consent Order and converted preneed funeral funds to an unauthorized use. Mitchell's Funeral Home also allowed an unlicensed person to practice funeral directing on more than one occasion and made false statements on their renewal applications.

BOARD ACTION: The Board entered into a Final Agency Decision revoking all licenses and permits from the firm, its licensees, and its managers.

EFFECTIVE DATE: April 8, 2015.

CASE FILE NUMBER: C14-037; C14-041.

LICENSEES: Chappell's Funeral Home (FE #545); Yolanda Chappell (FSL #2004).

SUMMARY: Chappell's Funeral Home did not file vital records as required by law.

BOARD ACTION: The Board entered into a Final Agency Decision assessing a \$250.00 penalty and placed the funeral home and Mrs. Chappell on three (3) years probation.

EFFECTIVE DATE: January 14, 2015.

