

The International Conference of Funeral Service Examining Boards

Legislative Outlook

Thursday February 25, 2021

2:30pm-3:30pm CT

Speaker/Moderator: Dale Atkinson, Esq.

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BE AN INFORMATION SOURCE FOR THE LEGISLATURE!





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Comic relief...

- Alaska...it's illegal to be drunk in a bar

Virginia...Manager of Record

Introduced January 2021, Pending

- S.B. 1424
- Would prevent non-embalmer funeral directors from managing funeral service establishments that offer embalming
- Grandfathering provisions
- Failed in committee??

North Carolina...refrigeration

Hearings March 10, 2021

- 21NCAC 34B.0707
 - Refrigeration units must satisfy certain requirements
 - Allowance of temporary refrigeration units, during declared emergency
 - Allowance of use of off premises units
- 21 NCAC 34C.0202
 - Refrigeration units located on premises
 - Capacity issues

Michigan...pot pourri

Signed into law December 2020

- Prerequisites to licensure
- Endorsement requirements
- CE requirements as part of renewal, including ethics mandate
- Declaration of ownership interests in establishment licensure application
- Allowance of continued use of name
- Notice to Dept of change in ownership or location
- Immunity of civil liability under certain circumstances

Comic relief...

- Connecticut...pickles cannot be sold unless they bounce when dropped from one foot

Washington...Composting Human Remains

Signed into law in 2019, began being used in December 2020

- Natural Organic Reduction
- 3 facilities licensed to perform
- Use of a large cylindrical drum called a NOR Cradle
- Contains gallons of wood chips
- End result is useable compost

Mississippi...deregulation of funeral directors

introduced February 2021

- Originally included funeral directors in legislation that deregulated numerous professions
- ***Funeral directors withdrawn before sent to committee***
- Professions included:
 - Art therapy
 - Auctioneers
 - Interior design
 - Cosmetologists
 - Orthotics and prosthetics
 - Athletic trainers
 - Massage therapists

Nevada...Gender identity

introduced ?

- S.B 109
- Requires boards to collect and report on gender identity and sexual orientation
- Voluntary disclosure??

Comic relief...

- Arkansas...it's illegal to pronounce Arkansas incorrectly

Wyoming...Military spouses

introduced 2021

- Temporary permits, if progressing toward licensure
- Expedited licensure process

Montana...Death certificate fees

introduced 2021

- Revise death certificate fees to fund board

Tennessee...pot pourri pending

- SB0771/HB0780 – Exempts funeral director from registration as a preneed sales agent provided the funeral director is selling preneed funeral contracts only on behalf of a funeral home that is owned, in whole or part, by that person. Changes the number of hours an apprentice must work each week from 40 to 32 to receive credit for their apprenticeship.
- SB0931/HB0334 – Recognizes alkaline hydrolysis as a form of disposition and imposes requirements on the operation of alkaline hydrolysis facilities.
- SB0828/HB1181 – Requires disposition of aborted fetal remains to be by burial or cremation; requires the Department of Health to promulgate certain rules and forms; and makes certain other changes regarding the disposition of fetal remains.

Tennessee...pot pourri

pending

- SB1429/HB0788 – Requires the state and the county in which the person resided to **pay up to \$2,000 for the burial or cremation of a person who dies from COVID-19** if the person's family is financially unable to pay for a proper burial or cremation of the person.
- SB1091/HB0738 – **Reduces from 100 percent to 80 percent the amount of funds received for funeral services and merchandise to be held in trust** pursuant to a preneed funeral contract funded by trust deposit; requires the contract to disclose to the purchaser in boldface type the percentage of funds the seller is required to trust along with the name of the trust officer, the trust institution, and their respective addresses and phone numbers.
- SB1558 – Appears to be a **caption bill that amends several titles of the code** relative to professions.

Comic relief...

- Hawaii...billboards have been outlawed.

