

REPORT SUMMARIZING THE LICENSING ACTIVITIES
OF THE
NORTH CAROLINA BOARD OF FUNERAL SERVICE

Section 93B-2 of the General Statutes requires an annual financial report and a report of licensing activities be filed with the Secretary of State, the Attorney General and the Joint Legislative Administrative Procedure Oversight Committee. This report covers the Board's calendar/fiscal period of January 1, 2014 to December 31, 2014.

SECTION 1: BOARD MEMBERS, OFFICERS AND ADDRESSES

The North Carolina Board of Funeral Service is located at 1033 Wade Avenue, Suite 108, Raleigh, NC 27605. Current officers and members of the Board are:

Marvin Kelly Byrd (December 31, 2014)
(President)
P.O. Box 3625
Monroe, NC 28111

* Lawrence Jackson III (December 31, 2015)
P.O. Box 331
Laurinburg, NC 28353

Kenneth D. Stainback (December 31, 2016)
(Vice-President)
P.O. Drawer 267
Graham, NC 27253

Rev. John Shields (December 31, 2014)
815 Croftwood Drive
Gibsonville, NC 27249

J. Broadus Combs (December 31, 2014)
(Secretary)
36206 US Highway 1
Aberdeen, NC 28315

Elizabeth Williams-Smith (December 31, 2016)
9318 lake Spring Ave.
Charlotte, NC 28216

W. Stephen Aldridge III (December 31, 2014)
P.O. Box 207
Albemarle, NC 28002

Tryphina Wiseman (December 31, 2014)
431 Cumberland Street
Fayetteville, NC 28301

Charles J. Graves (December 31, 2016)
P.O. Box 824
Swannanoa, NC 28778

*Joseph T. Clay, Jr.(December 31, 2015)
190 Edwards Center St.
Elkin, NC 28621

Bold face indicates public members
Members terms end as indicated in parentheses

*Mr. Jackson was removed from the Board in September 2014; Mr. Clay was appointed to replace him in December 2014 and will complete Mr. Jackson's term.

1a: There are 2,762 individuals licensed by the Board, including 1,774 funeral service licensees, 867 funeral director licensees, 19 with both funeral director and embalmer licenses, 7 embalmer-only licensees and 108 transporters.

2: In 2014, one hundred-seventeen (117) individuals applied to the Board for examination.

3: There were zero (0) candidates who were refused examination.

4: Ninety-eight (98) candidates took the examination.

5: Fifty-nine (59) initial licenses were issued to candidates who passed the examination and completed all other statutory requirements for licensure.

5a: Eight (8) candidates failed the examination.

6: Fifteen (15) candidates applied for license by reciprocity or comity.

7: Fourteen (14) candidates were granted licenses by reciprocity or comity.

7a: During Fiscal Year ending December 31, 2014, the Board received ninety-three (93) complaints, sixty-eight (68) of which were consumer-generated and twenty-five (25) of which were staff-initiated.

7b: During Fiscal Year ending December 31, 2014, fifty-two (52) disciplinary actions were taken by the Board. These actions involved multiple types of licenses and permits (individual, preneed establishment, at-need establishment, transport, etc.).

8: As allowed under the provisions of N.C. General Statutes §§ 90-210.25(e), 90-210.69(c), and 90-210.134, the Board may impose a variety of sanctions when it finds violations of Articles 13A, 13D, and/or 13F of the North Carolina General Statutes. In addition to license revocation or suspension, other allowable disciplinary actions include probation, civil penalties, or a combination of these. Generally, cases in which the Board imposes terms of probation included stayed license revocations or suspensions. During Fiscal Year ending December 31, 2014, seven (7) individual licenses were revoked; six (6) establishment licenses were revoked; two (2) trainee permits were revoked; one (1) mutual burial association was revoked; one (1) individual license was suspended; one (1) establishment license was suspended; six (6) individual licenses were placed on probation; six (6) establishment licenses were placed on probation; and one (1) mutual burial association was placed on probation. The terms of probation ranged from one (1) year to five (5) years. Thirty-four (34) civil penalties in amounts ranging from \$250.00 to \$3,000 were imposed.

9: Twenty-three (23) individual licenses were terminated in 2014 due to the death of the licensee.

10: House Bill 296, "An Act Amending the Laws Pertaining to the Practice of Funeral Service," was filed with the General Assembly on March 18, 2015. HB-296 proposes various statutory amendments, including but not limited to: (1) clarifying costs of reinspection for funeral homes and/or documents required by the Federal Trade Commission that fail inspection; (2) requiring for licensure a successful examination on the standards set forth by the Federal Trade Commission in Funeral Industry Practices, 16 C.F.R. 453; (3) clarifying the disciplinary actions the Board can take with respect to trainees; (4) requiring professional liability insurance coverage for unaffiliated licensees; (5) clarifying disciplinary actions that may be taken with respect to various licensees and/or permit holders; (6) removing the "grace period" for late individual and establishment license annual renewals; (7) clarifying the limitations on a preneed salesperson attempting to sell preneed funeral contracts at more than one establishment; (8) requiring that mutual burial associations comply with all requirements imposed on an insurance company or insurer; and (9) requiring copies of burial-transit permits issued by the jurisdiction where death occurred before cremating any human body that died outside of North Carolina.

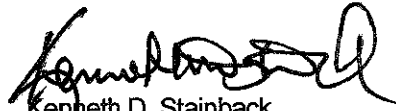
11: At this time, there are no anticipated changes to the Board's existing rules or proposed new rules.

PART B: RECEIPTS AND DISBURSEMENTS

The Board operates on a calendar fiscal year. The included audited financial report for 2014 will provide the information on receipts and disbursements required under § 93B-2 (b).

The foregoing report summarizes the licensing activities of the North Carolina Board of Funeral Service for the year 2014. Additional information is available upon request.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Kenneth D. Stainback', written in a cursive style.

Kenneth D. Stainback
President
North Carolina Board of Funeral Service

A handwritten signature in black ink, appearing to read 'Peter M. Burke', written in a cursive style.

Peter M. Burke, CFSP
Executive Director