



## NORTH CAROLINA BOARD OF FUNERAL SERVICE

February 19, 2025

***Via email only***

Joint Legislative Commission on Governmental Operations

Email: [govops@ncleg.net](mailto:govops@ncleg.net)

Joint Legislative Administrative Procedure Oversight Committee

Email: [Virginia.barlow@ncleg.gov](mailto:Virginia.barlow@ncleg.gov)

Re: Report on Regulatory Flexibility  
Section 4E.1 of SL 2024-53

Dear Committee Members,

The North Carolina Board of Funeral Service (the "Board") hereby submits this report on its use of regulatory flexibility, in accordance with Section 4E.1 of Session Law 2024-53.

**Board Overview**

As an occupational licensing board created by North Carolina General Statute, the Board regulates the licensure of funeral practitioners and establishments; oversees compliance by licensees with the Board's governing statutes and administrative rules; and protects consumers through oversight and fiscally responsible administration of the state's Preneed Recovery Trust Fund. Further, the Board oversees compliance with applicable federal code requirements set forth in the Federal Trade Commission's Funeral Rule and administers a complaint resolution program for consumers.

The Board licenses approximately 2,700 active practitioners engaged in the practice of funeral service, funeral directing and embalming and 150 inactive licensees. It also permits more than 1,000 funeral homes and cremation establishments including those engaged in the disposition of human remains through alkaline hydrolysis. The Board also credentials individuals engaged in the removal and transportation of dead human bodies for a fee; to funeral chapels; and to unaffiliated practitioners in North Carolina.

The Board's organization is composed of a 9-member panel including six members representing the NC Funeral Directors Association (NCFDA) and the Funeral Directors and Morticians Association of NC (FDMANC); two public members appointed by the NC General Assembly; and one member unaffiliated with an industry association.

Session Law 2024-53

Promulgated in October 2024, Session Law 2024-53 provides in Section 4E.1(b) that:

Notwithstanding any other provision of State law, if a State agency determines that, due to the impacts of Hurricane Helene in the affected area, it is in the public interest, including the public health, safety, and welfare and the economic well-being of the citizens and businesses of the affected area, the agency shall do all of the following:

- (1) Delay the renewal dates of employment-related certifications issued by the agency pursuant to its statutes for residents of the affected area.
- (2) Delay or modify any educational or examination requirements for employment-related certifications implemented by the agency pursuant to its statutes for residents of the affected area.

In this legislation, the General Assembly directed each State agency in the executive branch of government in North Carolina, no later than March 1, 2025, to report to the Joint Legislative Administrative Procedure Oversight Committee and the Joint Legislative Commission on Governmental Operations on its use of regulatory flexibility under this Section 4E.

Board Implementation of Session Law 2024-53

Since October 2024, the Board has implemented the directives of SL 2024-53 in the following ways:

- N.C. Gen. Stat. § 90-210.25(a)(5)(b) provides that "[t]he holder of any license issued by the Board who shall fail to renew the same on or before February 1 of the calendar year for which the license is to be renewed shall have forfeited and surrendered the license as of that date." The Board allowed all licensees residing in affected areas, as that term is defined in SL 2024-53, to renew their licensure without penalty through March 1, 2025, which is the expiration date of Section 4E of SL 2024-53.
- N.C. Gen. Stat. § 90-210.25(a)(5)(d) provides that "[a]s a prerequisite to the annual renewal of a license, the licensee must complete, during the year immediately preceding renewal, at least five hours of continuing education courses, of which the Board may require licensees to take up to two hours specified by the Board." The Board allowed all licensees residing in affected areas to delay completion of continuing education requirements necessary for renewal of licensure through March 1, 2025.
- N.C. Gen. Stat. § 90-210.25(a)(4)(e) provides that "[a]ll registered resident trainees shall electronically report to the Board at least once every month during traineeship upon forms provided by the Board listing the work which has been completed during the preceding month of resident traineeship. The Board may set and collect a late fee not to exceed fifty dollars (\$50.00) for each work report filed after the date the report is due." The Board waived this requirement for registered trainees residing in the affected area, who were impacted in their ability to submit the required work reports.

Should you require additional or more detailed information concerning this report, I am glad to respond as necessary. My email is [aacord@ncbfs.org](mailto:aacord@ncbfs.org).

Regards,

Amy Acord  
Interim Executive Director