

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Board of Funeral Service

RULE CITATION: 21 NCAC 34B .0208

DEADLINE FOR RECEIPT: March 19, 2024

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Line 4: It would appear that the Board is attempting to define "passing score" as the term is used in a statute. Please include a reference to the statute in which the statutory language being defined exists as the Board did on Line 11.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

William W. Peaslee
Commission Counsel

Date submitted to agency: March 5, 2024

1 21 NCAC 34B .0208 is amended as published in 38.12 NCR 817-818 as follows:

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21 NCAC 34B .0208 PASSING SCORE

(a) The passing score on all examinations administered by the ~~Board~~ International Conference of Funeral Service Examining Boards, Inc. shall be such passing score that is established by the International Conference of Funeral Service Examining Boards, Inc. and in effect at the time such examinations are ~~administered by the Board~~ administered.

(b) A score of at least seventy-five percent on a final examination taken in a pathology course offered through a school that has a mortuary science program accredited by the American Board of Funeral Service Education shall be deemed equivalent to a passing score on the examination of pathology required for licensure as a funeral director, pursuant to G.S. 90-210.25(a)(1)(e)(4).

*History Note: Authority G.S. 90-210.23(a); 90-210.25(a)(1),(2),(3); 90-210.25(a)(5);
Eff. February 1, 1976;
Readopted Eff. September 27, 1977;
Amended Eff. November 1, 2004; September 1, 1979;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,
2017.
Amended Eff. April 1, 2024.*

REQUEST FOR CHANGES PURSUANT TO G.S. 150B-21.10

AGENCY: N.C. Board of Funeral Service

RULE CITATION: 21 NCAC 34B .0211

DEADLINE FOR RECEIPT: March 19, 2024

PLEASE NOTE: This request may extend to several pages. Please be sure you have reached the end of the document.

The Rules Review Commission staff has completed its review of this Rule prior to the Commission's next meeting. The Commission has not yet reviewed this Rule and therefore there has not been a determination as to whether the Rule will be approved. You may email the reviewing attorney to inquire concerning the staff recommendation.

In reviewing this Rule, the staff recommends the following changes be made:

Generally, to the Rule:

As written, the Board is regulating itself. Consider re-writing the rule to obtain the same goal.

Consider making separate Paragraphs at Line 4, 7, and 11.

Please retype the rule accordingly and resubmit it to our office at 1711 New Hope Church Road, Raleigh, North Carolina 27609.

William W. Peaslee
Commission Counsel

Date submitted to agency: March 5, 2024

1 21 NCAC 34B .0211 is amended as published in 38.12 NCR 817-818 as follows:

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3 **21 NCAC 34B .0211 NATIONAL BOARD CERTIFICATE**

4 The Board shall accept a ~~"National Board Certificate,"~~National Board Certificate for Arts, certifying the successful
5 completion of the National Board Examination for Arts of the International Conference of Funeral Service Examining
6 Boards Inc., as the equivalent of that portion of the Board's entry-level examination ~~which deals with basic health~~
7 ~~sciences, funeral service sciences, and funeral service administration in funeral directing.~~ The Board shall accept a
8 National Board Certificate for Sciences, certifying the successful completion of the National Board Examination for
9 Sciences of the International Conference of Funeral Service Examining Boards Inc., as the equivalent of that portion
10 of the Board's examination on the topics of embalming, restorative arts, chemistry, pathology, microbiology, and
11 anatomy. National Board Certificates shall be accepted for ~~five~~three years from the date of issue for eligibility toward
12 licenses issued under G.S. 90-210.25(a)(1), (2), or (3).

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14 *History Note: Authority G.S. 90-210.23(a); 90-210.25(a)(5);*

15 *Eff. February 1, 1976;*

16 *Readopted Eff. September 27, 1977;*

17 *Amended Eff. February 1, 2009; November 1, 2004; September 1, 1979.*

18 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*
19 *2017.*

20 *Amended Eff. April 1, 2024.*

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