

## Burgos, Alexander N

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**Subject:** FW: [External] Bd of Funeral Service Request for Changes

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**From:** Peaslee, William W <[bill.peaslee@oah.nc.gov](mailto:bill.peaslee@oah.nc.gov)>  
**Sent:** Thursday, March 14, 2024 10:02 AM  
**To:** Amy D. Acord <[AAcord@ncbfs.org](mailto:AAcord@ncbfs.org)>  
**Cc:** Burgos, Alexander N <[alexander.burgos@oah.nc.gov](mailto:alexander.burgos@oah.nc.gov)>  
**Subject:** RE: [External] Bd of Funeral Service Request for Changes

Good morning Amy,

In Rule 211, line 6, consider striking “that portion of”. I don’t think this changes the meaning of the rule but it would read better.

While I would not recommend objection should you not make a change, it would improve the rule.

Please let me know your intentions.

**William W. Peaslee**  
**Rules Review Commission Counsel / Legislative Liaison**

Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh NC, 27609  
(984) 236-1939  
[Bill.Peaslee@oah.nc.gov](mailto:Bill.Peaslee@oah.nc.gov)

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**From:** Amy D. Acord <[AAcord@ncbfs.org](mailto:AAcord@ncbfs.org)>  
**Sent:** Wednesday, March 13, 2024 2:11 PM  
**To:** Peaslee, William W <[bill.peaslee@oah.nc.gov](mailto:bill.peaslee@oah.nc.gov)>  
**Subject:** [External] Bd of Funeral Service Request for Changes

**CAUTION:** External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Good Afternoon,

Please see the attached revisions.

Please also confirm receipt of this email.

Thanks,

*Amy D. Acord*

Amy D. Acord  
Assistant Director  
NCBFS  
1033 Wade Ave., Ste. 108  
Raleigh, NC 27605  
(919) 733-9380

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.*

***Statutory citation has been added to the Rule.***

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

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.*

***Revised.***

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 with changes as published in 38.12 NCR 817-818 as follows:

2

3 **21 NCAC 34B .0208 PASSING SCORE**

4 (a) [The] For purposes of G.S. 90-210.25(a)(5), the passing score on all examinations administered by the ~~Board~~  
5 International Conference of Funeral Service Examining Boards, Inc. shall be such passing score that is established by  
6 the International Conference of Funeral Service Examining Boards, Inc. and in effect at the time such examinations  
7 are ~~administered by the Board~~ administered.

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

12

13 *History Note: Authority G.S. 90-210.23(a); 90-210.25(a)(1),(2),(3); 90-210.25(a)(5);*

14 *Eff. February 1, 1976;*

15 *Readopted Eff. September 27, 1977;*

16 *Amended Eff. November 1, 2004; September 1, 1979;*

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

19 *Amended Eff. April 1, 2024.*

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21

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

2  
3 **21 NCAC 34B .0211 NATIONAL BOARD CERTIFICATE**

4 (a) [The Board shall accept] Pursuant to G.S. 90-210.25(a)(5), a "National Board Certificate," National Board  
5 Certificate for Arts, certifying the successful completion of the National Board Examination for Arts of the  
6 International Conference of Funeral Service Examining Boards Inc., [as]is the equivalent of that portion of the Board's  
7 entry-level examination which deals with basic health sciences, funeral service sciences, and funeral service  
8 administration in funeral directing.

9 (b) [The Board shall accept] Pursuant to G.S. 90-210.25(a)(5), a National Board Certificate for Sciences, certifying  
10 the successful completion of the National Board Examination for Sciences of the International Conference of Funeral  
11 Service Examining Boards Inc., [as]is the equivalent of that portion of the Board's examination on the topics of  
12 embalming, restorative arts, chemistry, pathology, microbiology, and anatomy.

13 (c) National Board Certificates shall be accepted for ~~five~~three years from the date of issue for eligibility toward  
14 licenses issued under G.S. 90-210.25(a)(1), (2), or (3).

15  
16 *History Note: Authority G.S. 90-210.23(a); 90-210.25(a)(5);*

17 *Eff. February 1, 1976;*

18 *Readopted Eff. September 27, 1977;*

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

20 *Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19,*  
21 *2017.*

22 *Amended Eff. April 1, 2024.*

## **Burgos, Alexander N**

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**From:** Peaslee, William W  
**Sent:** Tuesday, March 5, 2024 2:45 PM  
**To:** aacord@ncbfs.org  
**Cc:** Burgos, Alexander N  
**Subject:** Bd of Funeral Service Request for Changes  
**Attachments:** 03.2024 - Funeral Board Request for Technical Change.docx

Good Afternoon,

Attached is the request for changes on the administrative rules before the Rules Review Commission (RRC). These rules will be considered at the March RRC meeting.

Please respond by March 19<sup>th</sup> with any revisions to the Board's rules.

As always if you have any questions or concerns, please feel free to contact me.

Thank you.

**William W. Peaslee**  
**Rules Review Commission Counsel / Legislative Liaison**  
Office of Administrative Hearings  
1711 New Hope Church Road  
Raleigh NC, 27609  
(984) 236-1939  
[Bill.Peaslee@oah.nc.gov](mailto:Bill.Peaslee@oah.nc.gov)

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