



April 30, 2014

# QUARTERLY EXAMINATION AND NOTICE OF INTENDED ACTION

## *Quarterly Examination*

The Alabama Board of Funeral Service will administer its quarterly state law examinations on **Tuesday, July 8, 2014, at 9:00 a.m.**, in Room 123 of the Alabama State House, 11 South Union St., Montgomery, Alabama. Anyone wishing to take this exam may do so by submitting proper applications and fees no later than **Wednesday, June 4, 2014.**

The Board will also hold its fourth regular meeting of fiscal year 2014 on **July 8, 2014 at 10:00 a.m.** in Room 123 of the Alabama State House. Anyone who would like to appear before the Board or have matters discussed should notify the Board office by **Wednesday, June 4, 2014**, in order to be placed on the agenda. Matters or subjects not on the agenda are not guaranteed for discussion at the meeting.

## *State Law Exam*

The Board has voted to allow The Conference to administer the Alabama State Law Exam. Beginning July 1, 2014, any individual having met the qualifications to be licensed as a funeral director or embalmer will follow the following process:

1. Submit application for permanent license as a funeral director embalmer and supporting documents.
2. Once paperwork is verified by the Board office, the individual's name will be submitted to The Conference certifying that individual to take the state law exam and the licensure exam for which application was made. (\*\*Names will be submitted on Friday of each week. An email will be sent notifying the applicant when their name has been submitted to the conference.)
3. The individual should then contact The Conference at 479-442-7076 or [www.CFSEB.org](http://www.CFSEB.org) to register to take the Alabama State Law Exam and/or the Alabama State Funeral Director or Embalmer Exam.
4. Once the individual has registered with The Conference, he/she will be instructed to contact the testing center in his/her area to schedule the exam. Currently Pearson VUE is the exam testing center in Alabama with location in Birmingham, Decatur, Dothan, Mobile and Montgomery. Individuals seeking licensure through reciprocity will be allowed to take the Alabama State Law Exam in their current state of residence.

The cost for the state law exam will be \$140.00 to be paid directly to The Conference. Individuals who are unsuccessful in passing the exam must wait 30 days before they will be allowed to re-take the exam.

The July 8, 2014 exam will be the last state law exam administered by the Board. Beginning October 6, 2014 the Board will meet only to handle Board business.

# *Notice of Intended Action and Public Hearing*

Act No. 2014-125 (House Bill 101) will become effective June 5, 2014 and Act No. 2014-302 (Senate Bill 210) will become effective July 7, 2014 causing changes to the Alabama Funeral Service Law. As a result of these changes, it has become necessary for the Funeral Service Administrative Laws to be amended. In accordance with Section 34-13-26 and the Alabama Administrative Code, Code of Alabama, 1975, the Board reviewed House Bill 101, Senate Bill 210 and the current administrative laws, voted on and filed with the Legislative Reference Service Administrative Procedure Division the following proposed intended actions:

## **395-X-1**

**INTENDED ACTION:** The Alabama Board of Funeral Service proposes to amend Rule No. 395-X-1-.02 and Rule No. 395-X-1-.03.

**SUBSTANCE OF PROPOSED ACTION:** The Board proposes to amend Rule 395-X-1-.02 by inserting language allowing a current sitting Board member to continue to serve after his/her term has ended if the Governor has not appointed a successor by the end of the current member's term, a result of the new statutory requirement. The Board also proposes to amend Rule 395-X-1-.03 by removing the language that requires the Board to meet once quarterly for the purpose of administering the examinations as a result of the Board allowing all exams to be administered by the International Conference at testing centers.

## **395-X-2**

**INTENDED ACTION:** The Alabama Board of Funeral Service proposes to amend Rule No. 395-X-2-.02 and Rule No. 395-X-2-.03. The Alabama Board of Funeral Service proposes to add a new rule as Rule No. 395-X-2-.07 titled " Continuing Education" .

**SUBSTANCE OF PROPOSED ACTION:** The Board proposes to remove the language requiring the Board to mail renewal notices, and adding language requiring the Board to provide notice by electronic format in accordance with the new statutory requirement. The Board proposes to clarify the fee for Establishment Change of Ownership of \$250.00 and License Transfer of \$25.00. The Board proposes to add a new rule as Rule No. 395-X-2-.07 titled " Continuing Education" requiring all licensees to complete 8 hours of continuing education every 2 years and outlining the requirements for a continuing education sponsor and the penalty for not complying with the 8 hours continuing education requirement as set by the statute.

## **395-X-4**

**INTENDED ACTION:** The Alabama Board of Funeral Service proposes to amend Rule No. 395-X-4-.01.

**SUBSTANCE OF PROPOSED ACTION:** The Board proposes to add language requiring an establishment to obtain a business license from the county or city municipality where the establishment is located before it can operate.

## 395-X-6

**INTENDED ACTION:** The Alabama Board of Funeral Service proposes to amend Rule No. 395-X-6-.01 and Rule No. 395-X-6-.02. The Alabama Board of Funeral Service also proposes to add a new rule as Rule No. 395-X-6-.09 titled “ Inspection Penalties” .

**SUBSTANCE OF PROPOSED ACTION:** The Board proposes to add language to Rule No. 395-X-6-.01 establishing the requirements for a funeral establishment where there will be no embalming of human remains because embalming will take place at a centralized embalming facility in accordance with new statutory requirements. The Board proposes to add language in Rule No. 395-X-6-.02 requiring caskets in the selection or display room to be priced in accordance with new statutory requirements. The Board proposes to add a new rule as Rule No. 395-X-6-.09 titled “ Inspection Penalties” listing the penalties and procedure for handling minor inspection violations for an establishment.

Individuals wishing to view the proposed rule may visit [www.alabamaadministrativecode.state.al.us/](http://www.alabamaadministrativecode.state.al.us/) and click on “ Agency Proposed Rules” then click “ April 2014” . Written, verbal or electronic mail comments regarding the proposed amendments will be accepted by the Board until June 4, 2014. A public hearing regarding those comments will be held on **June 5, 2014 meeting at 10:00 a.m., in Room 123** of the Alabama State House, 11 South Union St., Montgomery, Alabama. Comments sent by electronic mail should be sent to [charles.perine@fsb.alabama.gov](mailto:charles.perine@fsb.alabama.gov). Written comments should be mailed to the Board’ s office at P.O. Box 309522, Montgomery, AL 36130.

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### ***COMING THIS RENEWAL SEASON ONLINE RENEWALS and CREDIT CARD ACCEPTANCE!!***

The Board is currently working with Alabama Interactive to allow for online renewals using a credit card and the ability for the Board to accept credit card payments. Please check the Board’ s website and newsletter during the month of June for more information. \*\*\*Paper renewals will still be available.\*\*\*

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### ***Email Notifications***

The Board is asking that each licensee and establishment provide the Board with a valid email address to receive exam notifications, newsletters, renewal notices, and inspection information (establishments only). After the passage of House Bill 101, the Board is no longer required to use the postal mailing system as the primary means of sending information to licensees and establishments. The Board is in the process of collecting email addresses to better inform all licensees. An email address will be required for online renewal and there will be a space to include your email address on the paper renewals this year.

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