



KAY IVEY
GOVERNOR

ALABAMA BOARD OF FUNERAL SERVICES

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CHARLES PERINE
DIRECTOR

October 1, 2023

Dear COA Holders, PSAs, and Endowment Care Cemeteries,

After months of preparations, the time has finally arrived! Today marks the official effective date of SB-131, The Alabama Preneed Funeral and Cemetery Act of 2023. This act has transferred the existing Preneed Funeral and Cemetery Act, and the regulation of preneed contracts, from the Commissioner and Department of Insurance to the Alabama Board of Funeral Services. We hope to make this experience as pleasing as possible to you and ask that you work with us as we navigate this transition. With that being said, we are sending out this letter in hopes that it will find you well. We want to make sure that we are all on the same page as far as what is expected and what is to come as we transition into this new era.

While we are going to do everything we can to take care of your urgent needs, please understand that this is still a transitioning period. Some things that were in place with the Department of Insurance are not quite in place with the Board of Funeral Services yet. It is a process that we are all working diligently to get right. In the meantime, we ask that you continue to sell and report preneed as you were with the Department of Insurance and in accordance with the preneed law. We thank you for your patience and willingness to cooperate with us.

The Associate Executive Director for the Preneed Division of the Board is Laura K. Sullivan. Ms. Sullivan will be assisting with the day-to-day operations and management of the preneed division. She can be contacted at laura.sullivan1@fsb.alabama.gov.

Please visit our website as soon as you can to find the new section for preneed. This section will have all the information you will need regarding preneed. We will continue to update this section of the website as needed, but taking the time to familiarize yourself with the site will prove beneficial for you in the days to come.

During the transition period, online reporting will not be available. Any reports that you are required to turn in must be mailed to the board office at the **PHYSICAL** address listed above. This is especially important if you are a monthly or quarterly reporter as your last reporting period just ended and will need to be reported soon. Due to the recent changes in legislation regarding the regulation of preneed, we ask that you please use this letter as a guide to continue your preneed reporting.

As we work to bring online reporting to our website, you should acquire a report form to fill out and send to the board office for reporting. There are blank reports accompanying this letter and we have made the reports available on our website for you to fill out and sign. You may access these reports at www.fsb.alabama.gov > Preneed > Forms. If you have questions or need help filling out the reports, please call for assistance.

Those who are on monthly reporting should submit your reports no later than 10 days after the end of the month (October 10th) without penalty. According to Title 34, Chapter 13, Section 191, of the Alabama Code 1975, reports that are submitted past the due date are subject to a \$50 per day fine. It is extremely important that you are submitting your reports on time, as these fines can add up very quickly. While this



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may not be the agreement initially made with the Department of Insurance, we feel that having this uniformity across the board for all monthly reporters makes it easier on the reporter as well as the board. It allows for more proper record keeping and ensures the reports are not being skipped over or are missing.

Those who are on quarterly reporting should keep in mind that September 30th has ended the third calendar quarter and your reports are due no later than 45 days after the end of the quarter (November 14th) without penalty. According to Title 34, Chapter 13, Section 191, of the Alabama Code 1975, reports that are submitted past the due date are subject to a \$50 per day fine. It is extremely important that you are submitting your reports on time, as these fines can add up very quickly.

Once we get through this period of transitioning from the Department of Insurance, we will be issuing new permanent numbers for COAs, Branch Registrants, and PSAs. Since this is a requirement for us, once the numbers are reissued, we will also be issuing new Certificates of Authority and Branch and PSA Registration notices. We will update you all when we know this will be taking place. For now, continue to use your existing numbers as usual.

Effective today, anyone applying for a new COA or PSA **MUST HAVE A BACKGROUND CHECK**. When submitting the application, you must also submit 2 sets of fingerprints and a \$38.25 background check fee along with the application and application fee. Applications may be found on our website with instructions and checklists on what is required. During this transition, we will not be requiring anything different from the Department of Insurance, except for background checks.

Once we have appointments from the Governor for the Preneed Board, we will be sending notices regarding the plan for changes to the administrative rule. If you have any suggestions pertaining to a change in the administrative rule, we encourage you to submit your recommendation to us in an email to info@fsb.alabama.gov. We will take into consideration each suggestion during the administrative rule changing process.

We sincerely appreciate your cooperation and timely submissions as we begin this process. We will continue to update and improve our procedures along the way. You will immediately be notified of any changes that may occur during this process. Again, if you have any questions or concerns, please contact our office for assistance.

Have a great day! We look forward to working with you all.

Charles M. Perine
Executive Director

(Enclosures)