

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. Department or Agency Alabama Board of Funeral Service

Rule No. 395-X-4-.04

Rule Title: Managing Funeral Director

X New _____ Amend _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? NO

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

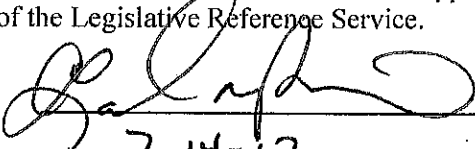
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 412223, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer 
Date 7-14-17

(DATE FILED)
(STAMP)

Alabama Board of Funeral Service

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: 395-X-4-.04 Managing Funeral Director "New Rule"
395-X-4-.05 Business Cards "New Rule"
395-X-4-.06 Records "New Rule"

INTENDED ACTION: The Alabama Board of Funeral Service proposes to add new rules as Rule No. 395-X-4-.04 titled "Managing Funeral Director", Rule No. 395-X-4-.05 titled "Business Cards", and Rule No. 395-X-4-.06 titled "Records".

SUBSTANCE OF PROPOSED ACTION: The Board proposes to add new rule Rule No. 395-X-4-.04 titled "Managing Funeral Director" to clarify that the managing funeral director must live within 75 miles of the establishment from the physical address of the establishment to the physical address of the funeral director's residence. The Board proposes to add new rule Rule No. 395-X-4-.05 titled "Business Cards" to require the job title of an individual be listed on an establishment business card. The Board proposes to add new rule Rule No. 395-X-4-.06 titled "Records" to require all records required by the funeral law be kept on site of the funeral establishment.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written or electronic mail comments will be accepted by the Board until:

Time: 4:30 p.m., Tuesday, September 5, 2017

Place: 11 South Union Street Suite 106, Montgomery, AL 36104

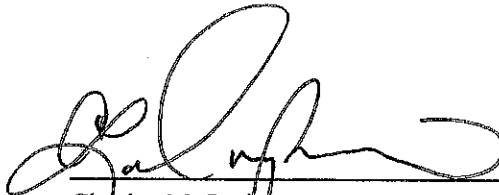
Email: Charles.perine@fsb.alabama.gov

Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Tuesday, September 5, 2017

CONTACT PERSON AT AGENCY:

Charles M. Perine
Executive Director
11 South Union Street
Suite 106
Montgomery, AL 36104



Charles M. Perine
Executive Director
Alabama Board of Funeral Service

Alabama Board of Funeral Service
ADMINISTRATIVE CODE

CHAPTER 395-X-4
INVESTIGATIONS AND INSPECTIONS

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395-X-4-.04 Managing Funeral Director "New Rule"

No funeral establishment shall be licensed except upon the basis of employing a managing funeral director whose physical residence address is within 75 miles of the physical address of the funeral establishment.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§34-13-26, 34-13-112.

History: **New Rule:** Filed July 14, 2017