

Following is a list of some activities typically performed by funeral homes. Note the indication of whether a license is or is not required by North Carolina law (specifically G.S. 90-210.20 & 90-210.25(f)). It is assumed that the activities not requiring an individual license are nevertheless performed at the specific direction of a duly licensed person employed by a funeral home and under the general supervision of the establishment's licensed manager or at the direction of a person licensed for practice unaffiliated with an establishment.

A license is required for:

- 1- Obtaining written permission for embalming.
- 2- Obtaining information for notices and authorizations including death certificates and obituaries.
- 3- Showing funeral merchandise or pictures of funeral merchandise to person making funeral arrangements. This includes caskets, outer burial containers, urns and clothing.
- 4- Describing funeral merchandise characteristics, such as materials of construction and properties the manufacturer has applied to inhibit the entrance of outside elements, with person making funeral arrangements.
- 5- Describing service options, such as ceremonies or services available from funeral home, with person making arrangements.
- 6- Making arrangements; selling funeral services or merchandise on General Price List
- 7- Signing disclosure statements, required by NC G.S. Chapter 90, to be given to person making arrangements & before service.
- 8- A licensee is to be present for the published time and place of a funeral, memorial or graveside service or other disposition for which charges were entered on the statement of funeral goods and services selected.

A license is not required for:

- 1- Responding to a request to remove body from place of death to the funeral home.
- 2- Confirming that remains are authorized for release by institution or certifying authority.
- 3- Obtaining verbal permission from next of kin for embalming. Please note: *A non-licensed staff member may obtain verbal permission for embalming over the telephone while taking first call information or at place of death. The non-licensed staff member should provide the accurate charge for embalming if asked, however shall not explain embalming or attempt to explain embalming on behalf of the funeral establishment or in any capacity when they are representing the funeral establishment. If a family begins*

to ask questions, the non-licensed staff member should defer to a licensee to explain and seek permission. In this case embalming permission has not been obtained and therefore embalming should not be initiated. While the Federal Trade Commission allows seeking permission to embalm without requiring the distribution of a General Price List, the FTC does require disclosure that embalming is not required by law except in certain cases, if relevant. In the event the permission is sought at the place of death in a face to face meeting with the family and unless staff, licensed or not licensed, are prepared to distribute a GPL at that time, there should be no further discussion about prices, goods or services.

- 4- Making appointment with family for family and licensee to meet to make arrangements.
- 5- Preparing biographical information obtained by a licensee, reviewing and reporting compiled obituary information to media.
- 6- Handing a price list to anyone in person.
- 7- Providing price information to someone by telephone. *When a caller inquires about services, merchandise or prices a non-licensed staff member must disclose they are not licensed. In compliance with the FTC Funeral Rule, accurate information must be given over the telephone. The non-licensed staff member may read a price and corresponding description directly from the General Price List or may defer to a licensed funeral director or funeral service licensee to provide the information.*
- 8- Notifying non-local funeral home that its services are needed.
- 9- Transporting a body or making arrangements for transportation.
- 10- Consulting with church & cemetery personnel, musicians, police, & pall bearers to arrange place, date & time of their services or use of facilities.
- 11- Attending to family to assure their well-being during visitation, anywhere.
- 12- Escorting family to and from the funeral or memorial service and burial provided licensee is present at the published time services are held & is in charge of the services and burial.*
- 13- Supervising pall bearers, ministers, musicians, etc. at funeral or memorial service and burial, provided a licensee is present at the published time services are held & is in charge of the services & burial.*
- 14- Supervising public at funeral or memorial service and burial, including traffic control &

seating, provided licensee is present at the published time services are held & is in charge of the funeral services & burial.*

**The licensee's duty to be present ceases when the burial, graveside service or memorial service for which charges were entered on the statement of funeral goods and services selected are concluded. However, a funeral home's responsibility for the care and custody of the remains does not end until the remains have been placed in the grave, in a crypt or mausoleum. A licensee may delegate this responsibility to an agent.*

North Carolina law and administrative rules (specifically G.S. 90-210.67(a) and rule 21 NCAC 34D .0202) provide that only preneed sales licensees are allowed to offer or sell preneed contracts. A person who holds a funeral director or funeral service license but is not licensed to sell preneed can perform the activities related to making pre-need arrangements such as: explaining price lists, show or explain other written materials describing funeral services & merchandise, show pictures of funeral merchandise, explain funeral ceremonies or services & the qualities & characteristics of funeral merchandise, and make a record of items of funeral services and merchandise selected. Those only licensed to sell insurance can hand out price lists but cannot perform any funeral arrangement activities or preneed contract sales.