

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. _____ Department or Agency Alabama Board of Funeral Service
Rule No. 395-X-6-.02
Rule Title: Display or Selection Room
_____ New X 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

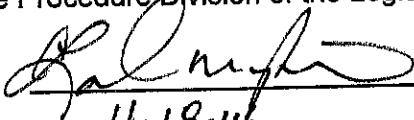
Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

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 4-18-14

(DATE FILED)
(STAMP)

Alabama Board of Funeral Service

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE: 395-X-6-.01 Preparation Room
395-X-6-.02 Display or Selection Room
395-X-6-.09 Inspection Penalties (New Rule)

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 be taken 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.

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

Time: 4:30 p.m., Wednesday, June 4, 2014

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

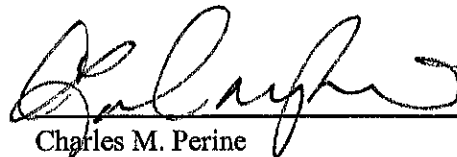
Email: Charles.perine@fsb.alabama.gov

Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Wednesday, June 4, 2014

CONTACT PERSON AT AGENCY:

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



Charles M. Perine
Executive Secretary
Alabama Board of Funeral Service

395-X-6-.02 Display or Selection Room. Each establishment shall have a selection or display room for persons to view available funeral merchandise or supplies. In addition to statutory requirements the display room shall be clean and neatly arranged and shall contain a stock of adult caskets and funeral supplies displayed in full size, cuts, photographs, or electronic images. Each funeral establishment shall have a card or brochure in each full-size and cut casket and a clear statement on each photograph and electronic image of a casket stating the unit price of that casket. At no time shall less than eight different adult full size caskets be on the premises.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§34-13-9, 34-13-26, 34-13-113.

History: Filed July 31, 1984. **Amended:** Filed January 30, 2012; effective March 5, 2012.

Amended: Filed April 18, 2014