

HOUSE BILL 1031

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4lr2775
CF SB 586

By: **Delegates Anderson, Cullison, and Pena–Melnyk**

Introduced and read first time: February 6, 2014

Assigned to: Health and Government Operations

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Morticians and Funeral Directors – Funeral Establishments –**
3 **Unannounced Inspections**

4 FOR the purpose of authorizing certain inspections of licensed funeral establishments
5 to include, under certain circumstances, advance notice that an inspector may
6 be in a certain region for a certain purpose; requiring a certain licensee or an
7 employee of the licensee to give certain access to certain members or employees
8 of the State Board of Morticians and Funeral Directors for the purpose of
9 conducting certain inspections of certain funeral establishments, including
10 access to certain areas of the funeral establishments; requiring the Board to
11 provide the results of certain inspections to certain licensees within a certain
12 period of time; and generally relating to the inspection of funeral
13 establishments by the State Board of Morticians and Funeral Directors.

14 BY repealing and reenacting, with amendments,
15 Article – Health Occupations
16 Section 7–409
17 Annotated Code of Maryland
18 (2009 Replacement Volume and 2013 Supplement)

19 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
20 MARYLAND, That the Laws of Maryland read as follows:

21 **Article – Health Occupations**

22 7–409.

23 (a) **[All] EXCEPT AS PROVIDED IN SUBSECTION (B) OF THIS SECTION,**
24 **ALL** inspections of funeral establishments shall be unannounced and may take place
25 at any time without notice from the Board.

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 (b) An unannounced inspection may include advance notice that an
2 [investigator] **INSPECTOR** may be in the region of the funeral establishment[,] **FOR**
3 **THE PURPOSE OF CONDUCTING AN INSPECTION** if:

4 (1) The advance notice is no more than 14 days prior to the inspection;

5 (2) No specific date or time is provided for the inspection; and

6 (3) The advance notice is provided solely to ensure that a licensed
7 mortician or funeral director will be on-site for the inspection.

8 **(C) A LICENSEE OR AN EMPLOYEE OF A LICENSEE SHALL GIVE**
9 **IMMEDIATE ACCESS TO A MEMBER OR AN EMPLOYEE OF THE BOARD WHO**
10 **ARRIVES AT A LICENSED FUNERAL ESTABLISHMENT FOR THE PURPOSE OF**
11 **CONDUCTING AN UNANNOUNCED INSPECTION UNDER THIS SECTION OF A**
12 **LICENSED FUNERAL ESTABLISHMENT, INCLUDING ACCESS TO THE**
13 **PREPARATION AND BODY STORAGE AREAS OF THE LICENSED FUNERAL**
14 **ESTABLISHMENT.**

15 **(D) WITHIN 24 HOURS AFTER THE COMPLETION OF AN UNANNOUNCED**
16 **INSPECTION OF A LICENSED FUNERAL ESTABLISHMENT, THE BOARD SHALL**
17 **PROVIDE THE RESULTS OF THE INSPECTION TO:**

18 **(1) THE HOLDER OF THE FUNERAL ESTABLISHMENT LICENSE; OR**

19 **(2) A LICENSED MORTICIAN OR LICENSED FUNERAL DIRECTOR**
20 **WHO DIRECTLY SUPERVISES THE LICENSED FUNERAL ESTABLISHMENT IN**
21 **ACCORDANCE WITH § 7-308(E)(1) OR § 7-308.1(E)(1) OF THIS TITLE.**

22 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
23 October 1, 2014.