

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE
Revised

House Bill 561

(Delegate Krebs)

Health and Government Operations

Education, Health, and Environmental Affairs

State Board of Morticians and Funeral Directors - Notice of Member Vacancies

This bill requires the State Board of Morticians and Funeral Directors to send, by electronic or regular mail, a notice of any board vacancy for a licensed mortician or funeral director to each mortician and funeral director licensed by the board and to each professional association that requests such notice. The required notice must include (1) the type of member vacancy; (2) the qualifications for the member vacancy; and (3) a detailed explanation of the process for applying for the member vacancy.

The bill takes effect June 1, 2015.

Fiscal Summary

State Effect: Potential minimal increase in administrative expenses to the extent the board must send notice via regular mail for those licensees that do not have an electronic mail address on file with the board. Revenues are not affected.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: Each health occupations board must notify all licensees or certificate holders of board vacancies. In general, boards may give notice by electronic mail or on the board's website.

The Governor must appoint members of the board with the advice of the Secretary of Health and Mental Hygiene, and with the advice and consent of the Senate. The board may not have more than one member who is employed by or affiliated with the same corporation, professional association, or other entity that owns one or more funeral homes.

Mortician and funeral director members of the board must be licensed and in good standing, have practiced mortuary science actively for at least five years immediately before appointment, and qualify for license renewal.

Consumer members of the board (1) must be members of the general public; (2) must never have been, nor have household members who are, morticians, funeral directors, or apprentices; (3) may not, nor have household members who, have participated in a commercial or professional field related to the practice of mortuary science; and (4) may not have had a substantial financial interest in a person regulated by the board within two years before or during appointment.

Members are generally appointed for four-year terms and may not serve more than two consecutive terms. Terms are staggered, and at the end of a term, an appointed member continues to serve until a successor is appointed and qualifies. The Governor must fill any board vacancy within 60 days (to the extent practicable). The Governor may remove an appointed member for incompetence or misconduct, or because maintaining a board member will violate the prohibition against having more than one member who is employed by or affiliated with the same corporation, professional association, or other entity that owns one or more funeral homes. Finally, the Secretary may recommend that the Governor remove a board member who has been absent from two successive board meetings without adequate reason.

According to the board, there is currently one vacancy on the board and several members are up for reappointment. Vacancies are posted on the board's website and announced at board meetings.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Health and Mental Hygiene, Department of Legislative Services

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