

Department of Legislative Services
Maryland General Assembly
2015 Session

FISCAL AND POLICY NOTE

House Bill 127 (Delegate Krebs)
Health and Government Operations Education, Health, and Environmental Affairs

State Board of Morticians and Funeral Directors - Alteration of Dates for Termination Provisions and Sunset Program Evaluation

This bill accelerates the termination date for the State Board of Morticians and Funeral Directors by one year from July 1, 2018, to July 1, 2017, and requires a full sunset evaluation of the board by December 1, 2015.

The bill takes effect June 1, 2015.

Fiscal Summary

State Effect: The Governor’s proposed FY 2016 budget includes \$740,125 in special funds for the board’s operation. This analysis assumes that the board’s termination date will be extended after conducting the evaluation thus, the bill has no impact on special fund revenues or expenditures. The Department of Legislative Services (DLS) can conduct the accelerated full evaluation with existing budgeted resources.

Local Effect: None.

Small Business Effect: None.

Analysis

Current Law/Background: The State Board of Morticians and Funeral Directors is 1 of approximately 70 regulatory entities and activities currently subject to periodic evaluation under the Maryland Program Evaluation Act. The Act establishes a process better known as “sunset review” as most agencies evaluated are subject to termination, including the board, which is scheduled to terminate July 1, 2018. The sunset review process traditionally begins with a preliminary evaluation conducted by DLS on behalf of the

Legislative Policy Committee (LPC), although a few entities, including this board, are subject to direct full evaluation. LPC decides whether to waive an agency from further (or full) evaluation. If waived, legislation to reauthorize the agency typically is enacted. Otherwise, a full evaluation usually is undertaken the following year.

The board was last evaluated with a full evaluation in 2007. During its sunset review, DLS found that the board was effective in its licensing, complaint, inspection, and disciplinary functions. Additionally, DLS found that the board had promptly addressed past sunset review recommendations, recently improved its financial situation, and been proactive in overseeing the industry. DLS recommended extending the board's termination date by 10 years to July 1, 2018. Chapter 583 of 2008 enacted this recommendation.

A copy of the 2007 DLS sunset evaluation of the board can be found [here](#). The board is scheduled to receive a full sunset evaluation during the 2016 interim.

The board operates under the provisions of Title 7 of the Health Occupations Article. The board is responsible for promoting quality funeral service practices, including transport of decedents and crematories by licensing and regulating morticians and funeral directors, apprentices, surviving spouses, executors, pre-need trustees, corporations (under limited circumstances), funeral establishments, crematories, and mortuary transporters and services. In fiscal 2014, the board had 1,403 licensees.

Additional Information

Prior Introductions: None.

Cross File: None.

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

Fiscal Note History: First Reader - March 4, 2015
mar/jc

Analysis by: Kathleen P. Kennedy

Direct Inquiries to:
(410) 946-5510
(301) 970-5510