

# SENATE BILL 548

J2

(71r0928)

## ENROLLED BILL

— *Education, Health, and Environmental Affairs/Health and Government Operations* —

Introduced by **Chair, Education, Health, and Environmental Affairs Committee**

Read and Examined by Proofreaders:

\_\_\_\_\_  
Proofreader.

\_\_\_\_\_  
Proofreader.

Sealed with the Great Seal and presented to the Governor, for his approval this \_\_\_\_\_ day of \_\_\_\_\_ at \_\_\_\_\_ o'clock, \_\_\_\_\_ M.

\_\_\_\_\_  
President.

### CHAPTER \_\_\_\_\_

1 AN ACT concerning

2 **State Board of Morticians and Funeral Directors – Sunset Extension and**  
3 **Program Evaluation**

4 FOR the purpose of continuing the State Board of Morticians and Funeral Directors in  
5 accordance with the provisions of the Maryland Program Evaluation Act (sunset law)  
6 by extending to a certain date the termination provisions relating to the statutory  
7 and regulatory authority of the Board; requiring that an evaluation of the Board and  
8 the statutes and regulations that relate to the Board be performed on or before a  
9 certain date; requiring the Board to conduct a certain workload analysis and a  
10 certain fiscal analysis and submit a certain report to the Department of Legislative  
11 Services on or before a certain date; requiring the Board to report on or before certain  
12 dates to certain committees of the General Assembly on certain Board action and  
13 efforts and the comparability of a certain provision of law to certain laws and

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**EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.**

[Brackets] indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike out~~ indicates matter stricken from the bill by amendment or deleted from the law by amendment.

*Italics indicate opposite chamber/conference committee amendments.*



1 regulations in other states; and generally relating to the State Board of Morticians  
2 and Funeral Directors.

3 BY repealing and reenacting, with amendments,  
4 Article – Health Occupations  
5 Section 7–702  
6 Annotated Code of Maryland  
7 (2014 Replacement Volume and 2016 Supplement)

8 BY repealing and reenacting, with amendments,  
9 Article – State Government  
10 Section 8–405(b)(2)  
11 Annotated Code of Maryland  
12 (2014 Replacement Volume and 2016 Supplement)

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

15 **Article – Health Occupations**

16 7–702.

17 Subject to the evaluation and reestablishment provisions of the Program Evaluation  
18 Act, this title and all rules and regulations adopted under this title shall terminate and be  
19 of no effect after July 1, [2018] **2028**.

20 **Article – State Government**

21 8–405.

22 (b) Each of the following governmental activities or units and the statutes and  
23 regulations that relate to the governmental activities or units are subject to full evaluation,  
24 in the evaluation year specified, without the need for a preliminary evaluation:

25 (2) Morticians and Funeral Directors, State Board of (§ 7–201 of the Health  
26 Occupations Article: [2016] **2026**);

27 SECTION 2. AND BE IT FURTHER ENACTED, That on or before November 1,  
28 2017, the State Board of Morticians and Funeral Directors shall report to the Senate  
29 Education, Health, and Environmental Affairs Committee and the House Health and  
30 Government Operations Committee, in accordance with § 2–1246 of the State Government  
31 Article, regarding the comparability of § 5–513(g)(2)(i) of the Health – General Article to  
32 the laws and regulations of other states. The report shall include a survey of other states,  
33 if any, that conduct inspections, either announced or unannounced, of out-of-state facilities  
34 to which the body of a decedent may be transported.

1 SECTION 3. AND BE IT FURTHER ENACTED, That on or before January 1, 2018,  
2 the State Board of Morticians and Funeral Directors shall:

3 (1) conduct:

4 (i) a workload analysis to determine whether fees collected from  
5 each group regulated by the Board adequately reflect the costs associated with regulating  
6 that group; and

7 (ii) an internal fiscal analysis, including a reassessment of its fee  
8 schedule; and

9 (2) submit a report to the Department of Legislative Services on:

10 (i) the findings of the Board's workload analysis;

11 (ii) the findings of the Board's internal fiscal analysis and  
12 reassessment of its fee schedule;

13 (iii) any proposed changes to the Board's fee schedule; and

14 (iv) the status of filling the vacant staff position and, if filled, the  
15 impact of filling the position on the Board's expenditures, the fund balance, and the number  
16 of overtime hours worked by Board staff.

17 SECTION 4. AND BE IT FURTHER ENACTED, That, on or before October 1, 2019,  
18 the State Board of Morticians and Funeral Directors shall report to the Senate Education,  
19 Health, and Environmental Affairs Committee and the House Health and Government  
20 Operations Committee, in accordance with § 2-1246 of the State Government Article, on:

21 (1) Board action taken in response to the findings of the workload analysis  
22 and internal fiscal analysis required to be conducted by the Board under Section 3 of this  
23 Act; and

24 (2) Board efforts to:

25 (i) ensure sufficient staff resources;

26 (ii) work with the Department of Health and Mental Hygiene to  
27 facilitate Board record keeping and improve the Board's Web site;

28 (iii) work to improve the negative perception of the Board by some  
29 licensees; and

30 (iv) further enhance communications with the industry.

1 SECTION 5. AND BE IT FURTHER ENACTED, That this Act shall take effect June  
2 1, 2017.

Approved:

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Governor.

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President of the Senate.

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Speaker of the House of Delegates.