

H. B. 4543

(By Delegates Poore, Young, Stephens,
Fragale, Longstreth and Ambler)

[Introduced February 14, 2014; referred to the
Committee on Government Organization then the Judiciary.]

A BILL to amend and reenact §30-6-5 of the Code of West Virginia,
1931, as amended, relating to the board of Funeral Service
Examiners; requiring the board to implement an education
program to make consumers generally aware of their rights with
respect to selecting a funeral service, pricing for services,
performance of services, filing a complaint and other relevant
consumer information; requiring the board to post this
consumer information on its website and to provide the
information in paper format to funeral establishments; and
requiring funeral establishments to provide the consumer
information to consumers purchasing their services.

Be it enacted by the Legislature of West Virginia:

That §30-6-5 of the Code of West Virginia, 1931, as amended,
be amended and reenacted to read as follows:

ARTICLE 6. BOARD OF FUNERAL SERVICE EXAMINERS.

§30-6-5. Powers of the board.

1 (a) The board has all the powers set forth in article one of
2 this chapter and in addition may:

3 (1) Sue and be sued in its official name as an agency of this
4 state;

5 (2) Hire, fix the compensation of and discharge an executive
6 director;

7 (3) Hire, fix the compensation of and discharge the employees
8 necessary to enforce the provisions of this article;

9 (4) Set the requirements to be an inspector;

10 (5) Examine and determine the qualifications of any applicant
11 for a license;

12 (6) Determine the qualifications of any applicant for a
13 certificate;

14 (7) Set cremation procedures and requirements;

15 (8) Set the fees charged under the provisions of this article;

16 (9) Set the fines assessed under the provisions of this
17 article;

18 (10) Issue, renew, deny, suspend, revoke or reinstate licenses
19 and certificates and discipline licensees and certificate holders;

20 (11) Set the continuing education requirements for licensees
21 and certificate holders;

22 (12) Investigate alleged violations of the provisions of this
23 article and the rules promulgated hereunder, and orders and final
24 decisions of the board;

1 (13) Conduct hearings upon charges calling for discipline of
2 a licensee or revocation or suspension of a license;

3 (14) Propose rules in accordance with the provisions of
4 article three, chapter twenty-nine-a of this code to implement the
5 provisions of this article; and

6 (15) Take all other actions necessary and proper to effectuate
7 the purposes of this article.

8 (b) The board shall implement an education program to make
9 consumers generally aware of their rights with respect to selecting
10 a funeral service, pricing for services, performance of services,
11 filing a complaint and other relevant consumer information. The
12 board shall post the consumer information on its website and make
13 the consumer information available in paper format to funeral
14 establishments, who shall provide a paper copy of the consumer
15 information to any consumer purchasing their services.

NOTE: The purpose of this bill is to require the board of Funeral Service Examiners to implement an education program to make consumers generally aware of their rights with respect to selecting a funeral service, pricing for services, performance of services, filing a complaint and other relevant consumer information. The bill requires the board to post this consumer information on its website and to provide the information in paper format to funeral establishments, and requires funeral establishments to provide the consumer information to consumers purchasing their services.

Strike-throughs indicate language that would be stricken from the present law, and underscoring indicates new language that would be added.