

1441

2009-2010 Regular Sessions

I N A S S E M B L Y

(PREFILED)

January 7, 2009

Introduced by M. of A. WRIGHT -- read once and referred to the Committee
on Health

AN ACT to amend the public health law, in relation to establishing
regional boards to oversee certain aspects of the funeral directing
industry

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEM-
BLY, DO ENACT AS FOLLOWS:

- 1 Section 1. The public health law is amended by adding a new section
2 3402-a to read as follows:
3 S 3402-A. REGIONAL BOARDS OF GOVERNORS. 1. THERE SHALL BE ESTABLISHED
4 WITHIN THE DEPARTMENT FIVE REGIONAL BOARDS OF GOVERNORS TO OPERATE
5 THROUGHOUT THE STATE. THE COMMISSIONER, IN CONSULTATION WITH THE FUNERAL
6 DIRECTING ADVISORY BOARD, SHALL DETERMINE THE BOUNDARIES AND AREAS TO BE
7 SERVICED BY EACH OF THE FIVE REGIONAL BOARDS OF GOVERNORS. THE COMMIS-
8 SIONER SHALL APPOINT SEVEN MEMBERS TO EACH REGIONAL BOARD OF GOVERNORS.
9 THE MEMBERS SO APPOINTED SHALL BE REPRESENTATIVE OF THE FUNERAL DIRECT-
10 ING INDUSTRY, INCLUDING EMBALMERS, UNDERTAKERS AND EMPLOYEES OF CEMETERY
11 CORPORATIONS.
12 2. THE REGIONAL BOARDS OF GOVERNORS SHALL REVIEW THE PRACTICE OF
13 FUNERAL DIRECTING WITHIN THEIR OWN REGION AS WELL AS THOSE PRACTICES
14 EXISTING IN THE OTHER REGIONS OF THE STATE. THE REGIONAL BOARDS SHALL
15 CONSIDER, BUT NOT BE LIMITED TO, THE FOLLOWING AREAS OF CONCERN AFFECT-
16 ING THE FUNERAL DIRECTING INDUSTRY: GRIEVANCE PROCEDURES, COMPLAINTS,
17 ARBITRATION, AND VIOLATIONS AND FINES. EACH REGIONAL BOARD SHALL ADVISE
18 THE COMMISSIONER ON THE MOST APPROPRIATE AND EFFICIENT WAYS IN WHICH TO
19 RESPOND TO THESE AREAS OF CONCERN AFFECTING THE FUNERAL DIRECTING INDUS-
20 TRY.
21 3. MEMBERS OF THE REGIONAL BOARDS SHALL RECEIVE NO COMPENSATION FOR
22 THEIR SERVICES, BUT EACH SHALL BE ENTITLED TO RECEIVE HIS OR HER REASON-
23 ABLE EXPENSES ACTUALLY INCURRED IN THE PERFORMANCE OF SUCH MEMBER'S
24 DUTIES.
25 S 2. This act shall take effect January 1, 2010.

EXPLANATION--Matter in ITALICS (underscored) is new; matter in brackets
[] is old law to be omitted.

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