S T A T E O F N E W Y O R K

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 ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. The public health law is amended by adding a new section 3402-a to read as follows:

S 3402-A. REGIONAL BOARDS OF GOVERNORS. 1. THERE SHALL BE ESTABLISHED WITHIN THE DEPARTMENT FIVE REGIONAL BOARDS OF GOVERNORS TO OPERATE THROUGHOUT THE STATE. THE COMMISSIONER, IN CONSULTATION WITH THE FUNERAL DIRECTING ADVISORY BOARD, SHALL DETERMINE THE BOUNDARIES AND AREAS TO BE SERVICED BY EACH OF THE FIVE REGIONAL BOARDS OF GOVERNORS. THE COMMISSIONER SHALL APPOINT SEVEN MEMBERS TO EACH REGIONAL BOARD OF GOVERNORS. THE MEMBERS SO APPOINTED SHALL BE REPRESENTATIVE OF THE FUNERAL DIRECTING INDUSTRY, INCLUDING EMBALMERS, UNDERTAKERS AND EMPLOYEES OF CEMETERY CORPORATIONS.

2. THE REGIONAL BOARDS OF GOVERNORS SHALL REVIEW THE PRACTICE OF FUNERAL DIRECTING WITHIN THEIR OWN REGION AS WELL AS THOSE PRACTICES EXISTING IN THE OTHER REGIONS OF THE STATE. THE REGIONAL BOARDS SHALL CONSIDER, BUT NOT BE LIMITED TO, THE FOLLOWING AREAS OF CONCERN AFFECTING THE FUNERAL DIRECTING INDUSTRY: GRIEVANCE PROCEDURES, COMPLAINTS, ARBITRATION, AND VIOLATIONS AND FINES. EACH REGIONAL BOARD SHALL ADVISE THE COMMISSIONER ON THE MOST APPROPRIATE AND EFFICIENT WAYS IN WHICH TO RESPOND TO THESE AREAS OF CONCERN AFFECTING THE FUNERAL DIRECTING INDUSTRY.

3. MEMBERS OF THE REGIONAL BOARDS SHALL RECEIVE NO COMPENSATION FOR THEIR SERVICES, BUT EACH SHALL BE ENTITLED TO RECEIVE HIS OR HER REASONABLE EXPENSES ACTUALLY INCURRED IN THE PERFORMANCE OF SUCH MEMBER'S DUTIES.

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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