§ 3402. Funeral directing advisory board. 1. There shall be in the department a funeral directing advisory board consisting of ten members who shall be appointed by the commissioner of health of whom three shall be representatives of consumer interests, having no pecuniary interest, affiliation or other association, direct or indirect, other than as consumers, with any business affecting the disposal or burial of deceased human beings, as the commissioner shall determine, six shall be licensed funeral directors, undertakers or embalmers in this state, having been actually engaged in the practice of funeral directing, undertaking or embalming, as the case may be, for at least five years prior to appointment and one member shall be an officer, director or employee of a cemetery corporation. The term of each member of such advisory board shall be three years, or until a successor is appointed, and vacancies shall be filled for the unexpired term only. The commissioner of health may remove any member of the board for misconduct, incompetence or neglect of duty after such member shall have been given a written statement of the charges and an opportunity to be heard thereon.

2. The board shall elect annually from its members a chairman and vice-chairman and for the purpose of transacting its business shall meet at least once every three months. Special meetings also may be held as frequently as its business may require at the call of the chairman upon the request of a majority of the members of the board or as requested by the commissioner of health. Written notice of the time, place and purpose of meetings shall be mailed by the secretary to all members at least ten days before the date of the meeting. A quorum of the board shall consist of not less than six members.

3. Members of the advisory board shall receive no compensation, but each shall be entitled to receive his reasonable expenses actually and necessarily incurred in the performance of his duties.

4. The commissioner shall designate an officer or employee of the department to act as secretary of the board, who shall not be a member of the board and who shall not receive any additional compensation therefor.

5. The commissioner shall request the advisory board to, and upon such request the advisory board shall, or upon its initiative the advisory board may

(a) consider any matters relating to the practice of funeral directing, undertaking or embalming, including any matter pertaining to the administration and enforcement of this article and advise the commissioner thereon;

(b) recommend to the commissioner the establishment of such laws as may be deemed necessary in respect to the practice of funeral directing;

(c) recommend to the commissioner the promulgation of rules and regulations not inconsistent with law, as may be deemed necessary, and the amendment or repeal thereof;

(d) recommend to the commissioner the commencement of any investigation into improper practices of licensees;

(e) report, within forty-five days after receipt, on any proposed regulations, amendments thereto, or repeal thereof, prior to action thereon by the commissioner;

(f) review the applications for registration of candidates for either practical or academic training and make recommendations to the commissioner for the acceptance or rejection thereof.

(g) delegate one member of the board to attend any formal disciplinary hearing and subsequent proceedings involving an alleged violation of this article. The board shall not delegate a member who practices funeral directing, embalming or undertaking in the same judicial district as an accused licensee.

6. The advisory board shall have no executive, administrative or appointive powers or duties.