

## **2022 Updated Law and Regulations Board of Funeral Service**

### **New Law**

The following bill was enacted by the General Assembly during the 2022 legislative session and impacts the Board of Funeral Service and/or the Board of Funeral Service licensees:

#### **Mandatory Electronic Filing of Death Records, [H.3325/Act 157](#)**

H.3325 eliminates the exception to the mandatory electronic filing of death certificate for physicians who certify fewer than twelve deaths annually and funeral homes who perform fewer than twelve funerals annually.

Effective date: July 1, 2022

### **Updated Regulations**

[Several regulations](#) for the South Carolina State Board of Funeral Service, found in Chapter 57, have been updated and went into effect on May 27, 2022.

Specifically, these changes include

- Regulation 57-06.1, Apprenticeship Requirements, has been updated to include due dates for quarterly reports. Language has also been added to clarify that at least 25 of an apprentice's 50 cases must include a series of tasks as specified on the quarterly reporting forms.
- Regulation 57-08, Licensure by Endorsement, has been updated to match the language in Section 40-19-235 for applicants who have been licensed to practice in a jurisdiction whose requirements are not substantially similar to South Carolina's.
- Regulation 57-09, Provisions for Biennial Renewal of Licenses and Reactivation of Expired Licenses, has been updated to better reflect the language in Section 40-19-230(E) to include that renewal forms must be submitted within the 30 days before or after June 30<sup>th</sup> of each even year.
- Regulation 57-10, Provisions for Permitting of Funeral Establishments, has been updated to remove the requirement that a manager be a resident of South Carolina. The requirements that a manager be a full-time employee who has been licensed in South Carolina for at least one year and must live within 25 miles of the establishment remain as required in Sections 40-19-20(17) and 40-19-265.
- Regulation 57-11, Continuing Education Requirements for Embalmers and Funeral Directors, has been updated to reflect the biennial renewal cycle, which requires six (6) hours of qualified continuing education per renewal cycle. It also removes the requirement that continuing education include an in-depth study of three different topics.
- Regulation 57-13.2, Websites, has been added to implement the changes to Section 40-19-110(2) relating to internet advertisements. This regulation reads:

- Websites for funeral establishments must list the individual South Carolina State Board of Funeral Service license number of all licensed funeral directors and embalmers employed at the establishment and further must identify all other employees mentioned in the website as either unlicensed or apprenticed, as the case may be. If a funeral director or embalmer's license is subsequently lapsed, revoked, suspended, or surrendered, the website shall not continue to identify the individual as licensed as long as the disqualification exists.

Effective date: May 27, 2022

**Disclaimer: This legislative update is not intended as legal advice. LLR is providing this legislative update to notify licensees of recently enacted legislation that may impact his or her practice area or license. This legislative update provides only a high level overview of enacted legislation and licensees are urged to review the entire enacted legislation, which is available in the hyperlinks above.**