

NOTICE OF INTENT TO ACT UPON A REGULATION R086-18

Notice of Hearing for the Adoption of Regulations of the Funeral and Cemetery Services Board

The Funeral and Cemetery Services Board will hold a public hearing at 10:00 a.m., on October 2, 2018, at Legislative Counsel Bureau Building, 401 South Carson Street, Room 3138, Carson City, Nevada, and video-conferenced to Grant Sawyer Building, 555 East Washington Avenue, Room 4401, Las Vegas, Nevada. The purpose of the hearing is to receive comments from all interested persons regarding the adoption of regulations that pertain to chapters 451 and 642 of the Nevada Administrative Code.

The following information is provided pursuant to the requirements of NRS 233B.0603:

1. The need for and the purpose of the proposed regulation or amendment.

This regulation is necessary to establish the priority of person authorized to order the disinterment of human remains, to provide refrigeration standards, correct a typographical error, revise provisions relating to a notice of violation, specify that continuing education cannot carry over to subsequent license renewals, and to revise provisions relating to the placement and storage of human remains.

2. Either the terms or the substance of the regulations to be adopted, amended or repealed, or a description of the subjects and issues involved.

The regulation relates to decedents; establishing the priority of certain persons authorized to order the disinterment or removal of human remains; providing standards for the refrigeration of human remains; correcting a typographical error; revising provisions relating to the issuance of a notice of violation following an inspection of a funeral establishment, direct cremation facility, crematory or cemetery; providing that excess continuing education hours do not carry over to subsequent license renewal periods; revising provisions relating to the placement or storage of a minimal container, body bag or casket containing human remains; and providing other matters properly relating thereto.

3. The estimated economic effect of the regulation on the business which it is to regulate and on the public. These must be stated separately and in each case must include:

a. Both adverse and beneficial effects;

i. Adverse effects:

No adverse economic effects have been determined.

ii. Beneficial effects:

No beneficial economic effects have been determined.

b. Both immediate and long-term effects.

i. Immediate effects

No immediate economic effects have been determined.

ii. Long-term effects

No long-term effects have been determined.

4. A statement identifying the methods used by the agency in determining the impact on a small business prepared pursuant to subsection 3 of NRS 233B.0608.

The Board sent out small business impact surveys to all licensed facilities, and made changes to the initial regulations based on comments given at the public workshop and through one submitted survey response.

5. The estimated cost to the agency for enforcement of the proposed regulation.

None.

6. A description of and citation to any regulations of other state or local governmental agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the proposed regulation overlaps or duplicates a federal regulation, the notice must include the name of the regulating federal agency.

None.

7. If the regulation is required pursuant to federal law, a citation and description of the federal law.

None.

8. If the regulation includes provisions which are more stringent than a federal regulation that regulates the same activity, a summary of such provisions.

None.

9. Whether the proposed regulation establishes a new fee or increases an existing fee.

No new fees are being proposed. All fees are established in statute.

Persons wishing to comment upon the proposed action of The Funeral and Cemetery Services Board may appear at the scheduled public hearing or may address their comments, data, views, or opinions, in written form, to the Funeral and Cemetery Services Board, 3740 Lakeside Drive, Suite 201, Reno, Nevada. Written submissions must be received on or before September 7, 2018. If no person who is directly affected by the proposed action appears to request time to make an oral presentation, the Funeral and Cemetery Services Board may proceed immediately to act upon any written submissions.

A copy of this notice and the regulation to be adopted will be on file at the State Library, 100 Stewart Street, Carson City, Nevada, for inspection by members of the public during business hours. Additional copies of the notice and the regulation to be adopted will be available at the Funeral and Cemetery Services Board Office and in all counties in which an office of the agency is not maintained, at the main public library, for inspection and copying by members of the public during business hours. This notice and the text of the proposed regulation are also available in the State of Nevada Register of Administrative Regulations, which is prepared and published monthly by the Legislative Counsel Bureau pursuant to NRS 233B.0653, and on the Internet at <http://www.leg.state.nv.us>. Copies of this notice and the proposed regulation will also be mailed to members of the public upon request. A reasonable fee may be charged for copies if it is deemed necessary. Upon adoption of any regulation, the agency, if requested to do so by an interested person, either before adoption or within 30 days thereafter, will issue a concise statement of the principal reasons for and against its adoption and incorporate therein its reason for overruling the consideration urged against its adoption.

This notice of hearing has been posted at the following locations:

Name	Address	City	State	Zip
Battle Mountain Branch Library	625 Broad Street	Battle Mountain	NV	89820
Carson City Library	900 North Roop Street	Carson City	NV	89701
Clark County Library	1401 E. Flamingo Road	Las Vegas	NV	89119
Churchill County Library	553 South Maine Street	Fallon	NV	89406
Douglas County Library	1625 Library Lane	Minden	NV	89423
Elko County Library	720 Court Street	Elko	NV	89801
Eureka Branch Library	210 South Monroe	Eureka	NV	89316
Goldfield Public Library	Fourth & Crook Street	Goldfield	NV	89013
Green Valley Library	2797 N. Green Valley Parkway	Henderson	NV	89015
Humboldt County Library	85 East 5th Street	Winnemucca	NV	89445
Lincoln County Library	63 Main Street	Pioche	NV	89043
Lyon County Library	20 Nevin Way	Yerington	NV	89447
Pershing County Library	1125 Central Avenue	Lovelock	NV	89419
Storey County Library	175 Carson Street	Virginia City	NV	89440
Summerlin Library	1771 Inner Circle Drive	Las Vegas	NV	89134
Washoe County Library	30 I South Center Street	Reno	NV	89501
White Pine County Library	950 Campton Street	Ely	NV	89301
Nevada State Library	100 Stewart Street	Carson City	NV	89701
Legislative Building	401 South Carson Street	Carson City	NV	89701
Grant Sawyer Building	555 E. Washington Ave.	Las Vegas	NV	89701