

SECTION .0600 - FUNERAL ESTABLISHMENTS

21 NCAC 34B .0608 APPLICATION FORM FOR FUNERAL ESTABLISHMENT PERMIT AND BRANCH ESTABLISHMENT PERMIT

(a) Applications for a new funeral establishment permit shall be made on forms provided by the Board that are made available on the Board's website, ncbfs.org. Applications for a new funeral establishment permit not completed within 90 days following submission to the Board shall be denied. All applications for a new funeral establishment permit shall contain the following:

- (1) The legal name of the individual or entity that owns the funeral establishment;
- (2) The email address, physical address, mailing address, phone number(s), and facsimile number of the funeral establishment;
- (3) Other names under which the funeral establishment conducts business;
- (4) Whether the entity or individual owning the funeral establishment is a sole proprietorship, partnership, corporation, or limited liability company;
- (5) If owned by a sole proprietor, the legal name of the sole proprietor;
- (6) If owned by a partnership, a copy of the applicant's partnership agreement, the name of each partner and his or her respective ownership interests;
- (7) If owned by a corporation, a copy of the applicant's Articles of Incorporation, the name of each corporate officer, his or her position, and the respective ownership interests of each person or entity holding an ownership interest in the corporation;
- (8) If owned by a limited liability company, a copy of the applicant's Articles of Organization and the name of each member and his or her respective percentage of ownership;
- (9) If the applicant will conduct business in a different name than that of its owning entity, a copy of the applicant's Certificate of Assumed Name;
- (10) The name and address of any funeral establishment, crematory, cemetery, mutual burial association, or embalming facility under common ownership of the funeral establishment;
- (11) Whether the preparation room within the funeral establishment complies with the requirements of G.S. 90-210.27A(a);
- (12) Whether embalming will be performed in an embalming facility located outside of the funeral establishment and, if so, the name and address of the location at which embalming will be performed;
- (13) The name and license number of the individual who will serve as the licensed location manager for the funeral establishment in accordance with G.S. 90-210.25(d)(1);
- (14) The facility at which refrigeration of unembalmed human remains on behalf of the funeral establishment will occur, if refrigeration will be performed in an off-site facility;
- (15) The names, license type, and license number of each funeral director, funeral service licensee, and embalmer working for the establishment and whether said licensee is working on a full-time, part-time, or per case basis;
- (16) A copy of the General Price List, Casket Price List, Outer Burial Container Price List, and Statement of Funeral Goods and Services Selected intended for use by the applicant, as required by the FTC Funeral Rule, 16 C.F.R. 453.2;
- (17) Proof of the applicant's right of occupancy for the premises at which the funeral establishment will be located;
- (18) Whether the applicant currently is in good standing with the North Carolina Secretary of State and, if so, documentation to establish proof of the same;
- (19) Whether, within the preceding two years, the applicant has been the subject of any investigation for employee misclassification and, if so, the results of the investigation;
- (20) The licensed manager's notarized signature to certify that:
 - (A) he or she has prepared the application and has read the answers;
 - (B) the information provided in the application is true;
 - (C) the applicant has read and understands the public notice statement on employee misclassification that is set forth in the application and has disclosed any investigations for employee misclassification, and its results, over the preceding two year period, as prescribed by G.S. 143-789; and

- (D) he or she understands that any credential issued shall be governed by the provisions of Article 13A, Chapter 90 of the North Carolina General Statutes and the rules promulgated by the Board;
- (21) The signature of each owner, partner, manager, member, operator, and officer of the business entity applying for licensure, consenting to the Board's ability to conduct a background check on his or her criminal history; and
- (22) The application fee, as prescribed by G.S. 90-210.28 and 21 NCAC 34A .0201. If the application fee is dishonored by the licensee's drawee bank for any reason, the Board shall suspend the license until the renewal fees and non-sufficient fund charges are paid.
- (b) Upon receipt of an application as set forth in this Rule, the Board shall provide to the individuals identified in Subparagraph (a)(19) of this Rule instructions on how to submit his or her fingerprints for a criminal background check, in accordance with G.S. 90-210.25(a)(5)(h). The individuals shall sign and return to the Board a form provided by the Board, consenting to the check of the criminal records and to the use of his or her fingerprints and other identifying information required by the State or national repositories. If the background check is performed by the State Bureau of Investigation, the individuals shall remit payment to the Board in the form of an official check, money order, or cashier's check, made payable to the State Bureau of Investigation, the actual costs charged by the Department of Public Safety for performing the criminal background check. If the background check is performed by another vendor, the individuals shall remit payment to the Board payment of actual costs charged by the vendor for performing the criminal background check.
- (c) Applications for a new funeral branch establishment permit shall be made on forms provided by the Board that are made available on the Board's website, ncbfs.org. Applications for a new funeral branch establishment permit not completed within 90 days following submission to the Board shall be denied. All applications for a new funeral branch establishment permit shall contain the same information required in Paragraph (a) of this Rule. No branch establishment to which a permit is issued by the Board shall engage in the practice of embalming unless the branch establishment contains a preparation room that is compliant with G.S. 90-210.27A(a).

*History Note: Authority G.S. 90-210.23(a),(d),(e); 90-210.25(d); 90-210.27A;
Eff. February 1, 1976;
Readopted Eff. September 27, 1977;
Amended Eff. December 1, 2004; August 1, 1988; September 1, 1979;
Pursuant to G.S. 150B-21.3A, rule is necessary without substantive public interest Eff. August 19, 2017;
Temporary Amendment Eff. November 7, 2025;
Amended Eff. April 1, 2026.*