



DR. RANDY SHARP
Board Chair

STEPHANIE BRYANT MCGEE
Executive Director

INFORMATIONAL STATEMENT

Nevada Board of Funeral & Cemetery Services
LCB File No. R143-23

The following information is provided pursuant to NRS 233B.066 regarding adopted amendments to Nevada Administrative Code Chapter 642:

1. A clear and concise explanation of the need for the adopted regulation.

Pursuant to Nevada Governor Joe Lombardo's Executive Order 2023-003, the Nevada Funeral and Cemetery Services Board (Board) conducted a comprehensive review of the regulations subject to the Board's enforcement. Pursuant to that Executive Order, the Board identified certain provisions of NAC 642 that duplicated provisions of Nevada Revised Statutes, specifically NRS Chapter 233B.

The regulation is being further amended to provide guidance to funeral establishments and direct cremation facilities for compliance with the reporting and paying regulatory fees required pursuant to NRS 642.0696.

2. A description of how public comment was solicited, a summary of public response, and an explanation of how other interested persons may obtain a copy of the summary.

The Board solicited public comment by emailing the proposed regulation, notice of workshop, notice of intent to act upon the regulation, and small business impact statement to persons who were known to have an interest in the Nevada Funeral and Cemetery Services Board regulation of funeral and cemetery services, specifically individuals and business entities holding an active license issued by the Board, as well as any person who had specifically requested such notice. These documents were also made available at the following locations:

- The Board's Office, 3740 Lakeside Drive, Suite 201 in Reno, Nevada.
- The Nevada Public Notice website: <https://notice.nv.gov/>
- The Board's website: <https://funeral.nv.gov/>
- The Nevada Legislature Administrative Regulation Notices website: <https://www.leg.state.nv.us/App/Notice/A/>

On November 15, 2023, the Board held a workshop to solicit comments on the proposed regulations. There were 16 individuals from the public in attendance at the workshop. Thereafter, on or about April 9, 2024, a Notice of Intent to Action Upon Regulations was issued. On May 15, 2024, the Board held a public hearing. There were no written or oral public comments presented at the hearing. There were 17 individual members of the public present at the hearing.

As no comments were submitted, no summary is available. Interested persons requesting information may contact the Board via the office, telephone, or email at:

Nevada Funeral and Cemetery Services Board
3740 Lakeside Drive, Suite 201
Reno, Nevada, 89509

Telephone: 775-825-5535

Email: nvfuneralboard@fb.nv.gov.

- 3. The number of persons who:**
 - a. Attended each hearing;**
 - b. Testified at each hearing; and**
 - c. Submitted to the Board written comments.**

Sixteen members of the public attended the workshop on November 15, 2023. One person testified at the workshop. There were no public comments during the workshop.

Seventeen members of the public attended the hearing on May 15, 2024. One person testified at the hearing. There were no public comments during the hearing.

No written comments were submitted to the Board regarding the proposed changes to the regulation.

- 4. For each person identified in paragraphs 3b. and 3c, the name, telephone number, business address, business telephone number, electronic mail address, and the name of the entity or organization represented:**

No person submitted written comments at the workshop or the hearing.

The following individual testified at the hearing:

Stephanie Bryant McGee
Executive Director
Nevada Funeral and Cemetery Services Board
3740 Lakeside Drive, Suite 201
Reno, Nevada 89521
(775)-825-5535
nvfuneralboard@fb.nv.gov

- 5. A description of how comments were solicited from affected businesses, a summary of their response, and an explanation of how other interested persons may obtain a copy of the summary.**

The Board solicited public comment by emailing the proposed regulation, notice of workshop, notice of intent to act upon the regulation, and small business impact statement to persons who were known to have an interest in the Nevada Funeral and Cemetery Services Board regulation of funeral and cemetery services, specifically individuals and business entities holding an active license issued by the Board, as well as any person who had specifically requested such notice. These documents were also made available at the following locations:

- The Board’s Office, 3740 Lakeside Drive, Suite 201 in Reno, Nevada.
- The Nevada Public Notice website: <https://notice.nv.gov/>
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On October 20, 2023, the Board sent via email a survey, along with a of the proposed regulation and notice of workshop, to each business entity holding a license issued by the Board.

1. How many employees are currently employed by your business?
2. Will a specific regulation have an adverse economic effect upon your business?
3. Will the regulation(s) have any beneficial effect upon your business?
4. Do you anticipate any indirect adverse effects upon your business?
5. Do you anticipate any indirect beneficial effects upon your business?

None of the business entities submitted a survey response.

The Board discussed the regulatory changes during a public workshop on November 15, 2023. The workshop was open to the public, including representatives of any business that may be impacted by the regulation. There were no public comments in opposition to any of the changes or regarding any economic impact on small businesses.

On May 15, 2024, the Board held a public hearing regarding adoption of the proposed regulation. There were no public comments submitted at this hearing. In addition, there were no comments regarding the proposed changes or any economic impact on small businesses.

As no comments were submitted, no summary is available. Interested persons requesting information may contact the Board via the office, telephone, or email at:

Nevada Funeral and Cemetery Services Board
 3740 Lakeside Drive, Suite 201
 Reno, Nevada, 89509

Telephone: 775-825-5535

Email: nvfuneralboard@fb.nv.gov

6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.

The Board adopted the regulation on May 15, 2024, with one change. The Board voted to change Section 1 of the regulation to extend the due date of the required filing and payment of fees from the 15th of the month to the last calendar day of the month.

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- 7. 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

The Board determined that the regulation would have no adverse economic impact on businesses it regulates or the public.

The beneficial economic effect to the public is the improved efficiency of the Board's administration due to clarification and guidance with respect to compliance with statutes and repeal of regulations that are duplicated elsewhere in law.

(b) Both immediate and long-term effects

None. The Board does not anticipate any direct immediate or long-term economic effects on businesses or the public as a result of the adopted regulation. Any immediate or long-term economic impact would be in the improved efficiency of the Board's regulatory activities due to clarification of existing law and elimination of redundant regulatory provisions.

- 8. The estimated cost to the agency for enforcement of the proposed regulation.**

None. There is no additional cost to the Board for enforcement of the regulation, as enforcement will be performed by the Board in the normal conduct of its affairs.

- 9. 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. No other state or governmental agency regulations will be overlapped or duplicated as a result of the adopted regulation. The regulation does not overlap or duplicate a federal regulation.

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

None. The proposed changes to NAC 642 do not include any provisions that duplicate or are more stringent than any federal, state, or local regulations or standards regulating the same activity.

- 11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

None. The regulation does not provide for any new or increased fees.