

Regulatory Analysis Form

(Completed by Promulgating Agency)

INDEPENDENT REGULATORY
REVIEW COMMISSION

(All Comments submitted on this regulation will appear on IRRC's website)

(1) Agency

Department of State, Bureau of Professional and Occupational
Affairs, State Board of Funeral Directors

(2) Agency Number: 16A

Identification Number: 16A-4822

IRRC Number: 3000

(3) PA Code Cite: 49 Pa. Code § 13.12

(4) Short Title: Fees

(5) Agency Contacts (List Telephone Number and Email Address):

Primary Contact: Cynthia Montgomery, Regulatory Counsel, Department of State, P.O. Box 2649,
Harrisburg, PA 17105-2649 (phone 717-783-7200) (fax 787-0251)

Secondary Contact: Chris McNally, Board Counsel, State Board of Funeral Directors, Department of
State, P.O. Box 2649, Harrisburg, PA 17105-2649 (phone 717-783-7200) (fax 787-0251)

chrmcnally@pa.gov

(6) Type of Rulemaking (check applicable box):

☒ PROPOSED REGULATION

☐ Final Regulation

☐ Final Omitted Regulation

☐ Emergency Certification Regulation;

☐ Certification by the Governor

☐ Certification by the Attorney General

(7) Briefly explain the regulation in clear and nontechnical language. (100 words or less)

The proposal would amend § 13.12 to increase the biennial renewal fees for funeral directors, funeral supervisors and funeral establishments (including the following license categories: branch, estate, professional corporation, sole proprietor, partnership, restricted business corporation, widow and pre-1935 business corporation) from \$325 to \$400.

(8) State the statutory authority for the regulation. Include specific statutory citation.

Section 18.1 of the Funeral Director Law (act) (63 P.S. § 479.18.1) requires the Board to increase fees by regulation to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties are not sufficient to meet expenditures over a 2-year period.

(9) Is the regulation mandated by any federal or state law or court order, or federal regulation? Are there any relevant state or federal court decisions? If yes, cite the specific law, case or regulation as well as, any deadlines for action.

Yes, Section 18.1 of the act mandates a fee increase when expenditures outpace revenue.

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(10) State why the regulation is needed. Explain the compelling public interest that justifies the regulation. Describe who will benefit from the regulation. Quantify the benefits as completely as possible and approximate the number of people who will benefit.

At the December 7, 2011, Board meeting, representatives from the Department of State's Bureau of Finance and Operations (BFO) presented a summary of the Board's revenue and expenses for fiscal years 2009-2010 and 2010-2011, and projected revenue and expenses through 2014-2015. By the beginning of fiscal year 2009-2010, the Board had accrued a deficit of over \$1 million. At the end of fiscal year 2010-2011, in spite of the implementation of a fee increase in 2010, BFO reported that the Board continued to run a deficit of \$790,540.68. At the current fee levels, the Board receives revenue of approximately \$ 2,060,000 over a 2-year period (consisting of a renewal year and a non-renewal year). Budgeted expenditures for the next 2 fiscal years (2012-2013 and 2013-2014) are approximately \$2,406,000. Therefore, the Board determined that it was necessary to raise fees to meet or exceed projected expenditures, in compliance with section 18.1 of the act and to eliminate the existing deficit. In June of 2012, BFO returned with revised estimates and recommended a \$75 increase to the biennial renewal fees as sufficient to eliminate the existing deficit, provide for the current level of operations and return the Board to firm financial ground. As a result, the Board voted at its July 5, 2012, meeting to increase biennial renewal fees from \$325 to \$400.

(11) Are there any provisions that are more stringent than federal standards? If yes, identify the specific provisions and the compelling Pennsylvania interest that demands stronger regulations.

There are no federal licensure standards.

(12) How does this regulation compare with those of the other states? How will this affect Pennsylvania's ability to compete with other states?

A funeral director (mortician) in Maryland pays a \$600 biennial renewal fee; while funeral establishment renewal fees range from \$700 - \$975 biennially. In Ohio, an embalmer or funeral director is required to pay a \$140 biennial renewal fee; while a funeral home pays a biennial renewal fee of \$250. In New Jersey, a funeral director pays a \$250 biennial renewal fee; while a funeral home (mortuary) pays \$500. In West Virginia, a funeral service licensee pays a biennial renewal fee of \$160; a main facility pays \$350, while a branch facility pays \$210. In Virginia, licenses renew annually at \$175 for funeral directors and embalmers and \$300 for funeral establishments (or the equivalent of \$350 for funeral directors and embalmers and \$600 for funeral establishments over a 2-year period). In New York, the biennial renewal fees for embalmers is \$62.50; for funeral directors, it is \$125 and for funeral establishments, it is \$300. The Board does not believe the increase in the biennial renewal fee, which amounts to \$37.50 per year, will affect Pennsylvania's ability to compete with other states.

(13) Will the regulation affect any other regulations of the promulgating agency or other state agencies? If yes, explain and provide specific citations.

No.

(14) Describe the communications with and solicitation of input from the public, any advisory council/group, small businesses and groups representing small businesses in the development and drafting of the regulation. List the specific persons and/or groups who were involved. ("Small business" is defined in Section 3 of the Regulatory Review Act, Act 76 of 2012.)

Because an increase in fees is mandated by section 18.1 of the act, pre-draft input was not solicited. However, the proposal was discussed at public meetings of the Board on December 7, 2011, June 6, 2012, and July 5, 2012, which were routinely attended by professional associations who represent the regulated community and other organizations who have an interest in the regulatory agenda of the Board, including the Pennsylvania Funeral Directors Association (PFDA) and the Pennsylvania Cemetery, Cremation and Funeral Association (PCCFA). In addition, the Board invites these and other interested parties to submit comments following publication of the notice of proposed rulemaking.

(15) Identify the types and number of persons, businesses, small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012) and organizations which will be affected by the regulation. How are they affected?

There are approximately 1,642 licensed funeral establishments. There are approximately 3,240 licensed funeral directors, of whom approximately 1,234 are licensed funeral supervisors in Pennsylvania.

According to the Pennsylvania Department of Labor and Industry in 2008, the majority of Funeral Service Managers (83.4%) work in the area of Death Care Services, while 15.1% of the Funeral Service Managers are self employed.

For the business entities listed above, small businesses are defined in Section 3 of the Regulatory Review Act, Act 76 of 2012, which provides that a small business is defined by the U.S. Small Business Administration's Small Business Size Regulations under 13 CFR Ch. 1 Part 121. Specifically, size standards are provided at 13 CFR § 121.201. These size standards have been established for types of businesses under the North American Industry Classification System (NAICS). In applying the NAICS standards to the types of businesses where funeral directors and funeral supervisors work, a small business for "funeral homes and funeral services" is one with \$7.0 million or less in average annual receipts. The Board believes that most of the funeral establishments licensed by the State Board of Funeral Directors are considered small businesses because they would fall under this threshold amount.

Small businesses would be affected by the \$75 increase in the biennial renewal fee for funeral establishments; and would also be affected by the \$75 increase in the biennial renewal fee for funeral directors and funeral supervisors to the degree the business pays the licensure fees of its employees.

(16) List the persons, groups or entities (including small businesses) that will be required to comply with the regulation. Approximate the number that will be required to comply.

All licensees of the Board must comply with this regulation. There are approximately 1,642 licensed funeral establishments, most of which are considered small businesses. There are approximately 3,240 licensed funeral directors, of whom approximately 1,234 are licensed funeral supervisors in Pennsylvania.

(17) Identify the financial, economic and social impact of the regulation on individuals, small businesses, businesses and labor communities and other public and private organizations. Evaluate the benefits expected as a result of the regulation.

All licensed funeral directors, funeral supervisors, and funeral establishments will be required to pay an additional \$75 every 2 years beginning in 2014 in order to renew a license. The Board believes that a majority of funeral establishments located in the Commonwealth qualify as "small businesses" pursuant to the federal SBA standards. Therefore, small businesses will be impacted by the \$75 increase in establishment license fees; and will also be impacted to the degree that the funeral home pays the licensure fees for its employees. However, this increase is necessary to ensure the fiscal integrity of the board and to assure that the board's mandate to protect the health, safety and welfare of the public is carried out.

(18) Explain how the benefits of the regulation outweigh any cost and adverse effects.

The increase is mandated by section 18.1 of the Funeral Director Law (act) (63 P.S. § 479.18.1), which requires the Board to increase fees by regulation to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties imposed under the act are not sufficient to meet expenditures over a 2-year period. The regulation benefits every citizen of the Commonwealth in that it will ensure the fiscal integrity of the Board and allow the Board to carry out its mission. The costs to licensees, which equates to \$37.50 per year, is outweighed by the Board's duty to license and regulate funeral directors and funeral establishments in the public interest.

(19) Provide a specific estimate of the costs and/or savings to the **regulated community** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

There are approximately 1,642 licensed funeral establishments. There are approximately 3,240 licensed funeral directors, of whom approximately 1,234 are licensed funeral supervisors in Pennsylvania. These licensees will be required to pay an additional \$75 every 2 years to renew their licenses. Therefore, the estimated costs to the regulated community are calculated as follows:

6,116 licensees x \$75 increase = \$458,700 biennially (beginning with the January 2014 renewal).

The Board does not anticipate any other costs associated with legal, accounting or consulting procedures.

(20) Provide a specific estimate of the costs and/or savings to the **local governments** associated with compliance, including any legal, accounting or consulting procedures which may be required. Explain how the dollar estimates were derived.

There are no costs or savings to local governments associated with compliance with the rulemaking.

(21) Provide a specific estimate of the costs and/or savings to the **state government** associated with the implementation of the regulation, including any legal, accounting, or consulting procedures which may be required. Explain how the dollar estimates were derived.

The only cost to state government is the minimal cost associated with publishing new biennial renewal forms and updating the online renewal platform with the updated fee. The Board will not incur an increase in administrative costs by implementing the rulemaking. Indeed, the regulatory amendment will permit the Board to recoup the costs of its operations. There are no other costs or saving to state government associated with compliance with the proposed rulemaking.

(22) For each of the groups and entities identified in items (19)-(21) above, submit a statement of legal, accounting or consulting procedures and additional reporting, recordkeeping or other paperwork, including copies of forms or reports, which will be required for implementation of the regulation and an explanation of measures which have been taken to minimize these requirements.

This proposed rulemaking would not require any additional recordkeeping or other paperwork, nor will there be any legal, accounting or consulting procedures required for implementation of the regulation.

(23) In the table below, provide an estimate of the fiscal savings and costs associated with implementation and compliance for the regulated community, local government, and state government for the current year and five subsequent years.

	Current FY FY 12-13	FY +1 FY 13-14	FY +2 FY 14-15	FY +3 FY 15-16	FY +4 FY 16-17	FY +5 FY 17-18
SAVINGS:	\$	\$	\$	\$	\$	\$
Regulated Community						
Local Government						
State Government						
Total Savings	N/A	N/A	N/A	N/A	N/A	N/A
COSTS:						
Regulated Community	\$0	\$458,700	\$0	\$458,700	\$0	\$458,700
Local Government						
State Government						
Total Costs	\$0	\$458,700	\$0	\$458,700	\$0	\$458,700
REVENUE LOSSES:						
Regulated Community						
Local Government						
State Government						
Total Revenue Losses	N/A	N/A	N/A	N/A	N/A	N/A

(23a) Provide the past three year expenditure history for programs affected by the regulation.

Program	FY -3 FY 09-10	FY -2 FY 10-11	FY -1 FY 11-12 Projected	Current FY FY 12-13 Budgeted
State Board of Funeral Directors	\$926,241.44	\$887,470.48	\$817,785.62	\$1,191,000.00

(24) For any regulation that may have an adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), provide an economic impact statement that includes the following:

- (a) An identification and estimate of the number of small businesses subject to the regulation.
- (b) The projected reporting, recordkeeping and other administrative costs required for compliance with the proposed regulation, including the type of professional skills necessary for preparation of the report or record.
- (c) A statement of probable effect on impacted small businesses.
- (d) A description of any less intrusive or less costly alternative methods of achieving the purpose of the proposed regulation.

- (a) **Assuming that the majority of funeral establishments qualify as "small businesses" as that term is defined by the Regulatory Review Act and the SBA, there could be as many as 1,642 small businesses subject to the regulation.**
- (b) **There are no projected reporting, or recordkeeping costs required for compliance. There are no additional administrative costs required for compliance. (The administrative costs would be those associated with filling out the biennial renewal form or online renewal application and either writing a check or processing the payment of the fee. These costs would be the same regardless of the increase in the fee.) Also, some of these fees can be avoided by the small businesses by simply requiring employees to pay their own biennial renewal fees.**
- (c) **The probable effect on impacted small businesses would be a \$75 increase in the biennial renewal fee for each facility and each funeral director/funeral supervisor employed by the small business.**
- (d) **Originally, the Board considered a biennial fee increase of \$100 (to \$425) or \$115 (to \$440). At that time, BFO presented the possibility of changing to an annual renewal cycle, to permit licensees to spread the impact over 2 years, suggesting that the fee could then be set at either \$212.50 or \$220. However, due to the increased administrative costs associated with processing renewals every year, as opposed to every 2 years, the Board felt the increase would actually have to be larger or it would not provide adequate revenues to cover the increased costs. Ultimately, the Board elected to retain the biennial renewal fee because licensees are accustomed to it and it is consistent with a vast majority of the other professional and occupational boards. (The only exception being the Navigation Commission for the Delaware River and its Navigable Tributaries, which requires annual renewals.)**

(25) List any special provisions which have been developed to meet the particular needs of affected groups or persons including, but not limited to, minorities, the elderly, small businesses, and farmers.

No special provisions have been developed for any affected groups or persons.

(26) Include a description of any alternative regulatory provisions which have been considered and rejected and a statement that the least burdensome acceptable alternative has been selected.

In January of 2012, BFO presented a number of regulatory alternatives to the Board, including the possibility of a \$100 or \$115 increase to the biennial renewal fee. BFO also presented the possibility of changing to an annual licensure renewal fee of \$ 212.50 (which equates to a \$100 increase over 2 years) or \$220 (which equates to a \$115 increase over 2 years), in order to allow the licensee to spread the impact of the increase out over a 2-year period. Because of the increased administrative costs associated with processing renewals annually, as opposed to biennially, and the fact that the total increase would still amount to either \$100 or \$115, the Board rejected the possibility of an annual renewal fee. At that time, the Board determined that, because any increase to the biennial renewal fee would not be implemented until 2014, it would wait until the close of the fiscal year (June 30, 2012) and reevaluate its financial condition. BFO returned to the June board meeting and presented updated figures demonstrating that the Board's financial condition had improved, although a fee increase was still necessary. Therefore, BFO recommended a \$75 fee increase. The Board took the matter under consideration and at its July board meeting, voted to adopt a \$75 increase to the biennial renewal fee to be effective with the January 31, 2014, renewals. The Board believes that given its current financial status, it has selected the least burdensome acceptable alternative.

(27) In conducting a regulatory flexibility analysis, explain whether regulatory methods were considered that will minimize any adverse impact on small businesses (as defined in Section 3 of the Regulatory Review Act, Act 76 of 2012), including:

- a) The establishment of less stringent compliance or reporting requirements for small businesses;
 - b) The establishment of less stringent schedules or deadlines for compliance or reporting requirements for small businesses;
 - c) The consolidation or simplification of compliance or reporting requirements for small businesses;
 - d) The establishment of performing standards for small businesses to replace design or operational standards required in the regulation; and
 - e) The exemption of small businesses from all or any part of the requirements contained in the regulation.
-
- a) & b) All licenses renew biennially. The Board did not consider less stringent reporting requirements or deadlines for small businesses or for funeral directors that work for small businesses.
 - c) There are no compliance or reporting requirements that could be consolidated or simplified. The biennial renewal process is the same whether a particular funeral establishment is a small business or whether a particular funeral director is employed by a small business or a large business.
 - d) The regulations do not contain design or operational standards that need to be altered for small businesses.
 - e) To exclude any licensees from the requirements contained in the regulation (an increased biennial renewal fee) based on the size of the business would not be consistent with public health and welfare because it would prevent the Board from obtaining adequate revenue to meet projected expenditures and it would not be able to carry out its legislative mandate.

(28) If data is the basis for this regulation, please provide a description of the data, explain in detail how the data was obtained, and how it meets the acceptability standard for empirical, replicable and testable data that is supported by documentation, statistics, reports, studies or research. Please submit data or supporting materials with the regulatory package. If the material exceeds 50 pages, please provide it in a searchable electronic format or provide a list of citations and internet links that, where possible, can be accessed in a searchable format in lieu of the actual material. If other data was considered but not used, please explain why that data was determined not to be acceptable.

No data, studies or references were used to justify the regulation.

(29) Include a schedule for review of the regulation including:

- A. The date by which the agency must receive public comments: **Thirty days after publication as proposed rulemaking in the Pennsylvania Bulletin.**
- B. The date or dates on which public meetings or hearings will be held: **Public meetings are held on the first Wednesday of each month.**
- C. The expected date of promulgation of the proposed regulation as a final-form regulation: **Fall 2013. Expected implementation of the increased biennial renewal fees – January 31, 2014.**
- D. The expected effective date of the final-form regulation: **Upon publication in the Pennsylvania Bulletin.**
- E. The date by which compliance with the final-form regulation will be required: **January 31, 2014.**
- F. The date by which required permits, licenses or other approvals must be obtained: **N/A**

(30) Describe the plan developed for evaluating the continuing effectiveness of the regulations after its implementation.

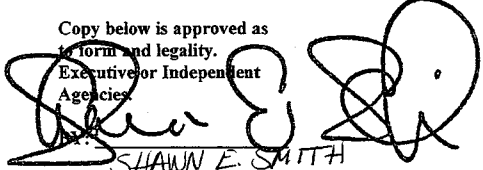
The Board continually reviews the efficacy of its regulations, as part of its annual review process under Executive Order 1996-1. The Board reviews its regulatory proposals at regularly scheduled public meetings, generally the first Wednesday of each month. The Board will meet on the following dates in 2013: January 2, February 6, March 6, April 3, May 1, June 5, July 3, August 7, September 4, October 2, November 6, and December 4. More information can be found on the Department's website (www.dos.state.pa.us).

**FACE SHEET
FOR FILING DOCUMENTS
WITH THE LEGISLATIVE REFERENCE BUREAU**

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(Pursuant to Commonwealth Documents Law)

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copy of a document issued, prescribed or promulgated by:Copy below is approved as
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Executive or Independent
AgenciesBY: 
(DEPUTY ATTORNEY GENERAL)State Board of Funeral Dir.
(AGENCY)
SHAWN E. SMITH

MAR 15 2013


DOCUMENT/FISCAL NOTE NO. 16A-4822

DATE OF APPROVAL

DATE OF ADOPTION: _____

FEB 21 2013

DATE OF APPROVAL

BY: 
Michael J. Yeosock(Executive Deputy General Counsel
Strike inapplicable title)TITLE: Chairperson
(EXECUTIVE OFFICER, CHAIRMAN OR SECRETARY)

- ☐ Check if applicable
Copy not approved.
Objections attached.
- ☐ Check if applicable. No
Attorney General approval or
objection within 30 day after
submission.

**NOTICE OF PROPOSED RULEMAKING
COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF FUNERAL DIRECTORS
49 PA. CODE § 13.12**

FEES

The State Board of Funeral Directors (Board) proposes to amend § 13.12 (relating to fees), to read as set forth in Annex A.

Effective Date

The amendments will be effective upon publication of the final-form rulemaking in the Pennsylvania Bulletin. It is anticipated that the increased biennial renewal fees will be implemented with the January 31, 2014, biennial renewal.

Statutory Authority

Section 18.1 of the Funeral Director Law (act) (63 P.S. § 479.18.1) requires the Board to increase fees by regulation to meet or exceed projected expenditures if the revenues raised by fees, fines and civil penalties are not sufficient to meet expenditures over a 2-year period.

Background and Need for Amendment

Under section 18.1 of the act, the Board is required by law to support its operations from the revenue it generates from fees, fines and civil penalties. In addition, the act provides that the Board shall increase fees if the revenue raised by fees, fines and civil penalties is not sufficient to meet expenditures over a 2-year period. The Board raises the majority of its revenue through biennial renewal fees. A small percentage of its revenue comes from other fees, fines and civil penalties. In 2006, facing rising deficits for the foreseeable future, the Board undertook a proposed rulemaking to implement a fee increase in an attempt to avoid continued deficits and restore the Board's fiscal integrity. At the time, it was anticipated that the increase would be implemented in time for the February 1, 2008, biennial renewal. (See 37 Pa.B. 1868.) Unfortunately, due to circumstances beyond the Board's control, the final rulemaking was not published until January 24, 2009, at 39 Pa.B. 414, and was not implemented until the 2010 biennial renewal. This delay caused additional deficits to accrue. For that reason, the Board recognized that it might have to look into the possibility of another fee increase to address the lingering deficits.

At the December 7, 2011, Board meeting, representatives from the Department of State's Bureau of Finance and Operations (BFO) presented a summary of the Board's revenue and expenses for fiscal years 2009-2010 and 2010-2011, and projected revenue and expenses through 2014-2015. By the beginning of fiscal year 2009-2010, the Board had accrued a deficit of over \$1 million. At the end of fiscal year 2010-2011, in spite of the implementation of the fee increase, BFO reported that the Board continued to run a deficit of \$790,540.68. At the current fee levels, the Board receives revenue of approximately \$ 2,060,000 over a 2-year period (consisting of a renewal year and a non-renewal year). Budgeted expenditures for the next 2 fiscal years (2012-2013 and 2013-2014) are approximately \$2,406,000. Therefore, the Board determined that it was necessary to raise fees to

meet or exceed projected expenditures, in compliance with section 18.1 of the act and to eliminate the existing deficit. The Board asked BFO to provide several alternatives with recommendations for a fee increase to remedy the situation. Thereafter, in January 2012, BFO provided several scenarios, including the possibility of a \$100 - \$115 increase, as well as alternatives if the Board were to change to an annual license renewal cycle.

At the time, the Board determined to wait until the close of the 2011-2012 fiscal year and review revenue and expenditure projections at that time. In June of 2012, BFO returned with revised estimates and recommended a \$75 increase to the biennial renewal fees as sufficient to eliminate the existing deficit, provide for the current level of operations and return the Board to firm financial ground. As a result, the Board voted at its July 5, 2012, meeting to increase biennial renewal fees from \$325 to \$400, as set forth in Annex A.

Description of Proposed Amendments

The proposal would amend § 13.12 to increase the biennial renewal fees for funeral directors, funeral supervisors and funeral establishments from \$325 to \$400.

Fiscal Impact

The proposed amendments will increase the biennial renewal fees for licensees of the Board. There are currently approximately 3,240 licensed funeral directors, 1,234 licensed funeral supervisors, and 1,642 funeral establishments (including the following license categories: branch, estate, professional corporation, sole proprietor, partnership, restricted business corporation, widow and pre-1935 business corporation) that will be required to pay more to renew their licenses when they expire in 2014, and thereafter. The vast majority of funeral establishments are considered small businesses. They will be impacted because their license fees will increase. The degree to which small businesses will be impacted depends on whether they elect to pay the licensure fees on behalf of their licensed employees, as well as the establishment's license. The proposed regulation should have no other fiscal impact on the private sector, the general public or political subdivisions of the Commonwealth.

Paperwork Requirements

The proposed rulemaking will require the Board to alter some of its forms to reflect the new fees; however, the amendment will not create additional paperwork for the regulated community or for the private sector.

Sunset Date

The act requires the Board to monitor its revenue and costs on a fiscal year and biennial basis. Therefore, no sunset date has been assigned.

Regulatory Review

Under section 5(a) of the Regulatory Review Act (71 P.S. §745.5(a)), on April 2, 2013, the Board submitted a copy of this proposed rulemaking and a copy of a Regulatory Analysis Form to the Independent Regulatory Review Commission (IRRC) and to the Chairpersons of the Senate Consumer Protection and Professional Licensure Committee and the House Professional Licensure Committee. A copy of this material is available to the public upon request.

Under section 5(g) of the Regulatory Review Act, IRRC may convey any comments, recommendations or objections to the proposed rulemaking within 30 days of the close of the public comment period. The comments, recommendations or objections must specify the regulatory review criteria that have not been met. The Regulatory Review Act specifies detailed procedures for review, prior to final publication of the rulemaking, by the Board, the General Assembly and the Governor of any comments, recommendations and objections raised.

Public Comment

Interested persons are invited to submit written comments, suggestions or objections regarding this proposed rulemaking to Cynthia Montgomery, Regulatory Counsel, Department of State, P.O. Box 2649, Harrisburg, Pennsylvania 17105-2649, within 30 days following publication of this proposed rulemaking in the Pennsylvania Bulletin. Please reference Regulation No. 16A-4822 – Fees – on all comments.

ANNEX A

TITLE 49. PROFESSIONAL AND VOCATIONAL STANDARDS

PART I. DEPARTMENT OF STATE

Subpart A. PROFESSIONAL AND OCCUPATIONAL AFFAIRS

CHAPTER 13. STATE BOARD OF FUNERAL DIRECTORS

LICENSURE

§ 13.12. Fees.

Following is the schedule of fees charged by the Board:

* * * * *

Biennial renewal..... [\$325] \$400

* * * * *



**COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF FUNERAL DIRECTORS**
Post Office Box 2649
Harrisburg, Pennsylvania 17105-2649
(717) 783-3397

April 2, 2013

The Honorable Silvan B. Lutkewitte, III, Chairman
INDEPENDENT REGULATORY REVIEW COMMISSION
14th Floor, Harristown 2, 333 Market Street
Harrisburg, Pennsylvania 17101


Re: Proposed Regulation
State Board of Funeral Directors
16A-4822: FEES

Dear Chairman Lutkewitte:

Enclosed is a copy of a proposed rulemaking package of the State Board of Funeral Directors pertaining to Fees.

The Board will be pleased to provide whatever information the Commission may require during the course of its review of the rulemaking.

Sincerely,


Donald J. Murphy, Esq., Chairperson
State Board of Funeral Directors

DJM/CKMcN:rs

Enclosure

cc: Katie True, Commissioner
Bureau of Professional and Occupational Affairs
Rebecca Oyler, Director of Policy, Department of State
Steven V. Turner, Chief Counsel
Department of State
Cynthia Montgomery, Regulatory Counsel
Department of State
Christopher K. McNally, Counsel
State Board of Funeral Directors
State Board of Funeral Directors

**TRANSMITTAL SHEET FOR REGULATIONS SUBJECT TO THE
REGULATORY REVIEW ACT**

I.D. NUMBER: 16A-4822

SUBJECT: FEES

AGENCY: DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS
STATE BOARD OF FUNERAL DIRECTORS

TYPE OF REGULATION

- X Proposed Regulation
- Final Regulation
- Final Regulation with Notice of Proposed Rulemaking Omitted
- 120-day Emergency Certification of the Attorney General
- 120-day Emergency Certification of the Governor
- Delivery of Tolted Regulation
- a. With Revisions b. Without Revisions

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FILING OF REGULATION

DATE	SIGNATURE	DESIGNATION
_____	_____	HOUSE COMMITTEE ON PROFESSIONAL LICENSURE
4/2/13	<u>Michelle Warren</u>	MAJORITY CHAIR <u>Julie Harhart</u>
4/2/13	<u>Mary Walmer</u>	SENATE COMMITTEE ON CONSUMER PROTECTION & PROFESSIONAL LICENSURE
_____	_____	MAJORITY CHAIR <u>Robt. M. Tomlinson</u>
4/2/13	<u>K Cooper</u>	INDEPENDENT REGULATORY REVIEW COMMISSION
_____	_____	ATTORNEY GENERAL (for Final Omitted only)
4/2/13	<u>Samuel Herson</u>	LEGISLATIVE REFERENCE BUREAU (for Proposed only)

March 19, 2013