

BOARDS AND COMMISSIONS
Board of Embalmers and Funeral Directors
(Amendment)

201 KAR 15:015. Per diem compensation of board members.

RELATES TO: KRS 316.170, 316.210

STATUTORY AUTHORITY: KRS 316.170(5), 316.210(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 316.210(1) authorizes the Kentucky Board of Embalmers and Funeral Directors to promulgate administrative regulations to carry out and enforce the provisions of KRS Chapter 316. KRS 316.170(5) requires the board to establish the amount of per diem compensation to be paid beginning January 1, 2015, to board members, not to exceed \$200. This administrative regulation establishes the per diem amount to be received by board members.

Section 1. Beginning January 1, ~~2020~~²⁰¹⁵, each member of the board shall receive ~~\$200~~^{\$175} for each day spent in the discharge of his or her official duties.

HAROLD E. CORDER, II, Board Chair

APPROVED BY AGENCY: June 13, 2019

FILED WITH LRC: June 14, 2019 at 11 a.m.

PUBLIC HEARING AND PUBLIC COMMENT PERIOD: A public hearing on this administrative regulation shall be held on 10:00 a.m. on July 22, 2019 at 911 Leawood Drive, Frankfort, Kentucky 40601. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing is received by that date, the hearing may be canceled. This hearing is open to the public. Any person who wishes to be heard will be given an opportunity to comment on the proposed administrative regulation. A transcript of the public hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted through 11:59 p.m. on July 31, 2019. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person below.

CONTACT PERSON: David C. Trimble, General Counsel, 911 Leawood Drive, Frankfort, Kentucky 40601, phone (502) 782-8823, fax (502) 564-3969, email davidc.trimble@ky.gov.

REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

Contact person: David C. Trimble

(1) Provide a brief summary of:

(a) What this administrative regulation does: This regulation establishes the per diem compensation of Board members.

(b) The necessity of this administrative regulation: KRS Chapter 316 provides that Board members shall be compensated for their time spent on Board business.

(c) How this administrative regulation conforms to the content of the authorizing statutes: KRS Chapter 316 provides that Board members shall be compensated for their time spent on Board business.

(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes: KRS Chapter 316 provides that Board members shall be compensated

for their time spent on Board business.

(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:

(a) How the amendment will change this existing administrative regulation: The amendment provides a slight increase (\$25) in per diem compensation.

(b) The necessity of the amendment to this administrative regulation: Per Diem compensation of Board members was last increased in 2015.

(c) How the amendment conforms to the content of the authorizing statutes: KRS Chapter 316 provides that Board members shall be compensated for their time spent on Board business.

(d) How the amendment will assist in the effective administration of the statutes: KRS Chapter 316 provides that Board members shall be compensated for their time spent on Board business.

(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation: The Board licenses and regulates over 500 funeral establishments and several thousand individual embalmers and funeral directors. KRS Chapter 316 provides that Board members shall be compensated for their time spent on Board business.

(4) Provide an analysis of how the entities identified in the previous question will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:

(a) List the actions each of the regulated entities have to take to comply with this regulation or amendment: There is no cost to regulated entities to comply with this amendment.

(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities: There is no cost to regulated entities to comply with this amendment.

(c) As a result of compliance, what benefits will accrue to the entities: An increase in per diem compensation will help ensure the ability to recruit competent Board members in the future.

(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:

(a) Initially: This administrative regulation will cost the board \$25 per board member per day, approximately \$1500 for the first year.

(b) On a continuing basis: This administrative regulation will cost the board \$25 per board member per day, approximately \$1500 per year on a continuing basis.

(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation: Implementation and enforcement of this administrative regulation will be funded by license fees.

(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment: No increase in fees will be necessary to implement this amendment.

(8) State whether or not this administrative regulation established any fees or directly or indirectly increased any fees: This amendment does not establish or directly or indirectly increase fees.

(9) TIERING: Is tiering applied? No tiering was used because all board members are treated equally under this administrative regulation.

FISCAL NOTE ON STATE OR LOCAL GOVERNMENT

(1) What units, parts or divisions of state or local government (including cities, counties, fire departments, or school districts) will be impacted by this administrative regulation? The Ken-

tucky Board of Embalmers and Funeral Directors will be affected by this administrative regulation.

(2) Identify each state or federal statute or federal regulation that requires or authorizes the action taken by the administrative regulation. KRS Chapter 316 provides that Board members shall be compensated for their time spent on Board business.

(3) Estimate the effect of this administrative regulation on the expenditures and revenues of a state or local government agency (including cities, counties, fire departments, or school districts) for the first full year the administrative regulation is to be in effect. If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

(a) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for the first year? This administrative regulation will not generate revenue for the state or local government.

(b) How much revenue will this administrative regulation generate for the state or local government (including cities, counties, fire departments, or school districts) for subsequent years? This administrative regulation will not generate revenue for the state or local government.

(c) How much will it cost to administer this program for the first year? An increase in per diem compensation will cost \$1,500 annually.

(d) How much will it cost to administer this program for subsequent years? An increase in per diem compensation will cost \$1,500 annually.

Note: If specific dollar estimates cannot be determined, provide a brief narrative to explain the fiscal impact of the administrative regulation.

Revenues (+/-): Neutral.

Expenditures (+/-): + \$1,500 per year

Other Explanation: None