

New Mexico State Senate

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SENATOR CARRIE HAMBLEN

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December 15th, 2025

RLD NM/ Funeral Board
2550 Cerillos Road
Santa Fe, NM 87505

To members of the New Mexico Funeral Board,

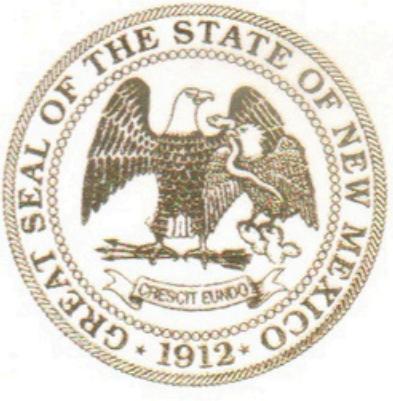
I am writing you with great concern after reviewing the proposed rule changes to the FUNERAL HOMES AND DISPOSERS PROFESSIONAL LICENSING REQUIREMENTS, (16.64.4.9 and 16.64.4.10). There are several proposed changes that not only negatively impact those providing burial services but also create increase stress to those families and loved ones having to make very difficult decisions about proper and respectful burial.

Since I am not an experienced funeral director or an expert in the area of proper and safe cremation, I write to you as a consumer of those services and one who has had several constituents utilize these services in the last few years.

It brings me great concern that the Board would consider removing the room size requirements for a Funeral Establishment, (specifically for the Chapel, the Casket Display Room and the Preparation Room), and strip the definition of what constitutes the equipment and supplies necessary for a Preparation Room.

I am also greatly concerned over the proposed rule changes to the Licensee in Charge and Separate Establishments regulations. The acceptable travel distance allowed to be a Licensee in Charge, and the potential issues this change could create. I would like to remind the Board that the primary reason funeral establishments exist is for the purpose of disinfection and containment of contagious diseases which protect our community's health and safety. These proposed changes greatly undermine the funeral professionals' primary responsibility for public health. Instead, these proposed changes seem to favor profit over public health.

Furthermore, trying to shrink the minimum threshold of a 600 square foot Chapel to meet minimum social distancing requirements that could be necessary again at any time. In the Casket Display Room, families need adequate space to view merchandise and the funeral establishment needs to have space to display or inventory caskets. The purchasing of a casket is a major financial decision for many. As someone who had to purchase the casket for my suddenly deceased brother, making sure this area is practical and comforting is the priority for funeral directors.



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Most concerning to me is the removal of the required room size, equipment, instrumentation and supplies that define a functioning preparation room. The current minimum size requirement is 150 square feet- about the size of an average bedroom 12' x 12-1/2'. How would the removal of the language that certifies a true, working Preparation Room help ensure that the necessary equipment is available to disinfect and contain any contagious disease? If the pandemic taught us anything, making sure we are prepared for the worst case scenario should be how we move forward with creating effective policy and law.

Even the language that requires hot and cold running water was eliminated in your proposed changes. Many of these changes will cause confusion and issues when inspections occur. They open the door for unregulated and possibly, home-made equipment and instruments to be used. Future funeral establishments will lack the adequate space to handle multiple remains at one time.

Another concerning issue are the proposed changes to the Licensee in Charge and Separate Establishment regulations (16.64.4.10). Under this proposal, there could be one Licensee in charge for an unlimited number of funeral establishments. Having the licensee in charge, not live in close proximity to the funeral establishment means little to no oversight. This language may also create controversy on how apprentices that are under direct supervision status are to receive direct hands-on training as currently required. If the intent of these changes is to cover the death of a sole-licensee for a funeral home, I would support a temporary emergency Licensee in charge for a period of up to one year. This is not to be used to open the door to resolve staffing shortages. This would only be used in the case of an emergency until a new licensee is hired.

Cremation and funeral services is not something we seek until death or tragedy comes into our lives. However, I trust the funeral directors I know personally to do this with professionalism, safety, and compassion for those who need their expertise. I urge you to listen to those who are in both urban and rural communities, who are professionals in this area, and know what regulation changes will help them do the important and sensitive work that continues to provide comfort to friends and families in times of sadness and tragedy.

For these reasons, I am strongly recommending and asking this Board to vote NO to the changes that have been proposed.

Sincerely,

A handwritten signature in blue ink, appearing to read "Carrie Hamblen".

Carrie Hamblen
New Mexico State Senator, District 38