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History: 4235

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Document No. 4235

**BOARD OF FUNERAL SERVICE**

CHAPTER 57

Statutory Authority: 1976 Code Sections 40-1-70 and 40-19-5 et seq.

57-04. General Licensing Provisions for Embalmers.

57-05. General Licensing Provisions for Funeral Directors.

57-09. Provisions for Annual Renewal of Licenses and Reactivation of Expired Licenses.

**Synopsis:**

To satisfy the requirements of licensure for funeral service providers, Regulations 57-04 through 57-05 and 57-09 are updated in conformance with the current Board of Funeral Service Practice Act.

The Notice of Drafting was published in the *State Register* on November 25, 2011.

**Instructions:**

The following sections of Chapter 57 are modified as provided below. All other items and sections remain unchanged.

**Text:**

57-04. General Licensing Provisions for Embalmers.

An applicant for initial licensure as an embalmer must:

(A) be at least eighteen (18) years of age; and

(B) submit an application on forms approved by the Board, along with the required fee; and

(C) submit evidence of successful completion of a course of study in an embalming college accredited by the American Board of Funeral Service Education and approved by the Board; and

(D) submit evidence of a passing score of at least seventy-five (75) on an examination approved by the Board; and

(E) submit evidence of successful completion of a minimum of twenty-four (24) months of full time service as an apprentice under the direct supervision of a licensed embalmer approved by the Board; and

(F) has not been convicted of a violent crime or found guilty of a felony or crime of moral turpitude.

57-05. General Licensing Provisions for Funeral Directors.

An applicant for initial licensure as a funeral director must:

(A) be at least eighteen (18) years of age; and

(B) submit an application on forms approved by the Board, along with the required fee; and

(C) submit evidence of a high school diploma, or its equivalent and successful completion of a one-year course in an accredited mortuary college, successful completion of a bachelor’s degree from a regionally accredited college or university or successful completion of sixty (60) semester hours at a regionally accredited college or university, including a minimum of twenty-four (24) semester hours divided among at least four (4) of the following areas:

(1) Psychological Sciences: This area may include courses in General Psychology, Guidance/Counseling, General Sociology, and other Psychology courses; and

(2) Business: This area may include courses in Accounting, Business Law, Math/Logic, Business Management, Typing, and Computer Science; and

(3) English: This area may include English, English Literature, and English Composition; and

(4) Natural/Biological/Physical Sciences: This area may include courses in Chemistry, Biology, Pathology, Microbiology, and Physiology; and

(5) Religion: This area may include courses in Religion, Bible, and Bible History; and

(D) submit evidence of successful completion of a minimum of twenty-four (24) months of full-time service as an apprentice under the direct supervision of a licensed funeral director approved by the Board; and

(E) submit evidence of a passing score of at least seventy-five (75) on an examination approved by the Board; and

(F) has not been convicted of a violent crime or found guilty of a felony or crime of moral turpitude.

57-09. Provisions for Annual Renewal of Licenses and Reactivation of Expired Licenses.

(A) All licenses and renewals expire on the thirtieth (30th) day of June unless sooner revoked or canceled. No license may be issued or renewed for a period exceeding two (2) years.

(B) All applications for renewal shall be filed with the Board prior to June thirtieth (30th) each year. Renewal applications must be accompanied by the renewal fee prescribed by the Board and, if applicable, the required number of continuing education credits. Licensees who have not properly renewed their licenses for failure to complete the required continuing education credits and/or failure to submit the appropriate renewal fee must apply for late renewal during a six (6) month penalty period following the expiration date. Late renewal applications must be accompanied by documentation, if applicable, indicating completion of the required continuing education credits as specified in Reg. 57-11 and a fee equal to the annual renewal fee plus a penalty as described in Reg. 57-12.

(C) An embalmer or funeral director whose license has been expired for less than five (5) years may reactivate the license by applying to the Board, submitting the required fees, and demonstrating evidence satisfactory to the Board, on a form approved by the Board, of the requisite continuing education hours for each year during which the license was expired. In such cases, the Board may require supervised experience as a condition of reactivation.

(D) An embalmer or funeral director whose license has been expired for more than five (5) years must reapply and meet all of the requirements, including re-examination, at the time of application, for licensure.

(E) Applicants for reactivation must submit a notarized affidavit certifying that he or she has not been engaged in the practice of embalming or funeral directing in this State during the period the license was not in a current status.

**Fiscal Impact Statement:**

There will be no cost incurred by the State or any of its political subdivisions.

**Statement of Rationale:**

These regulations are updated in conformance with the current Funeral Practice Act.