

FIRST REGULAR SESSION

[PERFECTED]

HOUSE BILL NO. 816

100TH GENERAL ASSEMBLY

INTRODUCED BY REPRESENTATIVE BLACK (137).

1686H.02P

DANA RADEMAN MILLER, Chief Clerk

AN ACT

To repeal section 333.041, RSMo, and to enact in lieu thereof one new section relating to embalming apprenticeships.

Be it enacted by the General Assembly of the state of Missouri, as follows:

Section A. Section 333.041, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 333.041, to read as follows:

333.041. 1. Each applicant for a license to practice funeral directing shall furnish evidence to establish to the satisfaction of the board that he or she is:

(1) At least eighteen years of age, and possesses a high school diploma, a general equivalency diploma, or equivalent thereof, as determined, at its discretion, by the board; and

(2) A person of good moral character.

2. Every person desiring to enter the profession of embalming dead human bodies within the state of Missouri and who is enrolled in a program accredited by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the board shall register with the board as a practicum student upon the form provided by the board. After such registration, a student may assist, under the direct supervision of Missouri licensed embalmers and funeral directors, in Missouri licensed funeral establishments, while serving his or her practicum. The form for registration as a practicum student shall be accompanied by a fee in an amount established by the board.

3. Each applicant for a license to practice embalming shall furnish evidence to establish to the satisfaction of the board that he or she:

EXPLANATION — Matter enclosed in bold-faced brackets [thus] in the above bill is not enacted and is intended to be omitted from the law. Matter in **bold-face** type in the above bill is proposed language.

16 (1) Is at least eighteen years of age, and possesses a high school diploma, a general
17 equivalency diploma, or equivalent thereof, as determined, at its discretion, by the board;

18 (2) Is a person of good moral character;

19 (3) Has completed a funeral service education program accredited by the American
20 Board of Funeral Service Education, any successor organization, or other accrediting entity as
21 approved by the board. If an applicant does not complete all requirements for licensure within
22 five years from the date of his or her completion of an accredited program, his or her registration
23 as an apprentice embalmer shall be automatically cancelled. The applicant shall be required to
24 file a new application and pay applicable fees. No previous apprenticeship shall be considered
25 for the new application;

26 (4) Upon due examination administered by the board, is possessed of a knowledge of the
27 subjects of embalming, anatomy, pathology, bacteriology, mortuary administration, chemistry,
28 restorative art, together with statutes, rules and regulations governing the care, custody, shelter
29 and disposition of dead human bodies and the transportation thereof or has passed the national
30 board examination of the Conference of Funeral Service Examining Boards. If any applicant
31 fails to pass the state examination, he or she may retake the examination at the next regular
32 examination meeting. The applicant shall notify the board office of his or her desire to retake
33 the examination at least thirty days prior to the date of the examination. Each time the
34 examination is retaken, the applicant shall pay a new examination fee in an amount established
35 by the board;

36 (5) Has been employed full time in funeral service in a licensed funeral establishment
37 and has personally embalmed at least twenty-five dead human bodies under the personal
38 supervision of an embalmer who holds a current and valid Missouri embalmer's license during
39 an apprenticeship of not less than twelve consecutive months. "Personal supervision" means that
40 the licensed embalmer shall be physically present during the entire embalming process in the first
41 six months of the apprenticeship period and physically present at the beginning of the embalming
42 process and available for consultation and personal inspection within a period of not more than
43 one hour in the remaining six months of the apprenticeship period. All transcripts and other
44 records filed with the board shall become a part of the board files.

45 4. If the applicant does not complete the application process within the five years after
46 his or her completion of an approved program, then he or she must file a new application and no
47 fees paid previously shall apply toward the license fee.

48 5. Examinations required by this section and section 333.042 shall be held at least twice
49 a year at times and places fixed by the board. The board shall by rule and regulation prescribe
50 the standard for successful completion of the examinations.

51 6. Upon establishment of his or her qualifications as specified by this section or section
52 333.042, the board shall issue to the applicant a license to practice funeral directing or
53 embalming, as the case may require, and shall register the applicant as a duly licensed funeral
54 director or a duly licensed embalmer. Any person having the qualifications required by this
55 section and section 333.042 may be granted both a license to practice funeral directing and to
56 practice embalming.

57 7. The board shall, upon request, waive any requirement of this chapter and issue a
58 temporary funeral director's license, valid for six months, to the surviving spouse or next of kin
59 or the personal representative of a licensed funeral director, or to the spouse, next of kin,
60 employee or conservator of a licensed funeral director disabled because of sickness, mental
61 incapacity or injury.

62 **8. Upon the successful completion of an embalming apprenticeship and pending the**
63 **successful completion of the examination as set forth in subdivision (4) of subsection 3 of**
64 **this section, and also pending the successful completion of all other requirements for an**
65 **embalmer's license, the applicant may continue to be employed by the funeral**
66 **establishment where the apprenticeship took place under the terms of subdivision (5) of**
67 **subsection 3 of this section for a period not to exceed six months or until the applicant's**
68 **embalmer's license is issued, whichever comes first. An applicant shall not continue to**
69 **practice as an embalmer apprentice under the provisions of this subsection without**
70 **providing a written notice to the board to extend his or her apprenticeship registration for**
71 **up to six months. The board shall grant the extension upon receipt of the written notice.**

✓