

HB 834 -- LICENSING OF PERSONS PERFORMING FUNERAL-RELATED SERVICES

SPONSOR: Farnan

COMMITTEE ACTION: Voted "Do Pass" by the Standing Committee on Professional Registration and Licensing by a vote of 18 to 1. Voted "Do Pass" by the Standing Committee on Rules-Administrative by a vote of 8 to 0.

This bill modifies the process for obtaining a license to practice embalming and to practice funeral directing.

EMBALMERS (Section 333.041)

This bill provides that a practicum embalming student licensee may assist, under the direct supervision of a licensed embalmer, in a licensed funeral establishment after approval by the State Board of Embalmers and Funeral Directors (Board), with the Division of Professional Registration, but cannot assist when not under supervision.

This bill repeals the current requirements to become a licensed embalmer and replaces them with new requirements.

In the bill, an applicant for an embalmer license must provide evidence to the Board that he or she:

- (1) Is eighteen years of age or older;
- (2) Possesses a high school diploma, a general equivalency diploma, or equivalent, as determined, at its discretion, by the board;
- (3) Has completed a funeral service education program accredited by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the Board;
- (4) Received passing scores on the National Board Examination-Sciences and the Missouri law examination administered by the International Conference of Funeral Service Examining Boards, any successor organization, or other organization approved by the board; and
- (5) Has been employed in a qualifying embalmer's apprentice program for six months and has personally embalmed at least 25 dead human bodies under the supervision of a licensed embalmer. The first 12 embalmings must be conducted under the direct supervision of the licensed embalmer.

Upon written request to the board, any person licensed under this section may, at his or her election, sit for the National Board Examination-Arts administered by the International Conference of Funeral Service Examining Boards, any successor organization, or other organization approved by the Board.

Currently, if an applicant does not complete all requirements for licensure within five years from the date of his or her completion of an accredited program, his or her registration as an apprentice embalmer is automatically cancelled. The applicant is required to file a new application and pay applicable fees. The applicant cannot use the previous apprenticeship for the new application. This bill repeals that provision.

The bill adds the requirement to pass the Missouri law examination in order to become a licensed embalmer.

Currently, if any applicant fails to pass the national board examination of the Conference of Funeral Service Examining, he or she may retake the examination at the next regular examination meeting. The applicant must notify the Board office of his or her desire to retake the examination at least 30 days prior to the date of the examination. Each time the examination is retaken, the applicant must pay a new examination fee in an amount established by the Board. This bill removes the 30 day requirement and specifies that the examination is the National Board Examination-Arts. The bill repeals a provision requiring the Board to hold the examinations at least twice a year.

FUNERAL DIRECTORS (Section 333.042)

This bill repeals the current requirements to become a licensed funeral director and replaces them with new requirements.

In the bill, an applicant for a funeral director license must provide evidence to the Board that he or she is 18 years of age or older and possesses a high school diploma or the equivalent thereof and has either:

- (1) Completed a funeral service education program accredited by the American Board of Funeral Service Education, any successor organization, or other accrediting entity as approved by the Board and received passing scores on the National Board Examination- Arts and the Missouri law examination. The board can accept, in lieu of a passing score on the National Board Examination-Arts, a passing score on an administration of the Missouri arts examination that occurred before the International Conference of Funeral Service Examining Boards ended all administrations of the Missouri arts examination on January 1, 2023; or

(2) Made application for a funeral director provisional license and successfully either:

(a) Within 24 months of receipt of the provisional license:

(i) Completed a 12 month qualifying funeral director apprentice program as determined by the board during which the applicant arranged and conducted 10 funeral services. The program must be under the personal supervision of a licensed funeral director in a Missouri funeral establishment licensed for the care and preparation for burial and transportation of the human dead in this state; and

(ii) Received passing scores on the National Board Examination-Arts and the Missouri law examination. The Board can accept, in lieu of a passing score on the National Board Examination-Arts, a passing score on an administration of the Missouri arts examination that occurred before the International Conference of Funeral Service Examining Boards ended all administrations of the Missouri arts examination on January 1, 2023; or

(b) Within 36 months of receipt of the provisional license:

(i) Completed an 18 month qualifying funeral director apprentice program as determined by the board during which the applicant arranged and conducted 25 funeral services. The program must be under the personal supervision of a licensed funeral director in a Missouri funeral establishment licensed for the care and preparation for burial and transportation of the human dead in this state; and

(ii) Received a passing score on the Missouri law examination.

Any person holding a provisional license can be eligible, upon written request to the Board, to sit for the National Board Examination-Arts and the Missouri law examination at any time during the period in which his or her provisional license is effective.

Any licensed funeral director who has not previously sat for the National Board Examination-Arts may, at his or her election and upon written request to the board, sit for the examination.

A person can apply for a limited license to work only in a funeral establishment licensed for cremation. A person holding a limited funeral director license can perform duties related to cremation. To qualify for a limited funeral director license, an applicant must be 18 years of age or older and successfully complete the

Missouri law examination. Completion of a qualifying funeral director apprentice program will not be required to obtain a limited funeral director license.

Currently, the board must, upon request, waive any requirement to become a licensed funeral director and issue a temporary funeral director's license, valid for six months, to the surviving spouse or next of kin or the personal representative of a licensed funeral director, or to the spouse, next of kin, employee or conservator of a licensed funeral director disabled because of sickness, mental incapacity or injury. This bill adds that the waiver can allow the spouse, next of kin, personal representative, or conservator of the absent director to conduct business until a licensed funeral director can be obtained or business arrangements are made to close or sell the establishment. The waiver does not allow for any services to be provided for which formal funeral service education is required.

PROPONENTS: Supporters say that this bill gets rid of outdated testing procedures. The bill gives more options for someone to obtain an embalmer license and also makes someone put his or her license on the line to certify things were done correctly during the apprenticeship.

Testifying in person for the bill were Representative Farnan; Donald Otto, Mo. Funeral Directors Assn; and Arnie C. Dienoff.

OPPONENTS: There was no opposition voiced to the committee.

Written testimony has been submitted for this bill. The full written testimony and witnesses testifying online can be found under Testimony on the bill page on the House website.