

(KEYWORD, SUMMARY, AND DIGEST as amended by Senate committee amendments)

FUNERALS & FUNERAL HOMES. Provides with respect to embalmers and funeral directors

DIGEST

Present law defines terms.

Proposed law amends the terms "intern" and "unethical or unprofessional conduct" and adds the term "temporary license". The term "temporary license" means a license valid for no more than six months issued to an individual who has been licensed for less than a year and has been an active embalmer and funeral director or funeral director in another jurisdiction. Repeals the term "student intern".

Present law provides for the minimum qualifications for licensure as a funeral director, embalmer and funeral director.

Proposed law changes present law to provide qualifications as follows:

For a funeral director license, the applicant must:

- (1) Be at least 18 years of age.
- (2) Has obtained a high school diploma or its equivalent.
- (3) Be found to be of good moral character and temperate habits.
- (4) Have completed a minimum of 30 semester hours in college or university and have taken requisite courses.
- (5) Have served an instate internship for at least nine months but not more than 24 months, actively assisted with at least 30 funerals and completed at least 1,560 contact hours during the internship.
- (6) Have paid the application fee.
- (7) Have passed the exam.

For an embalmer and funeral director license, the applicant must:

- (1) Be at least 18 years of age.
- (2) Has obtained a high school diploma or its equivalent.
- (3) Be found to be of good moral character and temperate habits.
- (4) Have paid the application fee.
- (5) Have completed a full course in the science of embalming and the profession of funeral directing at an accredited school.
- (6) Have passed the exam.
- (7) Have served an instate internship for at least nine months but not more than 24 months, actively assisted in at least 30 embalming operations and 30 funerals, and completed at least 1,560 contact hours during the internship.

For licensure by endorsement, the applicant must:

- (1) Hold a license in good standing from another jurisdiction recognized by the board.
- (2) Be at least 18 years of age.
- (3) Has obtained a high school diploma or its equivalent.
- (4) Be found to be of good moral character and temperate habits.
- (5) Have paid the application fee.
- (6) Have worked for at least three months instate under a temporary license.

For an embalmer and funeral director temporary license, the applicant must:

- (1) Be at least 18 years of age.
- (2) Has obtained a high school diploma or its equivalent.
- (3) Be found to be of good moral character and temperate habits.
- (4) Have paid the application fee.
- (5) Furnish the board with the following:
 - (a) Proof of a valid embalmer and funeral director license in good standing from another jurisdiction.
 - (b) Proof that he has graduated from an accredited mortuary science program.
 - (c) Proof that he has passed a nationally recognized examination.
 - (d) Proof that he has practiced for at least one year within the prior three-year period the science of embalming and the profession of funeral directing.
 - (e) Proof that no proceeding has been instituted for suspension or revocation of his license in another jurisdiction; no prosecution is pending in another jurisdiction for a felony or misdemeanor relating to the science of embalming or the profession of funeral directing; and the qualifications in his application are correct.

For a funeral director temporary license, the applicant must:

- (1) Be at least 18 years of age.
- (2) Has obtained a high school diploma or its equivalent.
- (3) Be found to be of good moral character and temperate habits.
- (4) Have paid the application fee.
- (5) Have passed the exam.
- (6) Proof that he has practiced for at least one year within the prior three-year period the profession of funeral directing.
- (7) Proof that no proceeding has been instituted for suspension or revocation of his license in another jurisdiction, no prosecution is pending in another jurisdiction for a felony or misdemeanor relating to the science of embalming or the profession of funeral directing, and the qualifications in his application are correct.

Proposed law requires any establishment where the business of funeral directing or embalming is conducted to be licensed. Proposed law provides all requirements for licensure.

Present law provides that licenses shall be for a specific name and location and amended to reflect any change of name or location as needed. Present law requires the license to be signed by the president and secretary of the board and bear the board's seal.

Proposed law retains present law.

Present law provides grounds for refusal to grant, refusal to renew, or suspension or revocation of a license. Present law also allows the board to impose a sanction or fine.

Proposed law retains present law but updates references to terms.

Present law provides as cause for refusal to grant, suspend, or revoke a license knowingly employing an unlicensed person or inactive licensee to perform the work of actual embalming or funeral directing. Present law allows an exception for a registered apprentice as long as he is under direct and constant supervision of a licensed embalmer or funeral director.

Proposed law changes present law by changing the exception from apprentice to intern and deleting the requirement that the supervision of the intern be direct and constant but instead requires the licensed embalmer or funeral director to be available on the same premises for consultation.

Present law requires continuing education of its licensees. Present law also provides exceptions to those requirements.

Proposed law provides that the continuing education requirements do not apply to temporary licensees and interns.

Present law allows a crematory authority to have authority to cremate human remains when they are delivered by a funeral establishment. Further requires certain information to be received with regards to the remains including the signature of the authorizing agent attesting to the accuracy of all information on the cremation authorization form.

Proposed law adds to present law the requirement that the signature of the authorizing agent be witnessed by a funeral director of the funeral establishment arranging the cremation or otherwise executed by the authorizing agent before a notary public.

Present law requires that the authorization form also be signed by a funeral director of the funeral establishment that obtained the cremation authorization. Proposed law changes present law by requiring the signature of the funeral director of the establishment that arranges the cremation.

(Amends R.S. 37:831(60) and (84), 842, 845(intro para) and (8), 846(A)(intro. para.) and (11)(a), 854(B)(5), and 877(B)(1)(a)(xi) and (b)(ii); Adds R.S. 37:831(88) and 854(B)(6); Repeals R.S. 37:831(81))

Summary of Amendments Adopted by House

House Floor Amendments to the engrossed bill.

1. Made technical changes.

Summary of Amendments Adopted by Senate

Committee Amendments Proposed by Senate Committee on Commerce, Consumer Protection, and International Affairs to the reengrossed bill

1. Requires an applicant for licensure to have a high school diploma or its equivalent.