

SECOND REGULAR SESSION

# HOUSE BILL NO. 1769

## 96TH GENERAL ASSEMBLY

---

INTRODUCED BY REPRESENTATIVE JONES (117).

5810L.011

D. ADAM CRUMBLISS, Chief Clerk

---

### AN ACT

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

---

*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Section A. Section 333.041, RSMo, is repealed and one new section enacted in lieu thereof, to be known as section 333.041, to read as follows: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) **Is** 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) **Is** a person of good moral character; **and**

(3) **After August 27, 2015, has graduated with a degree or a certificate in mortuary science or funeral service from an institution accredited by the American Board of Funeral Service Education, or any successor organization recognized by the United States Department of Education for funeral service education, or has successfully completed a course of study in funeral directing offered by a college accredited by a recognized national, regional, or state accrediting body which is approved by the state board of embalmers and funeral directors. All persons holding a funeral service license as of August 27, 2015, shall continue to hold, renew, and reinstate his or her license as set out in this chapter as it existed on August 27, 2015.**

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

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.

18 by the board shall register with the board as a practicum student upon the form provided by the  
19 board. After such registration, a student may assist, under the direct supervision of Missouri  
20 licensed embalmers and funeral directors, in Missouri licensed funeral establishments, while  
21 serving his or her practicum. The form for registration as a practicum student shall be  
22 accompanied by a fee in an amount established by the board.

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

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

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

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

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

45 (5) Has been employed full time in funeral service in a licensed funeral establishment  
46 and has personally embalmed at least twenty-five dead human bodies under the personal  
47 supervision of an embalmer who holds a current and valid Missouri embalmer's license or an  
48 embalmer who holds a current and valid embalmer's license in a state with which the Missouri  
49 board has entered into a reciprocity agreement during an apprenticeship of not less than twelve  
50 consecutive months. "Personal supervision" means that the licensed embalmer shall be  
51 physically present during the entire embalming process in the first six months of the  
52 apprenticeship period and physically present at the beginning of the embalming process and  
53 available for consultation and personal inspection within a period of not more than one hour in

54 the remaining six months of the apprenticeship period. All transcripts and other records filed  
55 with the board shall become a part of the board files.

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

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

62 6. Upon establishment of his or her qualifications as specified by this section or section  
63 333.042, the board shall issue to the applicant a license to practice funeral directing or  
64 embalming, as the case may require, and shall register the applicant as a duly licensed funeral  
65 director or a duly licensed embalmer. Any person having the qualifications required by this  
66 section and section 333.042 may be granted both a license to practice funeral directing and to  
67 practice embalming.

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

✓