STATE OF WISCONSIN
DEPARTMENT OF ADMINISTRATION
DOA-2049 (R03/2012)

DIVISION OF EXECUTIVE BUDGET AND FINANCE
101 EAST WILSON STREET, 10TH FLOOR
P.O. BOX 7864
MADISON, WI 53707-7864
FAX: (608) 267-0372

ADMINISTRATIVE RULES
Fiscal Estimate & Economic Impact Analysis

1. Type of Estimate and Analysis
☒ Original ☐ Updated ☐ Corrected

2. Administrative Rule Chapter, Title and Number
FD 1, Licenses and Permits and FD 4, Continuing Education Requirements.

3. Subject
Applications, exams, renewal of funeral directors licenses and approved continuing education requirements

4. Fund Sources Affected
☐ GPR ☐ FED ☒ PRO ☐ PRS ☐ SEG ☐ SEG-S

5. Chapter 20, Stats. Appropriations Affected
20.165 (1)(g)

6. Fiscal Effect of Implementing the Rule
☐ No Fiscal Effect ☐ Increase Existing Revenues ☒ Increase Costs
☐ Indeterminate ☐ Decrease Existing Revenues ☒ Could Absorb Within Agency's Budget
☐ Decrease Cost

7. The Rule Will Impact the Following (Check All That Apply)
☐ State's Economy ☐ Specific Businesses/Sectors
☐ Local Government Units ☐ Public Utility Rate Payers
☐ Small Businesses **(if checked, complete Attachment A)**

8. Would Implementation and Compliance Costs Be Greater Than $20 million?
☐ Yes ☒ No

9. Policy Problem Addressed by the Rule
This revision clarifies, simplifies, and aligns funeral director rules relating to applications, exams and renewals of funeral directors licenses with statutes. The rule was revised to incorporate changes from 2013 Wisconsin Act 114, which prohibits the department of safety and professional services or a credentialing board from requiring a person to complete any postsecondary education before the person is eligible to take an examination for a credential. The rule also removes obsolete provisions related to examination procedures. The rule updates and clarifies board procedures for renewal and reinstatement of funeral director licenses, including updating requirements for credential holders who have failed to renew a Wisconsin funeral director license for 5 or more years. Finally, the rule recognizes courses approved by the Academy of Professional Funeral Service Practice as meeting continuing education requirements so that program providers no longer need to request board approval for these courses.

10. Summary of the businesses, business sectors, associations representing business, local governmental units, and individuals that may be affected by the proposed rule that were contacted for comments.
Applicants for funeral director licenses and current funeral director licensees.

11. Identify the local governmental units that participated in the development of this EIA.
This rule does not impact local governmental units and no local governmental units participated in the development of this EIA.

12. Summary of Rule's Economic and Fiscal Impact on Specific Businesses, Business Sectors, Public Utility Rate Payers, Local Governmental Units and the State's Economy as a Whole (Include Implementation and Compliance Costs Expected to be Incurred)
This rule was posted for economic impact comments for 14 days and none were received.

13. Benefits of Implementing the Rule and Alternative(s) to Implementing the Rule
The revision modernizes, clarifies, and simplifies funeral director licensure requirements. The revision will ensure the rule is aligned with statutes. It allows applicants to complete licensure requirements in any order, including allowing an applicant to take an examination prior to the completion of education requirements, consistent with 2013 Wisconsin Act 114. It eliminates obsolete examination provisions and eliminates the need for program providers to seek board approval of continuing education courses approved by the Academy of Professional Funeral Service Practice.

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Without this rule revision, Wisconsin's funeral director licensing regulations will not be in compliance with state law and will contain obsolete and confusing provisions regarding application, examination and license renewal and reinstatement requirements. Program providers will continue to have to seek approval from the board for continuing education courses approved by the Academy of Professional Funeral Service Practice.

14. Long Range Implications of Implementing the Rule

The rule clarifies and simplifies funeral director application, examination and licensing requirements, reducing potential confusion with the process and ensuring Wisconsin's funeral directors continue to meet professional standards.

15. Compare With Approaches Being Used by Federal Government

Federal regulations do not govern licensing procedures for funeral directors.

16. Compare With Approaches Being Used by Neighboring States (Illinois, Iowa, Michigan and Minnesota)

Illinois: Illinois requires applicants for a funeral director license to submit an application form and fee, provide proof that the applicant has met educational requirements established for funeral directors, a certificate of health, proof that the applicant has passed the National Board Examination of the International Conference of Funeral Service Examining Boards, Inc., and proof of successful completion of an internship. Applicants are required to complete at least 30 semester (45 quarter) hours of college credit and graduation from an approved mortuary science program of at least 12 months.

Licenses that have expired for more than five years may be reinstated by paying renewal and restoration fees, providing proof of completion of continuing education hours for one pre-renewal period, and one of the following: 1) sworn evidence of practice in another jurisdiction, 2) affidavit attesting to military service, or 3) evidence of other education or experience within the 5 years preceding restoration demonstrating the licensee's fitness and competence in funeral directing and embalming. This competence may be demonstrated through proof of successful completion of the National Board Examination or proof of 6 credit hours of mortuary science coursework in addition to the continuing education requirements.

Iowa: Iowa requires applicants for a funeral director license to submit an application form and fee, provide proof that the applicant has met educational requirements, proof that the applicant has passed the National Board Examination of the International Conference of Funeral Service Examining Boards, Inc., and proof of successful completion of an internship. Iowa requires completion of 60 semester hours of college credit and graduation from a mortuary science program approved by the American Board of Funeral Service Education.

A license that has been inactive for more than five years in Iowa may be reinstated after the licensee provides documentation of any license held in other jurisdictions in which the applicant has practiced while the Iowa license was inactive and verifies that he or she has completed 48 hours of continuing education courses, including verification of completion of a college course of one semester hour in Iowa mortuary science laws and rules.

Michigan: Michigan requires applicants for a funeral director license to submit an application form and fee, proof that the applicant has passed the mortuary science exam, and proof of successful completion of an internship. Applicants must also provide proof that they have met educational requirements, which includes 60 semester hours or 90 quarter hours of non-remedial courses at an accredited college and one academic year of instruction from a mortuary science program. Michigan contracts with PSI Services, LLC, to conduct the mortuary science examination.

Mortuary science licenses expire October 31st of every odd-numbered year. Any applicant who fails to renew their license within 60 day late renewal period must apply for re-licensure. Michigan allows a license to be renewed within 3

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years of the expiration date by submitting an application form, paying renewal and late fees and providing proof of completion of continuing education requirements. A person who seeks re-licensure more than 3 years from his or her license expiration must meet current educational requirements for a new license and pass the current written examination on Michigan's law and rules related to funeral directors.

Minnesota: Minnesota requires applicants for a funeral director license to submit an application form and fee, proof that the applicant has passed the National Board Exam of the International Conference of Funeral Examining Boards and a state exam encompassing the laws and rules of Minnesota. The applicant must also provide proof of successful completion of an internship. Minnesota requires applicants to hold a bachelor of science degree with a major in mortuary science, a bachelor of science or arts degree with a separate course of study in mortuary science, or completed equivalent educational requirements.

Licenses expire on December 31 of the calendar year in which the license was issued. Renewal applications received up to 31 days after the December 31 deadline must include a late filing penalty fee. A license lapses when a renewal application and renewal fees are not received within 31 calendar days after the expiration date. The commissioner issues a cease and desist order to prevent an individual with a lapsed license from practicing mortuary science. Minnesota allows a licensee to restore a lapsed license within one year after the license expiration date by submitting an application and paying a renewal and late fee, provided that the person has not violated the cease and desist order. Licensees with licenses that have lapsed for more than a year must meet all requirements of an initial license to be relicensed.

17. Contact Name	18. Contact Phone Number
Sandra Cleveland	(608) 266-0797

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ATTACHMENT A

1. Summary of Rule's Economic and Fiscal Impact on Small Businesses (Separately for each Small Business Sector, Include Implementation and Compliance Costs Expected to be Incurred)

2. Summary of the data sources used to measure the Rule's impact on Small Businesses

3. Did the agency consider the following methods to reduce the impact of the Rule on Small Businesses?

☐ Less Stringent Compliance or Reporting Requirements
☐ Less Stringent Schedules or Deadlines for Compliance or Reporting
☐ Consolidation or Simplification of Reporting Requirements
☐ Establishment of performance standards in lieu of Design or Operational Standards
☐ Exemption of Small Businesses from some or all requirements
☐ Other, describe:

4. Describe the methods incorporated into the Rule that will reduce its impact on Small Businesses

5. Describe the Rule's Enforcement Provisions

6. Did the Agency prepare a Cost Benefit Analysis (if Yes, attach to form)

☐ Yes ☐ No