

**CERTIFICATE**

**STATE OF WISCONSIN**

**DEPARTMENT OF REGULATION AND LICENSING**

**TO ALL TO WHOM THESE PRESENTS SHALL COME, GREETINGS:**

**I, Freddie Marsh-Lott, Director, Bureau of Business and Design Professions in the Wisconsin Department of Regulation and Licensing and custodian of the official records of the Funeral Directors Examining Board, do hereby certify that the annexed rules were duly approved and adopted by the Funeral Directors Examining Board on the 14th day of November, 1989.**

**I further certify that said copy has been compared by me with the original on file in this office and that the same is a true copy thereof, and of the whole of such original.**

**IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed the official seal of the board at 1400 East Washington Avenue, Madison, Wisconsin, this 14 day of November, 1989.**



**Freddie Marsh-Lott, Director  
Bureau of Business and Design  
Professions  
Department of Regulation and  
Licensing**

**RECEIVED**

NOV 17 1989  
4:00 pm  
Revisor of Statutes  
Bureau

STATE OF WISCONSIN  
FUNERAL DIRECTORS EXAMINING BOARD

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IN THE MATTER OF RULE-MAKING	:	ORDER OF THE FUNERAL DIRECTORS
PROCEEDINGS BEFORE THE	:	EXAMINING BOARD ADOPTING RULES
FUNERAL DIRECTORS EXAMINING BOARD	:	Clearinghouse Rule 88-53

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ORDER

An order of the Funeral Directors Examining Board under ss. 227.11 (2) (a) and 445.03 (2), Stats., interpreting s. 445.08, Stats., to create Ch. FDE 5 relating to licensure by reciprocity.

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ANALYSIS

Statutory authority: ss. 15.08(5)(b), 227.11(2)(a), 445.0(3)(2), Stats.

Statute interpreted: s. 445.08, Stats.

Chapter FDE 5 is created to specify the requirements and procedures for obtaining a license by reciprocity, that is, on the basis of holding a current license as a funeral director in another state.

FDE 5.01 lists the requirements which must be met by the applicant, including examination and educational requirements. An applicant may not obtain a license under this section if the applicant has been disciplined for misconduct or other violations which show incompetency in the practice of a funeral director.

FDE 5.02 describes the procedures for examination. The rule also requires that the applicant request the appropriate officials to send the board information about the applicant's educational and licensing record. The rule requires the applicant to furnish complete information relating to the applicant's criminal record if one exists.

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TEXT OF RULE

Section 1. FDE 1.10 is repealed.

Section 2. Chapter FDE 5 is created to read:

CHAPTER FDE 5

LICENSURE BY RECIPROCITY

FDE 5.01 QUALIFICATIONS. A person licensed as a funeral director in another state may obtain a license as a funeral director under this chapter if:

(1) Has met requirements in another state substantially equal to those in this state;

(2) Has never been disciplined by the licensing authority in any other state, territory or country for any misconduct or violations which evidence lack of competence to practice as a funeral director in Wisconsin as determined by the board;

(3) Is not under any current investigation and is not a party in a proceeding involving a complaint against the applicant which relates to the applicant's practice as a funeral director;

(4) Does not have an arrest or conviction record, subject to ss. 111.321, 111.322 and 111.335, Stats.;

(5) Has satisfactorily completed 9 months or more of instruction in a prescribed curriculum in funeral service education offered by an educational institution accredited by the American board of funeral service education or deemed to be equivalent by the board; and,

(6) Completes the board's examination on Wisconsin law with a score of at least 75.

FDE 5.02 APPLICATION PROCEDURE. (1) An applicant for a license under this chapter shall file an application with the board no later than 30 days prior to the examination under s. 445.08 (4) (a), Stats. The applicant shall pay the costs and fees necessary to obtain the information required in subs. (2) and (4). The application shall be on the board's form and include:

(a) Information relating to the requirements in FDE 5.01 and the signature of the applicant.

(b) The fee specified under s. 440.05 (2), Stats.

(2) The applicant shall request that the school of mortuary science attended by the applicant forward to the board a certified transcript of the applicant's record.

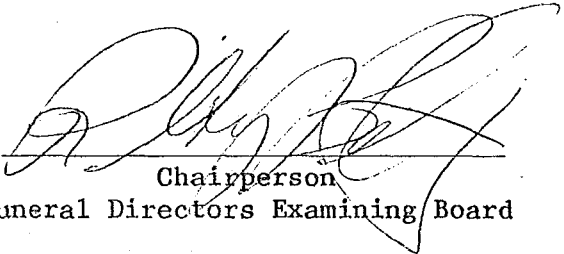
(3) The applicant shall request the authorized official in each state in which the applicant holds or has held a license to forward to the board a certified statement showing the qualifications upon which the license was granted, the current status of the applicant's license, and a description of any complaints filed against the applicant and the disposition of all complaints.

(4) Applicants who have a pending criminal charge or have been convicted of any crime shall provide the board all related information necessary for the board to determine whether the circumstances of the pending criminal charge or conviction are substantially related to the circumstances of the licensed activity.

(5) An application is not complete until all the information described in this section is received by the board. An applicant shall be scheduled to take the examination after completing sub. (1). However, the board shall not grant a license under this section until the application is complete.

The rules adopted in this order shall take effect on the first day of the month following publication in the Wisconsin administrative register, pursuant to s. 227.22(2)(intro), stats.

Dated Nov 14, 1989

Agency   
Chairperson  
Funeral Directors Examining Board

**CORRESPONDENCE/MEMORANDUM**

**STATE OF WISCONSIN**

**DATE:** November 17, 1989

**FILE REF:**

**TO:** Gary Poulson,  
Assistant Revisor of Statutes

**RECEIVED**

NOV 17 1989

**FROM:** Pamela Haack, Rules Center Coordinator  
Department of Regulation and Licensing

Revisor of Statutes  
Bureau

**SUBJECT:** Final Rulemaking Order

**Agency: FUNERAL DIRECTORS EXAMINING BOARD**

**Clearinghouse Rule: 88-53**

Attached is a copy and a certified copy of a final order adopting rules.

Would you please publish these rules in the code. Thanks, Gary.

RULES-115