

STATEMENT OF SCOPE

FUNERAL DIRECTORS EXAMINING BOARD

Rule No.: FD 1 to 4, FD 6

Relating to: Funeral Director Apprenticeships

Rule Type: Emergency

1. Finding/nature of emergency:

The Legislature recently passed 2017 Act 304 which changed the education requirements for obtaining a funeral director apprenticeship certificate. Act 304 eliminated the one-year college education requirement and replaced it with a 16-hour certification course requirement. The Act also changed the apprenticeship renewal requirements along with supervision requirements of apprentices by funeral directors.

The incongruity of the current administrative code in relationship to 2017 Act 304 will likely lead to undue confusion among those seeking an apprenticeship within the funeral director profession.

2. Detailed description of the objective of the proposed rule:

This rule will update the administrative code to reflect the current statutory requirements for a funeral director apprenticeship certificate and for the supervision of apprentices.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Current administrative code does not reflect the statutory changes made by 2017 Act 304. This proposed rule will update the administrative code to reflect recent statutory changes related to funeral director apprenticeships.

4. Detailed explanation of statutory authority for the :

15.08 (5) (b) Each examining board shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.

445.03 (2) (a) The examining board may make and enforce rules not inconsistent with this chapter establishing professional and business ethics for the profession of funeral directors and for the general conduct of the business of funeral directing, and for the examination and licensing of funeral directors and the registration of apprentices.

445.095 (1) (a) requires that an applicant may be issued a funeral director apprenticeship certificate, “when the examining board is satisfied as to the qualification of an applicant for apprenticeship.”

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule :

80 hours

6. List with description of all entities that may be affected by the proposed rule :

Funeral director apprentice applicants

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule :

None

8. Anticipated economic impact of implementing the rule :

None to minimal. It is unlikely to have any adverse economic impact on small businesses.

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