

STATEMENT OF SCOPE

Funeral Directors Examining Board

Rule No.: FD 1

Relating to: Apprenticeship and Renewal

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

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

The objective of the rule is to update FD 1 by performing a comprehensive review of the chapter relating to the requirements and procedures for application, terms of apprenticeships, and renewal of funeral director and apprentice licenses to improve usability and conformity with current state statute, industry practice, and rule drafting standards.

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:

Chapter FD 1 contains the terms of apprenticeships and licensing renewal. This rule project seeks to clarify the requirements and procedures for apprentice licensure and practice, as well as renewal of funeral director licenses.

If the rules are not updated, some chapters of the Funeral Director Examining Board Administrative Code will not be in compliance with statutes.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

Section 15.08 (5) (b), Stats., provides that examining boards, such as the Funeral Director Examining Board, "shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, . . ."

Section 227.11 (2) (a), Stats., "[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute..."

Section 445.03 (2), Stats., provides that "[t]he examining board may make and enforce rules ... 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 [and] conduct a school of instruction to apprise funeral directors of the most recent scientific knowledge and developments affecting their profession..."

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:

Wisconsin credentialed funeral directors, funeral establishments, funeral director apprentices, candidates for apprenticeship, and people looking to enter the profession.

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 (note if the rule is likely to have a significant economic impact on small businesses):

The proposed rule will have minimal to no economic impact on small businesses and the state's economy as a whole.

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