

A-Engrossed
Senate Bill 545

Ordered by the Senate April 11
Including Senate Amendments dated April 11

Sponsored by Senator MORSE (at the request of Oregon Funeral Directors Association)

SUMMARY

The following summary is not prepared by the sponsors of the measure and is not a part of the body thereof subject to consideration by the Legislative Assembly. It is an editor's brief statement of the essential features of the measure.

[Authorizes funeral service practitioner apprentice to perform certain duties required of person who first assumes custody of dead body.] Modifies requirements *[for initial licensure and]* for licensure by reciprocity as funeral service practitioner or embalmer.

Specifies that licensed funeral service practitioner or embalmer may serve as preceptor for no more than three students.

Allows experienced Oregon funeral service practitioner or embalmer to be licensed without associate degree.

A BILL FOR AN ACT

1
2 Relating to persons regulated by State Mortuary and Cemetery Board; amending ORS 692.045,
3 692.140 and 692.190.

4 **Be It Enacted by the People of the State of Oregon:**

5 **SECTION 1.** ORS 692.140 is amended to read:

6 692.140. (1) The State Mortuary and Cemetery Board shall issue a license to practice as a fu-
7 neral service practitioner or an embalmer to an applicant from another state if:

8 (a) The applicant for recognition of the license applies to the board and fulfills the requirements
9 specified in subsection (2) of this section; and

10 (b) The board is satisfied that the applicant has the requisite qualifications for licensing as a
11 funeral service practitioner or an embalmer in this state.

12 (2) An applicant under this section shall apply to the board on a form provided by the board.
13 The applicant shall include *[the following]* with the application:

14 (a) Proof satisfactory to the board that the applicant is licensed **in good standing in another**
15 **state** and has practiced as a funeral service practitioner or an embalmer **who was licensed and**
16 **in good standing** in another state for *[the two]* **three of the five** years immediately preceding the
17 application date.

18 *[(b) Proof satisfactory to the board of compliance, in the state in which the applicant is regularly*
19 *licensed, with requirements substantially equal to the requirements of this chapter.]*

20 *[(c)]* (b) Payment of the initial reciprocity licensing fee established under ORS 692.160.

21 **SECTION 2.** ORS 692.190 is amended to read:

22 692.190. (1) An individual who wishes to engage as an apprentice shall apply to the State
23 Mortuary and Cemetery Board for registration as a funeral service practitioner apprentice or an
24 embalmer apprentice upon a form provided by the board. The individual must consent to a back-
25 ground check, including information solicited from the Department of State Police. The application

NOTE: Matter in **boldfaced** type in an amended section is new; matter *[italic and bracketed]* is existing law to be omitted.
New sections are in **boldfaced** type.

1 must be accompanied by the fee established under ORS 692.160.

2 (2) One funeral service practitioner apprentice at a time is authorized to operate under or in
3 connection with each licensed funeral service practitioner practicing in this state for the purpose
4 of learning the functions of a funeral service practitioner.

5 (3) One embalmer apprentice at a time is authorized to engage in the study of the art of
6 embalming under the instruction and supervision of each licensed embalmer practicing in this state.

7 (4) The duration of an apprenticeship **required for licensure** is:

8 (a) Twelve months for a funeral service practitioner apprentice.

9 (b) Twelve months for an embalmer apprentice.

10 *[(5) The apprenticeship of a funeral service practitioner apprentice:]*

11 *[(a) Shall not include time lost by interruptions caused by active duty of the applicant in the mili-*
12 *tary service of the United States or its allies during war or national emergency, or time lost through*
13 *attendance of formal funeral service education, or time lost by interruptions that the board finds*
14 *excusable under rules of the board.]*

15 *[(b) Shall be completed not more than two years before or after the date of the examination under*
16 *ORS 692.070, excluding time lost for interruptions described in paragraph (a) of this subsection.]*

17 **(5) A person may serve as a funeral service practitioner apprentice for an aggregate total**
18 **of not more than 48 months. In computing time under this subsection, the board shall ex-**
19 **clude time lost by interruptions caused by active duty of the apprentice in the military ser-**
20 **vice of the United States or its allies during war or national emergency and by interruptions**
21 **that the board finds are excusable under rules of the board.**

22 (6) An embalmer apprentice may serve the apprenticeship concurrently with the funeral service
23 practitioner apprenticeship.

24 (7) *[An embalmer apprentice shall complete the required apprenticeship within a period of not more*
25 *than four consecutive years and not more than two years before the date of the examination under ORS*
26 *692.130.]* **A person may serve as an embalmer apprentice for an aggregate total of not more**
27 **than 48 months.** In computing time under this subsection, the board shall exclude time lost by in-
28 terruptions caused by active duty of the apprentice in the military service of the United States or
29 its allies during war or national emergency and by interruptions that the board finds are excusable
30 under rules of the board.

31 **(8) Notwithstanding subsections (2) and (3) of this section, a licensed funeral service**
32 **practitioner or a licensed embalmer may serve as a preceptor for not more than three stu-**
33 **dents serving a funeral service internship in accordance with guidelines established by an**
34 **accredited funeral service education program.**

35 *[(8)]* **(9)** The board shall adopt rules under which the board may confer credit for apprenticeship
36 service or its equivalency performed by:

37 (a) An applicant in another state; or

38 (b) An applicant whose license or certificate of apprenticeship has lapsed.

39 **SECTION 3.** ORS 692.045 is amended to read:

40 692.045. (1) The State Mortuary and Cemetery Board shall issue a license to an individual to
41 practice as a funeral service practitioner if the individual meets the following requirements:

42 (a) The individual must apply to the board for a funeral service practitioner's license on an ap-
43 plication form provided by the board.

44 (b) The individual must pass an examination conducted by the board under ORS 692.070 follow-
45 ing application for the funeral service practitioner's license.

1 (c) The individual must successfully complete practical experience as a funeral service practi-
2 tioner's apprentice under ORS 692.190.

3 (2) An individual may not take an examination under ORS 692.070 until the individual has pro-
4 vided written evidence of graduation from an associate degree program meeting the requirements
5 established by board rule.

6 (3) Notwithstanding subsection (2) of this section, an applicant with four years of experience as
7 a licensed funeral service practitioner or embalmer **in this state or** in another state is not required
8 to provide written evidence of graduation from an associate degree program in order to take the
9 examination under ORS 692.070.

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