STATE OF OKLAHOMA

1st Session of the 47th Legislature (1999)

SENATE BILL NO. 86 By: Weedn

AS INTRODUCED

An Act relating to professions and occupations; amending 59 O.S. 1991, Sections 395.1, 396.2, 396.2a, 396.3, 396.3a, 396.4, 396.6, 396.8, 396.11, 396.12, 396.12a, 396.12c, 396.12e, 396.14 and 396.18, which relate to the Funeral Services Licensing Act; modifying short title; modifying definitions; changing limited service establishments to commercial embalming establishments; modifying certain powers and duties of the Oklahoma State Board of Embalmers and Funeral Directors; modifying certain academic requirements for applicants; modifying list of who may engage in profession; modifying certain fee schedule; adding certain fee; modifying certain prohibitions; modifying certain reciprocity requirements; modifying requirements for certain apprentices; designating certain establishments for certain purposes; prohibiting certain persons from practicing without a license; modifying reasons for certain disciplinary actions; authorizing the Board to assess certain costs in disciplinary actions; authorizing the Board to make certain reports; eliminating redundant language; prohibiting the Board from employing members for certain time period after membership on the Board; authorizing persons from other states to have temporary permit to practice in case of declared catastrophes; providing for codification; providing an effective date; and declaring an emergency.

BE IT ENACTED BY THE PEOPLE OF THE STATE OF OKLAHOMA:

SECTION 1. AMENDATORY 59 O.S. 1991, Section 395.1, is amended to read as follows:

Section 395.1 Sections ~~396~~ 395.1 through ~~396.26~~ 396.27 of ~~Title 59 of the Oklahoma Statutes~~ this title, and ~~Sections 3, 5, 9, 10, 11, 12, 13 and 14~~ Section 16 of this act shall be known and may be cited as the "Funeral Services Licensing Act".

SECTION 2. AMENDATORY 59 O.S. 1991, Section 396.2, is amended to read as follows:

Section 396.2 As used in the Funeral Services Licensing Act:

1. "Embalmer" means a person who disinfects or preserves dead human remains, entire or in part, by the use of chemical substances, fluids or gases in the remains, or by the introduction of same into the remains by vascular or hypodermic injection, or by direct application into organs or cavities;

2. "Funeral director" means a person who:

a. is engaged in or conducts~~,~~ or ~~holds himself out~~ represents themselves as being engaged in preparing for the burial or disposal and directing and supervising the burial or disposal of dead human remains,

b. is engaged in or conducts or ~~holds himself out~~ represents themselves as being engaged in maintaining a funeral establishment for the preparation and the disposition, or for the care of dead human remains,

c. uses, in connection with ~~his~~ the name of the person or funeral establishment, the words "funeral director" or "undertaker" or "mortician" or any other title implying that ~~he~~ the person is engaged as a funeral director, or

d. sells funeral service merchandise to the public;

3. "Funeral establishment" means a place of business used in the care and preparation for burial or transportation of dead human remains, or any place where any person or persons shall hold forth and be engaged in the profession of undertaking or funeral directing;

4. "Apprentice" means a person who is engaged in learning the practice of embalming or ~~of~~ the practice of funeral directing, as the case may be, under the instruction and personal supervision of a duly-licensed embalmer or a duly-licensed funeral director of and in the State of Oklahoma, pursuant to the provisions of the Funeral

Services Licensing Act, and who is duly registered as such with said Board;

5. "Board" means the Oklahoma State Board of Embalmers and Funeral Directors;

6. "Directing a funeral" or "funeral directing" means directing funeral services from the time of the first call until interment or entombment services are completed, or until the remains are released for transport to a crematorium, or released to a public carrier;

7. "First call" means the beginning of the relationship and duty of the funeral director to take charge of dead human remains and have such remains prepared by embalming, cremation, or otherwise, for burial or disposition, provided all laws pertaining to public health in this state are complied with. First call does not include calls made by ambulance, when the person dispatching the ambulance does not know whether or not dead human remains are to be picked up;

8. "Personal supervision" means the physical presence of a licensed funeral director or embalmer at the specified time and place of the providing of acts of funeral service;

9. "~~Limited service~~ Commercial embalming establishment" means a fixed place of business consisting of an equipped preparation room, and other rooms as necessary, for the specified purpose of performing preparation and shipping services of dead human remains to funeral establishments inside and outside this state;

10. "Funeral service merchandise or funeral services" means those products and services normally provided by funeral establishments and required to be listed on the General Price List of the Federal Trade Commission, 15 U.S.C., Section 57a(a), including, but not limited to, the sale of burial supplies and equipment, but excluding the sale by a cemetery of lands or interests therein, services incidental thereto, markers, memorials, monuments, equipment, crypts, niches or outer enclosures; and

11. "Outer enclosure" means a grave liner, grave box, or grave vault.

SECTION 3. AMENDATORY 59 O.S. 1991, Section 396.2a, is amended to read as follows:

Section 396.2a In addition to any other powers and duties imposed by law, the Oklahoma State Board of Embalmers and Funeral Directors shall have the power and duty to:

1. Prescribe and promulgate rules ~~and regulations~~ necessary to effectuate the provisions of the Funeral Services Licensing Act, and to make orders as it may deem necessary or expedient in the performance of its duties;

2. Prepare, conduct and grade examinations, written or oral, of persons who apply for the issuance of licenses to them;

3. Determine the satisfactory passing score on such examinations and issue licenses to persons who pass the examinations or are otherwise entitled ~~thereto~~ to licensure;

4. Determine eligibility for licenses and certificates of apprenticeship;

5. Issue licenses for funeral directors, embalmers, funeral establishments, ~~limited service~~ and commercial embalming establishments ~~and for sale of funeral service merchandise~~;

6. Issue certificates of apprenticeship;

7. Upon good cause shown, as hereinafter provided, deny the issuance of a license or certificate of apprenticeship or suspend, revoke or refuse to renew licenses or certificates of apprenticeship, and upon proper showing, to reinstate them;

8. Review, affirm, reverse, vacate or modify its order with respect to any such denial, suspension, revocation or refusal to renew;

9. Establish and levy administrative penalties against any person or entity who violates any of the provisions of the Funeral

Services Licensing Act or any rule ~~or regulation~~ promulgated pursuant thereto;

10. Obtain an office, secure facilities and employ, direct, discharge and define the duties and set the salaries of office personnel as deemed necessary by the Board;

11. Initiate disciplinary, prosecution and injunctive proceedings against any person or entity who violates any of the provisions of the Funeral Services Licensing Act or any rule ~~or regulation~~ promulgated pursuant thereto;

12. Investigate alleged violations of the Funeral Services Licensing Act or of the rules ~~and regulations~~, orders or final orders of the Board;

13. Promulgate rules of conduct governing the practice of licensed funeral directors, embalmers, funeral establishments, ~~limited service~~ and commercial embalming establishments and sale of funeral service merchandise;

14. Keep accurate and complete records of its proceedings and certify the same as may be appropriate;

15. Request prosecution by the district attorney or the Attorney General of this state of any person or any violation of the Funeral Services Licensing Act;

16. ~~Whenever~~ When it deems ~~it~~ appropriate, confer with the Attorney General of this state or ~~his~~ the assistants of the Attorney General in connection with all legal matters and questions; and

17. Take such other action as may be reasonably necessary or appropriate to effectuate the Funeral Services Licensing Act.

SECTION 4. AMENDATORY 59 O.S. 1991, Section 396.3, is amended to read as follows:

Section 396.3 A. The Oklahoma State Board of Embalmers and Funeral Directors shall determine the qualifications necessary to enable any person to practice as a funeral director or embalmer, and prescribe the requirements for a funeral establishment~~, limited~~

~~service~~ or commercial embalming establishment ~~or funeral service merchandise license~~. The Board shall examine all applicants for licenses to practice as a funeral director or embalmer. The Board shall issue the proper licenses to applicants who successfully pass such examination and qualify pursuant to any additional requirements the Board may prescribe.

B. The minimum requirements for a license to practice funeral directing or embalming, or both, are as follows:

1. An applicant for a license to practice embalming shall be at least twenty (20) years of age, a legal resident of this state, a citizen or permanent resident of the United States, and of good moral character. In addition, said applicant shall have at least sixty (60) ~~accredited~~ semester hours of study earned, measured in quarter or clock hours, from ~~an~~ a regionally accredited college or university ~~or equivalent as determined by the Board~~, shall be a graduate of a ~~school~~ program of mortuary science accredited by the ~~Conference of Funeral Service Examining Boards of the United States~~ American Board of Funeral Service Education and approved by the Board, and have served one (1) year as a registered apprentice. The applicant may serve as a registered apprentice prior to enrollment in an approved school of mortuary science, or subsequent to graduation from said school.

Curriculum of study for an embalmer ~~in a school of mortuary science shall include the following subjects:~~

~~a. mortuary science to include embalming technique, chemistry of embalming, color harmony, discoloration and its causes, effects, and treatment, treatment of special cases, restorative art, funeral management, professional ethics; and~~

~~b. anatomy; and~~

~~c. organic and inorganic chemistry; and~~

~~d. pathology; and~~

~~e. microbiology; and~~

~~f. sanitation and hygiene; and~~

~~g. public health regulations; and~~

~~h. mortuary law and administration~~.

~~2. An applicant for a license to practice as a funeral director shall be a licensed embalmer or shall have available a licensed embalmer. An applicant who graduates from an approved school of~~ mortuary ~~science, having an integrated course of study for an embalmer and funeral director, may make application to take an examination for both licenses. If the applicant graduates from a school of mortuary science granting a certificate of graduation as a funeral director, said applicant shall also complete the following subjects:~~

~~a. mortuary management and administration; and~~

~~b. business education, including business law; and~~

~~c. legal medicine and toxicology (as it pertains to funeral directing); and~~

~~d. public relations and psychology; and~~

~~e. public health, hygiene and sanitary science~~ and/or funeral director is a program of mortuary science which shall be that prescribed by the State Board of Embalmers and Funeral Directors in accordance with the American Board of Funeral Service Education.

C. The Board shall issue the appropriate license to any qualified applicant whose application has been approved by the Board, and who has paid the fees required by Section 396.4 of this title, has passed the required examination with a general average of not less than seventy-five percent (75%) and has demonstrated to the Board proficiency as an embalmer or funeral director.

D. The Board shall maintain for public inspection a list of all accredited schools of embalming and mortuary science.

SECTION 5. AMENDATORY 59 O.S. 1991, Section 396.3a, is amended to read as follows:

Section 396.3a The following persons, professions and businesses shall be required to be licensed pursuant to the Funeral Services Licensing Act:

1. Any person engaged or who may engage in:

a. the practice or profession of funeral directing or embalming,

b. maintaining the business of a funeral establishment or ~~limited service~~ commercial embalming establishment, or

c. ~~the sale of any funeral service merchandise, or~~

~~d.~~ providing funeral services; and

2. Any funeral establishment or ~~limited service~~ commercial embalming establishment.

SECTION 6. AMENDATORY 59 O.S. 1991, Section 396.4, is amended to read as follows:

Section 396.4 A. Unless otherwise provided by law, the following shall be the fees charged for the licenses, registrations, and examinations required by the Funeral Services Licensing Act and such fees shall not exceed the following amounts:

Funeral Director License or Renewal	$50.00
Embalmer License or Renewal	$50.00
Registration for Funeral Director Apprentice or Embalmer Apprentice	$25.00
Reinstatement of Funeral Director Apprentice or Embalmer Apprentice	$25.00
Embalmer Examination	$40.00
Funeral Director Examination	$40.00
Funeral Establishment License or Renewal	$150.00
~~Limited Service~~ Commercial Embalming Establishment License or Renewal	$150.00
Reciprocal License for Funeral Director	

or Embalmer $150.00

~~Funeral Service Merchandise License~~

~~or Renewal~~ ~~$25.00~~

Change of Funeral Director in Charge $150.00

B. Fees for funeral director examinations and embalmer examinations shall be paid ~~at least thirty (30) days~~ prior to the scheduled examination. An examination fee shall not be refundable.

C. The Oklahoma State Board of Embalmers and Funeral Directors is authorized to determine and fix special administrative service fees. Each such fee shall not be in excess of Two Hundred Dollars ($200.00).

D. If any renewal fee required by this section is not paid on or before January 31 of each year, the amount of said fee shall be doubled and if said fee is not paid on or before April 30 of each year, such license shall be in default and shall terminate automatically.

SECTION 7. AMENDATORY 59 O.S. 1991, Section 396.6, is amended to read as follows:

Section 396.6 A. No person shall operate a funeral establishment or ~~limited service~~ commercial embalming establishment, engage in the sale of any funeral service merchandise to the public, provide funeral services, carry on the business or profession of embalming or funeral directing or perform any of the functions, duties, or powers prescribed for funeral directors or embalmers pursuant to the provisions of the Funeral Services Licensing Act unless such person has obtained the license specified by rules ~~and regulations~~ promulgated pursuant to the Funeral Services Licensing Act and has otherwise complied with the provisions of the Funeral Services Licensing Act. Said license shall be nontransferable and nonnegotiable.

B. A license shall not be issued to any person for the operation of a funeral or embalming establishment which does not

employ an embalmer licensed pursuant to the provisions of Section 396.3 of this title. An individual who supervises a funeral or embalming establishment shall be licensed pursuant to the provisions of Section 396.3 of this title.

C. The holder of any license issued pursuant to the Funeral Services Licensing Act, or any rules ~~and regulations~~ promulgated pursuant thereto, shall have such license recorded in the office of the county clerk in the county in which the licensee is engaged in such funeral business.

SECTION 8. AMENDATORY 59 O.S. 1991, Section 396.8, is amended to read as follows:

Section 396.8 A. The Board shall have the power to issue reciprocal licenses to applicants licensed in other states which have equal or like educational requirements as required by this state or the Board.

B. A license as an embalmer or funeral director shall be issued without examination to an out-of-state resident intending to become a resident of this state, who submits to the Board satisfactory evidence that said applicant has met all the requirements of ~~Sections 396 through 396.25 of this title~~ the Funeral Services Licensing Act and pays the fees required by Section 396.4 of this title.

C. The Board may issue an appropriate license without ~~examination~~ further apprenticeship to a resident of a state which does not have the same educational requirements necessary for reciprocity with this state, if said applicant:

1. ~~has~~ Has a current license to practice as an embalmer or funeral director in ~~his~~ the state of residence of the person; ~~and~~

2. ~~has~~ Has been an active embalmer or funeral director practicing in the state of residence of the person for at least ~~ten (10)~~ five (5) years; ~~and~~

3. ~~has~~ Has never been convicted of a felony and has never been convicted of a misdemeanor related to funeral service; ~~and~~

4. ~~has~~ Has never had said license revoked or suspended; ~~and~~

5. ~~is~~ Is not currently facing disciplinary action; ~~and~~

6. ~~intends~~ Intends to practice in this state; ~~and~~

7. ~~has~~ Has filed such documents as are required by the Board; ~~and~~

8. ~~has~~ Has paid the fees as required by Section 396.4 of this title; ~~and~~

9. ~~is~~ Is a citizen or permanent resident of the United States;

10. Is a graduate of an accredited program of mortuary science;

11. Has passed the National Board Examination or State Board Examination; and

12. Has passed the Oklahoma State Law Examination.

SECTION 9. AMENDATORY 59 O.S. 1991, Section 396.11, is amended to read as follows:

Section 396.11 A. The term for an apprenticeship in embalming and the term for an apprenticeship in funeral directing may be served concurrently. Applications for an apprenticeship in funeral directing or embalming shall be made to the Board in writing on a form and in a manner prescribed by the Board. The Board shall issue a certificate of apprenticeship to any person applying for said certificate who submits to the Board satisfactory evidence that said person is seventeen (17) years of age or older, of good moral character, and a graduate of an accredited high school ~~as determined by the Board~~ or has earned a G.E.D. The application shall be accompanied by a registration fee as required by Section 396.4 of this title.

B. The Board shall prescribe and enforce such rules ~~and regulations~~ as necessary to qualify apprentice applicants as embalmers or funeral directors. A license to practice embalming or funeral directing shall not be issued until said applicant has

complied with the rules of the Board, and said applicant has embalmed at least twenty-five dead human bodies for burial or shipment during apprenticeship.

C. An apprenticeship registration shall not be reinstated more than twice. An apprentice who fails to become a licensed funeral director or embalmer within five (5) years from the date of initial registration as an apprentice shall reapply for application for an apprenticeship as required by this section.

SECTION 10. AMENDATORY 59 O.S. 1991, Section 396.12, is amended to read as follows:

Section 396.12 A. Any place where a person shall hold forth by word or act that such person is engaged in the profession of undertaking or funeral directing shall be deemed as a funeral establishment and shall be licensed as such pursuant to the provisions of the Funeral Services Licensing Act.

In addition, every funeral establishment shall be operated by a full time person holding a valid funeral director's license. Each establishment shall have conspicuously displayed at the entrance the name of the person licensed to conduct such establishment.

B. The Oklahoma State Board of Embalmers and Funeral Directors shall have the power to inspect the premises in which funeral directing is conducted or where embalming is practiced or where an applicant proposed to practice, and such Board is hereby empowered to prescribe and endorse rules ~~and regulations~~ for reasonable sanitation of such establishments, including necessary drainage, ventilation, and necessary and suitable instruments for such business or profession.

C. Any place where a person shall hold forth by word or act that such person is engaged in preparing and shipping of dead human remains to funeral establishments inside and outside this state shall be deemed a ~~limited service~~ <u>commercial embalming</u> establishment

and shall be licensed as such pursuant to the provisions of the Funeral Services Licensing Act.

SECTION 11. AMENDATORY 59 O.S. 1991, Section 396.12a, is amended to read as follows:

Section 396.12a A. No person shall place any chemical substance, fluid or gas on or in dead human remains who is not a licensed embalmer. This prohibition shall not apply to a registered apprentice, working under the supervision of a licensed embalmer and shall not apply to medical students or their teachers in state-maintained medical schools in this state.

B. No person shall act or ~~hold himself out~~ represent themselves as a funeral director, embalmer, apprentice, provide funeral services or merchandise or operate a funeral establishment or a ~~limited service~~ commercial embalming establishment without a current license or registration issued pursuant to the Funeral Services Licensing Act.

SECTION 12. AMENDATORY 59 O.S. 1991, Section 396.12c, is amended to read as follows:

Section 396.12c After notice and hearing pursuant to Article II of the Administrative Procedures Act, the Oklahoma State Board of Embalmers and Funeral Directors may refuse to issue or renew, or may revoke or suspend, any license or registration for any one or combination of the following:

1. Conviction of a felony shown by a certified copy of the record of the court of conviction;

2. Conviction of a misdemeanor involving ~~gross moral turpitude~~ funeral services;

3. Gross malpractice or gross incompetency, which shall be determined by the Board;

4. False or misleading advertising as a funeral director or embalmer;

5. Employment by the licensee of a person or persons to solicit funeral directing or embalming; provided, however, that this ~~subsection~~ paragraph shall have no application to the operation of burial associations;

6. Violation of any of the provisions of the Funeral Services Licensing Act or any violation of Sections 201 through ~~235~~ 231 of Title 8 of the Oklahoma Statutes;

7. Fraud or misrepresentation in obtaining a license;

8. Using any casket or part thereof which has previously been used as a receptacle for, or in connection with, the burial or other disposition of dead human remains, unless such disclosure is made to the purchaser;

9. Violation of any rules ~~or regulations~~ of the Board in administering the purposes of the Funeral Services Licensing Act;

10. Use of intoxicating liquor sufficient to produce drunkenness in public, or habitual addiction to the use of habit-forming drugs or either; ~~or~~

11. Payment or causing to be paid, directly or indirectly, for the securing of business, or direct or indirect solicitation of business;

12. Refusing to properly release a dead human body to the custody of the person entitled to custody;

13. Violating applicable state laws relating to the failure to file a death certificate, cremation permit, or prearrangement or prefinancing of a funeral;

14. Failing to obtain other necessary permits as required by law in a timely manner;

15. Failing to comply with the Funeral Rules of the Federal Trade Commission, 15 U.S.C., Section 57a(a);

16. Failing to comply with any applicable provisions of the Funeral Services Licensing Act at the time of issuance or renewal; or

17. Improper issuance or renewal of a license or registration.

SECTION 13. AMENDATORY 59 O.S. 1991, Section 396.12e, is amended to read as follows:

Section 396.12e A. Any person or entity who has been determined by the Oklahoma State Board of Embalmers and Funeral Directors to have violated any provision of the Funeral Services Licensing Act or any rule~~, regulation,~~ or order issued pursuant thereto may be liable for an administrative penalty. The maximum administrative penalty shall not exceed Ten Thousand Dollars ($10,000.00) for any related series of violations.

B. The Board shall be authorized, at its discretion, to take such action as the nature of the violation requires. The Board shall have the authority to impose on the licensee, or certificate holder, as a condition of any adverse disciplinary action, the payment of costs expended by the Board in investigating and prosecuting said cause. The costs may include but are not limited to staff time, salary and travel expenses, witness fees and attorney fees, and the same shall be considered part of the order of the Board.

C. The amount of the penalty shall be assessed by the Board pursuant to the provisions of subsection A of this section, after notice and hearing. In determining the amount of the penalty, the Board shall include, but not be limited to, consideration of the nature, circumstances and gravity of the violation and, with respect to the person or entity found to have committed the violation, the degree of culpability, the effect on ability of the person or entity to continue to do business and any show of good faith in attempting to achieve compliance with the provisions of the Funeral Services Licensing Act. The Board shall make a report of any action to any entity deemed appropriate for transmittal of the public record but shall in no cause be held liable for the content of the reported action or be made a party to any civil liability action taken as a

result of the discipline imposed by the Board. All monies collected from such administrative penalties shall be deposited with the State Treasurer and by ~~him~~ the State Treasurer placed in the "Fund of the State Board of Funeral Directors and Embalmers", created pursuant to Section 396.14 of ~~Title 59 of the Oklahoma Statutes~~ this title.

~~C.~~ D. Any license or certificate of apprenticeship holder may elect to surrender ~~his~~ the license or certificate of apprenticeship of the person in lieu of said penalty but shall be forever barred from obtaining a reissuance of said license or certificate of apprenticeship.

SECTION 14. AMENDATORY 59 O.S. 1991, Section 396.14, is amended to read as follows:

Section 396.14 The executive secretary-treasurer of the Board shall keep and preserve all records of the Board, issue all necessary notices to the embalmers, funeral directors and apprentices of the state, and perform such other duties as may be imposed upon ~~him~~ the executive secretary-treasurer by said Board. ~~Said~~ The executive secretary-treasurer is hereby authorized and empowered to collect, in the name and on behalf of the Board, the fees prescribed in ~~this act~~ the Funeral Services Licensing Act, and all fees so collected shall at the end of each month be deposited by ~~him~~ the executive secretary-treasurer with the State Treasurer. The State Treasurer shall place ten percent (10%) of the money so received in the general fund of the state, and the balance in a special fund to be known as the "Fund of the State Board of Funeral Directors and Embalmers~~.~~". Payment from said fund shall be upon warrants drawn by the State Treasurer against claims submitted by the Board to the Director of State Finance for audit and payment. All monies so received in said fund may be used by the Board in carrying out the provisions of ~~this act. All fines assessed and collected for the violation of any of the provisions of this act shall be paid to the county treasurer of the county where the~~

~~offense was committed and credited to the general fund of the county~~ the Funeral Services Licensing Act.

An accounting of the funds accumulated under the provisions of ~~this act~~ the Funeral Services Licensing Act shall be rendered semiannually of receipts and disbursements to the Secretary of the State of Oklahoma.

SECTION 15. AMENDATORY 59 O.S. 1991, Section 396.18, is amended to read as follows:

Section 396.18 All of the members of said Board shall be reimbursed for travel expenses incident to ~~his~~ attendance upon the business of the Board as provided in the State Travel Reimbursement Act. The Board is hereby authorized to employ an executive secretary-treasurer at an annual salary to be set by the Board, payable monthly, and to rent and equip an office therefor in some city in the state to be selected by the Board. ~~Said~~ The Board shall not employ any of its members for a period of three (3) years following their expiration of term of office. The executive secretary-treasurer shall keep such books, records, and perform such other lawful duties as are required by or placed upon ~~him~~ the executive secretary-treasurer by ~~said~~ the Board, and shall be entitled to receive traveling expenses while in the performance of the duties as directed and prescribed by the Board. ~~Said~~ The executive secretary-treasurer shall not accept any employment from any funeral home or wholesale house dealing in funeral supplies or equipment while acting as such executive secretary-treasurer. The Board shall have the right and authority to employ necessary personnel to carry out the provisions of ~~this act~~ the Funeral Services Licensing Act. The expense of ~~said~~ the Board shall at no time exceed the receipt thereof.

SECTION 16. NEW LAW A new section of law to be codified in the Oklahoma Statutes as Section 396.28 of Title 59, unless there is created a duplication in numbering, reads as follows:

In case of a catastrophe as declared by the executive secretary-treasurer of the Board, funeral directors and embalmers from other states may be allowed to practice in this state. A temporary permit may be issued to those persons, and the permit shall allow the persons to practice for a length of time as determined by the Board.

SECTION 17. This act shall become effective July 1, 1999.

SECTION 18. It being immediately necessary for the preservation of the public peace, health and safety, an emergency is hereby declared to exist, by reason whereof this act shall take effect and be in full force from and after its passage and approval.

47-1-21 WHT 6/12/15