

1 ENGROSSED HOUSE
2 BILL NO. 1365

By: Culver of the House

3 and

4 Alvord of the Senate

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6
7 An Act relating to professions and occupations;
8 amending 59 O.S. 2021, Section 396.3, as last amended
9 by Section 1, Chapter 54, O.S.L. 2023 (59 O.S. Supp.
10 2024, Section 396.3), which relates to funeral
11 director and embalmer examinations; establishing the
12 Oklahoma Funeral Directors and Embalmers
13 Examinations; and providing an effective date.

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

15 SECTION 1. AMENDATORY 59 O.S. 2021, Section 396.3, as
16 last amended by Section 1, Chapter 54, O.S.L. 2023 (59 O.S. Supp.
17 2024, Section 396.3), is amended to read as follows:

18 Section 396.3. A. The Oklahoma Funeral Board shall determine
19 the qualifications necessary to enable any person to practice as a
20 funeral director or embalmer, and prescribe the requirements for a
21 funeral establishment or commercial embalming establishment. The
22 Board shall examine all applicants for licenses to practice as a
23 funeral director or embalmer. The Board shall issue the proper
24 licenses to applicants who successfully pass such examination and

1 qualify pursuant to any additional requirements the Board may
2 prescribe.

3 B. 1. Except as provided in subsection C of this section, the
4 minimum requirements for a license to practice funeral directing or
5 embalming, or both, are as follows:

6 An applicant for a license to practice funeral directing or
7 embalming shall be at least eighteen (18) years of age, a legal
8 resident of this state, and a citizen or permanent resident of the
9 United States. In addition, an applicant shall be a graduate of a
10 program of mortuary science accredited by the American Board of
11 Funeral Service Education, and have served one (1) year as a
12 registered apprentice. The applicant may serve as a registered
13 apprentice prior to enrollment in an approved school of mortuary
14 science, or subsequent to graduation from the school, and pass any
15 of the following relevant exams necessary for licensure: the
16 International Conference of Funeral Service Examining Board National
17 Board Science Examination ~~and/or~~, the International Conference of
18 Funeral Service Examining Board National Board Arts Examination, the
19 Oklahoma Funeral Directors Examination, or the Oklahoma Embalmers
20 Examination with a seventy-five (75) or higher score on each exam.

21 2. Curriculum of study for an embalmer ~~and/or~~ or funeral
22 director is a program of mortuary science which shall be that
23 prescribed by the American Board of Funeral Service Education.

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1 C. 1. If a person chooses not to meet the qualifications in
2 subsection B of this section for a funeral director, the person may
3 alternatively qualify for a license to practice funeral directing,
4 but not embalming, upon meeting the eligibility requirements of this
5 subsection as follows:

6 An applicant for a license to practice funeral directing shall
7 be at least eighteen (18) years of age, a legal resident of this
8 state, and a citizen or permanent resident of the United States. An
9 applicant is required to complete a funeral director course of study
10 approved by the Oklahoma Funeral Board and that is administered by a
11 program of funeral service/mortuary science accredited by the
12 American Board of Funeral Service Education (ABFSE). The funeral
13 director course of study shall include at least thirty (30) semester
14 hours or equivalent closely following the ABFSE curriculum standard,
15 limited to only: Business Management, Cremation, Social
16 Sciences/Humanities, Legal, Ethical, Regulatory, plus essential
17 elements of embalming, restorative art, general concerns when
18 dealing with human remains, a practicum experience, and preparation
19 for the required board exams. In addition to the funeral director
20 course of study, the applicant is required to complete a twelve-
21 month minimum term as a registered apprentice with employment at a
22 licensed establishment and must have assisted with twenty-five
23 arrangement conferences and assisted with twenty-five separate
24 funeral or memorial services under the supervision of a licensed

1 funeral director in this state. The applicant may serve as a
2 registered apprentice prior to enrollment in an approved school of
3 mortuary science, concurrently while in mortuary school, or
4 subsequent to completion of the funeral director course of study.

5 2. Curriculum of study for a funeral director license shall be
6 in a program of mortuary science which shall be that prescribed by
7 the Oklahoma Funeral Board. An applicant must pay all fees as
8 provided in Section 396.4 of this title and pass an exam provided by
9 the International Conference of Funeral Service Examining Board or
10 the Oklahoma Funeral Directors Exam with a score of seventy-five
11 (75) or higher as well as pass a law exam provided by the Oklahoma
12 Funeral Board, with a score of seventy-five (75) or higher. A
13 license to practice as a funeral director issued pursuant to this
14 subsection shall be restricted to funeral director, and the licensee
15 shall not be eligible to practice as the funeral director in charge
16 as defined in Section 396.2 of this title.

17 3. If a person chooses not to meet the qualifications in
18 subsection B of this section for an embalmer, the person may
19 alternatively qualify for a license to practice embalming, upon
20 meeting the eligibility requirements of this subsection as follows:

21 An applicant for a license of this state, a citizen or permanent
22 resident of the United States, and of good moral character. An
23 applicant is required to complete an embalmer course of study
24 approved by the Oklahoma Funeral Board and that is administered by a

1 program of funeral service/mortuary science accredited by the
2 American Board of Funeral Service Education (ABFSE). The embalmer
3 course of study shall include at least thirty (30) semester hours or
4 equivalent closely following the ABFSE curriculum standard, limited
5 to only: Biology, Chemistry, Microbiology, Human Anatomy,
6 Pathology, Embalming, Embalming Chemistry, and Restorative Art, plus
7 essential elements of grief, communication, and preparation for the
8 required board examinations. The applicant must also complete a
9 twelve-month minimum term as a registered apprentice with full-time
10 employment at a licensed establishment or licensed commercial
11 embalming establishment and must have assisted with twenty-five
12 embalmings under the supervision of a licensed embalmer in this
13 state. The applicant may serve as a registered apprentice prior to
14 enrollment in an approved school of mortuary science, concurrently
15 while in mortuary school, or subsequent to completion of the
16 embalmer course of study.

17 4. Curriculum of study for an embalmer license shall be in a
18 program of funeral service/mortuary science which shall be that
19 prescribed by the Oklahoma Funeral Board. An applicant must pay all
20 fees as provided in Section 396.4 of this title and pass the
21 embalmer examination provided by the International Conference of
22 Funeral Service Examining Board or the Oklahoma Embalmers Exam with
23 a score of seventy-five (75) or higher as well as pass a law exam
24 provided by the Oklahoma Funeral Board with a score of seventy-five

1 (75) or higher. A license to practice as an embalmer issued
2 pursuant to this subsection shall be restricted to embalmer, and the
3 licensee shall not be eligible to practice as the funeral director
4 in charge as defined in Section 396.2 of this title.

5 D. The Board shall issue the appropriate license to any
6 qualified applicant whose application has been approved by the
7 Board, and who has paid the fees required by Section 396.4 of this
8 title, has passed the required examinations with a seventy-five (75)
9 or higher score and has demonstrated to the Board proficiency as an
10 embalmer or funeral director.

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

13 F. Each funeral director in charge as defined in Section 396.2
14 of this title shall have a current dual funeral director and
15 embalmer license. A funeral director in charge of a funeral service
16 establishment or crematory that does not have a current dual funeral
17 director and embalmer license on the effective date of this act
18 shall be considered to be grandfathered and may serve as funeral
19 director in charge of any funeral service establishment or crematory
20 in accordance with rules prescribed by the Board, but shall not
21 serve as funeral director in charge of a commercial embalming
22 establishment which shall require a current dual funeral director
23 and embalmer license.

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