

Department of Legislative Services
Maryland General Assembly
2000 Session

FISCAL NOTE

Senate Bill 767 (Senator McCabe) (Bv Request)

Economic and Environmental Affairs

Health Occupations - Funeral Directors - Delegation of Authority

This bill redefines “funeral director” to mean an individual who is licensed by the Board of Morticians to practice funeral direction. The bill also expands the definition of “practice funeral direction” to include attending the funeral or burial service of an individual for whom the funeral director has performed funeral direction services. It establishes that funeral direction practice does not include picking up, removing, or transporting a dead human body under the direction of a licensed mortician or funeral director.

The bill permits a licensed funeral director to delegate to an employee the ability to practice funeral direction. A licensed funeral director who delegates the ability to practice funeral direction is responsible for the employee’s acts that occur within the scope of employment and the delegated authority.

Fiscal Summary

State Effect: None. Any additional board oversight requirements could be handled with existing budgeted resources.

Local Effect: None.

Small Business Effect: Potential minimal. Licensed funeral directors would be allowed to delegate certain duties to their employees, and may experience increased administrative efficiencies and lower costs.

Analysis

Current Law: “Funeral director” is defined as an individual who is licensed to practice all aspects of mortuary science except for embalming. To “practice funeral direction” means to operate a funeral establishment, or, for compensation, to arrange for or make final disposition of a dead human body. Licensed funeral directors cannot delegate these responsibilities.

State Fiscal Effect: The Board of Morticians did not respond to Legislative Services’ request for a fiscal estimate. Legislative Services advises that any additional board regulation of the mortuary science and funeral home industries can be handled with existing budgeted resources.

Additional Information

Prior Introductions: None.

Cross File: None.

Information Source(s): Department of Legislative Services

Fiscal Note History: First Reader - February 21, 2000
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