
By: **Delegates Harrison, Burns, Kirk, and Minnick**

Introduced and read first time: February 21, 2006

Assigned to: Rules and Executive Nominations

A BILL ENTITLED

1 AN ACT concerning

2 **State Board of Morticians - Apprentices - Licensing Requirements**

3 FOR the purpose of altering the qualifications for a mortician license to require an
4 applicant to complete a certain number of years of licensed apprenticeship;
5 repealing the requirement that an applicant for a certain apprentice license
6 complete a certain percentage of the academic credits for a mortuary science
7 program before appearing before the State Board of Morticians for approval of a
8 certain license; altering certain experience requirements for applicants for a
9 certain apprentice license to require completion of a certain number of hours
10 working in licensed funeral establishments under supervision; altering certain
11 renewal requirements for apprentice licenses; and generally relating to the
12 State Board of Morticians and licensing requirements for apprentices.

13 BY repealing and reenacting, with amendments,
14 Article - Health Occupations
15 Section 7-303, 7-306, and 7-314
16 Annotated Code of Maryland
17 (2005 Replacement Volume)

18 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
19 MARYLAND, That the Laws of Maryland read as follows:

20 **Article - Health Occupations**

21 7-303.

22 (a) The Board shall determine the qualifications necessary for a person to
23 lawfully engage in the practice of mortuary science and to operate a funeral
24 establishment within this State. Except as otherwise provided in this subtitle, to
25 qualify for a mortician license, an applicant shall be an individual who meets the
26 requirements of this section.

27 (b) The Board shall examine all applications for licensure for the practice of
28 mortuary science and shall issue the mortician license to any person who:

- 1 (1) Is judged to be of good moral character;
- 2 (2) Has completed not less than 1 year and not more than [2] 4 years of
3 licensed apprenticeship, unless the Board allowed extensions for additional 1-year
4 terms;
- 5 (3) Except as otherwise provided in this section, has graduated with an
6 associate of arts degree in mortuary science or its equivalent from a school accredited
7 by the American Board of Funeral Service Education or approved by the Board, or has
8 acquired at least an associate of arts degree and completed a course in mortuary
9 science that is accredited by the American Board of Funeral Service Education or
10 approved by the Board;
- 11 (4) Has passed the national board examination administered by the
12 Conference of Funeral Service Examining Boards of the United States;
- 13 (5) Has passed a written examination on Maryland law and regulations
14 governing the practice of mortuary science and a practical examination
15 demonstrating competency in embalming and sanitary science; and
- 16 (6) Has submitted an application to the Board on the required form and
17 has paid a fee set by the Board.
- 18 7-306.
- 19 (a) An individual shall obtain an apprentice license from the Board before
20 beginning an apprenticeship in this State.
- 21 (b) An applicant for an apprentice license shall pay to the Board a fee set by
22 the Board.
- 23 (c) (1) [Prior to an individual appearing before the Board for approval of an
24 apprentice license, the individual must complete two-thirds of the academic credits
25 for a mortuary science program at a school accredited by the American Board of
26 Funeral Service or approved by the Board, with a 2.0 grade point average or higher
27 that is verified with a certified copy of the college transcript.
- 28 (2)] The applicant shall appear before the Board with the applicant's
29 sponsor. The sponsor shall hold a current valid mortician license in Maryland and
30 shall be employed by the same funeral home that employs the apprentice.
- 31 [(3)] (2) The practical experience of an apprentice shall include:
- 32 (i) Participation in at least 20 funerals;
- 33 (ii) Assistance in the embalming of at least 20 dead human bodies;
34 and
- 35 (iii) Completion of [1,000] 2,000 working hours in a licensed funeral
36 establishment under the direct supervision of a licensed mortician. Supervision may

1 include instruction by other licensed morticians employed or supervised by the
2 sponsor.

3 [(4)] (3) On termination of the sponsor-apprentice relationship, both
4 the sponsor and the apprentice shall independently notify the Board in writing of:

5 (i) The date of termination;

6 (ii) The name, date of death, and date of service for each decedent
7 for whom a funeral service was conducted under paragraph [(3)(i)] (2)(I) of this
8 subsection in which the apprentice participated; and

9 (iii) The name, date of death, and date of embalming of each
10 decedent for whom the apprentice assisted in accordance with paragraph [(3)(ii)]
11 (2)(II) of this subsection.

12 [(5)] (4) Prior approval must be granted by the Board before a change
13 of sponsorship occurs.

14 (d) While the license is effective, an apprentice license authorizes the licensee
15 to assist a licensed mortician in the practice of mortuary science only as part of a
16 training program to become a licensed mortician.

17 7-314.

18 (a) A license issued under this title expires on the date set by the Board,
19 unless the license is renewed for an additional term as provided in this section. A
20 license may not be renewed for a term longer than 2 years.

21 (b) At least 1 month before a license expires, the Board shall send to the
22 licensee, by first-class mail to the last known address of the licensee, a renewal notice
23 that states:

24 (1) The date on which the current license expires;

25 (2) The date by which the renewal application must be received by the
26 Board for the renewal to be issued and mailed before the license expires; and

27 (3) The amount of the renewal fee.

28 (c) Except as otherwise provided in this section, before a license expires, the
29 licensee periodically may renew it for additional terms, if the licensee:

30 (1) Has met the qualifications for licensure and is not under a
31 suspension or revocation order of the Board;

32 (2) Except as otherwise provided under this title, pays to the Board a
33 renewal fee set by the Board;

34 (3) Submits to the Board a renewal application on the form that it
35 requires; and

1 (4) Submits to the Board satisfactory evidence of compliance with any
2 continuing education requirements the Board may adopt by regulation.

3 (d) (1) The Board shall renew the license of and issue a renewal certificate
4 to each licensee who meets the requirements of this section.

5 (2) The secretary of the Board may issue a renewal certificate during the
6 interim between meetings of the Board.

7 (e) (1) Before an apprentice license expires, the licensee may renew it for an
8 additional 1-year term only if the licensee:

9 (i) Submits to the Board a renewal application on the form that the
10 Board requires;

11 (ii) Continues to participate in a training program; and

12 (iii) Pays to the Board a renewal fee set by the Board.

13 (2) An apprentice license may be renewed only [~~two~~] THREE times.

14 (f) Before a courtesy card expires, the licensee may renew it for additional
15 terms if the licensee:

16 (1) Submits to the Board a renewal application on the form that the
17 Board requires;

18 (2) Submits documentation to the Board that the out-of-state license is
19 in good standing; and

20 (3) Pays to the Board a renewal fee set by the Board.

21 (g) If, when the license of an individual otherwise would expire, the licensee is
22 on active duty as a member of the armed forces but not on a career basis, the license
23 is renewed automatically for a 1-year term without application or payment of a fee.

24 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
25 October 1, 2006.