

Department of Legislative Services  
Maryland General Assembly  
2010 Session

FISCAL AND POLICY NOTE

House Bill 200 (Delegate Rosenberg, *et al.*)  
Health and Government Operations Education, Health, and Environmental Affairs

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Health Occupations - Morticians and Funeral Directors - Licenses

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This bill requires an applicant for a funeral director's license to pass the arts and sciences State board examinations administered by the Conference of Funeral Service Examining Boards (CFSEB) of the United States rather than the national board examination administered by CFSEB. Additionally, the board must advise applicants for a mortician or funeral director's license that a license issued in Maryland does not necessarily allow the licensee to practice in another state.

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Fiscal Summary

**State Effect:** None. The clarification in licensing examination requirements does not directly affect governmental finances.

**Local Effect:** None.

**Small Business Effect:** None.

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Analysis

**Current Law:** The Maryland Morticians Act expressly prohibits the practice of mortuary science by an unlicensed individual and further limits the operation of funeral establishments by corporations. The State Board of Morticians and Funeral Directors within the Department of Health and Mental Hygiene issues licenses for apprentices, morticians, funeral directors, the surviving spouse of a mortician or funeral director who will continue operating the funeral establishment in the event of the mortician's or funeral director's death, funeral establishments, corporations, and individuals who practice mortuary science in another state or country and apply for a courtesy card

authorizing them to transport dead human bodies into or out of Maryland. All licenses are issued on a biennial basis except apprentice licenses, which are issued annually.

An applicant for a mortician or funeral director's license must be of good moral character and complete at least one year, but no more than two years, of a licensed apprenticeship, unless an extension has been permitted by the board. In addition, an applicant must attend a school accredited by the American Board of Funeral Service Education (ABFSE) or approved by the board and obtain either an associate of arts *degree* in mortuary science or its equivalent. Alternatively, an applicant may acquire an associate of arts degree and complete a *course* in mortuary science that is accredited by ABFSE or approved by the board. An applicant must pass the national board examination administered by CFSEB, and pass a written exam on Maryland law and regulations regarding mortuary science, preparation of dead bodies, and sanitary science. An individual seeking licensure for a funeral director does not need to demonstrate competency in embalming.

Chapter 186 of 2007 reopened the funeral director license to new licensees. Until then, the board had not issued funeral director licenses in more than 34 years. Instead, only those practicing prior to May 1973 were able to renew their licenses. This limitation resulted in the steady decline in the number of funeral directors to only 16 in fiscal 2010. This bill clarifies requirements for new applicants for funeral director licenses.

**Background:** The State's sole mortuary science program, at the Community College of Baltimore County (CCBC), was implementing a new associate's degree in applied science and funeral service for funeral director students. Funeral director students would be required to sit in on the embalming theory class but would be exempt from the lab component and would have to make up the lab credit with another theory course. However, the only accrediting body in the country, ABFSE, does not accredit funeral director's degrees. CCBC plans on making this clear in its publications as well as to all students who choose the funeral director degree if the program is implemented. The program is on hold until the examination requirement for new funeral directors has been clarified.

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### **Additional Information**

**Prior Introductions:** None.

**Cross File:** None.

**Information Source(s):** Department of Health and Mental Hygiene, Department of Legislative Services

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