$\begin{array}{c} \rm J2 \\ \rm CF~SB~957 \end{array}$ 

By: Delegates Kaiser, Fair, Kaufman, Taveras, and Woorman

Introduced and read first time: February 5, 2025 Assigned to: Health and Government Operations

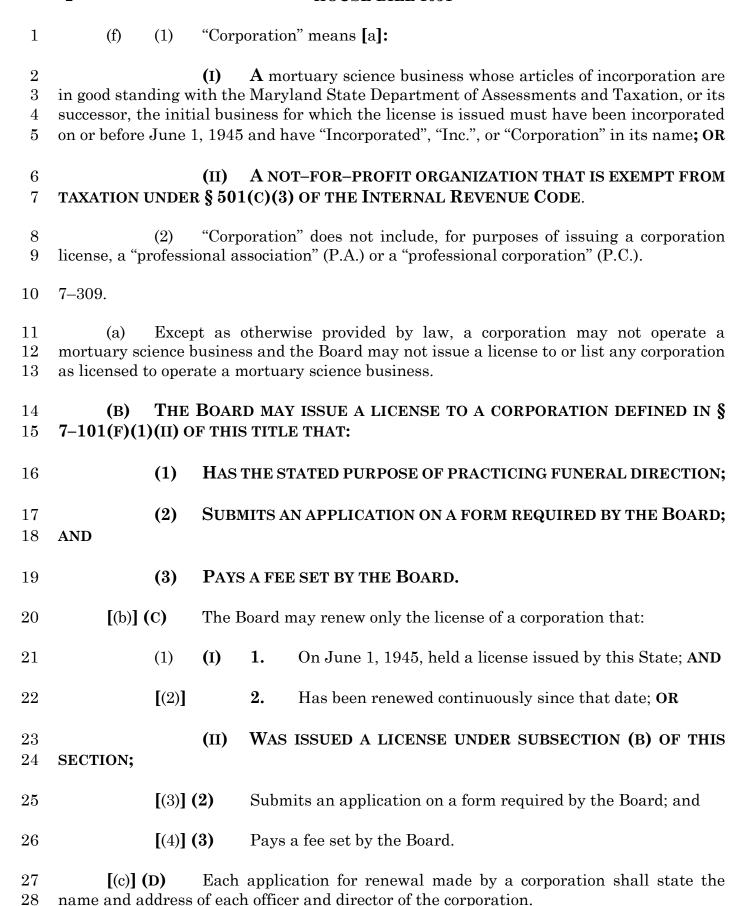
## A BILL ENTITLED

1 AN ACT concerning

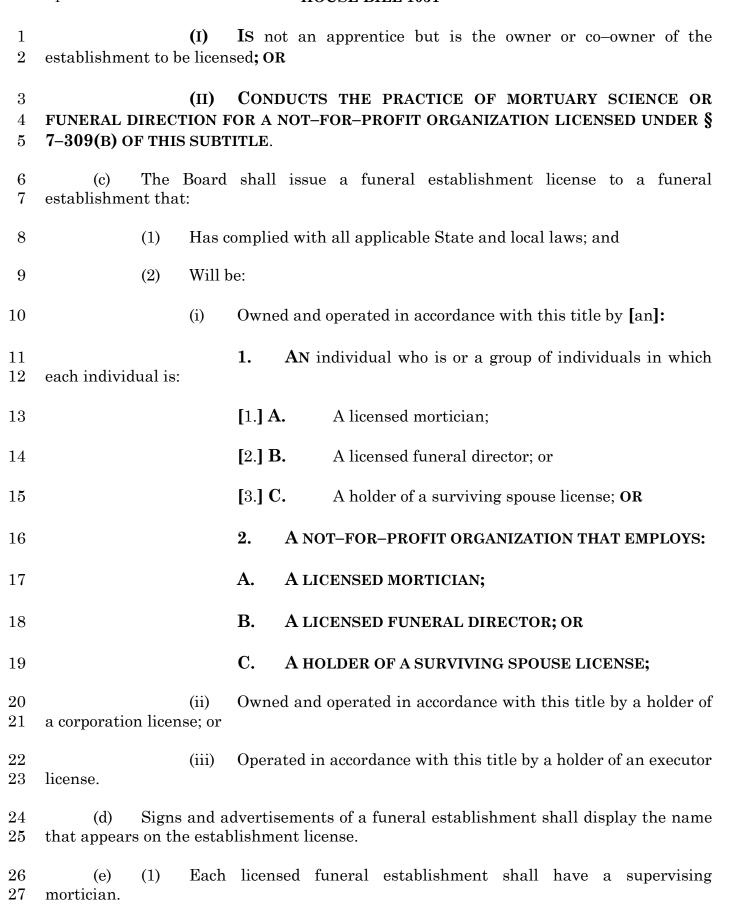
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## Morticians and Funeral Directors - Not-For-Profit Funeral Establishments

- FOR the purpose of altering the definition of "corporation" for the purpose of provisions relating to the provision of mortuary sciences and the operation of a funeral establishment to include a not–for–profit organization that is exempt from taxation under a certain provision of federal law; authorizing the State Board of Morticians and Funeral Directors to issue and renew a license to practice funeral direction to a certain not–for–profit organization; and generally relating to not–for–profit funeral establishments.
- 10 BY repealing and reenacting, without amendments,
- 11 Article Health Occupations
- 12 Section 7–101(a)
- 13 Annotated Code of Maryland
- 14 (2021 Replacement Volume and 2024 Supplement)
- 15 BY repealing and reenacting, with amendments,
- 16 Article Health Occupations
- 17 Section 7–101(f), 7–309, and 7–310
- 18 Annotated Code of Maryland
- 19 (2021 Replacement Volume and 2024 Supplement)
- 20 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND,
- 21 That the Laws of Maryland read as follows:
- 22 Article Health Occupations
- 23 7–101.
- 24 (a) In this title the following words have the meanings indicated.



- 1 [(d)] **(E)** While a corporation license is effective, it authorizes a corporation to 2 operate a mortuary science business only if any practice of mortuary science that is 3 conducted for the corporation is practiced by a licensed individual. 4 [(e)] **(F)** A corporation may not operate a branch funeral establishment unless [the]: 5 6 **(1)** THE branch funeral establishment was in operation on or before 7 October 1, 1964; OR 8 **(2)** THE CORPORATION WAS ISSUED A LICENSE UNDER SUBSECTION 9 (B) OF THIS SECTION. 10 [(f)] (G) If a corporation is sold, declares bankruptcy, or ceases to operate, 11 written notice must be submitted to: 12 **(1)** The Board, within 2 weeks of the occurrence, detailing the changes and 13 the arrangements for carrying out the pre-need contracts and disbursement of the money 14 held in escrow; and 15 The holders of pre-need contracts advising them of their options under **(2)** Maryland law. 16 7–310. 17 18 (a) (1) A funeral establishment shall be licensed by the Board before the 19 establishment may be used for the preparation of the remains, viewing, or conducting of 20 services. 21**(2)** The licensee may be restricted to operations as determined by the 22Board. 23 To apply for a funeral establishment license, an applicant shall: (b) (1) 24 (i) Submit an application to the Board on the form that the Board 25requires; and 26 Pay to the Board: (ii) An application fee set by the Board; and 27 1. 2. 28The fee established under § 7–4A–05(a) of this title.
- 29 (2) An application for a funeral establishment license shall be signed by a 30 licensed individual who [is]:



- 1 (2) A licensed funeral establishment shall designate a licensed mortician 2 whose license is in good standing with the Board to be the supervising mortician for the 3 funeral establishment.
- 4 (3) A licensed mortician designated to be the supervising mortician for a funeral establishment shall complete the registration required by the Board.
- 6 (4) A mortician whose license is not in good standing in the State or any other jurisdiction may not be a supervising mortician.
- 8 (5) The supervising mortician for a funeral establishment shall be:
- 9 (i) Held responsible for all activities performed on behalf of the 10 funeral establishment with the knowledge or at the direction of the supervising mortician; 11 and
- 12 (ii) Except as provided in paragraph (6) of this subsection, limited to 13 supervising:
- 14 1. One funeral establishment with an embalming facility; 15 and
- 16 2. No more than three funeral establishments total that are within close enough proximity to each other to allow for oversight of each funeral establishment.
- 19 (6) The limits on the number of funeral establishments a supervising 20 mortician may supervise as provided for in paragraph (5)(ii) of this subsection do not apply 21 if a funeral establishment prepares for the disposition of less than 75 bodies in a calendar 22 year.

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- (7) If a supervising mortician for a funeral establishment relinquishes the supervising mortician's responsibility under paragraph (5)(i) of this subsection for any reason, the funeral establishment shall name an interim supervising mortician who shall be held responsible for all activities performed on behalf of the funeral establishment, with the knowledge or at the direction of the interim supervising mortician, until a new supervising mortician for the funeral establishment registers with the Board.
- 29 (f) A funeral establishment that uses a central preparation room at another 30 funeral establishment is not required to have its own preparation room or holding room.
- SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect 32 October 1, 2025.