

H. B. 2586

(BY DELEGATE(S) MORGAN, STEPHENS, ELDRIDGE AND PAXTON)

[Introduced February 21, 2013; referred to the
Committee on Government Organization.]

A BILL to amend and reenact §30-6-8 of the Code of West Virginia, 1931, as amended, relating to qualifications for a license to practice embalming.

Be it enacted by the Legislature of West Virginia:

That §30-6-8 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

§30-6-8. Embalmer license requirements.

- 1 (a) The board shall issue a license to practice embalming to
- 2 an applicant who: ~~meets the following requirements:~~
- 3 (1) Is of good moral character;

4 (2) Is eighteen years of age or over;

5 (3) Is a citizen of the United States or is eligible for employ-
6 ment in the United States;

7 (4) Holds a high school diploma or its equivalent;

8 (5) Has completed one of the following education require-
9 ments:

10 (A) (i) Holds an associate degree from an accredited college
11 or university, or has successfully completed not less than sixty
12 semester hours or ninety quarter hours of academic work in an
13 accredited college or university toward a baccalaureate degree
14 with a declared major field of study, as evidenced by a tran-
15 script submitted to the board for evaluation; ~~prior to beginning~~
16 ~~a one-year course of apprenticeship and prior to obtaining a~~
17 ~~diploma of graduation from a school of mortuary science, has~~
18 ~~completed a one-year course of apprenticeship under the~~
19 ~~supervision of a licensed embalmer and funeral director~~
20 ~~actively and lawfully engaged in the practice of embalming and~~
21 ~~funeral directing in this state, such apprenticeship to consist of~~
22 ~~diligent attention to the work in the course of regular and steady~~
23 ~~employment and not as a side issue to another employment, and~~

24 ~~under which the apprentice shall have taken an active part in the~~
25 ~~operation of embalming not less than thirty-five dead human~~
26 ~~bodies and an active part in conducting not less than thirty-five~~
27 ~~funeral services; and~~

28 (ii) Possesses a diploma of graduation from a school of
29 mortuary science accredited by the American Board of Funeral
30 Service Education, Inc., which requires as a prerequisite to
31 graduation the completion of a course of study not less than
32 twelve months' duration; ~~and which said school of mortuary~~
33 ~~science must be one accredited by the American Board of~~
34 ~~Funeral Service Education, Inc., and duly approved by the~~
35 ~~board; or~~

36 (B) Holds a bachelor degree in mortuary science from an
37 accredited college or university as evidenced by a transcript
38 submitted for evaluation prior to beginning a one-year course
39 of apprenticeship;

40 (6) Has completed a one-year ~~course of~~ apprenticeship under
41 the supervision of a licensed embalmer and funeral director
42 actively and lawfully engaged in the practice of embalming and
43 funeral directing in this state, ~~such apprenticeship~~ to consist of

44 diligent attention to the work in the course of regular and steady
45 employment and not as a side issue to another employment, and
46 under which the apprentice shall have taken an active part in the
47 operation of embalming not less than thirty-five dead human
48 bodies and an active part in conducting not less than thirty-five
49 funeral services;

50 ~~(6)~~ (7) Passes with an average score of not less than seventy-
51 five percent the national conference of funeral services exami-
52 nation at a testing site provided by the national conference,
53 passes with a score of not less than seventy-five percent the
54 state law examination administered by the board and passes
55 such further examination as the board may deem necessary to
56 ascertain qualification and ability to engage in the practice of
57 embalming. Successfully passing the national conference of
58 funeral services examination is a condition precedent to taking
59 the state law examination administered by the board. The board
60 shall offer the state law examination at least twice each year;
61 and

62 ~~(7)~~ (8) Has paid all the appropriate fees.

63 (b) A license to practice embalming issued by the board
64 prior to July 1, 2002, shall for all purposes be considered a

65 license issued under this section: *Provided*, That a person
66 holding a license issued prior to July 1, 2002, must renew the
67 license pursuant to the provisions of this article.

NOTE: The purpose of this bill is to remove the requirement that an applicant for a license to practice embalming complete college courses before beginning a one-year apprenticeship and before graduating from mortuary school. The requirements remain the same but do not have to be achieved in a particular order.

Strike-throughs indicate language that would be stricken from the present law and underscoring indicates new language that would be added.

