

H. B. 4540

(By Delegates Poore, Guthrie, Staggers,  
Campbell, Marshall, Barrett, Lawrence,  
Moore, Young, Morgan and Diserio)

[Introduced February 14, 2014; referred to the  
Committee on Government Organization then the Judiciary.]

A BILL to amend and reenact §30-6-8 of the Code of West Virginia,  
1931, as amended, relating to embalmer licenses; and modifying  
educational requirements.

*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:

**ARTICLE 6. BOARD OF FUNERAL SERVICE EXAMINERS.**

**§30-6-8. Embalmer license requirements.**

(a) The board shall issue a license to practice embalming to  
an applicant who:

- (1) Is of good moral character;
- (2) Is eighteen years of age or over;
- (3) Is a citizen of the United States or is eligible for  
employment in the United States;
- (4) Has a high school diploma or its equivalent;
- (5) Has completed one of the following education requirements,

1 as evidenced by a transcript submitted to the board for evaluation:

2 (A) (i) Has ~~an associate~~ a bachelor's degree from an  
3 accredited college or university; ~~or~~ and

4 ~~(ii) Has successfully completed at least sixty semester hours~~  
5 ~~or ninety quarter hours of academic work in an accredited college~~  
6 ~~or university toward a baccalaureate degree with a declared major~~  
7 ~~field of study; and~~

8 ~~(iii) Has graduated from a school of mortuary science,~~  
9 ~~accredited by the American Board of Funeral Service Education, Inc,~~  
10 ~~which requires as a prerequisite to graduation the completion of a~~  
11 ~~course of study of not less than twelve months; or~~

12 (ii) Has graduated from a school of mortuary science  
13 accredited by the American Board of Funeral Service Education,  
14 Inc., which requires as a prerequisite to graduation the completion  
15 of a course of study of not less than twelve months; or

16 (B) Has a bachelor degree in mortuary science from an  
17 accredited college or university;

18 (6) Has completed a one-year apprenticeship, under the  
19 supervision of a licensed embalmer and funeral director actively  
20 and lawfully engaged in the practice of embalming and funeral  
21 directing in this state, which apprenticeship consisted of:

22 (A) Diligent attention to the work in the course of regular  
23 and steady employment and not as a side issue to another  
24 employment; and

1 (B) The apprentice taking an active part in:

2 (i) The operation of embalming not less than thirty-five dead  
3 human bodies; and

4 (ii) Conducting not less than thirty-five funeral services;

5 (7) Passes, with an average score of not less than  
6 seventy-five percent, the following examinations:

7 (A) The National Conference of Funeral Services examination at  
8 a testing site provided by the national conference, which passage  
9 is a condition precedent to taking the state law examination;

10 (B) The state law examination administered by the board, which  
11 examination must be offered at least twice each year; and

12 (C) Any other examination required by the board; and

13 (8) Has paid all the appropriate fees.

14 (b) A license to practice embalming issued by the board prior  
15 to July 1, ~~2012, shall~~ 2014, is for all purposes ~~be considered~~ a  
16 license issued under this section: *Provided*, That a person holding  
17 a license issued prior to July 1, ~~2012,~~ 2014, must renew the  
18 license pursuant to the provisions of this article.

NOTE: The purpose of this bill is to promote the professionalism of embalmers by requiring either an undergraduate bachelor's degree and one year of mortuary college or a bachelor's degree in mortuary science as educational requirements for a license.

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