

HOUSE BILL No. 5027

July 28, 1989, Introduced by Reps. Weeks, DeMars, Bartnik, Bennett, Rocca, Clack, Webb, Pitoniak, DeBeaussaert, Harrison, Hart, Maynard, Spaniola, Hoffman, Barns, Martin, Pridnia, Wartner, Middaugh, Ouwinga, Jaye, Stacey, Crandall, Gnodtke, Van Regenmorter, Munsell, Strand, Dunaskiss, Miller, Giese, Bandstra, Krause, Sparks, Dolan, London, Trim and Scott and referred to the Committee on Labor.

A bill to amend section 1806 of Act No. 299 of the Public Acts of 1980, entitled
"Occupational code,"
as amended by Act No. 463 of the Public Acts of 1988, being section 339.1806 of the Michigan Compiled Laws.

THE PEOPLE OF THE STATE OF MICHIGAN ENACT:

1 Section 1. Section 1806 of Act No. 299 of the Public Acts
2 of 1980, as amended by Act No. 463 of the Public Acts of 1988,
3 being section 339.1806 of the Michigan Compiled Laws, is amended
4 to read as follows:

5 Sec. 1806. (1) The department shall issue a license to
6 engage in the practice of mortuary science to an individual who
7 has ~~served~~ COMPLIED WITH ALL OF THE FOLLOWING REQUIREMENTS:

8 (A) EXCEPT AS OTHERWISE PROVIDED IN SUBSECTION (2), SERVED
9 as a resident trainee for 1 year under the personal supervision

1 and instruction of the holder of a license for the practice of
2 mortuary science. ~~, has~~

3 (B) HAS graduated from a 3-year course in mortuary science
4 in an accredited school, college, or university ~~, has~~ APPROVED
5 BY THE BOARD. BEGINNING JULY 1, 1994, THE INDIVIDUAL ALSO SHALL
6 HAVE EARNED A 4-YEAR BACCALAUREATE DEGREE FROM AN ACCREDITED COL-
7 LEGE OR UNIVERSITY APPROVED BY THE BOARD.

8 (C) HAS satisfactorily passed the examination approved by
9 the department and the board. ~~, and is~~

10 (D) IS of good moral character.

11 (2) The applicant may take the examination in 2 parts, 1
12 part after the completion of the prescribed education and 1 part
13 after the completion of the prescribed education and the service
14 of resident training. The department may waive ~~a portion of~~
15 the requirement of 1 year of resident training if the applicant
16 has ~~a baccalaureate degree~~ COMPLETED AN ADDITIONAL YEAR OF
17 INSTRUCTION from an accredited school, college, or university,
18 BEYOND THE EDUCATIONAL REQUIREMENTS PRESCRIBED IN
19 SUBSECTION (1)(B), which the department finds to be a satisfac-
20 tory substitute for the resident training.

21 (3) ~~(2)~~ The practice of mortuary science shall be prac-
22 ticed at a fixed place. A person shall not open or maintain a
23 place for practice, or hold itself out as engaging in the prac-
24 tice of mortuary science unless an establishment license is
25 granted by the department. The license is issued for a specific
26 location only. The holder of a license for the practice of
27 mortuary science may conduct a funeral in another licensed

1 funeral establishment, or at a church, home, public hall, lodge
2 room, or other fixed place or establishment owned by the person
3 conforming to section 1809.

4 (4) ~~-(3)-~~ A funeral establishment or a branch of a funeral
5 establishment may be inspected by the department and shall meet
6 and conform to section 1809 and to other lawful standards and
7 requirements established by rule of the department ~~in further~~
8 ~~ance of~~ PROMULGATED UNDER this act. The department may revoke a
9 license for failure to meet those requirements pursuant to the
10 procedure set forth in this article. A change in the ownership
11 or location of the funeral establishment ~~automatically cancels~~
12 ~~its~~ OPERATES AS AN AUTOMATIC CANCELLATION OF THE license. A
13 change in ownership or location shall be immediately reported to
14 the department.

15 (5) ~~-(4)-~~ The department shall issue a mortuary science
16 license to an individual holding a valid license in another state
17 having substantially equal requirements to those existing in this
18 state who has fulfilled all of the following:

19 (a) Applied for a license to practice in this state.

20 (b) Filed with the department a certified statement from the
21 examining board of the state in which the applicant holds a
22 license, showing the basis upon which the license was granted,
23 and whether the license has been suspended, revoked, or limited
24 by a state board.

25 (c) Passed an examination approved by the department and the
26 board which tests the individual's knowledge of law relating to
27 the practice of mortuary science in Michigan.

1 (6) THE DEPARTMENT SHALL NOT RENEW A LICENSE OF A PERSON FOR
2 THE PRACTICE OF MORTUARY SCIENCE UNLESS THE PERSON HAS SUCCESS-
3 FULLY COMPLETED, WITHIN THE 24 MONTHS IMMEDIATELY PRECEDING THE
4 DATE UPON WHICH THE RENEWAL LICENSE IS TO BE ISSUED, NOT LESS
5 THAN 20 CLOCK HOURS OF CONTINUING EDUCATION. THE BOARD SHALL
6 GRANT CREDIT FOR A CONTINUING EDUCATION COURSE OR SEMINAR IN
7 ANOTHER STATE IF IT DETERMINES THAT THE COURSE OR SEMINAR IS SUB-
8 STANTIALLY EQUAL TO A COURSE OR SEMINAR CONDUCTED IN THIS STATE.
9 THE CONTINUING EDUCATION REQUIREMENTS OF THIS SUBSECTION SHALL
10 NOT BE APPLIED TOWARD THE MORTUARY SCIENCE EDUCATION REQUIREMENTS
11 PRESCRIBED IN SUBSECTION (1)(B). THE BOARD SHALL SUBMIT FOR
12 PUBLIC HEARING RULES IMPLEMENTING THIS SUBSECTION NOT LATER THAN
13 120 DAYS AFTER THE EFFECTIVE DATE OF THIS SUBSECTION.

14 (7) NOTWITHSTANDING SECTION 411(3), A PERSON MAY SEEK RELI-
15 CENSURE FOR THE PRACTICE OF MORTUARY SCIENCE BY EITHER OF THE
16 FOLLOWING METHODS:

17 (A) IN THE CASE OF A LICENSE THAT HAS BEEN EXPIRED FOR A
18 PERIOD OF LESS THAN 5 YEARS, BY PAYING THE APPROPRIATE LICENSE,
19 APPLICATION, AND LATE RENEWAL FEES; COMPLETING THE CONTINUING
20 EDUCATION REQUIREMENTS OF SUBSECTION (6) IF THE LICENSE IS TO BE
21 ISSUED LATER THAN 24 MONTHS FOLLOWING THE DATE THAT RULES ARE
22 PROMULGATED PURSUANT TO THAT SUBSECTION; AND, IF APPLICABLE,
23 PRESENTING PROOF THAT ANY PENALTIES AND CONDITIONS IMPOSED BY
24 DISCIPLINARY ACTION IN THIS STATE OR IN ANY OTHER JURISDICTION
25 HAVE BEEN SATISFIED.

26 (B) IN THE CASE OF A LICENSE THAT HAS BEEN EXPIRED FOR A
27 PERIOD OF MORE THAN 5 YEARS, BY PAYING THE APPROPRIATE LICENSE,

1 APPLICATION, AND LATE RENEWAL FEES; COMPLETING THE CONTINUING
2 EDUCATION REQUIREMENTS OF SUBSECTION (6) IF THE LICENSE IS TO BE
3 ISSUED LATER THAN 24 MONTHS FOLLOWING THE DATE RULES ARE PROMUL-
4 GATED PURSUANT TO THAT SUBSECTION; IF APPLICABLE, PRESENTING
5 PROOF THAT ANY PENALTIES AND CONDITIONS IMPOSED BY DISCIPLINARY
6 ACTION IN THIS STATE OR ANY OTHER JURISDICTION HAVE BEEN SATIS-
7 FIED; AND SATISFYING THE EXAMINATION REQUIREMENTS PRESCRIBED BY
8 SUBSECTION (1)(C).