

ARKANSAS STATE BOARD OF EMBALMERS AND FUNERAL DIRECTORS
Proposed Rule changes

The Arkansas State Board of Embalmers and Funeral Directors submits the proposed revisions to the Rules and Regulations which govern funeral personnel and funeral facilities. These revisions are necessary in order for the Rules and Regulations to reflect statutory changes that have already occurred. Additionally it is an effort to simplify and reorganize the Rules in a more logical and sequential fashion resulting in a more user friendly guide.

DEFINITIONS

The definitions section from the Cremation and Transport Service Rules have been incorporated into the main body of definitions. Duplications have been deleted.

The terms Bi Unit, Multi Unit, Single Unit and Tri Unit have been deleted. They are no longer viable terms due to FTC requirements.

RULE IV FUNERAL ESTABLISHMENTS

The Crematory and Transport Service Firm sections have been incorporated into this section and have been classified. Crematories have been classified Type C establishments and Transport Service Firms have been classified Type D establishments. Language has been added to clarify that both Crematories and Transport Service firms are agents of Type A establishments and as such, do not deal directly with the public.

We have added language in this section requiring notification to the Board of change of ownership, sale or closure of any Type A,B, C or D establishment.

Language regarding mobile home, or modular unit usage as establishments was added to comply with statutory changes pursuant to Act 1138 of 99.

Cremation

Under "Cremation Procedures", we have deleted section 3 which denied general public from the crematory area due to cultural and religious concerns.

Transportation

Under Transport Service Firms, Licensure, the requirement for sworn letters attesting to "good moral character" has been eliminated and replaced with letters of reference.

Section N Complaints has been deleted, it is duplicative.

RULE V & VI

The changes in these sections are basically rearranging existing language. We have also changed terms such as, “Embalming and Funeral Directing School: to “School of Mortuary Science.”

We are adding “the National Conference Exam” to comply with the statutory change pursuant to Act 1138 of 99. Arkansas now requires the National Conference Exam for embalmer licensure in order to facilitate reciprocity. It is accepted in 49 states.

RULE VII

1. We have expanded the number of times exams are given.
2. We have deleted all references to Embalmers exam subjects as the Board no longer administers an Embalmers exam.
3. We have eliminated the list of subjects from this section referencing only the Laws, Rules and Regs manual.

Other Changes are consistent with statutory changes pursuant to Act 1138 of 99, relevant to the National Conference Exam.

RULE VIII

We are adding language clarifying that failure to meet the requirements for Out of State Licensure within the specified time frame will result in the revocation of the temporary license.

RULE IX

We have eliminated language requiring licensees to file their individual Continuing Education statements of attendance.

We have added section 4 which requires reexamination for those that have failed to renew their licenses for a period of 5 years.

RULE XIV

We have deleted section 5, which refers to pricing terms no longer used do to FTC pricing requirements.

RULE XV

We have added language clarifying who can file complaints and also added that failure to respond to a complaint or to appear at a Hearing is an automatic violation.

CONTINUING EDUCATION

Changes in this section are for the purpose of clarity. Additionally we are eliminating the 2 hour limit for certain Continuing Education programs, provided the programs have been approved by the Board.