

**Effective 5/8/2018**

**58-9-302 Qualifications for licensure.**

- (1) Each applicant for licensure as a funeral service director shall:
  - (a) submit an application in a form prescribed by the division;
  - (b) pay a fee as determined by the department under Section 63J-1-504;
  - (c) be of good moral character in that the applicant has not been convicted of:
    - (i) a first or second degree felony;
    - (ii) a misdemeanor involving moral turpitude; or
    - (iii) any other crime that when considered with the duties and responsibilities of a funeral service director is considered by the division and the board to indicate that the best interests of the public are not served by granting the applicant a license;
  - (d) have obtained a high school diploma or its equivalent or a higher education degree;
  - (e) have obtained an associate degree, or its equivalent, in mortuary science from a school of funeral service accredited by the American Board of Funeral Service Education or other accrediting body recognized by the U.S. Department of Education;
  - (f) have completed not less than 2,000 hours and 50 embalmings, over a period of not less than one year, of satisfactory performance in training as a licensed funeral service intern under the supervision of a licensed funeral service director; and
  - (g) obtain a passing score on examinations approved by the division in collaboration with the board.
- (2) Each applicant for licensure as a funeral service intern shall:
  - (a) submit an application in a form prescribed by the division;
  - (b) pay a fee as determined by the department under Section 63J-1-504;
  - (c) be of good moral character in that the applicant has not been convicted of:
    - (i) a first or second degree felony;
    - (ii) a misdemeanor involving moral turpitude; or
    - (iii) any other crime that when considered with the duties and responsibilities of a funeral service intern is considered by the division and the board to indicate that the best interests of the public are not served by granting the applicant a license;
  - (d) have obtained a high school diploma or its equivalent or a higher education degree; and
  - (e) obtain a passing score on an examination approved by the division in collaboration with the board.
- (3) Each applicant for licensure as a funeral service establishment and each funeral service establishment licensee shall:
  - (a) submit an application in a form prescribed by the division;
  - (b) pay a fee as determined by the department under Section 63J-1-504;
  - (c) have in place:
    - (i) an embalming room for preparing dead human bodies for burial or final disposition, which may serve one or more facilities operated by the applicant;
    - (ii) a refrigeration room that maintains a temperature of not more than 40 degrees fahrenheit for preserving dead human bodies prior to burial or final disposition, which may serve one or more facilities operated by the applicant; and
    - (iii) maintain at all times a licensed funeral service director who is responsible for the day-to-day operation of the funeral service establishment and who is personally available to perform the services for which the license is required;
  - (d) affiliate with a licensed preneed funeral arrangement sales agent or funeral service director if the funeral service establishment sells preneed funeral arrangements;

- (e) file with the completed application a copy of each form of contract or agreement the applicant will use in the sale of preneed funeral arrangements;
  - (f) provide evidence of appropriate licensure with the Insurance Department if the applicant intends to engage in the sale of any preneed funeral arrangements funded in whole or in part by an insurance policy or product to be sold by the provider or the provider's sales agent; and
  - (g) if the applicant intends to offer alkaline hydrolysis in a funeral service establishment, provide evidence that in accordance with rules made by the division in accordance with Title 63G, Chapter 3, Utah Administrative Rulemaking Act:
    - (i) the funeral service establishment meets the minimum standards for the handling, holding, and processing of deceased human remains in a safe, clean, private, and respectful manner; and
    - (ii) all operators of the alkaline hydrolysis equipment have received adequate training.
- (4) Each applicant for licensure as a preneed funeral arrangement sales agent shall:
- (a) submit an application in a form prescribed by the division;
  - (b) pay a fee as determined by the department under Section 63J-1-504;
  - (c) be of good moral character in that the applicant has not been convicted of:
    - (i) a first or second degree felony;
    - (ii) a misdemeanor involving moral turpitude; or
    - (iii) any other crime that when considered with the duties and responsibilities of a preneed funeral sales agent is considered by the division and the board to indicate that the best interests of the public are not served by granting the applicant a license;
  - (d) have obtained a high school diploma or its equivalent or a higher education degree;
  - (e) have obtained a passing score on an examination approved by the division in collaboration with the board;
  - (f) affiliate with a licensed funeral service establishment; and
  - (g) provide evidence of appropriate licensure with the Insurance Department if the applicant intends to engage in the sale of any preneed funeral arrangements funded in whole or in part by an insurance policy or product.

Amended by Chapter 326, 2018 General Session