

STATE OF NEW YORK

4367

2017-2018 Regular Sessions

IN SENATE

February 10, 2017

Introduced by Sen. GOLDEN -- read twice and ordered printed, and when printed to be committed to the Committee on Health

AN ACT to amend the public health law, in relation to the practice of funeral directing

The People of the State of New York, represented in Senate and Assembly, do enact as follows:

1 Section 1. Subdivisions 1 and 4 of section 3421 of the public health
2 law, as amended by chapter 534 of the laws of 1983, paragraph (b) of
3 subdivision 4 as amended by chapter 529 of the laws of 2000, are amended
4 to read as follows:

5 1. In order to be licensed, an applicant for licensure shall pass a
6 funeral directing examination prepared or approved by the department to
7 determine his knowledge and fitness therefor, as required by this arti-
8 cle, provided that the exam meets the same qualification standards as
9 either the national board exam given by the international conference of
10 funeral service examining boards or an exam recognized or accepted by
11 the American board of funeral service education for the assessment of
12 content knowledge needed to engage in the practice of funeral directing,
13 undertaking or embalming. No person shall be permitted to enter funeral
14 director school, apply for a funeral directing examination or apply for
15 a funeral directing license without submitting to the department satis-
16 factory evidence of good moral character.

17 4. The department shall issue a license to practice funeral directing
18 to an applicant for such license on the basis of the following proce-
19 dures:

20 (a) who shall have successfully passed the examination as herein
21 provided in subdivision one of this section, and

22 (b) who pays a fee of one hundred twenty-five dollars, and

23 (c) who, after having passed such examination, serves a one year peri-
24 od as a registered resident in a manner satisfactory to the department
25 or, in lieu of serving a residency holds a valid license or certif-

EXPLANATION--Matter in italics (underscored) is new; matter in brackets
[-] is old law to be omitted.

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1 ication to practice as a funeral director or embalmer in another state
2 or possession of the United States or the District of Columbia, provided
3 that the applicant has met education and experience requirements
4 substantially equivalent to the requirements set forth in this section
5 and can provide documentation verifying that he or she has been actively
6 engaged in the practice of mortuary science for at least the previous
7 three years, and

8 (d) who~~[r]~~ has passed [~~a second~~] an examination after or during the
9 serving of a one year period as a registered resident, or in lieu of
10 serving a one year period as a registered resident, has provided satis-
11 factory evidence that he or she has met the education, experience and
12 previous work requirements prescribed by this section. The said exam-
13 ination shall be on the New York state laws, rules and regulations
14 relating to funeral directing and shall be prepared or approved by the
15 department of health.

16 § 2. Subdivision 5 of section 3425 of the public health law, as added
17 by chapter 534 of the laws of 1983, is amended to read as follows:

18 5. The commissioner may, in lieu of the foregoing approval procedures,
19 accept the certification of accreditation of an accredited school of
20 funeral service or mortuary science education issued by [~~an~~] a
21 nationally recognized accrediting [~~organization recognized by the~~
22 ~~department of health~~] agency that is included in the list of such agen-
23 cies published by the United States secretary of education.

24 § 3. Subdivisions (a) and (b) of section 3426 of the public health
25 law, as amended by chapter 103 of the laws of 1981, are amended to read
26 as follows:

27 (a) that such other state or political subdivision of the United
28 States maintains a system and standard of qualification and examination
29 for funeral director license, which is substantially equivalent or
30 greater to those required in this state; and,

31 (b) that such other state or political subdivision of the United
32 States gives similar recognition and endorsement to licenses of this
33 state unless they are substantially greater than those required in this
34 state; and,

35 § 4. Subdivision 2 of section 3428 of the public health law is amended
36 by adding a new paragraph (f) to read as follows:

37 (f) The department shall issue a pocket identification card for the
38 biennial period to any undertaker, embalmer, or funeral director who
39 pays the required registration fee, which shall include a photograph of
40 such undertaker, embalmer or funeral director.

41 § 5. This act shall take effect immediately.