S T A T E O F N E W Y O R K

4130

2011-2012 Regular Sessions

I N S E N A T E

March 21, 2011

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 licensing and registration for funeral directors

THE PEOPLE OF THE STATE OF NEW YORK, REPRESENTED IN SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. Paragraph (a) of subdivision 2 of section 3421 of the public health law, as amended by chapter 534 of the laws of 1983, is amended to read as follows:

(a) is a citizen of the United States or [an alien lawfully admitted for permanent residence] HAS LAWFUL ENTRY in the United States;

S 2. Subdivision 1 of section 3429 of the public health law is amended by adding a new paragraph (f) to read as follows:

(F) "ACCREDITED SCHOOL" MEANS A POSTSECONDARY EDUCATIONAL INSTITUTION AND PROGRAMS THAT ARE ACCREDITED BY AN ACCREDITING AGENCY OR STATE APPROVAL AGENCY RECOGNIZED BY THE UNITED STATES SECRETARY OF EDUCATION AS A "RELIABLE AUTHORITY AS TO THE QUALITY OF POSTSECONDARY EDUCATION" WITHIN THE MEANING OF THE HIGHER EDUCATION ACT OF 1965, AS AMENDED (HEA).

S 3. Paragraph (b) of subdivision 4 of section 3429 of the public health law, as added by chapter 529 of the laws of 2000, is amended to read as follows:

(b) A registered provider which is required to obtain prior approval of courses shall submit to the department a written description of each course for which approval is requested, at least sixty days prior to the first date the course is to be offered. If the department does not disapprove the proposed course within ninety days of its receipt of the written description and request for approval, the course shall be considered approved provisionally for six months. Following the six months of provisional approval, the department may make a final determination disapproving the course. Notwithstanding such determination,

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

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however, any individuals licensed pursuant to section three thousand four hundred twenty-eight of this title shall receive full continuing education credit for any course taken during the period of provisional approval to fulfill the requirements of this section. AN ACCREDITED SCHOOL FOR FUNERAL DIRECTORS APPROVED UNDER SECTION THREE THOUSAND FOUR HUNDRED TWENTY-FIVE OF THIS TITLE AND REGISTERED AS A PROVIDER ACCORDING TO THIS SECTION SHALL BE EXEMPT FROM REQUESTING PRIOR APPROVAL OF COURSES OFFERED IN ACCORDANCE WITH THIS SECTION.

S 4. This act shall take effect immediately.