

STATE OF NEW YORK

10089

IN ASSEMBLY

May 3, 2024

Introduced by M. of A. BUTTENSCHON -- read once and referred to the Committee on Health

AN ACT to amend the public health law, in relation to authorizing funeral directing apprenticeships as an alternative to licensing examinations

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

1 Section 1. The public health law is amended by adding a new section
2 3422-a to read as follows:

3 § 3422-a. Funeral directing; apprenticeship. 1. The department shall
4 develop criteria for funeral director apprenticeships for individuals
5 who have successfully completed a course of collegiate level study in
6 funeral service. Such apprenticeship shall serve as an alternative to
7 the examinations required for licensure as a funeral director under
8 section thirty-four hundred twenty-one of this title. To satisfy the
9 requirements of paragraph (b) of subdivision four of section thirty-four
10 hundred twenty-one of this title, a funeral director apprenticeship
11 shall be certified by the department.

12 2. A funeral director apprenticeship certified under subdivision one
13 of this section shall:

14 (a) consist of a one- to four-year apprenticeship, including a one-
15 year residency as required under subparagraph (iii) of paragraph (b) of
16 subdivision four of section thirty-four hundred twenty-one of this
17 title;

18 (b) be led by a licensed funeral director; and

19 (c) include specialized curriculum models that align with the content
20 and requirements of the examination for licensure under this title,
21 which shall cover topics including, but not limited to, embalming tech-
22 niques, funeral arrangement procedures, regulatory compliance, ethics,
23 industry best practices, and any other topics as determined by the
24 department.

25 3. The department shall develop a process under which apprenticeships
26 may be certified under subdivision one of this section, and under which
27 individuals may apply for such apprenticeships. Applicants accepted to

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

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1 an apprenticeship shall be issued a certificate of registration which
2 shall be posted in some conspicuous place in the place of business where
3 such apprenticeship will be conducted.

4 4. An individual who has satisfactorily completed an apprenticeship
5 under this section shall be issued a certificate of completion of such
6 apprenticeship. Such certificate of completion shall qualify an individ-
7 ual to be licensed as a funeral director under section thirty-four
8 hundred twenty-one of this title, and as an undertaker and embalmer
9 under section thirty-four hundred twenty-three of this title.

10 § 2. Subdivisions 1, 2 and 4 of section 3421 of the public health law,
11 as amended by chapter 534 of the laws of 1983, paragraph (a) of subdivi-
12 sion 2 as amended by chapter 669 of the laws of 2022 and paragraph (c)
13 of subdivision 2 and paragraph (b) of subdivision 4 as amended by chap-
14 ter 529 of the laws of 2000, are amended to read as follows:

15 1. In order to be licensed, an applicant for licensure shall pass a
16 funeral directing examination prepared or approved by the department, or
17 an apprenticeship approved by the department, to determine [~~his~~] such
18 applicant's knowledge and fitness therefor, as required by this article.
19 No person shall be permitted to enter funeral director school, apply for
20 a funeral directing examination, apply for a funeral directing appren-
21 ticeship, or apply for a funeral directing license without submitting to
22 the department satisfactory evidence of good moral character.

23 2. Except as provided in subdivision three of this section, the
24 department shall admit to examination, or to an apprenticeship under
25 section thirty-four hundred twenty-two-a of this title, any applicant
26 who pays a fee of forty dollars and submits evidence subscribed and
27 affirmed as true under the penalties of perjury and satisfactory to the
28 department that the applicant:

29 (a) is a citizen of the United States or a noncitizen lawfully admit-
30 ted for permanent residence in the United States;

31 (b) has satisfactorily completed a course of collegiate level study in
32 funeral service, the curriculum of which has been approved by the
33 department, consisting of not less than ninety quarter credits or sixty
34 semester credits in an institution or institutions approved by the
35 department or an accrediting agency recognized by the department;

36 (c) has upon entering an approved institution as herein provided for
37 the purpose of beginning [~~his~~] such applicant's funeral service study,
38 registered as a student with the department upon a form to be provided
39 by the department, and has paid to the department a registration fee of
40 fifty dollars.

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

44 (a) (i) who shall have successfully passed the examination as herein
45 provided in subdivision one of this section[~~—and~~];

46 [~~(b)~~] (ii) who pays a fee of one hundred twenty-five dollars[~~—and~~];

47 [~~(c)~~] (iii) who, after having passed such examination, serves a one
48 year period as a registered resident in a manner satisfactory to the
49 department[~~—~~]; and

50 [~~(d)~~] (iv) who, has passed a second examination after or during the
51 serving of a one year period as a registered resident. The said examina-
52 tion shall be on the New York state laws, rules and regulations relating
53 to funeral directing and shall be prepared or approved by the department
54 of health[~~—~~]; or

55 (b) (i) who shall have successfully completed an apprenticeship under
56 section thirty-four hundred twenty-two-a of this title;

1 (ii) who pays a fee of one hundred twenty-five dollars; and
2 (iii) who, as part of such apprenticeship, serves a one-year period as
3 a registered resident in a manner satisfactory to the department.

4 § 3. Section 3423 of the public health law is amended by adding a new
5 subdivision 6 to read as follows:

6 6. The department shall issue an undertaker or embalmer license to
7 those who, upon payment of a fee of ten dollars, successfully complete a
8 funeral directing apprenticeship under section thirty-four hundred twen-
9 ty-two-a of this title.

10 § 4. This act shall take effect on the one hundred eightieth day after
11 it shall have become a law. Effective immediately, the addition, amend-
12 ment and/or repeal of any rule or regulation necessary for the implemen-
13 tation of this act on its effective date are authorized to be made and
14 completed on or before such effective date.