STATE OF NEW YORK

9112

IN SENATE

February 3, 2026

Introduced by Sen. ADDABBO -- 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 enacting the "licensed funeral arranger act"

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

Section 1. Short title. This act shall be known and may be cited as the "licensed funeral arranger act".

§ 2. The public health law is amended by adding a new article 34-A to read as follows:

ARTICLE 34-A
LICENSED FUNERAL ARRANGER ACT

Section 3470. Definitions.
3471. Funeral arranging; license to practice required; scope of practice.
3472. Funeral arranging; requirements for license to practice; licensing examinations.
3473. Funeral arranging; reciprocity.
3474. Funeral arranging; registered transporter.
3475. Funeral arranging; registration requirements for registered transporter.
3476. Rules and regulations.
3477. Construction.

§ 3470. Definitions. For the purposes of this article, the following terms shall have the following meanings:

1. "Disposition" means disposition as defined by section four thousand two hundred one of this chapter.

2. "Embalming" means embalming as defined by section three thousand four hundred of this chapter.

3. "Funeral arranger" or "licensed funeral arranger" means a person duly licensed by the state of New York to engage in funeral arranging, who may perform all lawful funeral services except embalming.

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

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4. (a) "Funeral arranging" means engaging in or holding oneself out as engaged in the business, practice, or profession of arranging, directing, or supervising funerals, including, but not limited to:

(i) the removal, transportation, sheltering, and preparation of the body of a deceased person for burial, cremation, or other lawful disposition;

(ii) coordinating with cemeteries, crematories, houses of worship, or other disposition facilities;

(iii) supervising, directing, or the management of funeral, burial, cremation, disposition, or memorial services, including meeting with the next of kin to plan and carry out funeral services;

(iv) making, offering, or entering into funeral contracts, including pre-need and at-need funeral agreements, and providing price disclosures;

(v) maintaining or operating a funeral establishment or mortuary in relation to such non-embalming services;

(vi) preparing and filing necessary permits, authorizations, death certificates and other documents required to facilitate lawful disposition; and

(vii) any other acts authorized under existing law or regulation for funeral directing, excluding acts that involve the use of chemicals for preservation or disinfection (i.e., embalming) or invasive procedures requiring embalming credentials.

(b) "Funeral arranging" shall not include embalming or any act requiring the practice of embalming.

5. "Funeral establishment" means funeral establishment as defined by section three thousand four hundred of this chapter.

6. "Funeral director" means funeral director as defined by section three thousand four hundred of this chapter.

7. "Registered transporter" means a person duly registered with the bureau of funeral directing under the department to perform the transportation and removal of the body of a deceased person under the supervision of a funeral director or funeral arranger.

§ 3471. Funeral arranging; license to practice required; scope of practice. 1. The bureau of funeral directing under the department shall establish and issue "Licensed Funeral Arranger" licenses as provided by this article. Such license shall allow a funeral arranger to perform all acts permitted to a funeral director except embalming or any preservation of the body of a deceased person requiring embalming.

2. A licensed funeral arranger may operate or supervise a funeral establishment with respect to non-embalming services, so long as such establishment has embalming services provided by a funeral director or embalmer, as defined by section three thousand four hundred of this chapter.

3. No person shall engage in the business or practice of funeral arranging or hold themself out as practicing or as being entitled to practice funeral arranging in this state unless such person holds a funeral arranger license duly issued by the department in accordance with this article or is a registered trainee working under the direct supervision of a funeral arranger.

4. A funeral arranger may remove the bodies of deceased persons from the place of death, and transport such bodies to funeral establishments, crematories, cemeteries, or other lawful destinations for final disposition; provided that such activities shall be performed in compliance with this article, the sanitary code, and regulations of the department concerning the safe handling and transportation of human remains.

5. A funeral arranger license shall be renewable biennially. As a condition of renewal, the licensee shall complete a minimum number of continuing education credits as established by regulation. Such continuing education credits shall pertain to funeral arranging practices and shall not require instruction in embalming.

6. A funeral arranger shall be subject to the same disciplinary, investigation, hearing, and sanction authority as funeral directors under article thirty-four of this chapter, including, but not limited to, the suspension and revocation of licenses, fines, and prosecution.

§ 3472. Funeral arranging; requirements for license to practice; licensing examinations. 1. An applicant for funeral arranger licensure shall:

(a) be over the age of eighteen;

(b) be a citizen of the United States or a noncitizen lawfully permitted to reside and work in the United States;

(c) submit to the department a written application which shall include evidence of (i) academic training in funeral service instruction from an institution approved by the department and (ii) good moral character qualifications;

(d) pass all requisite examinations in funeral arranging based upon a curriculum approved by the department;

(e) pay applicable application fees to the department; and

(f) complete a supervised training period as a registered trainee in funeral arranging, under the mentorship of a funeral director or funeral arranger, with a minimum number of funeral cases not requiring embalming services as promulgated by regulation.

2. The commissioner, or their designee, shall develop or adopt an examination that tests knowledge and competency in funeral arranging. The scope of such examination shall include, but not be limited to, funeral law and regulation, ethics, funeral accounting, funeral contracts and disclosures, transportation, and state and federal rules for disposition, sanitary practices and infection control. Such examination shall exclude embalming and preservation science.

§ 3473. Funeral arranging; reciprocity. 1. The department shall promulgate rules and regulations to authorize a funeral arranger to obtain licensure as a funeral director within this state upon completion of embalming instruction and passage of an embalming examination module, without duplicative requirements for subjects already completed.

2. The bureau of funeral directing under the department may grant a funeral arranger license to an out-of-state practitioner if such practitioner holds substantially equivalent credentials and has practiced funeral arranging in another jurisdiction for a minimum period of at least two years.

§ 3474. Funeral arranging; registered transporter. 1. The bureau of funeral directing under the department shall establish a registration process by which individuals may submit an application to the department to become a registered transporter pursuant to this section. Such registered transporter shall:

(a) remove the bodies of deceased persons from hospitals, residences, or other lawful locations; and

(b) transport the bodies of deceased persons to funeral establishments, crematories, cemeteries, or other lawful destinations.

2. A registered transporter shall act under the direction and supervision of a funeral director or funeral arranger when engaged in the removal or transportation of the bodies of deceased persons.

3. A registered transporter shall be subject to the same disciplinary, investigation, hearing, and sanction authority as funeral directors under article thirty-four of this chapter, including, but not limited to, the suspension and revocation of a certificate of registration, fines, and prosecution.

§ 3475. Funeral arranging; registration requirements for registered transporter. 1. An applicant for registration as a registered transporter shall:

(a) be over the age of eighteen;

(b) be a citizen of the United States or a noncitizen lawfully permitted to reside and work in the United States;

(c) possess a valid driver's license issued by the state of New York;

(d) have completed a department approved training program in the safe handling and transportation of the bodies of deceased persons, infection control, and applicable public health regulations; and

(e) submit a registration application and pay applicable fees to the department.

2. The registration of a registered transporter shall be renewable biennially in accordance with regulations of the department. Such registration requirements may include continuing education credits in public health and professional ethics.

§ 3476. Rules and regulations. The department shall promulgate rules and regulations consistent with the purposes of this article, or appropriate for the effective administration of this article within eighteen months of the effective date of this article. Such rules and regulations shall include, but not be limited to:

1. Developing regulations regarding standards of care, minimum practice requirements, and recordkeeping;

2. Establishing procedures governing applications, examinations, licensure and registration, and continuing education standards;

3. Prescribing requirements for the renewal of licenses and registration certificates and enforcement mechanisms for violations of this article;

4. Creating standards for the education and training of funeral arrangers and registered transporters, including the approval of educational programs for such training; and

5. Amending existing rules and regulations to include funeral arrangers in consumer protection disclosures, general price lists, and any other applicable oversight provisions.

§ 3477. Construction. Nothing in this article shall be construed to reduce or restrict any rights or duties of currently licensed funeral directors.

§ 3. This act shall take effect on the one hundred twentieth day after it shall have become a law. Effective immediately, the addition, amendment and/or repeal of any rule or regulation necessary for the implementation of this act on its effective date are authorized to be made on or before such effective date.