



Senate Fiscal Agency
P. O. Box 30036
Lansing, Michigan 48909-7536

BILL ANALYSIS



Telephone: (517) 373-5383
Fax: (517) 373-1986

Senate Bill 1221 (Substitute S-2 as reported)
Sponsor: Senator Jim Stamas
Committee: Regulatory Reform

CONTENT

The bill would amend Article 18 (Mortuary Science) of the Occupational Code to do the following:

- Prescribe new requirements that an individual wishing to be licensed to practice mortuary science would have to meet in order to receive a license.
- Prescribe additional requirements that an individual who held or previously held a valid mortuary science license, or dual licenses as a funeral director and embalmer, in another state would have to meet in order to receive a license.
- Require a licensee to complete at least four hours of eligible continuing education courses in each year of a license cycle, beginning the license cycle after October 31, 2023.
- Require at least two of the four hours to involve one or more specified subjects.
- Allow the Department of Licensing and Regulatory Affairs (LARA) to contact with a statewide funeral service trade organization to administer a continuing education program and to offer or approve continuing education courses.
- Specify that entering into a contract with a statewide funeral service trade organization would not affect LARA's authority to administer one or more continuing education programs, and to determine whether continuing education courses offered as part of that program were eligible continuing education courses.
- Require an applicant for a funeral establishment license to submit a license application that met certain requirements.
- Prescribe requirements for the ownership and management of a funeral establishment, including allowing LARA and the Board to promulgate rules to establish requirements for the licensure, operation, and management of a funeral establishment.
- Allow a funeral establishment to continue to use the licensed establishment name after the death or retirement of a member, officer, or director if certain requirements were met.
- Require a funeral establishment to report a change in ownership or location to LARA within 30 days of the change.

The bill also would amend Article 2 (Administration) of the Code to allow LARA to enter into an agreement with a statewide funeral service trade organization to provide an electronic continuing education tracking system that would provide an electronic record of the continuing education courses, classes, or programs completed by individuals licensed under Article 18.

MCL 339.210 et al.

Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill would have a significant negative fiscal impact on the Department of Licensing and Regulatory Affairs and no fiscal impact on local government units. Significant staff time and resources would be required in order to implement, monitor, and enforce the new licensure

requirements, particularly those related to continuing education. The bill authorizes the Department to administer a continuing education program internally or to enter into a contract for these services with a statewide funeral service trade organization. In addition, the new requirements likely would result in other long-term increased compliance monitoring and enforcement costs. These activities could require an additional staff member. The current standard estimate for an additional FTE is \$110,000.

As a result of these cost increases, the Department expects it would require a \$20 increase in the mortuary science license fee. As of December 3, 2018, there are 2,100 mortuary science licensees in Michigan.

Date Completed: 12-7-18

Fiscal Analyst: Elizabeth Raczkowski

SAS\Floor\sb1221

This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.