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BILL ANALYSIS

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House Bill 4437 (Substitute S-2 as reported)
Sponsor: Representative Rodney Wakeman
House Committee: Regulatory Reform
Ways and Means
Senate 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, including completing an accredited mortuary science program and passing an approved examination.
-- 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 successfully complete at least four hours of eligible continuing education courses in each year of a license cycle, beginning the license cycle after October 31, 2025.
-- Require at least two of the four hours to involve one or more specified subjects, including funeral ethics and best practices.
-- Require a licensee to supervise and be responsible for the transportation and storage of a dead human body.
-- Require an applicant for a funeral establishment license disclose certain ownership interests in the funeral establishment.
-- Allow a funeral establishment to continue to use the name of licensed funeral establishment 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 the Department of Licensing and Regulatory Affairs (LARA) within 30 days of the change.
-- Modify various provisions pertaining to a licensee's immunity from civil liability.
-- Modify various provisions relating to conduct for which an individual is subject to administrative penalties.

MCL 339.1801 et al. Legislative Analyst: Stephen Jackson

FISCAL IMPACT

The bill likely would have a minor negative fiscal impact on LARA and no fiscal impact on local units of government. The Department could experience some administrative costs related to monitoring compliance with the new licensing requirements; however, these costs likely would not require additional appropriations.

Date Completed: 12-10-20 Fiscal Analyst: Elizabeth Raczkowski

floor\hb4437 Bill Analysis @ www.senate.michigan.gov/sfa

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.