

TRANSMITTAL SHEET FOR
NOTICE OF INTENDED ACTION

Control No. Department or Agency Alabama Board of Funeral Service

Rule No. 395-X-2-.08

Rule Title: Crematory Operator Training Course

X New _____ Amend _____ Repeal _____ Adopt by Reference

Would the absence of the proposed rule significantly harm or endanger the public health, welfare, or safety? YES

Is there a reasonable relationship between the state's police power and the protection of the public health, safety, or welfare? NO

Is there another, less restrictive method of regulation available that could adequately protect the public? NO

Does the proposed rule have the effect of directly or indirectly increasing the costs of any goods or services involved and, if so, to what degree? NO

Is the increase in cost, if any, more harmful to the public than the harm that might result from the absence of the proposed rule? NO

Are all facets of the rulemaking process designed solely for the purpose of, and so they have, as their primary effect, the protection of the public? YES

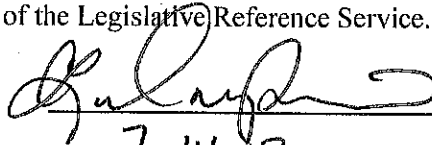
Does the proposed rule have an economic impact? NO

If the proposed rule has an economic impact, the proposed rule is required to be accompanied by a fiscal note prepared in accordance with subsection (f) of Section 412223, Code of Alabama 1975.

Certification of Authorized Official

I certify that the attached proposed rule has been proposed in full compliance with the requirements of Chapter 22, Title 41, Code of Alabama 1975, and that it conforms to all applicable filing requirements of the Administrative Procedure Division of the Legislative Reference Service.

Signature of certifying officer



Date

7-14-17

(DATE FILED)
(STAMP)

Alabama Board of Funeral Service

NOTICE OF INTENDED ACTION

AGENCY NAME: Alabama Board of Funeral Service

RULE NO. & TITLE:

395-X-2-.01	Application for License
395-X-2-.02	Renewal of License
395-X-2-.03	Fees
395-X-2-.04	Display of Licenses
395-X-2-.05	State Laws, Rules, Regulation (LRR) Examination
395-X-2-.07	Continuing Education
395-X-2-.08	Crematory Operator Training Course "New Rule"

INTENDED ACTION: The Alabama Board of Funeral Service proposes to amend Rule No. 395-X-2-.01, Rule No. 395-X-2-.02, Rule No. 395-X-2-.03, and Rule No. 395-X-2-.04, Rule No. 395-X-2-.05, Rule No. 395-X-2-.07. The Alabama Board of Funeral Service also proposes to add a new rule as Rule No. 395-X-2-.08 titled "Crematory Operator Training Course".

SUBSTANCE OF PROPOSED ACTION: The Board proposes to amend language to Rule No. 395-X-2-.01 changing the board examination score to a scaled score. The Board proposes to amend language to Rule No. 395-X-2-.02 placing all licenses on a two-year renewal cycle. The Board proposes to amend language in Rule No. 395-X-2-.03 to change the fees for licenses to reflect the two-year renewal and establish a fee for Crematory Registration fee, Cremationist Application Fee, Cremationist Renewal Fee, Continuing Education Provider Fee, Replacement License Fee, and the Laws, Rule, Regulation Exam Fee. The Board proposes to amend Rule No. 395-X-2-.04 to require all licenses, registration, or certificate to be on public display. The Board proposes to amend Rule No. 395-X-2-.05 to add language set a time frame and fee for the LRR Exam and to give the Board 's staff the authority to administer the exam. The Board proposes to amend Rule No. 395-X-2-.07 to add language requiring a course in ethics and blood-borne pathogens/universal precautions be a part of the required eight hours of continuing education. It further requires each provider pay an administrative fee of \$200.00 every two years to be registered as a provider. It removes the continuing education random audit language and allows for 4 hours of carry over hours above the 8-hour requirement. The Board proposes to add a new rule as Rule No. 395-X-2-.08 titled "Crematory Operator Training Course" to require the training course be a minimum of 7 hours, a certificate of completion be submitted to the Board, allow for a re-fresher course for certification older than 4 years, and to allow a special work permit be issued to individuals who have met all the requirements for a cremationist license but are waiting for a crematory operator training course.

TIME, PLACE, MANNER OF PRESENTING VIEWS: Written or electronic mail comments will be accepted by the Board until:

Time: 4:30 p.m., Tuesday, September 5, 2017

Place: 11 South Union Street Suite 106, Montgomery, AL 36104

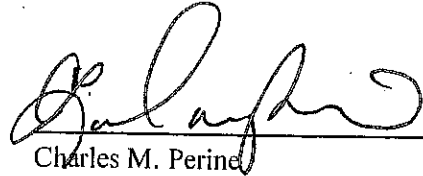
APA-2
07/04

Email: Charles.perine@fsb.alabama.gov
Phone: 334-242-4049

FINAL DATE FOR COMMENT AND COMPLETION OF NOTICE: Tuesday, September 5, 2017

CONTACT PERSON AT AGENCY:

Charles M. Perine
Executive Director
11 South Union Street
Suite 106
Montgomery, AL 36104

A handwritten signature in black ink, appearing to read "C. Perine", is written over a horizontal line.

Charles M. Perine
Executive Director
Alabama Board of Funeral Service

Alabama Board of Funeral Service
ADMINISTRATIVE CODE

CHAPTER 395-X-2
LICENSE

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395-X-2-.08	<u>Crematory Operator Training Course. "New Rule"</u>

395-X-2-.08 Crematory Operator Training Course. "New Rule"

- (1) An individual seeking licensure as a cremationist must:
 - (a) Be certified as a crematory operator by successfully completing a crematory operator training course approved by the board, in addition to other requirements as stated in Title 34 Chapter 13, Code of Alabama 1975. The course must be no less than 7 hours instructional time.
 - (b) Submit the crematory operator training course certificate of completion to the Board before a license is issued.
 - (c) Individual who completed a board approved crematory operator training course prior to October 1, 2017 and the completion date is greater than 4 years must complete a re-fresher course or another crematory operator training course approved by the board.
- (2) A cremationist must re-certify their crematory operator certification every 4 years from the issued date by completing a re-fresher course or another crematory operator training course approved by the board.
- (3) The board may issue a special work permit to individuals seeking licensure as a cremationist, if the board determines that the applicant satisfies all the requirements for licensure except for having successfully completed a board approved crematory operator training course. The special work permit shall expire one year from the date of issuance allowing the applicant the time to comply with the one year time frame to obtain a crematory operator certification as stated in §34-13-120.1(b), Code of Alabama 1975.

Author: Charles M. Perine

Statutory Authority: Code of Ala. 1975, §§34-13-26, 34-13-120, 34-13-120.1.

History: **New Rule:** Filed July 14, 2017