Item B(1) Embalming Requirement for an Establishment to Remain a Teaching Firm for Internship Licenses

Statutes and Rules Relating to Issue

FLORIDA STATUTES:

497.147 Continuing education; general provisions.—

(1) As to any licensure under this chapter that requires prelicensure training or continuing education for renewal of a license, no such training or continuing education shall be accepted in satisfaction of the requirements of this chapter, unless approved by the board.

(2) There shall be adopted rules by the board to establish the criteria for such training or continuing education courses.

(3) The licensing authority may provide by rule that distance learning may be used to satisfy continuing education requirements and may specify conditions applicable to such distance learning for credit under this chapter.

(4) The licensing authority is authorized to adopt rules to implement requirements regarding prelicensure training and continuing education requirements under this chapter. Persons providing prelicensure training or continuing education for credit against the requirements of this chapter are hereinafter referred to as "providers."

(a) The rules may establish criteria for obtaining approval from the licensing authority as a provider, and for periodic renewal of such approval, and may establish procedures and forms for use in applying to obtain and renew such approval from the licensing authority.

(b) The rules may establish conditions and requirements applicable to providers, including, but not limited to:

1. Periodic submission by the provider to the licensing authority of information and documentation as to course materials, class locations and schedules, names of scheduled instructors, resumes of instructors, and descriptions of facilities.
2. Requirements for periodic reporting by the provider to the licensing authority of information concerning enrollment, attendance, and status of persons enrolled for credit under this chapter.
3. Requirements for inspection by the licensing authority of records of the provider related to training or continuing education of applicants and licensees under this chapter.
4. Requirements for announced or unannounced attendance by department staff or board members at scheduled classes or training, for the purpose of ensuring that the training meets the requirements of this chapter and rules adopted under this chapter.
5. Requirements regarding retention of records by the provider regarding training or continuing education for which credit has been given to any licensee under this chapter.
6. Procedures and criteria for terminating the status of any provider as an approved source of training or continuing education for credit under this chapter.

7. Requirements for fees to accompany applications from providers for approval or renewal of approval as a provider, not to exceed $250 per year. The rules may exempt nonprofit entities from such fees.

(c) The rules may list all approved providers and identify the training or continuing education each provider is approved to provide for credit under this chapter.

(d) Such rules may establish procedures and forms for use by applicants, licensees, and providers in reporting completed training and continuing education to the licensing authority.

(5) The board may by rule provide continuing education credit for each continuing education reporting period for licensees attending board meetings or selected types or portions of board meetings, as specified by such rules. The rules may include provisions that establish the minimum amount of time that must be spent in the board meeting room viewing proceedings, requirements for advance notice by licensees to department staff of proposed attendance, requirements to sign in and out of the meeting room on lists maintained at the meeting site by department staff, forms that must be completed by the licensee to obtain such credit, and such other requirements deemed by the board to be advisable or necessary to prevent abuse of such rules and to ensure that useful information is obtained by licensees as a result of attendance. Procedural requirements of such rules requiring action by the department are subject to approval by the department before promulgation.

History.—s. 17, ch. 2004-301; s. 10, ch. 2005-155; s. 8, ch. 2010-125.

497.148 Continuing education; monitoring of compliance.—The department shall establish a system to monitor licensee compliance with applicable training and continuing education requirements and to determine each licensee's continuing education status. The department is authorized to provide for a phase-in of the compliance monitoring system. The compliance monitoring system may use staff and facilities of the department, or the department may enter into a contract for compliance monitoring services, upon such terms and conditions as the department deems advisable. Such contract may be with another government agency or a private business.

History.—s. 18, ch. 2004-301.

FLORIDA ADMINISTRATIVE CODE:

69K-18.001 Embalmer Intern Training Program.

(1) Persons desiring licensure to become an intern embalmer shall apply for a license by completing Form DFS-N1-1708, "Application for Embalmer Intern License," which is incorporated by reference in Rule 69K-1.001, F.A.C., and filing it with the Division. A one-hundred dollar ($100.00) nonrefundable application fee and an unlicensed activity fee of five dollars ($5.00) shall accompany the form. Such application shall demonstrate that the applicant for registration meets the requirements of Sections 497.368(1)(b)-(e), F.S. The completed application shall be filed with the Division at the address stated on the form.

(2) Embalmer internship training shall be received at an approved training agency under the direct supervision of a Florida licensed embalmer in good standing who shall certify by quarterly reports the training activities engaged in by the intern during the preceding calendar quarter. Direct supervision means responsible supervision and control, with the licensed embalmer providing both initial directions as well as periodic inspection of the embalming service. The supervising embalmer shall be physically present or on the premises at all times when the intern is performing the services. If during the course of his internship training the embalmer intern receives instructions from more than one licensed Florida embalmer, each instructor shall be required to certify the training, giving the dates during which instruction was given and the training activities engaged in by the intern under his supervision.

(3) One year of substantially full-time embalmer internship training shall be required to qualify the intern embalmer for licensure as an embalmer. Full-time shall be deemed and construed to mean training comprising of at least 40 hours a week for at least 50 weeks to be completed within a twelve month period.

(4) A person whose first registration for embalmer internship training is filed after graduation from mortuary college shall be permitted to serve in embalmer internship capacity only until he completes the one year of substantially full-time embalmer internship and until the date the results of the immediately subsequent licensure examination are mailed to applicants for licensure.

(5) If an intern fails to complete the intern training as stated in subsections (3) and (4), because of illness or personal injury, the Board shall permit the intern to reregister only for the period of time required to complete the one year of training.

(6) A member of the United States Armed Forces, such member's spouse, and a veteran of the United States Armed Forces who separated from service within 2 years preceding the application for licensure are exempt from the application fee and the initial unlicensed activity fee. The military record must show such member is currently in good standing or such veteran was honorably discharged.

Rulemaking Authority 497.103, 497.370 FS. Law Implemented 497.140, 497.368, 497.370, 497.371 FS. History–New 11-11-79, Amended 7-28-80, 8-10-83, 10-16-85, Formerly 21J-18.01, Amended 12-11-88, 11-15-92, Formerly 21J-18.001, Amended 1-8-95, 7-14-99, Formerly 61G8-18.001, Amended 1-5-17, 2-20-19.

69K-18.004 Intern Training Agencies.

(1) Funeral establishments which are in good standing and approved as training agencies by the Board as of June 30, 1979, shall continue as approved intern training agencies under this rule provision.

(2) Funeral establishments desiring to become registered as an intern training agency pursuant to Sections 497.370 and 497.375, F.S., shall submit an application for such approval to the Division on Form DFS-N1-1749, "Registration as a Training Agency," which is incorporated by reference in Rule 69K-1.001, F.A.C. The form is available on the Department's website at http://www.myfloridacfo.com/Division/funeralcemetery/.

(3) In order to be approved as an embalmer intern training agency, a funeral establishment shall have performed at least 40 embalming cases per year for each intern it is applying to train in order to demonstrate its ability to provide such embalmer interns with the necessary intern training and experience. In order to be approved as a funeral director intern training agency, a funeral establishment shall have performed at least 40 funeral services per year for each intern it is applying to train in order to demonstrate its ability to provide such funeral director interns with the necessary intern training and experience.

(4) Funeral establishments which are approved as embalmer intern training agencies shall provide at least the following training for embalmer interns:

(a) Handling and use of equipment, supplies and facilities of funeral establishments;

(b) Preparing bodies for embalming, including bathing, shaving, and setting of features;

(c) Embalming of bodies;

(d) Care of embalming instruments;

(e) Dressing and casketing of bodies;

(f) Preparation of bodies for shipment; and

(g) Study of applicable local and state rules relating to embalming.

(5) Funeral establishments which are approved as funeral director intern training agencies shall provide at least the following training for funeral director interns:

(a) Instruction and practical work experience in making funeral arrangements;

(b) Study of requirements of funerals for various religious denominations;

(c) Arranging and setting up of chapels, churches and other places for funeral services;

(d) Arranging and supervising of cortege;

(e) Arranging of liaisons with law enforcement officers, medical examiners and physicians;

(f) Study of applicable local, state and federal laws relating to funeral directing;

(g) Reserved;

(h) Determining of signs of death and the manner by which death may be determined;

(i) Instruction and practical experience in mortuary management and administration; and

(j) Preparation and filing of death certificates, burial permits and other documents.

(6) Training agencies which change location, without any change in ownership, shall continue to be approved training agencies without submitting any further application to the Department.

Rulemaking Authority 497.103, 497.370, 497.375 FS. Law Implemented 497.370, 497.375 FS. History–New 11-11-79, Formerly 21J-18.04, Amended 5-24-89, 5-19-91, Formerly 21J-18.004, 61G8-18.004, Amended 3-16-17.