

HOUSE BILL NO. 209

Introduced: 01/13/83

Referred to Committee on Human Services: 01/13/83

Hearing: 1/31/83

Report: 02/05/83, Do Not Pass

Bill Killed: 02/07/83

House BILL NO. 209

INTRODUCED BY

*Reyes (Ansel), Hamilton, Bengtson, Holliday, McCallum, Selmer, Phillips, Tisdell*

A BILL FOR AN ACT ENTITLED: "AN ACT TO REQUIRE THE BOARD OF MORTICIANS TO ADOPT RULES ALLOWING UNLICENSED MORTUARY EMPLOYEES TO DISTRIBUTE PREPARED LISTS OF FUNERAL SERVICES AND COSTS; PREVENTING THE BOARD FROM REQUIRING CONTINUING EDUCATION FOR CERTAIN PART-TIME PRACTITIONERS OF MORTUARY SCIENCE; AMENDING SECTIONS 37-19-315 AND 37-19-316; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

Section 1. Section 37-19-315, MCA, is amended to read:

"37-19-315. Funeral costs — rules on disclosure. ~~(1)~~

The board shall adopt rules requiring mortuaries to disclose in writing to all customers a complete itemized list of all funeral costs and complete information regarding the need for embalming.

~~(2) The rules adopted by the board shall allow unlicensed mortuary employees, prior to a determination by a customer as to the mortuary services he desires, to:~~

~~(a) distribute to the customer a prepared list of prices for mortuary, funeral, and other services and merchandise available from the mortuary; and~~

~~(b) identify for the customer, as nearly as possible,~~

~~funeral-related services and merchandise available from other businesses."~~

Section 2. Section 37-19-316, MCA, is amended to read:

"37-19-316. Continuing education requirements. The board may in its discretion establish by rule continuing education programs and continuing education requirements. Compliance with continuing education requirements may be used as a condition of continued licensure. In adopting rules and individual orders regarding continuing education, the board ~~in its discretion~~:

(1) may use or rely upon guidelines and pronouncements of recognized educational and professional associations;

(2) may prescribe the content, duration, and organization of courses;

(3) shall take into account the accessibility to applicants of such continuing education as it may require; and

(4) shall avoid any impediments to interstate practice that may result from differences in continuing education requirements in other states; and

~~(5) may not require continuing education for any person who has been in the business of mortuary science for 20 years or longer, is over 60 years of age, and does not practice mortuary science on a full-time basis."~~

NEW SECTION. Section 3. Effective date. This act is

1 effective on passage and approval.

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