

LEGISLATURE OF NEBRASKA
ONE HUNDRED SEVENTH LEGISLATURE
SECOND SESSION

LEGISLATIVE BILL 704

Introduced by Williams, 36.

Read first time January 05, 2022

Committee: Health and Human Services

- 1 A BILL FOR AN ACT relating to public health and welfare; to amend
2 sections 38-1414 and 38-1416, Reissue Revised Statutes of Nebraska;
3 to change education requirements for funeral directing and embalming
4 licensure; to eliminate reporting requirements relating to caskets;
5 to harmonize provisions; to repeal the original sections; and to
6 outright repeal section 71-609, Reissue Revised Statutes of
7 Nebraska.
8 Be it enacted by the people of the State of Nebraska,

1 Section 1. Section 38-1414, Reissue Revised Statutes of Nebraska, is
2 amended to read:

3 38-1414 (1) The department shall issue a single license to practice
4 funeral directing and embalming to applicants who meet the requirements
5 of this section. An applicant for a license as a funeral director and
6 embalmer shall:

7 (a) Present satisfactory proof that the applicant has earned the
8 equivalent of forty ~~sixty~~ semester hours of college credit in addition to
9 a full course of instruction in an accredited school of mortuary science.
10 Such hours shall include the equivalent of (i) six semester hours of
11 English, (ii) twelve ~~six~~ semester hours of business accounting, (iii)
12 four ~~eight~~ semester hours of chemistry, (iv) twelve semester hours of a
13 biological science relating to the human body, and (v) six semester hours
14 of psychology or counseling; and

15 (b) Present proof to the department that he or she has completed the
16 following training:

17 (i) A full course of instruction in an accredited school of mortuary
18 science;

19 (ii) A twelve-month apprenticeship under the supervision of a
20 licensed funeral director and embalmer practicing in the State of
21 Nebraska, which apprenticeship shall consist of arterially embalming
22 twenty-five bodies and assisting with twenty-five funerals; and

23 (iii) Successful completion of the licensure examination approved by
24 the board.

25 (2) Any person holding a valid license as an embalmer on January 1,
26 1994, may continue to provide services as an embalmer after such date.
27 Upon expiration of such valid license, the person may apply for renewal
28 thereof, and the department shall renew such license to practice
29 embalming.

30 (3) Any person holding a valid license as a funeral director on
31 January 1, 1994, may continue to provide services as a funeral director

1 after such date. Upon expiration of such valid license, the person may
2 apply for renewal thereof, and the department shall renew such license to
3 practice funeral directing.

4 Sec. 2. Section 38-1416, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 38-1416 (1) Before beginning an apprenticeship, an applicant shall
7 apply for an apprentice license. The applicant shall show that he or she
8 has completed twenty ~~thirty-nine~~ of the forty ~~sixty~~ hours required in
9 subdivision (1)(a) of section 38-1414. The applicant may complete the
10 twelve-month apprenticeship in either a split apprenticeship or a full
11 apprenticeship as provided in this section.

12 (2) A split apprenticeship shall be completed in the following
13 manner:

14 (a) Application for an apprentice license to complete a six-month
15 apprenticeship prior to attending an accredited school of mortuary
16 science, which license shall be valid for six months from the date of
17 issuance and shall not be extended by the board. The apprenticeship shall
18 be completed over a continuous six-month period;

19 (b) Successful completion of a full course of study in an accredited
20 school of mortuary science;

21 (c) Successful passage of the national standardized examination; and

22 (d) Application for an apprentice license to complete the final six-
23 month apprenticeship, which license shall be valid for six months from
24 the date of issuance and shall not be extended by the board. The
25 apprenticeship shall be completed over a continuous six-month period.

26 (3) A full apprenticeship shall be completed in the following
27 manner:

28 (a) Successful completion of a full course of study in an accredited
29 school of mortuary science;

30 (b) Successful passage of the national standardized examination; and

31 (c) Application for an apprentice license to complete a twelve-month

1 apprenticeship. This license shall be valid for twelve months from the
2 date of issuance and shall not be extended by the board. The
3 apprenticeship shall be completed over a continuous twelve-month period.

4 (4) An individual registered as an apprentice on December 1, 2008,
5 shall be deemed to be licensed as an apprentice for the term of the
6 apprenticeship on such date.

7 Sec. 3. Original sections 38-1414 and 38-1416, Reissue Revised
8 Statutes of Nebraska, are repealed.

9 Sec. 4. The following section is outright repealed: Section 71-609,
10 Reissue Revised Statutes of Nebraska.