

WEST VIRGINIA LEGISLATURE

2024 REGULAR SESSION

Introduced

House Bill 5433

By Delegate Horst

[Introduced February 02, 2024; Referred to the
Committee on Government Organization]

1 A BILL to amend and reenact §30-6-8 and §30-6-9 of the Code of West Virginia, 1931, as
 2 amended, relating to modifying the education and apprenticeship requirements to obtain a
 3 license for funeral directors and embalmers.

Be it enacted by the Legislature of West Virginia:

ARTICLE 6. BOARD OF FUNERAL SERVICE EXAMINERS.

§30-6-8. Embalmer license requirements.

1 The board shall issue a license to practice embalming to an applicant who:

2 (a) Is free of a felony conviction bearing a rational nexus to the profession pursuant to §30-
 3 1-24 of this code;

4 (b) Is 18 years of age or over;

5 (c) Is a citizen of the United States or is eligible for employment in the United States;

6 (d) Has a high school diploma or its equivalent;

7 ~~(e) Has completed one of the following education requirements, as evidenced by a~~
 8 ~~transcript submitted to the board for evaluation:~~

9 ~~(1)(A) Has an associate degree from an accredited college or university; or~~

10 ~~(2) Has successfully completed at least 60 semester hours or 90 quarter hours of~~
 11 ~~academic work in an accredited college or university toward a baccalaureate degree with a~~
 12 ~~declared major field of study; and~~

13 ~~(3) Has graduated from a school of mortuary science, accredited by the American Board of~~
 14 ~~Funeral Service Education, Inc., which requires as a prerequisite to graduation the completion of a~~
 15 ~~course of study of not less than 12 months; or~~

16 ~~(B) Has a bachelor degree in mortuary science from an accredited college or university;~~

17 (e) Has graduated from a school of mortuary science, accredited by the American Board of
 18 Funeral Service Education, Inc., which requires as a prerequisite to graduation the completion of a
 19 course of study of not less than 12 months;

20 (f) Has completed a one-year apprenticeship:

21 (A) Under the supervision of a licensed embalmer and funeral director actively and lawfully
 22 engaged in the practice of embalming and funeral directing in this state; ~~which apprenticeship~~
 23 ~~consisted of or~~

24 (B) For a mortuary school for embalmers.

25 ~~(1) Diligent attention to the work in the course of regular and steady employment and not~~
 26 ~~as a side issue to another employment; and~~

27 ~~(2) The apprentice taking an active part in:~~

28 ~~(A) The operation of embalming not less than 35 dead human bodies; and~~

29 ~~(B) Conducting not less than 35 funeral services~~

30 (g) Passes, with an average score of not less than 75 percent, the following examinations:

31 (1) The International Conference of Funeral Service Examining Boards examination at a
 32 testing site provided by the national conference, which passage is a condition precedent to taking
 33 the state law examination;

34 (2) The West Virginia Laws, Rules, and Regulations Examination, administered by the
 35 International Conference of Funeral Service Examining Boards; and

36 (3) Any other examination required by the board; and

37 (h) Has paid all the appropriate fees.

38 A license to practice embalming issued by the board prior to July 1, 2012, shall for all
 39 purposes be considered a license issued under this section: *Provided*, That a person holding a
 40 license issued prior to July 1, 2012, must renew the license pursuant to the provisions of this
 41 article.

§30-6-9. Funeral director license requirements.

1 (a) The board shall issue a license to practice funeral directing to an applicant who meets
 2 the following requirements:

3 (1) ~~Completed a bachelor's degree from an accredited institution~~ Has successfully
 4 completed a program of study in Funeral Services Education consisting of not less than 30 hours

5 from a school accredited by the American Board of Funeral Service Education and evidenced by
6 an official transcript; and

7 (2) Either completed a two-year apprenticeship under the supervision of a licensee in
8 charge or an active licensed funeral director; ~~and~~ or completed a one-year apprenticeship with a
9 mortuary school.

10 (3) Has paid all the appropriate fees; and

11 ~~(b) The two-year apprenticeship must consist of the following work:~~

12 ~~(1) Diligent attention to the work in the course, or regular and steady employment, and not~~
13 ~~as a side issue to another employment;~~

14 ~~(2) Conducting not less than 35 disposition arrangements for individuals;~~

15 ~~(3) Conducting not less than 35 funeral and/or memorial services; and~~

16 (4) Passes with an average score of not less than 75 percent, the West Virginia Laws,
17 Rules, and Regulations Examination.

18 ~~(e)(b)~~ A license to practice funeral directing issued by the board prior to July 1, 2002, shall
19 for all purposes be considered a license issued under this section: *Provided*, That a person holding
20 a license issued prior to July 1, 2022, must renew the license pursuant to the provisions of this
21 article.

NOTE: The purpose of this bill is to modify the education and apprenticeship requirements to obtain a license for funeral directors and embalmers.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.