

CHAPTER 25-02-02 LICENSURE OF FUNERAL PRACTITIONERS

Section

25-02-02-01	Application for License
25-02-02-02	Qualifications for Licensure
25-02-02-03	Examination for Licensure
25-02-02-04	License Renewal, Late Renewal [Repealed]
25-02-02-04.1	License Renewals
25-02-02-05	Licensure by Reciprocity
25-02-02-06	Intern Embalmer
25-02-02-06.1	Internship Requirements
25-02-02-07	Prohibited Acts [Repealed]
25-02-02-08	Exception from Licensure [Repealed]

25-02-02-01. Application for license.

An application for license to practice funeral service shall be made on a form provided by the board. The application shall contain the person's full name, age, place of residence, recent photograph, and any other information required by the board. The application shall be accompanied by a fee of one hundred dollars, the required transcripts, and affidavits of at least two reputable residents of the county in which the applicant resides or proposes to engage in the practice of funeral service to the effect that the applicant is of good moral character.

History: Amended effective March 1, 1985; May 1, 1993; May 1, 1998; April 1, 2005; January 1, 2015.

General Authority: NDCC 43-10-05

Law Implemented: NDCC 43-10-11, 43-10-13

25-02-02-02. Qualifications for licensure.

To qualify for a license to practice funeral service, the applicant shall meet all of the following requirements:

1. Be of good moral character.
2. Furnish evidence of successful completion of an accredited four-year high school course of study.
3. Furnish evidence of satisfactory completion of at least two years of accredited college or university course of study in addition to the education required by subsection 4. For purposes of this subsection, two years means a minimum of sixty semester hours or a minimum of ninety quarter hours.
4. Show evidence of graduation from an accredited college of mortuary science.
5. Have successfully completed all required examinations.
6. Demonstrate completion of an approved internship.
7. Demonstrate to a funeral practitioner proficiency in the art of embalming. Final embalming report to indicate by affidavit signed by a funeral practitioner that the applicant is proficient in embalming.

History: Amended effective April 1, 1979; July 1, 1983; March 1, 1985; May 1, 1993; May 1, 1998; January 1, 2015.

General Authority: NDCC 43-10-05

Law Implemented: NDCC 43-10-11, 43-10-12, 43-10-13

25-02-02-03. Examination for licensure.

1. To be licensed, an applicant shall pass the national board examination offered by the international conference of funeral service examining boards and the North Dakota laws and rules examination.
2. The North Dakota laws and rules examination is administered by the division of vital records, North Dakota state department of health, state capitol, 600 east boulevard, Bismarck, ND 58505. The time of examination is arranged by the applicant and the division. The board shall issue a card indicating the eligibility of the applicant to take the examination.

History: Amended effective April 1, 1979; May 1, 1993; May 1, 1998; January 1, 2015.

General Authority: NDCC 43-10-05

Law Implemented: NDCC 43-10-11, 43-10-12, 43-10-13, 43-10-14, 43-10-15.1

25-02-02-04. License renewal, late renewal.

Repealed effective January 1, 2015.

25-02-02-04.1. License renewals.

1. Licenses expire after December thirty-first of every year.
2. Licenses may be renewed by December thirty-first by submitting a renewal application and a renewal fee of one hundred dollars, provided the funeral practitioner's license is not revoked or grounds for denial under North Dakota Century Code section 43-10-16 do not exist.
3. If the renewal application and renewal fee are not received by December thirty-first, the license expires and the funeral practitioner may not practice funeral service.
4. For thirty days after expiration, an expired license may be renewed by submitting the renewal application and renewal fee.
5. For two years after expiration, an expired license may be renewed by submitting the renewal application, renewal fee, and a late fee of one hundred fifty dollars.
6. If an expired license is not renewed within two years after expiration, an expired license may be renewed by submitting the renewal application, renewal fee, and late fee and passing the North Dakota laws and rules examination.

History: Effective January 1, 2015.

General Authority: NDCC 43-10-05

Law Implemented: NDCC 43-10-10, 43-10-15, 43-10-15.1, 43-10-16

25-02-02-05. Licensure by reciprocity.

1. An applicant, licensed in good standing in another jurisdiction to practice embalming and funeral directing, may be licensed if the requirements for licensure in the other jurisdiction are at least as stringent as the requirements in North Dakota.
2. The applicant shall pay a fee of one hundred dollars.
3. The applicant shall pass the North Dakota laws and rules examination.

History: Amended effective July 1, 1983; March 1, 1985; May 1, 1993; May 1, 1998; January 1, 2015.

General Authority: NDCC 43-10-05

Law Implemented: NDCC 43-10-14

25-02-02-06. Intern embalmer.

1. **Application.** The application for registration as an intern embalmer shall be made upon a form approved by the board and verified by the applicant and accompanied by a fee of fifty dollars. The application shall include the name and home address of the intern embalmer, the date the internship begins, and the name, license number, and business address of the supervising funeral practitioner. The registration is valid for one year and may be renewed by filing a renewal application with the board and by payment of the renewal fee of twenty-five dollars. The registration may not be renewed more than three times. A registered intern embalmer must notify the board within thirty days if he/she withdraws from the internship.
2. **Qualifications.** In order to qualify as an intern embalmer, the applicant shall meet all the following requirements:
 - a. Be eighteen years of age.
 - b. Be of good moral character.
 - c. Furnish evidence of having completed an accredited four-year high school course of study.
 - d. Furnish evidence of completion of one year of accredited college or university studies, or provide proof of substantial completion, as determined by the board, of one year accredited college or university studies. For purposes of this subdivision only, one year means thirty semester hours or forty-five quarter hours.
3. **Certification.** The state board of funeral service shall pass upon every intern embalmer application at its regular meeting.
4. **Intern embalmer register.** The executive secretary of the board shall keep a separate register for intern embalmers.
5. **Lapsed certificate.** In case an intern embalmer has allowed the certificate of registration to lapse for thirty days or more, no reregistration shall be permitted so as to make the intern embalmer's registration continuous from the date of the intern embalmer's original registration.
6. **Monthly report.** Each registered intern embalmer shall submit a report to the executive secretary of the board by the fifteenth of the month stating all cases in which the intern embalmer has assisted during the preceding month. This report is to be made on forms furnished by the board. Reports must be signed by the supervising funeral practitioner. Ten reports of funeral arrangements and funeral services must be submitted during the final six months of internship.

History: Amended effective April 1, 1979; July 1, 1983; May 1, 1993; May 1, 1998; January 1, 2015; October 1, 2018.

General Authority: NDCC 43-10-05

Law Implemented: NDCC 43-10-01, 43-10-15.4, 43-10-15.5

25-02-02-06.1. Internship requirements.

1. Intern embalmers may only practice funeral service under the direct supervision of a North Dakota funeral practitioner.
2. An intern embalmer may be registered under only one funeral practitioner at any given time and may be directed and supervised only by the funeral practitioner. A funeral practitioner shall have only one registered intern embalmer working for the funeral practitioner at any given time.

3. While under the direct and exclusive supervision of a North Dakota funeral practitioner, the intern embalmer must actively participate in the embalming of at least twenty-five dead human bodies and in the arrangements or the direction of at least ten funerals.

History: Effective May 1, 1998.

General Authority: NDCC 43-10-05

Law Implemented: NDCC 43-10-15.4

25-02-02-07. Prohibited acts.

Repealed effective May 1, 1998.

25-02-02-08. Exemptions from licensure.

Repealed effective May 1, 1998.