

Date: (Filing No. H-)

INNOVATION, DEVELOPMENT, ECONOMIC ADVANCEMENT AND BUSINESS

Reproduced and distributed under the direction of the Clerk of the House.

STATE OF MAINE HOUSE OF REPRESENTATIVES 129TH LEGISLATURE FIRST REGULAR SESSION

COMMITTEE AMENDMENT " " to H.P. 500, L.D. 679, Bill, "An Act Regarding the Licensing of Funeral Practitioners"

Amend the bill by striking out everything after the enacting clause and inserting the following:

'Sec. 1. 32 MRSA §1501-B, as enacted by PL 2015, c. 246, §1, is repealed.

Sec. 2. 32 MRSA §1501-C is enacted to read:

§1501-C. Licensing of out-of-state licensees

1. Issuance of licenses. The board may issue a license to an applicant who holds an active and unrestricted license to practice funeral service in another state, the license requirements of which are substantially similar to the license requirements under this chapter and board rules, as long as the licensee has not been subjected to disciplinary action under that license.

2. Rulemaking. The board shall adopt rules to implement and administer the provisions of this section, including rules that define substantially similar license requirements. Rules adopted pursuant to this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter 2-A.

Sec. 3. 32 MRSA §1506, sub-§§2 and 3, as enacted by PL 1991, c. 117, §1, are amended to read:

2. Requirements. As a prerequisite to renewal on or after January 1, 1993 of any license subject to this subchapter, licensees must A licensee shall complete 12 hours of continuing education within 2 years prior to the date of renewal in programs or courses approved by the board. The board may, for good cause shown, grant an extension of time to any person to allow that person to comply with this subchapter. No more than 6 of the 12 hours may be completed through online or distance learning programs.

1 **3. Program approval.** ~~Each application for approval of a continuing education~~
2 ~~program must be submitted according to the guidelines prescribed by the board.~~ The
3 board may establish by rule criteria for the review and approval of courses and for the
4 determination of the number of continuing education hours to be credited for completion
5 of each course or program.'

6 **SUMMARY**

7 This amendment strikes and replaces the bill.

8 This amendment repeals the temporary licensure process for an individual with an
9 out-of-state license to practice funeral service. The amendment removes the term
10 "permanent" from the language describing the issuance of a license to an applicant with
11 an out-of-state license and also removes a clause exempting such a license from annual
12 renewal. The amendment adds language stating that the license of the out-of-state
13 licensee must be active, unrestricted and without disciplinary action. The amendment
14 requires the State Board of Funeral Service to adopt rules to implement the section
15 describing the issuance of a license to an out-of-state licensee, and specifically requires
16 that rules define what constitutes substantially similar license requirements. The
17 amendment also changes the continuing education requirements to allow for 6, rather
18 than 8 hours to be conducted remotely, and removes the requirement that all continuing
19 education programs be approved by the board.