

STATEMENT OF SCOPE

FUNERAL DIRECTORS EXAMINING BOARD

Rule No.: FD 4

Relating to: Continuing Education Requirements

Rule Type: Permanent

1. Finding/nature of emergency (Emergency Rule only):

N/A

2. Detailed description of the objective of the proposed rule:

The objective of this rule revision is to modernize continuing education requirements for funeral directors.

3. Description of the existing policies relevant to the rule, new policies proposed to be included in the rule, and an analysis of policy alternatives:

Under s. 445.06, Stats., every funeral director is required to complete at least 15 hours of continuing education during each two-year licensure period, except that new licensees are exempt from this requirement during the time between initial licensure and commencement of a full two-year licensure period.

Chapter FD 4 establishes the number of hours that must be completed in specific subject areas, the number of allowable “non-contact home study programs,” procedures for funeral directors to obtain credit for completion of continuing education courses, and procedures for providers to receive approval of continuing education programs. The rule also establishes qualifications for continuing education instructors and creates procedures for exempting funeral directors from continuing education requirements if they become inactive in their professional practice.

The primary goal of this rule revision is to modernize the rule. Many of the provisions in the rule were first established in 1986 and have not been substantially revised since then. Terminology, particularly regarding “home-study” continuing education programs, may not sufficiently accommodate new methods such as online courses for delivering continuing education classes. The revision will review the required continuing education subject areas to ensure the rule reflects current practice for providing continuing education to funeral directors. The revision will review other provisions of the rule, as needed, to ensure the rule reflects current best practice.

Without this revision, FD 4 will continue to use obsolete language and may not reflect current practice in the delivery and content of continuing education courses for funeral directors.

4. Detailed explanation of statutory authority for the rule (including the statutory citation and language):

15.08 (5) (b), Stats.- Each examining board shall promulgate rules for its own guidance and for the guidance of the trade or profession to which it pertains, and define and enforce professional conduct and unethical practices not inconsistent with the law relating to the particular trade or profession.

445.03 (2) (a), Stats.- The examining board may make and enforce rules not inconsistent with this chapter establishing professional and business ethics for the profession of funeral directors and for the general conduct of the business of funeral directing, and for the examination and licensing of funeral directors and the registration of apprentices.

5. Estimate of amount of time that state employees will spend developing the rule and of other resources necessary to develop the rule :

240 hours

6. List with description of all entities that may be affected by the proposed rule :

Funeral Director licensees.

7. Summary and preliminary comparison with any existing or proposed federal regulation that is intended to address the activities to be regulated by the proposed rule :

None

8. Anticipated economic impact of implementing the rule (note if the rule is likely to have a significant economic impact on small businesses):

None to minimal. The rule is not likely to have a significant economic impact on small businesses.

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