

# STATEMENT OF SCOPE

## Funeral Directors Examining Board

**Rule No.:** FD 1

**Relating to:** Certification courses for funeral director apprentices.

**Rule Type:** Both Permanent and Emergency

### 1. Finding/nature of emergency:

The Covid-19 epidemic has severely restricted the ability of funeral director apprentice applicants to complete their 16-hour required certification course in an "in-person" format as required by administrative rule. Given the shortage of funeral director practitioners in Wisconsin, it is necessary to facilitate the certification of new apprentices. Therefore, the Funeral Directors Examining Board seeks to temporarily repeal the administrative rule provision requiring the course be completed in-person at least until in-person instruction becomes possible once again.

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

Due to the difficulty surrounding in-person instruction during the Covid-19 epidemic, the objective of the rule is to repeal the requirement that the 16-hour certification course for funeral director apprentices include in-person instruction.

### 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:

The Funeral Directors Examining Board seeks to pursue a rule change that would allow remote instruction for the 16-hour course required for certification as a funeral director apprentice. Given the nature of the Covid-19 epidemic, in-person instruction is not desirable or possible for many applicants and course providers.

The alternative of not implementing this rule would be to deprive funeral director apprentice applicants of certification due to not being able to meet the in-person instruction requirement of the 16-hour certification course.

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

Section 15.08 (5) (b), Stats., "[e]ach 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."

Section 227.11 (2) (a), Stats., "[e]ach agency may promulgate rules interpreting the provisions of any statute enforced or administered by the agency, if the agency considers it necessary to effectuate the purpose of the statute.."

Section 445.03 (2), Stats., "[t]he examining board may: (a) 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 examining and licensing of funeral directors and the registration of apprentices.

(b) Grant licenses to funeral directors, certificates of registration to apprentices, and permits to operators of funeral establishments...”

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

80 hours.

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

Funeral directors, funeral director apprentice certification applicants, and providers of the 16-hour certification course.

**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:**

The proposed rule will have minimal to no economic impact on small businesses and the state's economy as a whole.

**Contact Person:** Jon Derenne, Administrative Rules Coordinator, (608) 266-0955.

Approved for Publication

---

Chairperson

---

Date Submitted