

2015 Regular Session

HOUSE BILL NO. 554

BY REPRESENTATIVE RITCHIE

Prefiled pursuant to Article III, Section 2(A)(4)(b)(i) of the Constitution of Louisiana.

FUNERALS & FUNERAL HOMES: Provides relative to licensed embalmers and funeral directors and related funeral establishments

1 AN ACT

2 To amend and reenact R.S. 37:831(introductory paragraph) and (10) and (44) and 842(F)(1)  
3 through (3), relative to state licensed embalmers and funeral directors; to provide for  
4 definitions relative to branch and funeral establishments; to provide for authorized  
5 embalming performed by supervised registered interns; to require a minimum  
6 number of caskets in display rooms of funeral establishments; to provide with  
7 respect to funeral establishment management; and to provide for related matters.

8 Be it enacted by the Legislature of Louisiana:

9 Section 1. R.S. 37:831(introductory paragraph) and (10) and (44) and 842(F)(1)  
10 through (3) are hereby amended and reenacted to read as follows:

11 §831. Definitions

12 For purposes of this Chapter and implementation thereof, the following terms  
13 shall have the meaning as defined herein, unless the context clearly indicates  
14 otherwise:

15 \* \* \*

16 (10) "Branch establishment" means ~~an auxiliary facility or division of a main~~  
17 ~~funeral establishment licensed under the provisions of this Chapter and used for the~~  
18 ~~care, embalming, or disposition of dead human bodies~~ a licensed funeral  
19 establishment devoted to or used in the care of the body of a deceased person, or

1 maintained or held out to the public, by advertising or otherwise, as the office or  
2 place for the practice of funeral directing. Ownership of the branch is identical to  
3 the ownership of the main funeral establishment controlling the branch, and such  
4 establishment can practically be served by the licensed personnel of the main  
5 establishment.

6 \* \* \*

7 (44) "Funeral establishment" means any place or premises duly licensed by  
8 the board and devoted to or used in the care and preparation for ~~burial~~ disposition of  
9 the body of a deceased person or maintained or held out to the public by advertising  
10 or otherwise as the office or place for the practice of funeral directing.

11 \* \* \*

12 §842. Minimum qualifications for license

13 \* \* \*

14 F. Any establishment where the business of funeral directing or embalming  
15 as defined in R.S. 37:831 is conducted within this state shall be duly licensed. An  
16 establishment shall be qualified to be licensed to operate as such if it meets all of the  
17 following requirements:

18 (1) It is managed or is to be managed by a funeral director holding a valid  
19 license, other than a temporary license, from the state of Louisiana. The funeral  
20 director shall manage the establishment on a full-time basis and funeral directing  
21 shall be his principal occupation.

22 (2) Embalming is performed only by an embalmer and funeral director  
23 holding a valid license from the state of Louisiana or a registered intern under the  
24 supervision of a state-licensed embalmer and funeral director.

25 (3)(a) It is found, after proper investigation to meet the requirements  
26 established by the board with respect to all of the following:

27 (i) ~~licensed personnel~~; Licensed personnel, including those working under  
28 the authority of a temporary license.

- 1           (ii) ~~registered~~ Registered interns, ~~and those working under the authority of~~
- 2           a temporary license,;
- 3           (iii) ~~embalming~~ Embalming facilities for the sanitation, disinfection, and
- 4           preparation of a human body,;
- 5           (iv) ~~adequate~~ Adequate buildings,;
- 6           (v) ~~display~~ Display rooms for displaying funeral merchandise consisting of,
- 7           but not limited to a minimum of six adult caskets of a variety of styles and quality.
- 8           (vi) Other necessary facilities, furnishings, ~~or~~ and equipment ~~and other~~
- 9           necessary facilities to adequately serve the public.
- 10          (b) The embalming facilities and display rooms described in this Paragraph
- 11          are required in every funeral establishment that is not a branch establishment.

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DIGEST

The digest printed below was prepared by House Legislative Services. It constitutes no part of the legislative instrument. The keyword, one-liner, abstract, and digest do not constitute part of the law or proof or indicia of legislative intent. [R.S. 1:13(B) and 24:177(E)]

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HB 554 Original

2015 Regular Session

Ritchie

**Abstract:** Provides relative to embalmers and funeral directors and related establishments.

Present law defines a "branch establishment" as an auxiliary facility or division of a main funeral establishment licensed pursuant to present law and used for the care, embalming, or disposition of dead human bodies.

Proposed law defines a "branch establishment" as a licensed funeral establishment devoted to or used in the care of a deceased person's body, or maintained or publically advertised as the office or place for the practice of funeral directing. Further provides that branch ownership is identical to the ownership of the main funeral establishment controlling it, and such branch can practically be served by the licensed personnel of the main establishment.

Present law defines a "funeral establishment" as any place or premises duly licensed and devoted to or used in the care and preparation for burial of a deceased person's body, or maintained or publically advertised as the office or place for the practice of funeral directing. Proposed law changes the term "burial" to "disposition" but otherwise retains present law.

Present law requires an establishment conducting the business of funeral directing or embalming to be managed by a funeral director holding a valid license in the state of La. Proposed law retains present law and excludes a temporary license as such valid license.

Present law requires an establishment conducting the business of funeral directing or embalming to perform embalming only by an embalmer and funeral director holding a valid license in the state of La. Proposed law retains present law and authorizes a registered intern, supervised by a state licensed embalmer and funeral director, to perform embalming.

Present law provides for an establishment conducting the business of funeral directing or embalming to meet certain personnel and facility requirements. Proposed law retains present law but adds the requirement for display rooms of such establishments to display funeral merchandise consisting of, but not limited to, a minimum of 6 adult caskets of a variety of styles and quality.

Proposed law requires embalming facilities and display rooms described in present law and proposed law to be in every funeral establishment that is not a branch establishment.

(Amends R.S. 37:831(intro. para.) and (10) and (44) and 842(F)(1)-(3))