

ASSEMBLY BILL NO. 437—COMMITTEE
ON COMMERCE AND LABOR

(ON BEHALF OF THE SUNSET SUBCOMMITTEE
OF THE LEGISLATIVE COMMISSION)

MARCH 26, 2021

Referred to Committee on Government Affairs

SUMMARY—Revises provisions relating to embalming.
(BDR 54-513)

FISCAL NOTE: Effect on Local Government: No.
Effect on the State: No.

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EXPLANATION – Matter in *bolded italics* is new; matter between brackets ~~omitted material~~ is material to be omitted.

AN ACT relating to embalming; revising the qualifications for certain certificates and licenses issued by the Nevada Funeral and Cemetery Services Board; authorizing certain students to enter into a room in a funeral home or mortuary where dead bodies are being embalmed; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law requires an applicant for a license to practice the profession of embalming to have completed 2 academic years of instruction at a college or university by taking a certain number of credit hours. (NRS 642.080) **Section 9** of this bill authorizes an applicant for such a license to apply credits earned at an embalming college or school of mortuary science, toward this requirement. **Section 9.6** of this bill makes a conforming change as a result of the change in this requirement. Existing law also requires an applicant for a license to practice the profession of embalming to have completed 12 months of instruction in an accredited embalming college or school of mortuary science. (NRS 642.080) **Section 9** instead requires that an applicant for such a license must have graduated from such a college or school. **Section 10** of this bill makes a conforming change as a result of the change in this requirement.

Existing law provides for the issuance of a license by reciprocity to practice the profession of embalming to an applicant who has practiced embalming successfully for at least 5 years and practiced actively for 2 years immediately preceding the application for license by reciprocity. (NRS 642.100) **Section 9.3** of this bill revises this requirement to instead require an applicant for such a license to have practiced



successfully for at least 5 years and practiced actively for at least 2 years of the 5 year period immediately preceding the application for such a license.

Existing law prohibits a funeral director, funeral arranger or embalmer from permitting any person to enter into any room in any funeral home or mortuary where dead bodies are being embalmed, except licensed embalmers and their assistants, funeral directors, funeral arrangers, certain public officers and attending physicians and their assistants, unless by direct permission of the immediate family of the deceased. (NRS 642.560) **Section 11** of this bill authorizes a student enrolled in an accredited embalming college or school of mortuary science to enter such rooms without the express permission of the immediate family of the deceased.

THE PEOPLE OF THE STATE OF NEVADA, REPRESENTED IN
SENATE AND ASSEMBLY, DO ENACT AS FOLLOWS:

Section 1. (Deleted by amendment.)

Sec. 2. (Deleted by amendment.)

Sec. 3. (Deleted by amendment.)

Sec. 4. (Deleted by amendment.)

Sec. 5. (Deleted by amendment.)

Sec. 6. (Deleted by amendment.)

Sec. 7. (Deleted by amendment.)

Sec. 8. (Deleted by amendment.)

Sec. 9. NRS 642.080 is hereby amended to read as follows:

642.080 Except as otherwise provided in NRS 642.100, an applicant for a license to practice the profession of embalming in the State of Nevada shall:

1. Have attained the age of 18 years.

2. Be of good moral character.

3. Be a high school graduate and have completed 2 academic years of instruction by taking 60 semester or 90 quarter hours at an accredited college or university. ~~[Credits earned at an embalming college or school of mortuary science do not fulfill this requirement.]~~

4. ~~[Have completed 12 full months of instruction in]~~ *Be a graduate* of an embalming college or school of mortuary science which is accredited by the American Board of Funeral Service Education and approved by the Board, and have not less than 1 year's practical experience under the supervision of an embalmer licensed in the State of Nevada.

5. Have actually embalmed at least 50 bodies under the supervision of a licensed embalmer prior to the date of application.

6. Present to the Board affidavits of at least two reputable residents of the county in which the applicant proposes to engage in the practice of an embalmer to the effect that the applicant is of good moral character.



1 **Sec. 9.3.** NRS 642.100 is hereby amended to read as follows:
2 642.100 Reciprocity may be arranged by the Board if an
3 applicant:

4 1. Is a graduate of an embalming college or a school of
5 mortuary science which is accredited by the American Board of
6 Funeral Service Education and approved by the Board;

7 2. Is licensed as an embalmer in another state;

8 3. Has practiced embalming successfully for at least 5 years
9 and practiced actively for *at least 2 years of the 5 year period*
10 immediately preceding the application for a license by reciprocity;

11 4. Is of good moral character;

12 5. Has passed the examination given by the Board on the
13 subjects set forth in subsection 5 of NRS 642.090 or the national
14 examination given by the International Conference of Funeral
15 Service Examining Boards;

16 6. Possesses knowledge of the applicable statutes and
17 regulations of this State governing embalmers; and

18 7. Pays to the Secretary of the Board the fees prescribed in
19 NRS 642.0696.

20 **Sec. 9.6.** NRS 642.200 is hereby amended to read as follows:

21 642.200 1. Each applicant for a certificate of registration as a
22 registered apprentice shall furnish proof that he or she is a high
23 school graduate and has completed 2 academic years of instruction
24 by taking 60 semester or 90 quarter hours at an accredited college or
25 university. ~~{Credits earned at an embalming college or a school of~~
26 ~~mortuary science do not fulfill this requirement.}~~

27 2. Such proof must be furnished before the applicant may be
28 issued a certificate of registration as a registered apprentice.

29 **Sec. 10.** NRS 642.330 is hereby amended to read as follows:

30 642.330 1. Before a registered apprentice may take the
31 examination for a license to practice the profession of embalming
32 pursuant to NRS 642.090, the registered apprentice must have
33 ~~{completed instruction in}~~ *graduated from* an accredited and
34 approved embalming college or school of mortuary science, as
35 prescribed by NRS 642.080.

36 2. A registered apprentice may take the examination for a
37 license to practice the profession of embalming pursuant to NRS
38 642.090 before the registered apprentice has completed the required
39 1 year of apprenticeship.

40 **Sec. 11.** NRS 642.560 is hereby amended to read as follows:

41 642.560 No funeral director, funeral arranger or embalmer may
42 permit any person to enter any room in any funeral home or
43 mortuary where dead bodies are being embalmed, except licensed
44 embalmers and their assistants, funeral directors, funeral arrangers,
45 public officers in the discharge of their official duties, *students*



- 1 *enrolled in an accredited embalming college or school of mortuary*
- 2 *science*, and attending physicians and their assistants, unless by
- 3 direct permission of the immediate family of the deceased.

