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**From:** Richards, Lucy **On Behalf Of** DLI BSD Funeral Service  
**Sent:** Wednesday, March 13, 2019 5:28 PM  
**Subject:** Legislative Update - MT Board of Funeral Service - New Laws

TO: Licensees and All Interested Parties

SUBJECT: Board of Funeral Service Legislative Update – New Laws

DATE: 3/13/19

The Board of Funeral Service is providing you this update regarding new statutes and regulations passed by the 2019 Montana Legislature applicable to your professional or occupational license.

New statutes include:

- **[HB 196](#) – was signed into law and took effect on 3/7/19. HB 196 was put forward by the Montana Funeral Directors Association (MFDA). It reduces the minimum education requirements for [morticians](#) and [mortician interns](#).**
  - To meet education requirements, applicants for licensure will **only** need to have an associate's degree in funeral service or mortuary science from an ABFSE accredited school consisting of a minimum of 60 semester or 90 quarter credits. The board no longer requires any additional college credits outside of the associate's degree. I have updated the licensing requirements and application checklists for both [morticians](#) and [interns](#) to reflect this change in law.
  - Based on my most recent analysis of other states' laws, this reduced education requirement means that Montana education requirements are now substantially equivalent to approximately 37 other states.
  - In a future rulemaking package the board will strike the now obsolete language in ARM 24.147.507(2)(b) which references the requirements for additional education.

- **SB 63** – was signed into law and will take effect on 10/1/19. SB 63 was put forward by the board and Department of Labor and Industry and does several things. The most substantive change is a new exemption which allows students enrolled in an accredited funeral service or mortuary science degree program to practice supervised mortuary science in Montana as required by the school in order to complete the clinical practicum portion of the degree program.
  - Students are exempt, not licensed. However, the legislature gives the board the authority to adopt rules pertaining to supervision and the requirements for licensed mortuaries and branch establishments.
  - The board will begin discussing supervision requirements at its 5/22/19 board meeting. Licensee and public input in the rulemaking process is always appreciated.
  - Other changes within the bill include: removing obsolete references to "funeral directors"; clarifying language in the trust statutes to make it clear that these sections already apply to cemetery perpetual care and maintenance trusts **and** funeral preneed trusts; and, allowing the board the flexibility to use rulemaking to determine who pays for the cost of cemetery audit.

If you have questions regarding these new statutes or regulations, please contact the Board of Funeral Service at (406) 841-2300 or [dlibsdfnr@mt.gov](mailto:dlibsdfnr@mt.gov).

Lucy Richards

Executive Officer

Board of Funeral Service | Board of Speech-Language Pathologists & Audiologists |

Board of Veterinary Medicine | Board of Behavioral Health

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