



Montana Department of
LABOR & INDUSTRY

Montana Board of Funeral Service

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**Licensing Requirements and Application Checklist
Mortuary Branch Establishment**

License Requirements for Mortuary Branch Establishment

Below are the minimum requirements you must meet in order to be licensed in the state of Montana.

New Mortuary Branch Establishment (has never been licensed to anyone as a mortuary or branch establishment)

1. Be owned or controlled by a subsidiary of a Montana licensed mortuary - [[MCA 37-19-101](#)(5)]
2. Designate a mortician-in-charge - [[ARM 24.147.904](#)(2)(a)]
3. If a branch has a preparation room requirements then the preparation room must meet the following requirements - [[ARM 24.147.901](#)(3)]
 - clean and sanitary;
 - tile, concrete, or other nonporous, washable material covering the walls and floor, from wall-to-wall;
 - nothing in room other than what is necessary for the preparation of bodies;
 - privacy coverings on doors and windows to prevent viewing from the outside of the room;
 - clearly labeled entrance indicating "private", "authorized personnel only", or "no admittance";
 - ventilation in accordance with Occupational Safety and Health Administration's (OSHA) Formaldehyde Standard 29 CFR 1910.1048;
 - sanitary tables, hoppers, sinks, receptacles, instruments, or other appliances;
 - infectious wastes properly labeled and disposed of in accordance with [Title 75, chapter 10, part 10, MCA](#);
 - effluents are discharged: (1) through a connection to publicly owned treatment works (POTW) such as city sewage, waste and drainage; or (2) if not connected to POTW, then there are applicable groundwater discharge permits; or, evidence from the county regulator or state Department of Environmental Quality that a groundwater permit is not required;
 - hand washing facilities and signs requiring all personnel to wash hands during and after handling any nondisinfected object or material.
4. Obtain any necessary local, state, and federal permits or licenses, including but not limited to business, zoning, building codes, air quality, and water quality - [[ARM 24.147.901](#)(8)]
5. Obtain a temporary license - [[MCA 37-19-402](#)(5), [ARM 24.147.904](#)(2)(b)]
6. Pass an initial inspection - [[MCA 37-19-403](#)(1), [ARM 24.147.904](#)(2)(c)]

Existing Mortuary or Mortuary Branch Establishment with Change in Ownership

ARM 24.147.302(1): "Change in ownership" means when more than 50 percent of the equitable ownership of a mortuary, branch establishment, crematory, or cemetery is transferred to one or more persons or any other legal entity, in a single transaction or in a related series of transactions".

1. All the requirements listed in 1-6 above under "New Mortuary Branch Establishment" requirements.
2. Publish notice of the change of ownership in a newspaper of general circulation in the county within 30 days of the change of ownership. The notice must be published for no less than one week. Notice must contain all the information listed in [ARM 24.147.407](#)(3).



Checklist of Required Documents to Submit for Application for New Mortuary Branch Establishment

The following documents and additional forms are required in addition to the basic application. Some documents may be submitted directly by the applicant as part of the application. Others, such as transcripts, may need to be sent to the board directly from the source.

New Mortuary (physical location has never been licensed to anyone as a mortuary or branch establishment)

- ☐ Official license verification from states and jurisdictions in which you hold or have ever held a professional license of any type. It is up to you to request official verification from those states and jurisdictions. Montana accepts whatever official form of verification is offered by other states or jurisdictions.
- ☐ Signed [Temporary Permit Application](#) form
- ☐ Signed [Owner Information and Designation of Mortician-in-Charge](#) form
- ☐ If you answered yes to discipline questions, include a detailed explanation on the event(s) and documentation from the source (licensing board, federal agencies/programs, or civil/criminal court proceedings such as initiating/charging documents, final disposition/judgement documents, etc.).

Checklist of Required Documents to Submit for Application for Existing Mortuary or Branch Establishment with Change in Ownership

- ☐ Official license verification from states and jurisdictions in which you hold or have ever held a professional license of any type. It is up to you to request official verification from those states and jurisdictions. Montana accepts whatever official form of verification is offered by other states or jurisdictions.
- ☐ Signed [Temporary Permit Application](#) form
- ☐ Signed [Owner Information and Designation of Mortician-in-Charge](#) form
- ☐ Signed [Notice of Change of Ownership](#) form
- ☐ Proof of publication of change of ownership in the county newspaper per the requirements in [ARM 24.147.407\(3\)](#)
- ☐ If you answered yes to discipline questions, include a detailed explanation on the event(s) and documentation from the source (licensing board, federal agencies/programs, or civil/criminal court proceedings such as initiating/charging documents, final disposition/judgement documents, etc.).

Application Fee(s) for Mortuary Branch Establishment

The following fee(s) must be submitted with your application. Online applicants can pay using a credit card or a bank account. If you submit a paper application you must submit a check or money order. Do not mail cash.

- ☐ \$544 application fee
- ☐ \$290 inspection fee

You can apply for a license online at <https://ebiz.mt.gov/POL/> or download a paper application from the website. Online application is recommended.

Please include a valid e-mail address with your application. E-mail is the department's primary form of communication.

If you have any questions about the application process or the licensing requirements please contact the Department of Labor and Industry Professional Licensing Bureau using the contact information at the top of this checklist.

