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State of Minnesota

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HOUSE OF REPRESENTATIVES

NINETIETH SESSION

H. F. No. 1025

02/09/2017 Authored by Kiel
The bill was read for the first time and referred to the Committee on Health and Human Services Reform
03/21/2018 Adoption of Report: Placed on the General Register as Amended
Read for the Second Time

1.1 A bill for an act
1.2 relating to health; modifying continuing education requirements for persons licensed
1.3 to practice mortuary science; requiring certification of certain unlicensed personnel
1.4 who perform cremations; amending Minnesota Statutes 2016, sections 149A.40,
1.5 subdivision 11; 149A.95, subdivision 3.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2016, section 149A.40, subdivision 11, is amended to read:

1.8 Subd. 11. Continuing education. The commissioner shall require 15 continuing education
1.9 hours for renewal of a license to practice mortuary science. Nine of the hours must be in
1.10 the following areas: body preparation, care, ~~or~~ handling, and cremation, 3 CE hours;
1.11 professional practices, 3 CE hours; and regulation and ethics, 3 CE hours. Continuing
1.12 education hours shall be reported to the commissioner every other year based on the licensee's
1.13 license number. Licensees whose license ends in an odd number must report CE hours at
1.14 renewal time every odd year. If a licensee's license ends in an even number, the licensee
1.15 must report the licensee's CE hours at renewal time every even year.

1.16 EFFECTIVE DATE. This section is effective January 1, 2019, and applies to mortuary
1.17 science license renewals on or after that date.

1.18 Sec. 2. Minnesota Statutes 2016, section 149A.95, subdivision 3, is amended to read:

1.19 Subd. 3. Unlicensed personnel. (a) A licensed crematory may employ unlicensed
1.20 personnel, provided that all applicable provisions of this chapter are followed. It is the duty
1.21 of the licensed crematory to provide proper training ~~for~~ to all unlicensed personnel and
1.22 ensure that unlicensed personnel performing cremations are in compliance with the
1.23 requirements in paragraph (b). The licensed crematory shall be strictly accountable for

2.1 compliance with this chapter and other applicable state and federal regulations regarding
2.2 occupational and workplace health and safety.

2.3 (b) Unlicensed personnel performing cremations at a licensed crematory must:

2.4 (1) complete a certified crematory operator course that is approved by the commissioner
2.5 and that covers at least the following subjects:

2.6 (i) cremation and incinerator terminology;

2.7 (ii) combustion principles;

2.8 (iii) maintenance of and troubleshooting for cremation devices;

2.9 (iv) how to operate cremation devices;

2.10 (v) identification, the use of proper forms, and the record-keeping process for
2.11 documenting chain of custody of human remains;

2.12 (vi) guidelines for recycling, including but not limited to compliance, disclosure, recycling
2.13 procedures, and compensation;

2.14 (vii) legal and regulatory requirements regarding environmental issues, including specific
2.15 environmental regulations with which compliance is required; and

2.16 (viii) cremation ethics;

2.17 (2) obtain a crematory operator certification;

2.18 (3) publicly post the crematory operator certification at the licensed crematory where
2.19 the unlicensed personnel performs cremations; and

2.20 (4) maintain crematory operator certification through:

2.21 (i) recertification, if such recertification is required by the program through which the
2.22 unlicensed personnel is certified; or

2.23 (ii) if recertification is not required by the program, completion of at least seven hours
2.24 of continuing education credits in crematory operation every five years.

2.25 **EFFECTIVE DATE.** This section is effective January 1, 2019, and applies to unlicensed
2.26 personnel performing cremations on or after that date.