

148.95 OCCUPATIONS IN PROTECTION PUBLIC HEALTH

or if upon hearing the charges, six members of the board find them to be true, the board may enter an order suspending or revoking the license or reprimanding him, as the case may be. The board shall record its findings and orders in writing.

(2) The board, through its chairman or vice chairman, may compel the attendance of witnesses and the production of physical evidence before it from witnesses upon whom process is served anywhere within the state as in civil cases in the district court by subpoena issued over the signature of the chairman or vice chairman and the seal of the board. Upon request by an accused licensee and statement under oath that the testimony or evidence is reasonably necessary to his defense, the subpoena shall be served out of the district courts in this state and returned as a return in such case is made.

(3) For reasons it deems sufficient and upon a vote of six of its members, the board may restore a license which has been revoked, reduce a period of suspension or withdraw a reprimand.

[1975 c 136 s 24]

CHAPTER 149. EMBALMERS

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149.02 Examination; licensing.

The state board of health is hereby authorized and empowered to examine, upon submission of an application therefor and fee as prescribed by the board pursuant to section 144.122, all applicants for license to practice mortuary science or funeral directing and to determine whether or not the applicants possess the necessary qualifications to practice mortuary science or funeral directing. If upon examination the board shall determine that an applicant is properly qualified to practice mortuary science or funeral directing, it shall grant a license to the person to practice mortuary science or funeral directing. Licenses shall expire and be renewed as prescribed by the board pursuant to section 144.122.

On or after the thirty-first day of December, 1955, separate licenses as embalmer or funeral director shall not be issued, except that a license as funeral director shall be issued to those apprentices who have been registered under regulations of the board as apprentice funeral directors on the first day of July, 1955, qualify by examination for licensure under such regulations as funeral directors before the first day of August, 1957. Such applicants shall file an application for license as a funeral director in the manner as is required in section 149.03 for a license in mortuary science. It shall be accompanied by a fee in an amount prescribed by the board pursuant to section 144.122. However, a single license as a funeral director shall be issued to those persons whose custom, rites, or religious beliefs forbid the practice of embalming. An applicant for a single license as a funeral director under this exception shall submit to the board of health two affidavits substantiating the beliefs and convictions of the applicant and shall meet any other standards for licensure as are required by law or by regulation of the board. Such a funeral director shall only direct funerals for persons of his customs, rites or religious beliefs. In the case of a funeral conducted for persons of such customs, rites or religious beliefs where embalming and funeral directing is necessary according to law, such embalming and funeral directing shall be performed only by a person licensed to do so in this state.

All licensees who on the thirty-first day of December, 1955, hold licenses as embalmers only shall be granted licenses to practice mortuary science and may renew their licenses at the times and in the manner specified by the board pursuant to section 144.122.

All licensees who on the thirty-first day of December, 1955, hold licenses

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as funeral director only may continue to renew their licenses at the times and in the manner specified by the board pursuant to section 144.122. If a licensee fails to renew, as in this chapter required, his license as a funeral director shall not thereafter be reinstated.

To assist in the holding of the examination and enforcement of the provisions of this chapter, the board shall establish a committee of examiners in the mortuary sciences to which it shall appoint four examiners. Two examiners shall be licensed in mortuary science and shall have had at least five years experience immediately preceding their appointment in the preparation and disposition of dead human bodies and in the practice of mortuary science. A third examiner shall be a representative of the board, and the fourth examiner shall be a full-time academic staff member of the course in mortuary science of the university of Minnesota. The members of the committee shall serve for one, two, and three years, respectively, and thereafter each for a term of three years and until their successors qualify. Vacancies in the committee shall be filled by like appointments for unexpired terms and members thereof may be removed by the board for cause. Each member shall receive a per diem, and be reimbursed his necessary expenses for each day of actual service rendered, as the board may determine by its order.

[1975 c 310 s 12]

149.03 Applicants, qualifications; licensees from other states; apprentices and trainees.

Subdivision 1. The applicant for an examination for license in mortuary science shall make application therefor in writing verified on a form prescribed as to details and furnished by the state board of health. Each application shall be accompanied by a fee in an amount prescribed by the board pursuant to section 144.122 and be supported by affidavits from at least two reputable residents of the county in which the applicant resides or proposes to carry on the practice of mortuary science certifying that the applicant is of good moral character. No person shall be granted a license in mortuary science unless he shall be at least 18 years of age and of good moral character and temperate habits. Before the study of embalming or funeral directing in mortuary science was commenced, he shall have satisfactorily completed at least two scholastic years at an accredited college or university in any subjects the board may prescribe by regulation as suitable and desirable preparation for the study of mortuary science. The applicant for license in mortuary science, after having secured a certificate of graduation from the course in mortuary science conducted by the University of Minnesota or from a school or college of mortuary science duly accredited, shall serve at least one year of apprenticeship experience in mortuary science. Previous registered apprenticeship experience in Minnesota may be accepted by the board for a period not exceeding three months in partial fulfillment of this apprenticeship requirement. The applicant shall have sufficient knowledge, experience, and training as the board may determine to properly qualify for a license in mortuary science.

When the applicant has successfully completed the examination and requirements for his original license, he shall submit to the board a license application and a fee in an amount prescribed by the board pursuant to section 144.122, upon receipt of which the board may issue a license. The license shall expire and be renewed as prescribed by the board pursuant to section 144.122.

Subd. 2. Any holder of a license issued by state authority in any other state maintaining a system and standard of examination for license to engage in the business or practice of mortuary science, which, in the judgment of the board, shall be substantially the equivalent to that required in this state for the issuance of a license therefor, may obtain a license from the board without examination in the discretion of the board upon payment of an application fee in an amount prescribed by the board pursuant to section 144.122 and upon proof of good moral character, temperate habits, and practical experience. The license shall expire and be renewed as prescribed by the state board of health pursuant to section 144.122.

A licensee of any bordering state or province, the proximity of whose establishment makes possible the provision of service to Minnesota, may upon

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application be granted a mortuary science courtesy card at the discretion of the board. An application shall be made upon forms provided by the board, shall contain proof of good moral character, temperate habits, and practice, and shall bear the endorsement of the applicant's licensing authority. A fee in an amount prescribed by the board pursuant to section 144.122 shall accompany the application. The mortuary science courtesy card will permit the licensee to exercise the privileges granted by the license in mortuary science except that he may not operate a funeral establishment in Minnesota. The courtesy card shall expire and be renewed as prescribed by the board pursuant to section 144.122. The board may cancel a mortuary science courtesy card for abuse of the privileges it confers.

[1975 c 310 s 13,14]

[For text of subd 3, see M.S.1974]

149.04 Renewal of license.

Any license may be renewed from time to time and shall be in force after such renewal for a period specified by the state board of health upon the payment of a renewal fee in an amount prescribed by the board pursuant to section 144.122.

All fees received under this chapter shall be paid by the state board of health to the credit of the general fund in the state treasury. The salaries of the necessary employees of the board, the per diem of the inspectors and examiners, their expenses, and all incidental expenses of the board in carrying out the provisions of this chapter shall be paid from the appropriations made to the state board of health, but no expense or claim shall be incurred or paid in excess of the amount received from the fees herein provided.

[1975 c 204 s 76]

149.08 Funeral establishment permit.

No person shall conduct, maintain, manage, or operate a funeral establishment unless a permit for each establishment has been issued by the state board of health and is conspicuously displayed in the funeral establishment. Each permit shall be valid only for one specific location, and separate permits shall be required of two or more firms operating from the same funeral establishment.

"Funeral establishment" means every place or premise devoted to or used in the care and preparation for the funeral and burial of human dead, or as the office or place for carrying on the profession of funeral service, or for any combination of the foregoing purposes.

A permit to operate a funeral establishment shall be issued by the state board of health upon application made on blanks furnished by the state board of health and filed with the secretary of the board and payment of a fee in an amount prescribed by the board pursuant to section 144.122. A permit shall expire and be renewed as prescribed by the board pursuant to section 144.122.

Violation of any provision of Laws 1969, Chapter 109 or any rules or regulations of the state board of health committed by any person operating a funeral establishment or with his knowledge and consent by his officer, agent or employee, shall be considered sufficient cause for suspension or revocation of a funeral establishment permit.

[1975 c 310 s 15]

CHAPTER 150A. DENTISTRY

Sec.
150A.02 Board of dentistry.

Sec.
150A.03 Officers; salaries; equipment and supplies.

150A.02 Board of dentistry. Subdivision 1.

There is hereby created a board of dentistry whose duty it shall be to