

[First Reprint]

**SENATE, No. 3465**

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**STATE OF NEW JERSEY**  
**218th LEGISLATURE**

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INTRODUCED FEBRUARY 7, 2019

**Sponsored by:**

**Senator NELLIE POU**

**District 35 (Bergen and Passaic)**

**Senator THOMAS H. KEAN, JR.**

**District 21 (Morris, Somerset and Union)**

**Assemblyman JON M. BRAMNICK**

**District 21 (Morris, Somerset and Union)**

**Assemblywoman ANGELICA M. JIMENEZ**

**District 32 (Bergen and Hudson)**

**Assemblywoman LINDA S. CARTER**

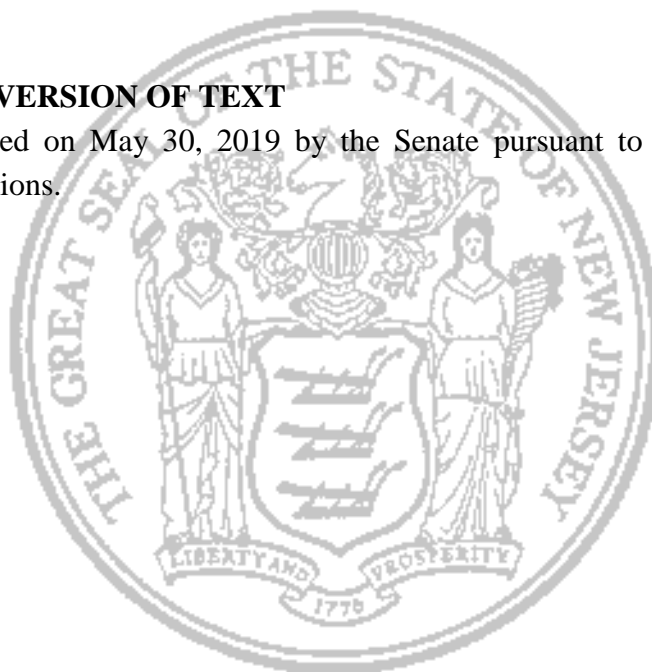
**District 22 (Middlesex, Somerset and Union)**

**SYNOPSIS**

Revises requirements for examination and license to practice mortuary science.

**CURRENT VERSION OF TEXT**

As amended on May 30, 2019 by the Senate pursuant to the Governor's recommendations.



**(Sponsorship Updated As Of: 3/26/2019)**

1 AN ACT concerning the practice of mortuary science and amending  
2 P.L.1952, c.340.

3  
4 **BE IT ENACTED** *by the Senate and General Assembly of the State*  
5 *of New Jersey:*

6  
7 1. Section 18 of P.L.1952, c.340 (C.45:7-49) is amended to  
8 read as follows:

9 18. (a) Every person desiring to enter into the practice of  
10 mortuary science, before being licensed by the board **so to do**:

11 (1) Shall have passed an examination to be conducted by the  
12 board or an entity other than the board to determine **his** the  
13 qualifications and fitness **therefor** of the applicant. Such  
14 examination, the scope, character and content of which shall be  
15 determined by the board, shall be the same for all **candidates**  
16 applicants at each examination, and shall include **the following**  
17 **subjects**: anatomy; physiology; pathology; chemistry; disinfection;  
18 hygiene; sanitary science; bacteriology; dissection; the care,  
19 preservation, embalming, transportation, and burial, cremation or  
20 other disposal of dead human bodies, including those dead as a  
21 result of contagious and infectious diseases; the signs of death and  
22 the manner in which death may be determined **the applicable laws**  
23 and rules governing vital statistics **and the** , preparation and  
24 transportation for burial, cremation or other disposal of dead human  
25 bodies, including those dead as a result of contagious and infectious  
26 diseases; the provisions of **this act** P.L.1952, c.340 (C.45:7-32 et  
27 seq.) and of the rules and regulations adopted by the board;  
28 professional ethics; mortuary accounting; and such other subjects as  
29 the board may determine, by rule or regulation, to be necessary,  
30 proper or reasonably calculated to establish the qualifications and  
31 fitness of the applicant.

32 An examination conducted by an entity other than the board shall  
33 be preapproved by the board and conducted by a nationally  
34 recognized testing service that is under contract with the regulatory  
35 boards of at least three other states to provide testing and grading in  
36 the field of funeral service arts and funeral service science. This  
37 entity may conduct the law portion of the examination as  
38 enumerated above.

39 Such examinations shall be administered electronically or in  
40 writing and shall be held at least once in each year, and oftener if  
41 the board shall so determine by rule or regulation, at such times and  
42 places as may be fixed by the board. In addition to the **written**  
43 examination herein provided for, the examination of each applicant

**EXPLANATION** – Matter enclosed in bold-faced brackets **thus** in the above bill is  
not enacted and is intended to be omitted in the law.

Matter underlined thus is new matter.

Matter enclosed in superscript numerals has been adopted as follows:

<sup>1</sup>Senate amendments adopted in accordance with Governor's  
recommendations May 30, 2019.

1 shall include, wherever possible, an actual demonstration on a  
2 cadaver of the embalming proficiency and qualifications of the  
3 applicant.

4 (2) Shall have completed 2 years of practical training and  
5 experience as a registered trainee in regular, steady, bona fide full-  
6 time service of a grade and character satisfactory to the board, in  
7 the State of New Jersey, with a person duly licensed as a  
8 practitioner of mortuary science under **[this act]** P.L.1952, c.340  
9 (C.45:7-32 et seq.) or as both an embalmer and funeral director  
10 under any prior law of this State and whose annual case volume  
11 shall be equal to at least 25 cases, and shall have assisted in  
12 embalming at least 75 bodies; and shall have satisfactorily  
13 completed a minimum of 2 academic years of instruction in a  
14 college or university approved by the State Department of  
15 Education and 1 year of instruction in a school of mortuary science  
16 approved by the State Board of Mortuary Science of New Jersey;  
17 except that a person who has satisfactorily completed 3 academic  
18 years of instruction in such a college or university and 1 year of  
19 instruction in such an approved school of mortuary science need  
20 only have completed 1 year of practical training and experience as a  
21 registered trainee. **[Provided, however, that the requirement for 2**  
22 **years' academic instruction in a college or university shall not apply**  
23 **to a trainee registered prior to the effective date of this act and**  
24 **serving 3 years as a registered trainee.]** Not more than 1 trainee  
25 shall be registered at 1 time in 1 establishment, except that 2  
26 trainees may be permitted if there are 2 or more licensees in the  
27 same establishment. The board is authorized and empowered to  
28 prescribe rules and regulations establishing minimum courses of  
29 college or university instruction; to insure that each trainee receives  
30 satisfactory and efficient training and experience which may  
31 provide for the periods that may be credited toward the required  
32 year of training and experience, the nature, character and extent of  
33 the services to be performed by the trainee, for such practical and  
34 actual experience in mortuary science and assisting in the same as it  
35 shall determine and for the making of such reports by the trainee  
36 and by the licensee with whom **[he]** the trainee is registered as may  
37 be advisable and for such other qualifications in the applicant as  
38 may be reasonably calculated to insure and protect the public  
39 health, morals, safety and welfare;

40 (3) Shall have, upon commencing **[his]** the period of training  
41 and experience as provided in **[subdivision (a)]** paragraph (2) of  
42 this **[section]** subsection registered as a trainee with the board,  
43 upon a form to be provided by the board, and has paid to the board  
44 a registration fee of \$50.00, and has received from the board a  
45 certificate as a registered trainee;

46 (4) Shall have been a resident of the State of New Jersey  
47 continuously during the period of **[his]** training and experience;  
48 and

1 (5) Shall have passed his or her twenty-first birthday.

2 (b) <sup>1</sup>【Notwithstanding any other law, rule, order or regulation to  
3 the contrary, an individual duly licensed to engage in the practice of  
4 mortuary science pursuant to P.L.1952, c.340 (C.45:7-32 et seq.) at  
5 the time of application for the next biennial renewal registration  
6 occurring after the enactment of P.L. , c. (pending before the  
7 Legislature as this bill), or any subsequent registration, shall be  
8 presumed to have successfully passed all required examinations  
9 notwithstanding any adverse action with regard to examination  
10 scores that occurred after the initial application for licensure had  
11 been approved unless the board shall have determined, after  
12 providing the applicant due notice and an opportunity to be heard,  
13 that the applicant is in violation of subsection a. of section 8 of  
14 P.L.1978, c.73 (C.45:1-21).

15 (c)<sup>1</sup> An applicant who meets the requirements of section 19 of  
16 **【this act】** P.L.1952, c.340 (C.45:7-50) shall be admitted to the  
17 examinations prescribed in **【subdivision (a)】** paragraph (1) of  
18 subsection (a) of this section but a license to enter into the practice  
19 of mortuary science shall not be issued or granted to any such  
20 applicant by the board unless and until such applicant has  
21 completed the period of practical training and experience as a  
22 registered trainee required by **【subdivision (a)】** paragraph (2) of  
23 subsection (a) of this section.

24 (cf: P.L.1960, c.184, s.7)

25

26 2. This act shall take effect immediately.