

EFFECTIVE
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NEBRASKA DEPARTMENT OF
HEALTH AND HUMAN SERVICES

172 NAC 67

TITLE 172 PROFESSIONAL AND OCCUPATIONAL LICENSURE

CHAPTER 67 FUNERAL DIRECTORS AND EMBALMERS

001. SCOPE AND AUTHORITY. These regulations govern the licensing of funeral directors and embalmers under Nebraska Revised Statute (Neb. Rev. Stat.) §§ 38-1401 to 38-1428 of the Funeral Directing and Embalming Practice Act and the Uniform Credentialing Act. Persons providing funeral directing and embalming services to clients located in Nebraska must be licensed as a funeral director and embalmer in Nebraska unless they are exempt under the Act.

002. DEFINITIONS. Definitions set out in the Funeral Directing and Embalming Practice Act, the Uniform Credentialing Act, and 172 Nebraska Administrative Code (NAC) 10 apply to this chapter.

003. LICENSE REQUIREMENTS. To obtain a funeral directing and embalming license, an individual must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the licensing requirements of Neb. Rev. Stat. §§ 38-1414 through 38-1416, 172 NAC 10, and this chapter.

003.01 GENERAL EDUCATION. An applicant must submit an official transcript directly from the issuing institution verifying completion of the required hours of college credit.

003.02 RECIPROCITY. An applicant who holds a license or credential in another state and is applying based on that credential, the Department will accept as equivalent for the specific education coursework identified in Neb. Rev. Stat. § 38-1414, 5 years of practice as a licensed or certified funeral director and embalmer in another state and 16 hours of acceptable funeral directing and embalming continuing education that was completed within the 24 months immediately preceding the application. The applicant must provide:

- (A) Direct source verification of certification of a credential to practice funeral directing and embalming submitted to the Department by the jurisdiction showing a minimum of 5 years of holding a credential;
- (B) Documentation showing practice for a minimum of five years under the credential; and
- (C) Documentation of completion of a minimum of 16 hours of acceptable funeral directing and embalming continuing education within the previous 24 months immediately prior to application.

003.03 MORTUARY SCIENCE EDUCATION. An applicant must submit an official transcript verifying completion of a full course of instruction in an accredited school of mortuary science. Hours earned in a school of mortuary science as part of the mortuary program may not be used for the meeting the requirements of 172 NAC 67-003.01.

003.04 APPRENTICESHIP. An applicant must submit documentation of completion of a 12-month apprenticeship, as set out in this chapter, under the supervision of a licensed Funeral Director and Embalmer practicing in the state of Nebraska. The documentation must include evidence meeting the requirements in Neb. Rev. Stat. §38-1414.

003.04(A) RECIPROCITY. If an applicant has completed 1 year of funeral directing and embalming practice following licensure or certification in another jurisdiction, this practice is deemed equivalent to a 12-month apprenticeship. The applicant must provide direct source verification of a credential to practice funeral directing to the Department by the jurisdiction showing a minimum of 1 year of holding such credential.

003.05 EXAMINATION. The applicant must submit documentation of successful completion of the following examinations:

- (A) The International Conference of Funeral Service Examining Boards examination with a scaled score of at least 75; and
- (B) The Nebraska jurisprudence examination and the Nebraska vital statistic forms examination with a score of at least 75% on each examination.

004. APPRENTICE LICENSE. To obtain an apprentice license, an individual must submit a complete application provided by the Department and provide documentation demonstrating that the applicant meets the licensing requirements of Neb. Rev. Stat. § 38-1416, 172 NAC 10, and this chapter.

004.01 GENERAL EDUCATION. The applicant must submit an official transcript verifying completion of the college credit hours as set out in Neb. Rev. Stat. § 38-1416.

004.02 MORTUARY SCIENCE EDUCATION. If applying for a 12-month apprenticeship or the final 6-month apprenticeship, the applicant must submit an official transcript verifying completion of a full course in an accredited school of mortuary science. Hours earned in a school of mortuary science as part of the mortuary program may not be used for the meeting the requirements of 172 NAC 67-003.01.

004.03 SUPERVISOR. The applicant must have a statement from the supervisor verifying agreement to supervise the apprentice. The supervisor must hold a current active license as a funeral director and embalmer in Nebraska.

004.04 CHANGE IN SUPERVISOR. An individual who changes his or her apprentice supervisor or adds a new supervisor, must submit a change in supervisor form provided by the Department within 30 days following the change. An individual may not practice without an apprentice supervisor.

005. EXAMINATION ELIGIBILITY. To be eligible to take the jurisprudence and vital statistics examinations in order to obtain a license as a funeral director and embalmer, an applicant must submit a complete examination application provided by the Department and meet the following:

- (A) Have been issued a final 6-month or 12-month apprenticeship license; or
- (B) Meet the requirements for licensing by reciprocity as specified in 172 NAC 67-003.

006. RENEWAL, WAIVER OF CONTINUING EDUCATION, AND INACTIVE STATUS. Applicants must meet the requirements set out in 172 NAC 10. All licenses, except apprentice licenses, issued by the Department expire on February 1st of each even-numbered year.

007. CONTINUING EDUCATION. During the 24 months prior to the license expiration date, each licensed funeral director, embalmer, or funeral director and embalmer must complete:

- (A) 12 hours of acceptable continuing education hours; and
- (B) Pass the Nebraska jurisprudence examination with a score of at least a 75%.

007.01 ACCEPTABLE CONTINUING EDUCATION ACTIVITIES AND HOURS. The following specifies the type of acceptable continuing education and the hours allowed for each type:

- (A) 1 semester hour of academic credit equals 15 continuing education hours.
- (B) 1 quarter hour of academic credit equals 10 continuing education hours.
- (C) A maximum of 8 hours may be obtained through home study programs, internet and other electronic technology.
- (D) 60 minutes of participation equals 1 continuing education hour obtained through workshops, lectures, or interactive satellite or webinars. Credit will not be awarded for break and meal times.
- (E) If a licensee completes supervision of 1 apprentice during the renewal period, 4 hours can be applied towards the continuing education requirements.
- (F) A maximum of 2 hours of continuing education may be obtained through a funeral directing and embalming related tour. Conducting a tour of the licensee's facility does not constitute continuing education. 60 minutes of tour participation equals 1 continuing education hour.
- (G) A maximum of 2 hours of continuing education may be obtained through a funeral directing and embalming related exhibit or display. If a continuing education workshop provides an exhibit or display area, a licensee may earn 1 continuing education hour per workshop for viewing the exhibits or displays.
- (H) A maximum of 8 hours of continuing education may be obtained through attendance at a District, State, or National Association Business Meeting. 60 minutes of participation constitutes 1 continuing education hour. Only 1 hour may be obtained per meeting.

007.02 ACCEPTABLE CONTINUING EDUCATION TOPIC AREAS. In order for a continuing education activity or program to be accepted for renewal or reinstatement of a license, the activity must include one or a combination of the following topic areas:

- (A) Communication or media;
- (B) Counseling or arbitration;
- (C) Customer relations;
- (D) Disaster training;
- (E) Embalming practice;
- (F) Funeral directing practice;
- (G) Management, including personnel or business;
- (H) Marketing or advertising;
- (I) Personal development; or
- (J) Pre-need.

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008. REINSTATEMENT. The applicant must meet the requirements set out in 172 NAC 10.

009. FEES. Fees referred to in this chapter are set out in 172 NAC 2.