

Rule Summary and Fiscal Analysis

Part A - General Questions

Rule Number: 4717-5-02

Rule Type: Amendment

Rule Title/Tagline: Master embalmer and master funeral director requirements.

Agency Name: Board of Embalmers and Funeral Directors

Division:

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I. Rule Summary

1. Is this a five year rule review? No
 - A. What is the rule's five year review date? 4/11/2019
2. Is this rule the result of recent legislation? No
3. What statute is this rule being promulgated under? 119.03
4. What statute(s) grant rule writing authority? 4717.04
5. What statute(s) does the rule implement or amplify? 4717.05
6. What are the reasons for proposing the rule?

The proposed rule updates the master's training course requirements.

7. Summarize the rule's content, and if this is an amended rule, also summarize the rule's changes.

An apprentice seeking to become licensed as a funeral director or embalmer must be trained by a licensee who has completed the master's training course. The amended rule updates the master's training program requirements to include topics that are important to the board.

8. Does the rule incorporate material by reference? No

9. If the rule incorporates material by reference and the agency claims the material is exempt pursuant to R.C. 121.75 please explain the basis for the exemption and how an individual can find the referenced material.

Not Applicable

10. If revising or re-filing the rule, please indicate the changes made in the revised or re-filed version of the rule.

File Format Change.

II. Fiscal Analysis

11. Please estimate the increase / decrease in the agency's revenues or expenditures in the current biennium due to this rule.

This will have no impact on revenues or expenditures.

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Not Applicable

12. What are the estimated costs of compliance for all persons and/or organizations directly affected by the rule?

The rule requires any licensee seeking to become a master to attend a training with the specific course requirements outlined in the rule. The course fees are not established by the board. The program providers set the fee amount to attend the course.

13. Does the rule increase local government costs? (If yes, you must complete an RSFA Part B). No

14. Does the rule regulate environmental protection? (If yes, you must complete an RSFA Part C). No

15. If the rule imposes a regulation fee, explain how the fee directly relates to your agency's cost in regulating the individual or business.

Not Applicable.

III. Common Sense Initiative (CSI) Questions

16. Was this rule filed with the Common Sense Initiative Office? Yes

17. Does this rule have an adverse impact on business? Yes

- A. Does this rule require a license, permit, or any other prior authorization to engage in or operate a line of business? Yes**

The rule requires an individual to be licensed as a funeral director or embalmer to register to complete the course.

- B. Does this rule impose a criminal penalty, a civil penalty, or another sanction, or create a cause of action, for failure to comply with its terms? Yes**

While the rule does not specifically impose a penalty, a funeral director or embalmer who trains an apprentice without completing the master's program is subject to disciplinary action. Such act would constitute unprofessional conduct under the Administrative Code.

- C. Does this rule require specific expenditures or the report of information as a condition of compliance? Yes**

While the rule does not explicitly create an expenditure, the rule requires the licensee to pay the program fee set by the program provider to obtain the master's certification.

- D. Is it likely that the rule will directly reduce the revenue or increase the expenses of the lines of business of which it will apply or applies? Yes**

The program fees associated to secure and maintain the master's certification could reduce revenue or increase expenses for a funeral home.