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HOUSE BILL NO. 1300

Offered January 11, 2006

Prefiled January 11, 2006

A BILL to amend and reenact § 54.1-2816.1 of the Code of Virginia, relating to continuing competency for funeral services licensees, funeral directors, and embalmers.

Patron—Alexander

Referred to Committee on Health, Welfare and Institutions

Be it enacted by the General Assembly of Virginia:

1. That § 54.1-2816.1 of the Code of Virginia is amended and reenacted as follows:

§ 54.1-2816.1. Continued competency; when Board may require.

A. The Board shall promulgate regulations governing continuing education may prescribe by regulation such requirements as may be necessary to ensure continued competence for funeral services licensees, funeral directors and embalmers licensed by the Board. The Board shall annually determine whether there have been any significant revisions in the practice of or the laws and regulations governing funeral services. Upon determining that any such revisions have occurred that will require that licensees obtain additional education in their relevant practices, the Board shall prescribe continuing education accordingly and shall notify relevant licensees of the requirement at the time renewal notices are next sent. The notice to licensees shall specify the content and number of hours, not to exceed five hours, which shall be obtained within one year from approved providers and attested to on the next renewal application.

B. The Board shall approve criteria for continuing education courses, requiring no more than five hours per year, that are directly related to the respective license and scope of practice of funeral service licensees, funeral directors and embalmers. Approved continuing education courses shall emphasize, but not be limited to, compliance with laws and regulations governing the profession. Course providers may be required to register continuing education courses with the Board pursuant to Board regulations. The Board shall not allow continuing education credit for courses where the principal purpose of the course is to promote, sell or offer goods, products or services to funeral homes. The Board may approve persons who provide or accredit continuing education in order to accomplish the purposes of this section and shall provide for the reporting of satisfactory completion and record retention of any required continuing education courses.

C. All course providers shall furnish written certification to licensees of the Board attending and completing respective courses, indicating the satisfactory completion of an approved continuing education course. Each course provider shall retain records of all persons attending and those persons satisfactorily completing such continuing education courses for a period of two years following each course. Applicants for renewal or reinstatement of licenses issued pursuant to this article shall retain for a period of two years the written certification issued by any Board-approved provider of continuing education courses. The Board may require course providers or licensees to submit copies of such records or certification, as it deems necessary, to ensure compliance with continuing education requirements.

D. The Board shall have the authority to grant exemptions, extensions, or waivers in cases of certified illness or undue hardship.

E. The Board may provide for an inactive status for those licensees who do not practice in Virginia. The Board may adopt regulations reducing or waiving continuing education requirements for any licensee granted such inactive status. However, no licensee granted inactive status may have their license changed to active status without first obtaining additional continuing education hours as may be determined by the Board. No person or registrant shall practice in Virginia as an embalmer, funeral director, or funeral service licensee unless he holds a current, active license.

INTRODUCED

HB1300