GEORGIA STATE BOARD OF FUNERAL SERVICE
Secretary of State, Professional Licensing Boards Division

NOTICE OF INTENT TO ADOPT A PROPOSED AMENDMENT TO THE RULES AND NOTICE OF PUBLIC HEARING

Chapter 250-5 Personal Licensure, Rule 250-5-.01 General Requirements: Embalmer

TO ALL INTERESTED PERSONS AND PARTIES:

Notice is hereby given that pursuant to the authority set forth below, the Georgia State Board of Funeral Service (hereinafter "Board") proposes an amendment to Chapter 250-5 Personal Licensure, Rule 250-5-.01 General Requirements: Embalmer (hereinafter "proposed rule amendment").

This notice, together with an exact copy of the proposed rule amendment and a synopsis of the proposed rule amendment, is being distributed to all persons who have requested, in writing, that they be placed on the interested party notification list. A copy of this notice, an exact copy of the proposed rule amendment, and a synopsis of the proposed rule amendment may be reviewed during normal business hours of 8:00 a.m. to 5:00 p.m. Monday through Friday, except official State holidays, at the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. These documents will also be available for review on the Board's website page at http://sos.ga.gov/index.php/licensing/plb/30, or by contacting the Georgia State Board of Funeral Service at 478-207-2440.

Any interested party affected by the rule may present written comments to the Board no later than close of business June 5, 2018. Written comments must be legible, signed, and should contain contact information from the maker (address, telephone number, email address, etc.). Written comments should be addressed to Lisa W. Durden, Director, Office of Secretary of State, Professional Licensing Boards Division, Georgia State Board of Funeral Service, 237 Coliseum Drive, Macon, Georgia 31217; fax (866) 888-1308. Oral statements presented during the public hearing should be concise and will be limited to five (5) minutes per person.

The Board voted to adopt this Notice of Intent at its April 10, 2018 meeting. The Board also voted that the formulation and adoption of this rule does not impose excessive regulatory cost on any licensee and any cost to comply with the proposed rule cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. § 43-1-19; 43-1-25; 43-18-23; 43-18-40; and 43-18-50. Finally, the Board voted that it is not legal or feasible in meeting the objectives of O.C.G.A. § 43-1-19; 43-1-25; 43-18-23; 43-18-40; and 43-18-50 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(3)(A), (B), (C), and (D). The formulation and adoption of these rules will impact every licensee in the same manner and each licensee is independently licensed or owned and operated in the field of funeral service.

A public hearing is scheduled to begin at 1:00 p.m. on June 12, 2018, in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217 to provide the public an opportunity to comment upon and provide input into the proposed rule amendment.

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The proposed rule amendment will be considered for adoption by the Georgia State Board of Funeral Service at its meeting scheduled to begin 1:00 p.m. on June 12, 2018 at the Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. According to the Department of Law, State of Georgia, the Georgia State Board of Funeral Service has the authority to adopt the proposed rule amendment to 250-5-.01 pursuant to authority contained in O.C.G.A. § 43-1-19; 43-1-25; 43-18-23; 43-18-40; and 43-18-50.

For further information, contact the Board office at (478) 207-2440.

This notice is given in compliance with Section 4(a)(1) of the Georgia Administrative Procedures Act (O.C.G.A. §50-13-4).

This 2 day of May 2018.

Lisa W. Durden

Lisa W. Durden, Director
Professional Licensing Boards

Posted: 5/2/2018

GEORGIA STATE BOARD OF FUNERAL SERVICE
Secretary of State, Professional Licensing Boards Division

SYNOPSIS OF PROPOSED CHANGES TO THE RULES
CHAPTER 250-5 Personal Licensure, RULE 250-5-.01 General Requirements: Embalmer

Purpose: The purpose of this amendment is to replace or remove archaic words and clarify requirements.

Main Features: The main features of this amendment are replacement or removal of archaic wording, to clarify what documentation is required with the application, and to improve wording in (3) to make the rule more easily understood.

DIFFERENCES BETWEEN THE EXISTING RULE AND THE PROPOSED AMENDMENTS TO THE RULE
Chapter 250-5 Personal Licensure, Rule 250-5-.01 General Requirements: Embalmer
[Note: underlined text is proposed to be added; lined-through text is proposed to be deleted.]

Chapter 250-5 Personal Licensure

Rule 250-5-.01 General Requirements: Embalmer

(1) An applicant for licensure as an embalmer must satisfy the following requirements:

(a) be at least 18 years of age at the time of application;
(b) be of good moral character; and
(c) at minimum, have graduated from a high school or have earned a general education development certificate.

(2) An applicant for licensure as an embalmer shall make ~~written~~ application to the Board on forms ~~provided~~ approved by the Board, shall submit the appropriate fee, and shall provide ~~proof of~~ the following:

(a) proof of graduation from a college of funeral service accredited by the American Board of Funeral Service Education or ~~such~~ other college specifically approved by the Board.
(b) proof of 3,120 hours of service as an apprentice as specified in Rule 250-4-.02 and in O.C.G.A. Section 43-18-50; and
(c) an affidavit which states that the apprentice assisted in embalming at least fifty (50) bodies and which specifies the names and dates of death.

(3) An application for licensure as an embalmer shall be reviewed by the Board only after it is complete. This application shall ask questions regarding the applicant's conviction of a felony or misdemeanor and violations or sentences under the First Offender Act. ~~An~~ A completed application must be submitted ~~complete~~ at least fifteen (15) days prior to a Board meeting, and the Board shall accept or reject each application by majority vote.

Authority: O.C.G.A. §. 43-1-19; 43-1-25; 43-18-23; 43-18-40; and 43-18-50

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Authority: O.C.G.A. §. 43-1-19; 43-1-25; 43-18-23; 43-18-40; and 43-18-50