

**NOTICE OF INTENT TO ADOPT PROPOSED AMENDMENTS TO THE
GEORGIA STATE BOARD OF FUNERAL SERVICE
CHAPTER 250-5 PERSONAL LICENSURE, RULE 250-5-.12 CONTINUING
EDUCATION REQUIREMENTS; PROVIDER APPROVAL
AND NOTICE OF PUBLIC HEARING**

RULE 250-5-.12 CONTINUING EDUCATION REQUIREMENTS; PROVIDER APPROVAL

TO ALL INTERESTED 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 Rule 250-5-.12 (herein after “proposed rule”).

This notice, an exact copy of the proposed rule, and a synopsis of the proposed rule are being sent to all persons who have requested, in writing, to be included on a notification list. This notice, an exact copy of the proposed rule, and a synopsis of the proposed rule may also 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. The documents will also be available for review on the Board’s website at www.sos.ga.gov/plb/funeral. Copies may also be requested by contacting the Board office at (844) 753-7825.

The public will have an opportunity to comment upon and provide input into the proposed rule amendment at a public hearing to be held at 10:00a.m., March 8, 2022, in the Office of the Secretary of State, Professional Licensing Boards Division, 237 Coliseum Drive, Macon, Georgia 31217. If the Board office remains closed due to the public health emergency (COVID-19), the hearing will be held via teleconference. Please see Board’s website for information on how to join the meeting via teleconference.

Interested parties affected by the rule may submit written comments to the Board no later than close of business on March 1, 2022. Written comments must be legible, signed, contain contact information from the maker (address, telephone number, email address), and addressed to Gabriel Sterling, Division Director, Secretary of State, Professional Licensing Boards Division, Georgia State Board of Funeral Service, 237 Coliseum Drive, Macon, Georgia 31217. Written comments may be faxed to (866) 888-9718.

During the public hearing, anyone may present data, make a statement, comment, or offer a viewpoint or argument, whether orally or in writing. Lengthy statements or statements of a considerable technical or economic nature, as well as previously recorded messages, must be submitted for the official record. Oral statements will be limited to five (5) minutes per person.

The Board voted to post this Notice of Intent at its meeting on January 11, 2022. The Board also voted that the formulation and adoption of this rule amendment does not impose an excessive regulatory cost on any licensee, and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of

O.C.G.A. § 43-1-25, 43-18-23, 43-18-43, 43-18-55, and 43-18-56. Additionally, the Board voted that it was neither legal nor feasible in meeting the objectives of O.C.G.A. §§ 43-1-25, 43-18-23, 43-18-43, 43-18-55, and 43-18-56 to adopt or implement differing actions for businesses as listed in O.C.G.A. § 50-13-4(a)(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 in the field of Funeral Service.

According to the Department of Law of the State of Georgia, the Georgia State Board of Funeral Service has the authority to adopt proposed Rule 250-5-.12 Continuing Education Requirements; Provider Approval pursuant to authority contained in O.C.G.A. §§ 43-1-25, 43-18-23, 43-18-43, 43-18-55, and 43-18-56.

For further information, contact the Board office at (844)-753-7825.

This notice is given in compliance with O.C.G.A. § 50-13-4.

This the 21st day of January, 2022.



Gabriel Sterling
Interim Division Director
Professional Licensing Boards Division

Posted: 1/21/2022

**SYNOPSIS TO PROPOSED CHANGES TO
RULE 250-5-.12 CONTINUING EDUCATION REQUIREMENTS; PROVIDER
APPROVAL**

Purpose/Main Feature: This rule amendment would clarify the subject areas for continuing education to be completed to maintain a license and would add the requirement that half of the required continuing education be completed in-person or via live webinar. This amendment is necessary to ensure competent practitioners that are current with the latest developments, skills, and technologies required in the field. The Board has considered multiple variations of this rule amendment and has determined this to be the most succinct wording while adhering to requirements in the statute.

CHAPTER 250-5 PERSONAL LICENSURE

Rule 250-5-.12 Continuing Education Requirements; Provider Approval

(1) Ten (10) hours of continuing education are required biennially (every two (2) years) to renew an embalmer or funeral director license. At the time of renewal, each licensee shall submit an Application for License Renewal and a report in writing, under oath, noting the number of hours of continuing education completed during the two (2) years preceding the renewal. No more than five (5) hours of the total ten (10) hours may be obtained online, and the remainder of hours must be obtained in-person or via live webinar that is instructor led with student interaction, where student participation is monitored and verified.

(a) Continuing education shall be in any or all of the following subject areas:

1. FTC Funeral Rule Compliance
 2. Embalming and Restorative Arts
 3. Leadership and Development
 4. Crematory/Alkaline Hydrolysis
 5. OSHA Requirements
 6. Advertising/Social Media/Technology
 7. Funeral Directing/Aftercare
- (2) All licensees must obtain ten (10) hours whether they hold one or two licenses.
- (3) Funeral directors or embalmers who are licensed by the Board within the second year of the renewal cycle (after April 1 of the odd numbered year) will not be required to submit continuing education hours for their first license renewal.
- (4) Hardship, Disability and Age Requirement. The continuing education requirement shall be waived for persons who hold an Inactive Status license or for licensed individuals age 65 or older; and
- (a) The Board may waive the continuing education requirement in cases of hardship, disability, illness, or under such circumstances as the Board deems appropriate. The waiver must be requested in writing to the Board and must be accompanied by acceptable documentation.
- (5) The Board shall be authorized to approve courses offered by educational institutions, specialty societies, professional or other organizations, or government agencies upon submission of an application and non-refundable fee. For the purpose of this rule, 'government agencies' means federal, state or local government agencies, public school systems and licensed hospitals.

- (6) The Board may, in its discretion, accept continuing education hours that are approved in another state. The Board may require the licensee to submit information concerning the course(s), and proof of successful completion.
- (7) Board Approved Providers. Continuing education hours may be obtained by participating in activities sponsored by Board-Approved Providers. Board-Approved Providers shall offer programs only in the topic areas for which they have been approved. The provider shall certify the number of clock hours of educational content in each continuing education activity.
- (a) To qualify for initial approval, to renew approval or to qualify for approval in additional topic areas, a provider must submit to the Board:
1. a Funeral Service Board-Approved Continuing Education Provider Application and non-refundable fee (See fee schedule); and
 2. a description of the topic areas in which the provider plans to sponsor continuing education activities; and
 3. the names of all instructors currently offering continuing education activities, a description of the topic areas in which the instructor is qualified to teach along with a resume or other evidence demonstrating that each instructor is qualified in the identified topic area; and
 4. program outlines, including instructors, objectives, schedules and instructional material.
- (b) Board-Approved Provider status shall expire March 31 of even numbered years. The Provider must submit a new application and non-refundable application fee for the next renewal cycle. The Board retains the right to monitor continuing education programs sponsored by Board-Approved Providers and will withdraw approval from providers who do not maintain Board standard.
- (8) Board Approved Instructors. Continuing Education Instructors must meet minimum qualifications for instructor certification.
- (a) In order to qualify for initial Board approval or to renew Board approval, a provider must submit the following to the Board:
1. a Funeral Service Board Approved Instructor Application and non-refundable fee (see fee schedule); and
 2. a description of the topic areas in which the instructor is qualified to teach along with a resume or other evidence demonstrating that each instructor is qualified in the identified topic area; and
 3. evidence of a minimum of five (5) years supervisory experience in the Funeral Service Profession; or
 4. evidence of any other experience or education which may qualify applicant for certification upon the discretion of the Board.
- (b) Board-approved instructor status shall expire March 31 of even-numbered years. The instructor must submit a new application and non-refundable fee for the next renewal cycle.
- (9) Reporting and Documentation. Each licensee shall maintain documentation of their continuing education activities.
- (a) Each licensee shall attest, on the biennial license renewal application, that the licensee has satisfied the continuing education requirements. Documentation of these activities shall be retained for three (3) years by the licensee and shall be provided to the Board

only upon the Board's request. False attestation of satisfaction of the continuing education requirements on a renewal application may subject the licensee to disciplinary action, including license revocation; and

- (b) The Board will audit a fixed percentage of the renewal applications. Licensees whose applications are audited will be required to provide documentation of having met the continuing education requirements; and
- (c) An audited licensee who fails to provide the Board with acceptable documentation of the hours attested to in the renewal application shall not have their license renewed. In the event the person seeks a new license, the Board may in its discretion review and take into consideration all files, including investigative files and/or reports, related to the person and/or establishment.

Authority: O.C.G.A. §§ 43-1-25, 43-18-23, 43-18-43, 43-18-55, and 43-18-56.

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