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AB-1381 Funeral establishments: apprenticeship training. (2017-2018)

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Date Published: 07/31/2017 09:00 PM

Assembly Bill No. 1381

CHAPTER 150

An act to amend Section 7670 of the Business and Professions Code, relating to professions and vocations.

[Approved by Governor July 31, 2017. Filed with Secretary of State July 31, 2017.]

LEGISLATIVE COUNSEL'S DIGEST

AB 1381, Obernolte. Funeral establishments: apprenticeship training.

Existing law, the Cemetery and Funeral Act, defines an apprentice embalmer as a person engaged in the study of embalming under the instruction and supervision of a licensed embalmer who has had at least 2 years' of practical experience as a licensed embalmer. Existing law requires the apprenticeship to be served in a licensed funeral establishment that has been approved for apprenticeship training by the Cemetery and Funeral Bureau. Under existing law, in order to qualify for approval, the funeral director is required to submit to the bureau a specified application demonstrating, among other things, that the funeral establishment will continue to have a full-time employed embalmer with not less than 2 years' of practical experience as a licensed embalmer.

This bill would instead require the funeral establishment to submit that application and would additionally authorize the funeral establishment to have a trade embalmer, as defined, who is hired by the establishment on a case-by-case basis, for purposes of satisfying the application requirements.

Vote: majority Appropriation: no Fiscal Committee: yes Local Program: no

THE PEOPLE OF THE STATE OF CALIFORNIA DO ENACT AS FOLLOWS:

SECTION 1. Section 7670 of the Business and Professions Code is amended to read:

7670. (a) The apprenticeship required by this article shall be served in a licensed funeral establishment that shall have been previously approved for apprenticeship training by the bureau. In order to qualify for approval, the funeral establishment shall submit to the bureau an application, accompanied by the fee fixed by this chapter, showing:

(1) That not less than 50 human remains per apprentice employed have been embalmed in the establishment during the 12 months immediately preceding the date of the application.

(2) That the applicant has, and will continue to have, for each two apprentices employed by the establishment, a full-time employed California embalmer who has had not less than two years' practical experience as a California licensed embalmer immediately preceding the date of the application or a trade embalmer who is hired by the establishment on a case-by-case basis who has had not less than two years' practical experience as a California licensed embalmer immediately preceding the date of the application.

(3) That the licensed funeral establishment applicant meets the requirements of law as to equipment, cleanliness and sanitation as determined by an inspection report filed with the bureau.

(4) Nothing in this section shall be construed to prohibit a trade embalmer, as described in paragraph (2), from acting as the supervising embalmer of an apprentice pursuant to this section.

(b) Licensed funeral establishments under common ownership within close geographical proximity of each other may request any of the following from the bureau:

(1) To be treated in aggregate for the purpose of meeting the requirements of paragraph (1) of subdivision (a).

(2) To designate one additional supervising embalmer per registered apprentice.

(3) To allow a registered apprentice to serve in any or all of the licensed funeral establishments requested and approved pursuant to this section.

(c) Approval granted under this section shall be renewed annually upon application by the funeral establishment showing continued compliance with the foregoing provisions of this section, filed with the bureau not later than January 15 of each year. An application for renewal shall be accompanied by the fee fixed by this chapter.

(d) For purposes of this section, "trade embalmer" means a person who is an independent California licensed embalmer who embalms dead human bodies on a contractual basis for one or more California licensed funeral establishments.