



STATE OF ALABAMA
ALABAMA BOARD OF FUNERAL SERVICE
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Alabama Board of Funeral Service State Law Study Guide

Please be advised this study guide is **NOT** intended to be a representation of the actual State Law Exam. This is only a guide for review and study of all relative material that may be used on the State Law Exam. All material in Title 34 Chapter 13 of the Code of Alabama is subject to use on this exam. It is the applicant's responsibility to be prepared for all material subject to testing. The exam will consist of (50) multiple choice questions.

Section 34-13-1

(1) ACCREDITED SCHOOL or COLLEGE OF MORTUARY SCIENCE. A school or college approved by the Alabama Board of Funeral Service and which maintains a course of instruction of not less than ___ calendar weeks or ___ academic quarters or college terms and which gives a course of instruction in the fundamental subjects including, but not limited to, the following:

- a. _____.
- b. _____.
- c. _____.
- d. _____.
- e. _____.
- f. _____.
- g. _____.
- h. _____.
- i. _____.

j. _____.

k. _____.

(2) AMERICAN BOARD OF FUNERAL SERVICE EDUCATION. That funeral service educational organization which is an _____ granted official recognition by the United States Secretary of Education and which is composed of members representing the American Association of College of Mortuary Science, the _____ of Funeral Service Examining Board of the United States, Inc., the _____ Association of Colleges of Mortuary Science, and the University Mortuary Science Education Association and which has as its object the furtherance of _____ in the field of funeral service and in fields necessary to, or allied with, the field of funeral service, and further to formulate _____ of funeral service education and to grant accreditation to qualified schools and colleges of mortuary science and to do all things incidental to the foregoing.

(3) APPRENTICE EMBALMER or EMBALMER'S APPRENTICE. Any person _____ in the study of the art of embalming under the _____ and _____ of a licensed embalmer practicing in this _____.

(4) APPRENTICE FUNERAL DIRECTOR or FUNERAL DIRECTOR'S APPRENTICE. Any person _____ under or in _____ with a funeral director for the purpose of learning the business or profession of funeral director, to the _____ that he or she may become _____ under this chapter.

(5) AUTHORIZING AGENT. A person at least ____ years of age, except in the case of a surviving spouse or parent, who is legally entitled to order the _____ or final _____ of particular human remains.

(6) BOARD. The Alabama Board of Funeral _____.

(7) CEMETERY. A place dedicated to and used or intended to be used for the permanent interment of human remains. It may be either _____ or earth interment; a mausoleum for vault or _____ entombment; a structure or place used or intended to be used for the interment of _____ remains; _____ storage; or any combination of one or more thereof.

(8) CEMETERY AUTHORITY. Any individual, person, _____, profit or nonprofit corporation, trustee, partnership, society, religious society, _____, association or denomination, _____, or other group or entity, however organized, insofar as they or any of them may now or hereafter establish, own, operate, _____, control, or manage one or more cemeteries, burial parks, _____, columbariums, or any combination or variation thereof, or hold lands or structures for burial grounds or burial purposes in this state and engage in the operation of a cemetery, including any one or more of the following: The _____ and maintenance of a cemetery; the interment, entombment, and _____ of the human dead in a cemetery; the sale, installation, care, maintenance, or any combination thereof, with respect of monuments, markers, foundations, memorials, burial vaults, _____, crypts, mausoleums, columbariums, flower vases, floral arrangements, and _____ cemetery accessories, for installation or use within a cemetery;

and the supervision and conduct of funeral and burial services within the _____ of the cemetery. It is the legislative _____ of this chapter that a cemetery authority, to the extent that it engages in any of the activities described in this subdivision, shall _____ be affected by this chapter and shall not be deemed to have entered into or _____ in the practice of funeral directing, embalming, or funeral establishment operation.

(9) CONVICTION. The entry of a _____ of guilty or a guilty _____ rendered by any court of competent jurisdiction, excluding _____ violations.

(10) CREMATION. The technical process, using _____ and _____, that reduces human remains to _____ fragments. The reduction takes place through heat and _____. Cremation shall include the processing, and may include the pulverization, of the bone fragments.

(11) CREMATIONIST. A person who _____ the _____ of cremation.

(12) CREMATORY. A building or _____ of a building that houses a _____ and that may house a holding facility for purposes of cremation and as part of a funeral establishment.

(13) EMBALMER. Any person engaged or holding himself or herself out as engaged in the business, practice, _____, or profession of embalming, whether on his or her own behalf or in the _____ of a registered and _____ funeral director.

(14) EMBALMING. The practice, science, or profession, as _____ practiced, of preserving, disinfecting, and preparing by _____ of chemicals or other effectual methods, human dead for _____, _____, or _____.

(15) FUNERAL. A _____ for celebrating, sanctifying, or remembering the life of a person who has died. A funeral may be divided into the following two parts:

a. The _____, which may take place at a funeral home, church, or other place.

b. The _____, which may take place by the grave, _____, mausoleum, or _____ where the body of the decedent is to be buried or cremated.

(16) FUNERAL DIRECTING. The practice of directing or _____ funerals, the practice of _____ dead human bodies for burial by means _____ than embalming, or the preparation for the disposition of dead human bodies; the making of _____ or providing for funeral services or the making of _____ arrangements for the rendering of these services or the sale of this merchandise or supplies; the provision or maintenance of a place for the preparation for disposition of dead human bodies; or the use of the terms funeral director, undertaker, mortician, funeral parlor, or any other term from which can be _____ the practice of funeral directing; or the _____ out to the public that one is a funeral director or engaged in a _____ described in this subdivision.

(17) FUNERAL DIRECTOR. A person _____ to be licensed to practice the profession of funeral directing under the laws of this state, who meets the _____, who plans details of funeral services with members of the family and minister or any other person responsible for such planning, or who directs, is in charge, or _____ charge of, and supervises funeral service in a funeral home, church, or _____ place; who enters into the making, negotiation, or _____ of financial arrangements for funerals, including, but not limited to, the sale and selection of funeral supplies, or who uses in connection with the profession of funeral directing the terms funeral director, undertaker, funeral counselor, mortician, or any other term or _____ or combination thereof when considered in context in which used, from which can be _____ the practicing of the profession of funeral directing or that the person using such term or picture can be implied to be holding himself or herself out to the _____ as being engaged in the profession of funeral directing; and for all purposes under Alabama law, a funeral director is considered a professional. For the purposes of this chapter, the term does not include any _____ authority.

(18) FUNERAL ESTABLISHMENTS. The term includes any funeral home or mortuary service located at a _____ street address where the profession of funeral _____, embalming, or cremation is practiced in the care, planning, and preparation for _____ or cremation or _____ of human dead. The term does not include any cemetery or land or structure owned, operated, leased, controlled, or managed by any _____ authority as a cemetery. A funeral establishment shall consist of and maintain all of the following facilities:

a. A preparation room equipped with sanitary _____ floor and walls, necessary drainage and _____, and containing _____ embalming equipment, necessary approved tables, instruments, _____ and cold running water, containers or receptacles for soiled linen or clothing, and supplies for the preparation and embalming of dead human bodies for burial, cremation, and _____.

b. A display room containing a stock of _____ caskets and funeral supplies displayed in full size, cuts, photographs, or _____ images. At no time shall _____ than eight different adult size caskets be on the _____.

c. At least one operating funeral _____ or hearse properly _____ and equipped for transporting human remains in a casket or urn.

d. If engaged in the practice of cremation, at least one _____ retort for cremation and an adequate supply of _____ for display and sale.

e. A _____ suitable for public viewing or other funeral services that is able to accommodate a _____ of 100 people.

f. An office for holding arrangement conferences with relatives or _____ agents.

(19) FUNERAL SUPPLIES or FUNERAL MERCHANDISE. _____ made of any material for use in the burial or _____ of human dead; outer receptacles, when _____ by a funeral director, including burial vaults and urns, for cremated human remains; clothing used to dress

human dead when sold by a funeral _____; and all equipment and accouterments normally required for the _____ for burial or funeral and other disposition of human dead.

(20) GROSS IMMORALITY. _____, flagrant, or shameful immorality or showing a moral _____ to the opinions of the good and respectable members of the _____ and to the just _____ of the position held by the offender.

(21) MANAGING EMBALMER. A licensed embalmer who has _____ charge, control, and supervision of _____ activities involving the _____ room and embalming.

(22) MANAGING FUNERAL DIRECTOR. A _____ funeral director who has full charge, _____, and supervision of all activities involving funeral directing at a _____ establishment.

(23) MORAL TURPITUDE. Any unlawful sexual or _____ act, or any act involving theft, theft of _____, extortion, _____ stolen property, identity theft, forgery, _____, tampering with records, bribery, perjury, or any similar act in _____ jurisdiction.

(24) MORTUARY SCIENCE. The scientific, professional, and practical aspects, with due consideration _____ to accepted practices, _____ the care, preparation for burial, or _____ of dead human bodies, which shall _____ the preservation and sanitation of the bodies and restorative art and those aspects related to _____ health, jurisprudence, and good business administration.

(25) MORTUARY SERVICE. A location with a specific _____ address where embalming or cremation, or _____, is practiced for a _____ funeral establishment and where _____ services or merchandise are sold directly or at retail to the _____. A mortuary service shall consist of and maintain all of the following facilities:

a. A _____ room equipped with _____ nonporous floor and walls, _____ embalming equipment, and _____ drainage and ventilation and containing necessary approved tables, _____, hot and cold running water, containers or _____ for soiled linen or clothing, and supplies for the preparation and _____ of dead human bodies for _____, cremation, and transportation.

b. At least _____ operating _____ _____ properly licensed and equipped for transporting human remains in a casket or urn.

c. If engaged in the practice of _____, at least one operable retort for cremation.

(26) OPERATOR. A person, corporation, _____, legal representative, or other _____ owning or _____ a funeral establishment.

(27) PRACTICAL EMBALMERS. Any person who has been actively and continuously _____ or employed in the practice of embalming under the supervision of a _____ embalmer for _____ consecutive years immediately preceding _____ 1,

1975, and has been issued a license as a practical embalmer under the _____ provisions of this chapter.

(28) PROCESSING or PULVERIZATION. The _____ of identifiable bone fragments after the completion of the cremation process to _____ bone fragments or _____ particles by manual or mechanical means.

(29) RETORT. An _____ space within which the cremation _____ takes place.

(30) TEMPORARY CONTAINER. A _____ for cremated remains, usually _____ of cardboard, plastic, or similar material, that can be closed in a manner that _____ the leakage or spillage of the cremated remains or the _____ of foreign material, and is a single container of sufficient _____ to hold the cremated remains until an urn is _____ or the cremated remains are scattered or buried.

(31) URN. A receptacle _____ to _____ cremated remains.

(b) Nothing in this chapter shall _____ a funeral director or funeral _____ to have or provide a _____ or to restrict the conduct of funeral services from a church or _____.

(c) Nothing contained in the _____ of funeral directing, or in any other provision of this chapter, shall be applicable to or _____ or _____ cemetery authorities in the conduct of activities of a cemetery authority; or be applicable to or regulate or restrict the _____ on by any cemetery authority of any activities, _____, practices, and services which may now or hereafter (1) constitute any part of the _____ or management of a cemetery or of the property of a cemetery or (2) otherwise consist of the _____ or entombment of the human dead or memorialization of the human _____ in any manner within a cemetery property.

Section 34-13-2

It is declared and established that the procedures for making final disposition of human dead, including _____ and _____ directing, are so affected with the _____ interest as to _____ regulation and control of such included _____ and that, additionally, such regulation and control are necessary for the prevention of the spread of infectious and contagious diseases, for the _____ of the health and _____ of the people of the _____ and that all of the provisions of this chapter and regulations authorized to be made are necessary to effectuate its purpose; and all of the provisions of this chapter shall be construed liberally and in a manner to carry out its _____ intents and purposes.

Section 34-13-3

This chapter does not apply to any _____ or cemetery authority or to any _____ institution, _____ college, county medical society, _____ association, college of _____, or any officer thereof, or to any other recognized person carrying out the provision of the statutes of the State of Alabama prescribing the conditions under which _____ human dead bodies are held subject for scientific or anatomical study; provided, that nothing in this section shall be construed to give any cemetery or cemetery authority or any other person or entity the right to enter into or _____ in any funeral home operation or the practice of _____ or funeral directing or any related funeral home or funeral directing _____. Nor shall this chapter include any _____ or occasional or _____ help to assist in the conduct of a funeral _____ on such basis by a funeral director, provided such funeral is under the general _____ of a licensed funeral director.

Section 34-13-4

Upon _____, the board shall distribute to funeral directors, embalmers, and _____ and such other persons as may be interested therein, in pamphlet hard copy form, and shall maintain in _____ format on the website of the _____, the provisions of this chapter together with all rules and regulations prescribed, _____, or promulgated pursuant to this chapter, together with a complete and current _____ of all persons and establishments _____ under this chapter.

Section 34-13-5

_____ courts shall have jurisdiction in all _____ arising under this chapter. The _____ attorney is authorized to institute prosecutions for violations of this chapter by information, or prosecutions may be instituted by indictment or by _____ verified before any magistrate.

Section 34-13-6

In the event a _____ under this chapter should have _____ to believe that the board, or a member or members thereof, has used the powers of the board to promulgate _____ or rulings or requirements _____ intended by this chapter and that such orders or rulings or requirements are used to subject the licensee to unreasonable and wrongful _____ of this chapter by the board or that the board or a _____ or members thereof have imposed the _____ of the board or the wrongful interpretations of this chapter upon the _____ to such extent that it constitutes harassment of the licensee, then the _____ may take an _____ for relief to the _____ court of the county in which the licensee _____ embalming, funeral directing, or operates a funeral establishment as prescribed in Section 34-13-31.

Section 34-13-8

On _____ of any person _____ payment of the cost thereof, the executive secretary of the board shall furnish, under the seal of the board and _____ by the _____ secretary, a _____ copy of any license, rule, regulation, or order. In any court or proceeding such

copy shall be _____ evidence of the fact of the issuance of such license, regulation, rule, or order and that such is effective as of the _____ of such certificate

Section 34-13-9

Funeral _____, cemetery service, and funeral _____ pricing shall conform to rules established by the Federal Trade Commission and _____ funeral establishment shall have a _____ or brochure in each full-size and _____ casket, and a clear statement on each photograph and electronic image of a _____, stating the unit price of that casket.

Section 34-13-10

Unless otherwise provided herein, violation _____ part of this chapter shall be a _____ and _____ be punishable as such under the laws of _____. It is further provided that those actions specifically enumerated in subdivisions (2)a. through (2)f., (2)h., (2)j., (2)m., and (2)n. of Section 34-13-56 shall be _____ as a misdemeanor and may be prosecuted accordingly.

Section 34-13-11

(a) A _____, who is at least 18 years of age _____ of sound mind, _____ enter into a contract to act as authorizing agent and _____ the _____, _____, and _____ of disposition of remains and arrange for funeral _____ and services to be provided upon death. Except as otherwise provided in subsection

(b), the _____ to control the disposition of the _____ of a deceased person as an _____ agent, including the location, _____, and conditions of disposition and _____ for funeral goods and services to be provided, shall vest in the following persons in the _____ listed and the _____ named, provided the person is at least _____ years of age and of sound mind:

(1) The person _____ by the decedent as authorized to direct disposition pursuant to Public Law No. 109-163, Section 564, as listed on the _____ United States Department of Defense _____ of Emergency Data, _____, or its successor form, if the decedent _____ while serving on _____ duty in any branch of the United States Armed Forces, United States Reserve Forces, or National Guard.

(2)a. The person _____ by the decedent in an _____ executed in accordance with paragraph b.

b. Any person, at least 18 years of age and of sound mind, may _____ another person to _____ the disposition of his or her remains pursuant to an affidavit executed before a _____ in substantially the form as shown in The Code of Alabama.

(3) The surviving _____.

(4) The _____ surviving child of the _____ or, if there is _____ than one surviving child, a _____ of the _____ children. Less than a majority of the

surviving children may be vested with the rights of this section if reasonable _____ have been made to _____ all surviving _____ of the instructions _____ a majority of the surviving children are not aware of any _____ to the instructions.

(5) The surviving _____ or _____ of the decedent. If one surviving parent is _____, the remaining parent shall be vested with the rights and duties of this section after _____ efforts in locating the absent _____ parent have been unsuccessful.

(6) The surviving _____ of the decedent or, if there is more than one surviving sibling, a _____ of the surviving siblings. _____ than a majority of the surviving siblings may be vested with the _____ and _____ of this section if reasonable efforts have been made to _____ all surviving siblings of the _____ and a majority of the surviving _____ are not aware of any opposition to the instructions.

(7) The surviving _____ of the decedent or, if there is more than _____ surviving grandparent, a _____ of the surviving grandparents. _____ than a majority of the surviving grandparents may be _____ with the rights and duties of this _____ if reasonable efforts have been made to _____ all surviving grandparents of the instructions and a _____ of the surviving grandparents are not aware of _____ opposition to the instructions.

(8) The _____ of the decedent at the _____ of the death of the decedent, if a guardian _____ been appointed.

(9) The _____ representative of the _____ of the decedent.

(10) The person in the _____ of the next _____ of kinship, in _____ order, under the laws of descent and distribution to inherit the _____ of the decedent. If there is more than one person of the _____ degree, _____ person of that degree may exercise the right of disposition.

(11) The public officer, _____, or employee responsible for _____ the final disposition of the remains of the decedent if the _____ of the remains is the responsibility of the _____ or a _____ subdivision of the state.

(12) Any _____ person _____ to assume the responsibility of acting on and arranging the final disposition of the remains of the decedent, including the _____ that has _____ of the body, in the absence of any person specified in subdivisions (1) to (11), inclusive. The person shall _____ in writing that _____ faith _____ to contact the persons specified in subdivisions (1) to (11), inclusive _____ been unsuccessful.

(1) The person is _____ with first or second degree _____ or voluntary manslaughter in connection with the _____ of the decedent and the charges are known by the mortician. If the charges against the person are _____ or the person is acquitted of the charges, the right of disposition shall be _____.

(2) The person does not _____ his or her right of disposition within _____ days after _____ of the death of the decedent or _____ three _____ after the death of the decedent, whichever is _____.

(3) If the person is the _____ of the decedent and a _____ to dissolve the marriage was _____ at the time of _____ of the decedent.

(4) If the judge of _____ court determines, pursuant to subsection (c), that the person entitled to the right of disposition and the decedent were _____ at the time of death. For the purposes of this subdivision, estranged means a physical and _____ separation that has _____ for such a period of time that an absence of _____, trust, and _____ for the decedent is _____ demonstrated.

(c) Notwithstanding subsections (a) and (b), the judge of probate of the _____ of residence of the decedent may _____ the right of disposition to the person the judge of probate determines to be the most _____ and appropriate to _____ the right of disposition, and _____ make decisions regarding the remains of the decedent if the persons _____ the right of disposition do _____ agree. If two or more persons who possess an equal right of disposition are not able by majority _____ to agree upon the disposition of the remains of the decedent, any of those persons or the _____ with custody of the remains may _____ a petition asking the judge of probate to make a _____ in the matter. In making such a determination, the judge of probate shall consider all of the following:

(1) The reasonableness and _____ of the proposed funeral and _____ arrangements.

(2) The _____ of the personal relationship between the _____ and each person possessing _____ right of disposition.

(3) The financial ability and _____ of each person possessing a right of disposition to pay the _____ of the funeral and _____ arrangements.

(4) The convenience and _____ of other family members and friends who _____ to pay their respects and the _____ to which the funeral arrangements would _____ maximum participation by all who _____ to pay their respects.

(5) The _____ of the decedent.

(d) Absent negligence, _____, recklessness, or deliberate _____ in the event of a _____ regarding the right of disposition, a funeral establishment may _____ be held liable for refusing to _____ remains, for interring, or for otherwise _____ of the remains of a decedent or for _____ arrangements for the final disposition of remains unless _____ until the funeral establishment _____ an order from the judge of probate, or other written _____ signed by all persons _____ a right of disposition, regarding the final disposition of the remains. If a funeral establishment retains remains for final _____ during a disagreement, the funeral establishment _____ embalm or refrigerate _____ shelter the body, or both, to _____ the body pending the final decision of the judge

of probate. The funeral establishment _____ add the cost of _____ or refrigeration and _____, or both, to the final disposition _____. If a funeral establishment files a petition pursuant to subsection (c), the _____ establishment may add any associated _____ fees and _____ costs to the cost of final disposition. This section may not be construed to require or impose a duty upon a funeral establishment to bring an action pursuant to this section. A funeral establishment and its employees may not be held _____ or _____ liable for not bringing an action pursuant to this section.

(e) Except to the degree that it may be considered by the judge of _____ pursuant to subdivision (3) of subsection (c), the fact that a person has _____ or has agreed to pay for all or a part of funeral and final _____ arrangements does not give that person a _____ voice in right of disposition decisions than he or she would have had otherwise. The personal _____ of the estate of a decedent, by virtue of being the personal representative, _____ have a greater voice in right of disposition decisions than he or she would have had otherwise.

Section 34-13-12

(a) _____ person signing a funeral service _____, cremation authorization form, or any other _____ for disposition by his or her signature shall attest to the _____ of any facts set forth in the document including, but not limited to, the _____ of the decedent whose remains are to be buried, cremated, or otherwise _____ of and the authority of the person to order the disposition. A funeral establishment _____ rely on a funeral service agreement, contract, or _____ in carrying out the instructions of the person the funeral establishment reasonably _____ to hold the right of disposition. A funeral establishment is not responsible for _____ or independently investigating the _____ of any next-of-kin or relative of a decedent. If there is more than one person in a class with equal priority and the funeral establishment has no knowledge of any _____ by any other member of that class, the funeral establishment may rely upon and act according to the _____ of the first person in the class to make funeral and _____ arrangements.

(b) Absent negligence, wantonness, _____ or deliberate misconduct, no funeral establishment or funeral _____ who relies in good faith upon the _____ of a person who claims a right of disposition shall be subject to _____ or civil _____, or be subject to disciplinary action, for carrying out the disposition of the remains in accordance with those instructions.

Section 34-13-20

(a) There is established the Alabama Board of Funeral Service, consisting of _____ members, each of whom shall be _____ of the United States and of the State of Alabama. All members of the former Alabama Embalming Board who are holding office on September 10, 1975, by virtue of that office, shall become members of the Alabama Board of Funeral Service for the term ending December 31, 1976. Not more than one member of the Alabama Board of Funeral Service may reside in the same _____ as created under Section 34-13-21, and if more than one member of the State Embalming Board resides in one district at the time of

the organization of the board, the _____ shall select one member of the Embalming Board to be a member of the original Alabama Board of Funeral Service from the district, and the other member of the Embalming Board shall not be eligible for membership on the board.

(b) At a special meeting called for such purpose, to be held in Montgomery, within 45 days from September 10, 1975, the Alabama Funeral _____ Association, Incorporated, and the Alabama Funeral Directors and _____ Association, Incorporated, in joint meeting, shall nominate _____ qualified persons for each of the positions as members of the original board of the Alabama Board of Funeral Service which are not filled by members of the State Embalming Board. The names of such persons so nominated shall be promptly _____ by the _____ of the Alabama Funeral Directors Association, Incorporated, and the Alabama Funeral Directors and Morticians Association, Incorporated, to the _____ who shall appoint the members of the board from among the persons so nominated. Not more than _____ members of the board at any time may be members of the same _____ and the membership of the board shall be inclusive and reflect the racial, gender, geographic, urban/rural, and economic diversity of the state. The board shall _____ report to the _____ by the _____ legislative day of each regular session the extent to which the board has complied with the diversity provisions provided for in this subsection. Four members shall be appointed for a term ending December 31, 1977, and the board shall be constituted so that the terms of three members of the board shall end December 31, 1976, and the terms of four members shall end December 31, 1977. The terms of the members of the State Embalming Board, who become members of the Alabama Board of Funeral Service under this chapter, shall expire December 31, 1976, unless there are more than three such members, in which event, the Governor shall designate which of the three members of the State Embalming Board shall serve for terms ending December 31, 1976, and which shall serve for terms ending December 31, 1977.

(c) After selection of the original members of the Alabama Board of Funeral Service and during _____ of each year, all embalmers and all funeral directors _____ under this chapter shall meet in _____, at a time and date in October and at a place fixed by the _____, for the purpose of nominating three persons to the _____ for each vacancy on the board. Not more than _____ nominees shall be members of the same race. The Governor shall promptly appoint one of the three persons so nominated. If an _____ is not made before the expiration of the _____ of a board member, then the board member _____ continue to serve until a _____ has been appointed.

(d) The successors to the original members of the board shall be selected for terms of _____ years. After the terms of the original members of the board, _____ of the members serving on the board shall be practicing and licensed embalmers in Alabama for the last _____ years immediately _____ their appointment and shall be licensed embalmers and funeral directors in this state under this chapter. _____ of the members shall have been actively engaged in _____ directing in Alabama for the last _____ consecutive years preceding their appointment and shall be _____ funeral directors of this state, under this chapter, and, at the time of their appointment to the board, shall be _____ of funeral establishments in this state. If the license of a member of the board as a funeral director or embalmer should be _____ or suspended, such member _____ automatically, by reason of

such revocation or suspension, become _____ to serve as a member of the board, and a new member, properly qualified, shall be selected in the same manner provided for appointment to the board. Should a member fail to _____ after appointment, then he or she shall automatically become ineligible to serve as a member of the board, and a new member, properly qualified, shall be _____ and shall serve the _____ of the term of the member so terminated. Each member of the board shall remain an _____ practicing funeral director or embalmer and funeral establishment _____ during his or her tenure of service on the board. Each member may serve not more than _____ consecutive two-year terms. In no event shall more than one member of the board reside in one district. At each meeting where nominations are made for members of the board, only _____ licensed funeral director _____ licensed embalmer of each establishment shall have the right to vote for nominees.

(e) Any board member who is elected to the International Conference of Funeral Service Examining Board, upon his or her election, shall begin to serve the state board in an _____ capacity only, for the duration of his or her international conference board term. A member, properly qualified, shall be _____ in the same manner provided for _____ to the state board and shall serve the remainder of the term of the member elected to the international _____ board.

Section 34-13-21

There are hereby created, for the purpose of this chapter, _____ geographical districts which shall be _____ with the seven _____ districts as fixed and established by Section 17-20-1, as may be amended. It is the purpose and intention of this section to provide that _____ member of the Alabama Board of Funeral Service shall be _____ from each district, which shall be _____ identical with the congressional districts, and that _____ nominees to the _____ for appointment to the board shall be made from each district.

Section 34-13-22

The Alabama Board of Funeral Service shall hold _____ less than _____ meeting quarterly, such meeting to be held at such time and place as the board may determine after _____ of such meeting has been given in the manner prescribed herein at least _____ days prior to such meeting. The board may hold such other meetings as it may deem necessary. Five or _____ members shall comprise a _____. The board _____ not meet on the premises of any embalming school or college of mortuary science; and, if any such meeting is held, all the proceedings of such meeting shall be _____.

Section 34-13-23

(a)(1) The board appointed under this chapter and each successor thereto is authorized to select from its _____ membership a _____ and to adopt and promulgate such rules and regulations for the transaction of its _____ and for the _____ and _____ of the standards of service and practice to be _____ in the funeral service profession in the State of Alabama as it may deem expedient and consistent with the laws of this state and for the _____ good.

(2) The chair shall preside at _____ meetings of the board unless otherwise ordered, and he shall _____ and perform all duties and _____ incident to the office of chair.

(3) The board _____ select also from its own membership a _____ chair, a secretary, and a _____. No two offices shall be held by the _____ person. The chair and vice chair may not be of the _____ race.

(b) The treasurer shall give _____ to the State of Alabama in the sum of ten thousand dollars (\$10,000), and any premium payable for the bond shall be paid from the funds of the _____. The bond shall be deposited with the _____ of the State of Alabama.

(c) Board members shall be _____ for their necessary traveling expenses and the necessary _____ incident to their attendance upon the business of the board, and, in addition thereto, they shall receive the sum of fifty dollars (\$50) per diem for every _____ not to exceed 20 days per _____ actually spent by the member upon the business of the board. The board may employ an _____ secretary and _____ executive secretary who shall each receive and be paid an annual salary to be _____ by the board, but not to exceed the salary level established and paid to _____ officers in the state government. The salary shall be paid on a _____ basis. In addition, the executive secretary and associate executive secretary _____ receive his or her necessary traveling and other incidental expenses as are incurred in the performance of duties, and all expenses, per diem, and compensation shall be paid out of the _____ of the board. At no time shall the operation of the board be an _____ to the state, and at no time shall expenses of the board _____ the receipts of the board.

(d) The executive secretary of the board shall have _____ supervision and be held responsible for the _____ of the office of the board, shall have supervision over field _____ and _____ of this chapter, and shall be responsible and answerable to the _____. The associate executive secretary shall _____ the executive secretary and perform such other duties as may be _____ to him or her by the board. The executive secretary and associate executive secretary shall _____ be of the same _____.

(e) The executive secretary shall keep a _____ in which shall be registered the name and business address of _____ person to whom _____ have been granted in accordance with this chapter, the _____ and date of the license and the date of each _____. Upon request to do so, the executive secretary shall supply each person licensed for the practice of embalming and funeral directing with a _____ of all persons and _____ holding a license under this chapter, then in force, giving the names of the persons, their business addresses, and the _____ of their licenses.

(f) It shall be the duty of the executive secretary to prepare under the _____ of the board and cause to be printed all _____ required by this chapter to be prescribed by the board. All _____ required to be mailed by this chapter shall be directed to the _____ known post office address of the party to whom the notice is sent.

(g) The executive secretary shall _____ at the pleasure of the board and shall _____ duties as may be necessary for the proper _____ of the board as the _____ may

determine or as may be prescribed in this chapter. During the employment of the executive secretary he or she may _____ be employed by any funeral _____.

(h) All fees and fines _____ under this chapter shall be paid into a special fund in the State _____ to be known as the Alabama State Funeral Directors and Embalmers _____, which is hereby created, for the necessary and proper _____ of the board, and for a reasonable reserve for _____ use by the board. All moneys in the fund are hereby appropriated, as a continuing appropriation, to the Alabama Board of Funeral Service to be used for carrying out this _____.

(i) Each _____ of the board, the _____ secretary, the _____ executive secretary, _____ employees, and independent _____ of the board appropriately identified are _____ at any given time on complaint or for _____ purposes to _____ the office, premises, establishment, or place of business of any funeral service _____ in the State of Alabama or any _____ premises, establishment, or place where the _____ of funeral service is carried on, or where the practice is _____ as being carried on, for the purpose of _____ the office, premises, or establishment and for the purpose of inspecting the license and registration of any funeral service licensee and _____ trainee operating therein.

(j) All members of the _____ or designated employees of the board are hereby _____ to serve and _____ any process issued by any _____ under this chapter and to _____ and execute any papers or _____ issued by the _____ or any officer or member thereof under authority of this chapter.

(k) The board may employ _____ assistants and employees or other help as may be necessary to carry out this chapter, and the terms and _____ of employment shall be determined by the _____. The board may establish and _____ an office from which this chapter may be carried out.

Section 34-13-24

_____ member of the board, after _____ and before entering upon his or her duties, shall make _____ before some officer competent to administer oaths, that he or she is _____ qualified to become a member of the board under the provisions of this chapter and that he or she will _____ perform the duties of such office, a copy of which shall be filed in the office of the _____ of State.

Section 34-13-25

All hearings provided for by this chapter shall be _____ to the public, and a report and _____ of proceedings of each hearing shall be made at the _____ of the board. A copy of such report and record shall be furnished to _____ interested party, upon _____ and tender to the _____ secretary of the board of the reasonable cost of preparation thereof.

Section 34-13-26

(a) The board has the _____ to adopt and _____ for the protection of the public _____, safety, and _____ reasonable rules and regulations.

(b) The rules and regulations of the board shall not become _____ until they have been _____ and discussed at a _____ hearing and have been filed in the office of the _____ of State; and, when so filed, such rules and regulations shall be in full _____ and have the effect of law. The board shall _____ notice of such hearing to each licensee under this chapter _____ days before the date of such hearing.

(c) All rules and _____ adopted by the board shall be referenced to the section or sections of this chapter which set forth the legislative _____ which it interprets or to which it applies. Every rule and regulation shall be in _____, promulgated by an order, state its _____ date, be indexed in a _____ book which shall be a permanent record, and a true copy shall be filed in the office of the _____ of State of Alabama. A copy of every order promulgating a rule, _____, or other order containing a requirement of _____ application shall be provided to each licensee in _____ format and available on the website of the board. The failure of a _____ to receive a copy of the rule, regulation, or order _____ not exempt or excuse him or her from the duty of _____ with the valid rules, regulations, or orders lawfully issued.

(d) The board shall have _____ to hold hearings, conduct _____, _____ witnesses, administer _____ and take testimony in order to carry out this chapter.

(e) A _____ of competent jurisdiction, upon application of the board, may _____ violations or _____ to comply with this chapter or the regulations of the board.

(f) Any _____, including a member of the board, may _____ a complaint against a licensee of the board by filing with the board a _____ complaint on a form prescribed by the board.

(1) Upon _____ of a properly verified complaint, the board shall send a _____ of the complaint to the _____ licensee by _____ mail to the address of such licensee appearing on record with the board. The licensee shall answer the complaint in writing within _____ days after receipt of the complaint. The licensee shall mail a copy of his or her _____ to the board and the _____. Upon receipt of the response of the licensee or lapse of 20 days, the board may _____ a complaint that _____ to show the existence of any of the causes or grounds for _____ action pursuant to this chapter. Upon finding _____ cause to believe that the charges are not frivolous, unfounded, or filed in bad faith, the _____ may cause a _____ to be held, at a time and place fixed by the board, regarding the charges. If a hearing is held, the board shall order the _____ to appear and show cause why he or she should not be _____ for a violation of this chapter.

(2) The board shall give the _____ and the affected licensee _____ days' notice of any _____ upon a complaint. Such notice shall be by United States _____ mail.

(3) Any party appearing before the board _____ be accompanied by _____.

(4) Before commencing a hearing, the _____ or a designee of the board shall determine if all parties are _____ and ready to proceed. If the _____ does not attend a hearing and does not show good cause for his or her absence, the _____ shall be summarily _____ and all _____ and expenses relating to the convening of the hearing shall be _____ to the _____. If an affected licensee does _____ appear for a hearing and does not show good cause for his or her absence, the _____ shall be presumed to have waived his or her right to appear before the board and be heard.

(5) Upon a determination by the chair or designee that all parties are ready to proceed, the hearing shall be called to _____. The complainant and the licensee may offer _____ statements and the _____ may order the sequestration of nonparty _____.

(6) After opening statements, the _____ shall present his or her case and the _____, any counsel, and any member or designee of the _____ may ask _____ of complainant _____.

(7) After the complainant has completed presenting his or her case, the _____ shall present his or her case and the _____, any counsel, and any member or designee of the _____ may ask _____ of _____ witnesses.

(8) _____ both sides have completed their presentations, _____ statements may be given by the complainant and the licensee.

(9) At the _____ of the hearing, the board _____ render an _____ decision or take the case under advisement for further _____. A decision of the board shall be rendered within _____ days after the hearing and a _____ of that decision shall be _____ to the last known business or residence address of the complainant and the licensee.

(g) The _____ may file a formal complaint against a _____ and may temporarily _____ a license simultaneously with the institution of proceedings under this section, _____ a hearing, if the board finds that the _____ supporting the determination is clear, competent, and unequivocal and that the continuation of the licensee to practice would constitute a _____ to public health or safety.

Section 34-13-27

The board shall adopt a common _____, which may be altered as often as the board may desire, and may adopt and enforce, for the _____ of the public health, _____, and welfare, reasonable rules and regulations relating to:

(1) The _____ of the profession of _____, including, but not limited to, solicitation of business;

(2) The practice of the _____ of funeral directing, including, but not limited to, _____ of business;

(3) The _____ condition and physical facilities of funeral homes, mortuaries, and funeral _____ where the profession of embalming and funeral directing is _____ on, with particular regard to _____, sewage, disinfecting, _____, and equipment;

(4) Carrying out generally the various provisions of this chapter for the _____ of the peace, _____, safety, and _____ of the public; and

(5) Carrying out a _____ for _____ of apprentice embalmers and apprentice funeral directors.

Section 34-13-31

(a) Whenever, by _____, final order or other final determination upon any _____ hearing provided for by this chapter, a party to such hearing shall feel aggrieved, an _____ may be taken to the _____ court for the _____ within which such party resides or, if he or she is not a resident of Alabama, then to the circuit court for the county within which the hearing was _____. However, if there is more than one appellant, the circuit court having _____ to hear the appeal of the first appellant filing a _____ of appeal shall have jurisdiction to hear all appeals arising from the same hearing, irrespective of the place of residence of the appellants.

(b) On taking and _____ an appeal to the circuit court having _____ thereof, the court shall proceed as in other cases.

(c) _____ appeals shall be taken within _____ days from the _____ of the order entered of the board which is the basis of the appeal and shall be granted as a matter of right and be deemed perfected by filing with the _____ a bond for security of costs of the appeal. Upon filing of a _____ petition and hearing thereon, the court _____, in its discretion, stay the order appealed from pending final judicial review. No _____ or additional _____ may be _____ in the circuit court except as to fraud or misconduct of some person engaged in the _____ of this chapter and affecting the order, rule, or ruling appealed from. The court shall otherwise hear the case upon the _____ as certified to the court by the _____ secretary of the board and shall set aside the order, rule, or action appealed from if the court finds that the board erred to the prejudice of the appellant's substantial rights in its application of the law; or, the order, decision, or award was procured by fraud or was based upon a finding of facts _____ to the substantial weight of the _____, or that the order was arbitrary, capricious, or inconsistent with respect to any of the material issues involved; or that the board _____ in its order to find sufficient _____ as to each material issue involved to enable the court to determine the basis for the conclusion of the board. The court, instead of setting aside the order, _____ remand the case to the board for further proceedings in conformity with the direction of the court. The court may, in advance of judgment and upon a sufficient showing, remand the cause to the board for the purpose of taking additional testimony or other proceedings.

(d) An appeal may be taken from the judgment decree or any appealable order of the circuit court to the _____ Court of this _____. Appeals to the Supreme Court shall be taken, perfected, heard, and determined in the manner prescribed by law and the Alabama Rules of

Appellate Procedure for taking, perfecting, hearing, and determining appeals to the Supreme Court.

Section 34-13-51

(a) The board _____, but shall not be _____ to, recognize and issue, without _____ and upon payment of a fee not in excess of five hundred dollars (\$500) for each license, a _____ license for the practice of funeral directing or embalming to any person licensed as a funeral director or embalmer by any _____, if the board makes an individual determination that the _____ of the applicant meet or exceed the _____ qualifications required for funeral directors or embalmers in this state and that a written examination of such applicant would be superfluous.

(b) Applications shall be made on _____ prescribed and furnished by the _____. An applicant holding a funeral director or embalmer license from another state, and applying for a funeral director or embalmer license in Alabama shall be _____ for licensing by reciprocity.

(c) The _____, at the time of the _____, shall make a reasonable determination that the applicant is a _____ resident of the United States or legally present in this state. The board reserves the right to _____ applicants for reciprocity to submit to a personal _____ or a _____ examination relating to the _____ as it pertains to the regulation of the funeral service profession in _____.

(d) The board _____ issue a _____ work _____ to a qualified funeral director or embalmer when the _____ determines that the applicant satisfies all requirements for reciprocity and a _____, not exceeding one hundred dollars (\$100), is received by the board. A special work permit shall _____ on the date of the next _____ board meeting occurring after _____.

Section 34-13-52

(a) _____ under this chapter shall be granted to _____ upon the qualification and successful _____ of the individual applicant and shall specify the name to whom it is issued. A license granted under this chapter _____ be on public _____.

(b) A funeral _____ license issued under this chapter shall include the _____ of the funeral establishment, the name of the _____ funeral director, the name of the managing _____ and the certificate of _____ license number, if applicable. The license shall be on _____ display.

(c) _____ license issued under this chapter shall be signed by the chair and executive secretary and shall be _____ in the place of business or _____ of the licensee.

(d) Any person _____ in the business, profession, or practice of funeral directing _____ do _____ of the following:

(1) _____ on his or her person, or be able to promptly _____, a legible and _____Alabama funeral director's wallet license certificate when performing the duties of a funeral director.

(2) Upon the _____ of a board member, the executive secretary, the associate executive secretary, or a designated and _____ identified employee of the _____, _____ produce his or her legible and current Alabama funeral director wallet license certificate.

(e) Any person engaged in the business, profession, or practice of _____ shall do each of the following:

(1) Possess _____ his or her _____, or be able to promptly produce, a legible and current Alabama embalmer's _____ license certificate when _____ the duties of an embalmer.

(2) Upon the _____ of a _____ member, the executive secretary, the associate executive secretary, or a designated and appropriately identified employee of the board, promptly _____ his or her _____ and current Alabama embalmer _____ license certificate.

Section 34-13-53

(a) Every licensed funeral _____, every licensed _____, and every licensed _____ shall pay annually a fee for renewal of his or her license. The renewal fees shall be set by the _____ at a rate not to exceed one hundred fifty dollars (\$150) for licensed embalmers and funeral directors and five hundred dollars (\$500) for licensed operators.

(b)) All _____ granted under this chapter shall _____ on October 1, following their issuance or _____, and shall become invalid unless renewed as provided in this section and other _____ of the board are met. In addition to payment of a renewal fee, _____ licensee shall satisfy continuing education requirements prescribed by _____ of the board pursuant to subsection (c). There _____ be no proration of licenses.

(c)(1) Commencing in _____, and for each licensing period thereafter, the board may require persons seeking renewal of an embalmer or funeral director license under this chapter to complete board _____ continuing education of not _____ than eight hours biennially. The board may approve courses offered by institutions of higher learning, specialty societies, associations, or _____ organizations or by other organizations the _____ deems appropriate.

(2) Any person who holds an _____ license or who is _____ the age of 65, with at least 10 years of experience in the funeral service _____, is exempt from the continuing education requirement.

(3) An embalmer who is _____ a licensed funeral director and who completes the continuing education requirements for funeral directors is _____ required to complete additional continuing education requirements.

(4) The board _____ promulgate rules to implement and _____ compliance with this section.

(d) The board shall _____ on or before August 1 of each year, in _____ form, electronic image, in an online publication, or on the _____ of the board that is accessible to each licensed funeral director, licensed embalmer, and licensed _____, notice that his or her renewal fee is due and payable and that, if such fee is _____ paid by October 1, the license _____ lapse.

(e) At the time, or _____, a licensee changes _____ of employment, residence address, or makes any other change in _____ which is of record at the board office, the licensee _____ report such change of status, by a _____ prescribed by the board, to the executive secretary.

Section 34-13-54

_____ license to an embalmer, a funeral director, or a funeral establishment granted under or regulated by this chapter shall be _____ or assignable.

Section 34-13-55

(a) When a _____, for any reason, has allowed his or her license to _____, the board _____ reinstate the license if application for reinstatement is made within a period of _____ months from the lapse _____ is accompanied by _____ of all penalties and lapsed fees, from the time of the _____ to date of reinstatement. The penalties to be paid to the board shall not exceed one hundred dollars (\$100) to _____ licenses which have lapsed.

(b) After the _____ period has elapsed, such license may be reinstated _____ by complying with the _____ relating to the issuance of an _____ license in _____ to payment of all lapsed _____ and penalties.

Section 34-13-56

(a) The board may refuse to _____, refuse to _____, or suspend or _____ a license after proper hearing and _____ to the licensee, upon the licensee's being found _____ of any of the following:

(1) _____ of a crime involving moral turpitude including, but _____ limited to, any crime where the individual has to _____ as a sex offender in _____ jurisdiction.

(2) Unprofessional conduct, which is _____ to include _____ of the following:

- a. Misrepresentation or _____ in the conduct of the _____ or the profession of a funeral director or embalmer.
- b. _____ or misleading _____ as a funeral director or embalmer or _____engaging in any advertising which is misleading or _____ in any material particular.
- c. _____ of dead human bodies by the licensee, his or her agents, _____, or employees, from medical professionals or _____, whether the solicitation occurs after death or while death is _____.
- d. Solicitation of dead human bodies by the licensee, his or her _____, assistants, or employees _____ the solicitation occurs _____ death or _____ death is impending.
- e. Employment by the licensee of a _____ or persons to be used for the purpose of _____or soliciting funeral directing or embalming _____.
- f. Employment _____ or indirectly of any apprentice, agent, assistant, embalmer, employee, or other person, on part or _____ time or on _____, for the purpose of calling upon individuals or _____where a death has occurred or is imminent by whose _____ dead human bodies may be _____ over to a particular funeral director or embalmer or funeral establishment, or both.
- g. The _____ of business by the licensee, his or her agents, assistants, or employees.
- h. Gross _____.
- i. Aiding or _____ an _____ person to _____ funeral directing or embalming.
- j. Using profane, indecent, or obscene _____ in the _____ of a dead human body, or within the immediate hearing of the _____or relative of a deceased whose body has not yet been _____ or otherwise disposed of.
- k. Solicitation or _____ by a licensee of any _____ or bonus or rebate in consideration of _____or causing a dead human body to be disposed of in any mausoleum or _____.
- l. _____ violation of this chapter.
- m. Any violation of state law or municipal or county _____ or regulation affecting the handling, _____, care, or transportation of dead human bodies.
- n. Fraud or _____ in _____ a license.

- o. Refusing to promptly _____ the custody of a dead human body, upon the _____ order _____ payment for _____ rendered of the person lawfully entitled to the custody thereof.
- p. _____ services in a professional capacity as a funeral director or embalmer, or _____, for any unlicensed funeral _____ operating in violation of this chapter.
- q. Being _____ or under the influence of illegal _____ while on duty at a funeral establishment _____ while performing _____ duty or _____ for the funeral establishment.
- r. Willfully _____ or willfully failing to account for _____ property of a decedent.
- s. Knowingly _____ willfully _____ a certificate or _____ documentation as having embalmed or prepared a body for _____ when, in fact the services were not _____ by the licensee.
- t. Failure to give _____ cooperation to the _____ or its designees, agents, or other representatives in the _____ of official duties of the board
- u. Not furnishing any relevant _____ or documents _____ by or for the board.
- v. Not furnishing, in _____ an adequate explanation relating to a matter contained in a _____ filed with the board against the _____.
- w. Not _____ to a subpoena issued by the _____, without good cause shown, whether or not the licensee is the _____ charged in any _____ before the board.
- x. Not providing reasonable _____ to the board or an authorized agent or _____ of the board for the performance of reviews or _____ at facilities or places utilized by the licensee in the _____ of funeral service or funeral directing or in performing any other activity _____ by the board.
- y. Failing to provide _____ within a specific _____ as required by the board or an authorized agent or representative of the board.
- z. Failing to _____ with the board or an authorized _____ or representative of the board in the investigation of any _____ misconduct or _____ with a board investigation through the willful _____ of facts.
- aa. _____ or attempting to deceive the board regarding any _____ under investigation, including the _____ or destroying of any _____.
- bb. Failure, _____ good cause, to cooperate with any _____ from the board to appear before the _____.

cc. Violating any statute, _____, or rule of the _____ or any board, agency, or political subdivision of the state affecting the _____ of deaths or the handling, custody, care, or _____ of dead human bodies, or the _____ of funeral services or funeral _____.

dd. Demonstrating bad _____, incompetence, or _____ or dishonest, fraudulent, or improper dealing or any other violation of this chapter or any _____ promulgated by the board or promulgated by the _____ Trade _____ relative to the _____ of funeral service or funeral directing.

ee. Any other _____ as determined by the board that _____ render an individual _____ for licensure or _____ by the board.

ff. A funeral home or funeral director _____ funds for a preneed funeral contract or other _____ of funeral expenses _____ a certificate of authority to _____ preneed funeral contracts or, if registered to sell preneed funeral contracts, _____ to deposit the funds with a _____ trustee or to timely _____ premium payments from the consumer to the insurer.

(b) In addition to the disciplinary actions authorized in subsection (a), the board _____ levy and collect _____ fines for violations of this chapter or the rules or regulations of the board in an amount _____ less than five hundred dollars (\$500) nor more than _____ thousand five hundred dollars (\$2,500) for _____ violation, unless otherwise provided for in this chapter or by _____ of the board.

Section 34-13-57

_____ days before an examination, the executive secretary of the board _____ provide to all applicants and all funeral establishments in the state, in _____ format and on the website of the board, a _____ listing the names of all persons _____ by the board to take the examination and setting out the time and place of the examination.

Section 34-13-70

(a) No person shall _____ in, or attempt to engage in, the practice or profession or business of a funeral director unless _____ to do so by the Alabama _____ of Funeral Service. The _____ hereby is granted _____ to issue license to funeral directors.

(b) Any _____ desiring to engage in the business, profession, or practice of funeral director _____ make application to the board and shall _____ his or her application by a fee to be established by the board, not to _____ one hundred fifty dollars (\$150).

Section 34-13-71

An _____ for a license as a funeral director _____ be in writing and verified on a form provided by and _____ to the board and filed with the _____ of the board. The application must specify the _____ of the applicant and must be accompanied by the _____ of at least two licensed embalmers or funeral directors to

the _____ that the applicant is of good character and has qualified himself or herself to become licensed as prescribed by this chapter. The board _____ require an applicant for license as a funeral director to _____ to a personal interview.

Section 34-13-72

An applicant for a funeral director's license is entitled to an examination if he or she satisfies all of the following:

- (1) Is a _____ of the United States or legally present in this state.
 - (2) Is at least _____ years of age.
 - (3) Has had _____ experience as an _____ for not _____ than two years within a period of _____ consecutive years, excluding time lost by interruptions caused by the _____ duty of the applicant in the military service of the United States or its allies during _____ or national emergency, and excluding time lost by interruptions which the _____ deems excusable as caused by circumstances beyond the control of the applicant.
 - (4) Has completed _____ not more than _____ years prior to taking the _____, excluding time lost under the circumstances mentioned in subdivision (3).
 - (5) Has _____ a course of instruction in an _____ mortuary or funeral service school or college which _____ been approved by the board pursuant to Section 34-13-50, or has _____ a bachelor's degree _____ from an accredited school.
- (b) The board _____ certify an applicant to take an examination for a funeral director's license after _____ that the applicant _____ completed a course of instruction in funeral arts at an accredited mortuary or funeral service school or college _____ the criteria or standards defined in this chapter. The board may _____ issue a funeral director's license to any applicant who has not _____ a two year apprenticeship.
- (c) An applicant has _____ years from the _____ date of his or her last active apprentice certification to successfully _____ the examination for a funeral director's license pursuant to this chapter. Any _____ who fails to successfully _____ the examination, is _____ to serve a _____ apprenticeship in accordance with this chapter.
- (d) The board _____ establish and charge a reasonable examination fee, based on actual _____, for each applicant who sits for an examination. In no event _____ the fee exceed fifty dollars (\$50) above the actual cost of _____ and administering the examination.

Section 34-13-73

(a) The applicant for a funeral director's license, before the application is granted, shall successfully pass an examination upon, but not limited to, the following subjects: Funeral directing, the manners in which death may be _____, the laws _____ the preparation and _____ of human dead bodies and the _____ of bodies dying from _____ or contagious diseases, and local _____ and sanitary _____ in relation to funeral directing. The examination shall be prepared and graded as prescribed by rule of the _____. The board may review and adopt, in whole or in part, examination _____, forms, examinations, and _____ criteria proposed by the American Board of Funeral Service Education, or a successor organization, and may use the uniform _____ conditions of the International Conference of Funeral Service Examining Boards, or other organization _____ by the board.

(b) The board shall examine applicants for a funeral director's license in all of the following subjects:

(1) Mortuary _____ and administration.

(2) _____ law.

(3) _____ accounting principles.

(4) Funeral _____.

(5) Other courses of instruction in _____ subjects as may be _____ by the board.

(c) All examination _____ shall be kept on file by the board for at least _____ years.

(d) To constitute a _____ grade, an applicant shall earn an average score of at least _____ percent.

(e) If the _____ is satisfied that an applicant has the requisite _____ to practice the occupation of funeral directing, a _____ shall be issued authorizing the _____ to practice such occupation until October 1 of that _____, at which time the license may be renewed as prescribed in this chapter.

(f) The board _____ delegate the responsibility of conducting or _____ a license examination to _____ qualified person or entity who is _____ a member of the board.

(g) An applicant _____ take the required license examination during the time that his or her application for license is _____.

Section 34-13-74

(a) When a _____ funeral director _____ leaving a licensed funeral business with no _____ funeral director, the surviving _____, or a surviving child of legal age, shall

have the right to make application for _____ as a funeral director. The application shall be in _____, on a form prescribed by the board, and shall state the facts pertaining to the case. The board may _____ the applicant for the examination prescribed for funeral directors, in which event the requirements with respect to prior _____ and apprenticeship shall be _____.

(b) When a licensed funeral director dies leaving a licensed funeral business with no licensed funeral director, the board _____ issue a special _____ permit to the operator of such licensed funeral _____ for a period of 12 months, with the board having the right to extend the permit an additional reasonable time to afford such _____ the opportunity of obtaining a licensed funeral director for such business. The operator shall be required to pay a fee for the issuance of the special operating _____ in an amount not exceeding one _____ dollars .

(c) All _____ remains embalmed for a funeral establishment _____ under a special operating permit and all funeral _____ operations carried on under the permit shall be in conformance with all the requirements of this chapter which are not in _____ with this section.

Section 34-13-90

(a) No person shall follow, _____ in, or hold himself or herself out as _____ in the practice as an embalmer unless _____ to do so by the Alabama Board of Funeral Service. The board is granted _____ to issue licenses to embalmers.

(b) All persons shall _____ for examination in accordance with this chapter and shall be _____ as an embalmer only after due examination by the _____ and the payment of an examination and _____ fee to be established by the board, not to exceed five hundred dollars (\$500).

(c) In addition, the board shall _____ and charge a reasonable _____ fee, based on actual costs, for each applicant who _____ for an examination. In no event shall the fee exceed _____ dollars above the actual cost of preparing and administering such exam.

Section 34-13-91

The applicant for an embalmer's license _____ make application to the board. The _____ must be in writing and _____ on a form provided by and addressed to the board and must be accompanied by the prescribed _____ and by affidavits of at least _____ licensed embalmers to the effect that the applicant is of good moral character and has met _____ qualifications required for examination for license as prescribed by this chapter. The board _____ require an applicant for an embalmer's license to submit to a personal interview.

Section 34-13-92

(a) In order to qualify for a license as an embalmer, the applicant shall satisfy all of the following:

(1) Be a citizen of the _____ States or legally present in this _____.

(2) Be _____ 18 years of age.

(3) Be of good _____.

(4) Have completed a _____-year course of apprenticeship under an _____ or embalmers licensed and _____ in practice as an embalmer in this state, and shall have completed the required course of apprenticeship within a period of three _____ years, excluding time lost by _____ caused by the active duty of the applicant in the military service of the United States or its allies during war or national emergency, and excluding time lost by interruptions which the board deems _____ as caused by circumstances beyond the control of the _____.

(5) Have _____ a course of instruction in an embalming school or _____ which has been _____ by the board as defined in Section 34-13-50.

(6) Have completed the course of apprenticeship _____ more than two years before the date of _____, excluding time lost under the circumstances mentioned in subdivision (4).

(b) The board _____ certify an applicant to take an examination for an _____ license after verifying that the _____ has graduated from an accredited mortuary or funeral service school _____ college meeting the criteria or _____ defined in this chapter. The board may _____ issue a embalmer's license to _____ applicant who has _____ completed a two year apprenticeship.

(c) The board _____ establish and charge a reasonable examination fee, based on actual costs, for _____ applicant who _____ for an examination. In no event shall the fee exceed fifty dollars (\$50) above the actual cost of preparing and _____ the examination.

Section 34-13-93

The board _____ hold a public examination at least _____ each quarter for the purpose of examining applicants for an embalmer's license at such _____ and place as the board may _____. Notice of the time and place of the meeting _____ be provided _____ to the various applicants and shall be _____ on the website of the board at least 15 days _____ the meeting or examination.

Section 34-13-94

(a) The board shall examine applicants for an embalmer's license in all of the following subjects:

- (1) Mortuary management and _____.
 - (2) _____ medicine and toxicology.
 - (3) Public health, _____, and _____ science.
 - (4) Mortuary science, to include embalming _____, in all aspects; _____ of embalming, color _____; discoloration, its _____, effect, and treatment; _____ of special cases; _____ art; funeral management; and professional _____.
 - (5) Anatomy and _____.
 - (6) Chemistry, _____ and inorganic.
 - (7) _____.
 - (8) _____.
 - (9) _____ and hygiene.
 - (10) Public _____ regulations.
 - (11) Other courses of instruction in fundamental _____ as may be prescribed by the _____.
- (b) All examination _____ shall be kept on _____ by the _____ for at least three years.
- (c) To constitute a passing grade, an _____ shall earn an _____ score of at least 75 percent.
- (d) The board _____ issue an embalmer's _____ to an applicant who _____ a passing grade on a recognized _____ embalmer's examination _____ by the board.
- (e) If the _____ is satisfied that the applicant has the _____ qualifications to practice the _____ of embalming, a license shall be issued to him or her _____ him or her to practice such occupation until _____ 1 of that year, at which time the _____ may be renewed as prescribed in this chapter.
- (f) The board _____ delegate the _____ of conducting or administering a license _____ to _____ qualified person or entity _____ is not a member of the board.

(g) An _____ may take the required license examination _____ the time that his or her application for _____ is pending.

Section 34-13-110

Any person, _____, partnership, society or group _____ or operating a funeral _____ coming within the provisions of this chapter may do so _____ through the services of a _____ funeral director or embalmer. _____ person not _____ as a funeral director or embalmer shall be _____ to perform the _____ of a funeral director or embalmer as herein defined or hold himself or herself out to the _____ as such by reason of his or her _____ in a funeral establishment or by reason of his or her _____ of stock owned in or office held in a corporation to own or _____ a funeral establishment. After September 10, 1975, no firm or corporation authorized to own and operate a funeral establishment may _____ or amend its name or _____ so as to include in its firm or corporate name the name of any _____ who is not individually _____ as a funeral director in this state; provided, that the provisions of this sentence shall not be applicable to the name of any firm or _____ owning or operating a funeral establishment on September 10, 1975, so long as such firm or corporation remains under the _____ ownership.

Section 34-13-111

(a) No _____ establishment or _____ thereof for the preparation, disposition, and _____ of dead human bodies shall be _____ or maintained unless dually _____ by the board. No _____ establishment or branch shall be _____ without obtaining a _____ funeral establishment _____ from the board.

(b) _____ funeral service, memorial service, or interment, or _____ thereof, that is conducted in _____ shall be in the _____ charge and _____ be under the direct _____ of a funeral director who is _____ by the board.

(c) The board shall set a fee, not exceeding one _____ fifty dollars that shall be in _____ to the license fee for the _____ inspection of any funeral establishment seeking a _____ under Section 34-13-72 made for the purpose of determining whether such funeral establishment has fulfilled the _____ for licensure pursuant to this chapter. The _____ shall set a fee, not exceeding one hundred fifty dollars (\$150), for each _____ necessitated by failure of any funeral establishment to _____ such first inspection. The board, or a representative of the board, shall _____ conduct a minimum of one _____ inspection of funeral establishments and branches, with an inspection fee of not more than one hundred dollars (\$100). The inspection _____ shall be submitted to the board _____ 45 days _____ the inspection. Any funeral establishment that does not submit the inspection fee within _____ days shall be _____ a late penalty fee, as established by the board. A funeral establishment, or branch thereof, that is used for the _____, disposition, and care of _____ human bodies shall meet and conform to this chapter and to such other lawful standards and requirements as may be determined by rule of the

_____ in furtherance of this chapter; and, for _____ to do so, the board may _____ such license in accordance with the procedure set forth in this chapter.

(d) Applications for _____ of a license to another _____ in the same _____ shall be made upon a form furnished by the board and shall be accompanied by a fee of not more than _____ - _____ dollars.

(e) Any _____ in ownership of a funeral establishment _____ be immediately _____ to the board on a form provided by the board. The _____ owner of the establishment shall _____ with Section 34-13-112 and Section 34-13-113 and shall _____ to the board a signed copy of the asset purchase _____ with dollar amounts redacted. The fee for a change of ownership _____ is two hundred fifty dollars (\$250).

Section 34-13-112

No application for a license of a funeral _____ shall be considered which does not show on the _____ that a licensed funeral director _____ licensed embalmer are _____ by the establishment. This section shall not be construed to require a _____ - _____ licensed embalmer at _____ funeral establishment. No funeral establishment shall be _____ except upon the basis of a _____ funeral director. All _____ must be performed under a _____ embalmer, but such licensed embalmer shall not be _____ from working for more than _____ funeral establishment.

No _____ funeral director, based upon whose license or licenses a funeral establishment license has been _____, may serve as the _____ employed licensed funeral director at _____ funeral establishment which is _____ by a different person, _____, or corporation at the same time for the purpose of _____ such other establishment under this chapter.

It is hereby declared to be the legislative intent of this chapter that _____ funeral establishment in this state shall be _____ under the _____ charge, control, and _____ of an individually licensed funeral director or a person _____ both as a funeral director _____ as an embalmer; provided, that this section shall not preclude an _____ person from being in charge of the bookkeeping or _____ of such an establishment. The _____ of the licensed person to be in charge of each funeral establishment shall be _____ on the application for all _____ or renewal of such licenses.

The issuance of a license to _____ a funeral establishment to a _____ who is not individually _____ as a funeral director or embalmer does not _____ the person to _____ embalming or funeral directing, as defined by this chapter, it being the _____ of this chapter that such practice may be _____ only through individually licensed funeral directors and embalmers; and, in addition to all other grounds for _____ of a funeral establishment license as enumerated in this chapter, a funeral establishment _____ shall be _____ by the board upon hearing thereon if any

_____, whether owner, officer, stockholder, or otherwise, who is connected with the funeral home shall _____ any of the _____ of a funeral director or embalmer as defined herein or shall hold himself or herself out as a funeral director.

Section 34-13-113

(a) Application for a license to _____ a funeral establishment shall be made in _____ on a form provided by the board. The application shall be _____ by the applicant or, if the applicant is a _____, firm, or other organization, by an officer or member thereof, and shall be accompanied by an application _____ established by the board not to exceed _____ hundred dollars. The application shall disclose _____ of the following:

- (1) The name and address of the _____.
- (2) That the establishment is _____ by a licensed funeral director _____ a licensed embalmer or a person licensed _____ as a funeral director and embalmer.
- (3) A description and _____ of the buildings, _____, and _____ of the establishment.
- (4) That the establishment has a _____, properly equipped embalming room, a _____ suitable for public viewing or other funeral services that is _____ to accommodate a _____ of 100 people, an office for arrangement _____ with relatives or authorized representatives, and a display room containing a stock of adult caskets and funeral supplies displayed in _____ size, cuts, photographs, or _____ images. At no time shall _____ than eight different adult full size caskets and at least one _____ and properly _____ funeral coach or hearse equipped for transporting human remains in a casket or urn be on the premises. A funeral establishment, that has _____ than one location under the same ownership wherein the profession of funeral directing is practiced, is _____ required to maintain more than _____ preparation room upon satisfying _____ prescribed by the board.
- (5) Such other information as may be required by the _____.

(b) Upon receipt of the application, the _____ shall make _____ of the funeral establishment. If the board determines that the establishment _____ the qualifications prescribed by law, it shall _____ a license to _____ a funeral establishment.

(c) Application for a _____ to operate a _____ service shall be made in writing on a _____ provided by the board. The application shall be verified by the _____ or, if the applicant is a corporation, firm, or other organization, by an officer or member thereof, and shall be _____ by an application _____ established by the board not to exceed five hundred dollars (\$500). The application _____ disclose all of the following:

- (1) The name and _____ of the proposed mortuary service.

(2) That the mortuary service applicant is _____ by a _____ embalmer or a person licensed _____ as a funeral director and embalmer.

(3) A _____ and photographs of the _____, equipment, and facilities of the _____ service applicant.

(4) That the mortuary service applicant has a _____, properly equipped _____ room.

(5) Such other information as may be required by the board.

(d) Upon receipt of the application, the board shall make _____ of the premises of the mortuary service applicant. If the board determines that the _____ service applicant meets the _____ prescribed by _____, it shall issue a license to operate a mortuary service.

Section 34-13-114

(a) An _____ of a funeral establishment licensed under subsections (a) and (b) of Section 34-13-113 who desires to change the _____ of the _____ may have his or her license _____, in the changed name, upon _____ to the board and payment of a fee not exceeding seventy-five dollars (\$75).

(b) An operator of a _____ service licensed under subsections (c) and (d) of Section 34-13-113 who desires to _____ the name of the _____ service may have his or her license reissued, in the _____ name, upon application to the board _____ payment of a fee set by the board.

Section 34-13-115

(a) The _____ may revoke, suspend, or _____ to _____ a license issued to an _____ of a funeral establishment or mortuary service as provided in this chapter.

(b) If, upon a _____ made to it or otherwise, the _____ has reason to believe that the _____ of a funeral establishment or mortuary service has _____ to comply with this chapter or the regulations of the board, it shall conduct an _____. If it appears to the board that there is _____ ground to believe that the _____ has failed so to comply, it shall conduct a _____ on the matter. Notice of the time and place of the hearing, setting forth the respects in which failure to comply is _____, shall be sent to the operator no later than 15 days prior to the date set for the hearing. The operator may have the assistance of _____ at the hearing.

(c) If, upon the _____, the board finds that the _____ has _____ to comply with this chapter or the regulations of the board, it may _____, suspend, or _____ to renew the license.

Section 34-13-116

Any person, firm, partnership, society, group, or corporation who has _____ of a funeral home, mortuary, chapel, funeral _____, or mortuary service and fails to _____ same according to this chapter, upon _____, may be fined not less than _____ hundred dollars nor more than two thousand _____ hundred dollars for _____ violation, and each _____ that the funeral home, mortuary, chapel, funeral establishment, or mortuary service is _____ shall be deemed to be a _____ and distinct _____ of this chapter.

Section 34-13-120

(a) It shall be _____ for any person, _____, corporation, association, or _____ to operate a _____ or _____ cremation without the crematory being _____ as a funeral _____ in accordance with this chapter.

(b) Any funeral establishment _____ cremation services shall _____ by affidavit to the board that any _____ conducting cremations has received _____ and appropriate _____ or experience in the _____ of cremation.

(c) The board shall adopt and enforce _____ and _____ as may be reasonable and necessary for the _____ of crematories to protect the health, welfare, and _____ of the people of this state.

(d) The board shall _____ the _____ and _____ of any funeral establishment operating a crematory. In making inspections, the board shall have access to all _____, the crematory _____, the cremation _____ or furnaces, and the storage _____ for human remains before and after cremation, during regular office hours or the hours the crematory is in _____. No prior _____ of the inspection is _____ to be given to the funeral establishment. If any funeral establishment performing cremation services fails to _____ an inspection or any part thereof, it shall be grounds for the _____ or revocation of a _____ or other disciplinary action against the _____, as the board may deem reasonable and necessary to the extent of the _____. The board shall conduct _____ a minimum of one _____ inspection of each licensed funeral establishment _____ cremation services.

(e) Each funeral establishment performing cremation _____ shall keep _____ as required by the board to assure _____ with all laws relating to the _____ of human remains and shall file _____ with the board a _____ in the form prescribed by the board, describing the operations of the _____, including the _____ of cremations made, the disposition thereof, and any other information as the board may, from time to time, require.

(f) Each funeral _____ performing cremation services shall report to the board any _____ or inspections performed within _____ days of the maintenance or _____.

(g) A funeral establishment performing cremation services shall be subject to all _____, state, and _____ health and _____ protection _____ and shall obtain all necessary

_____ and _____ from the Alabama Board of Funeral Service, the federal and state Departments of Health and Human Services, and the state and federal Environmental Protection Agencies, or other appropriate local, state, or federal agencies.

(h) No crematory facility _____ by the board may be used for the cremation of deceased _____.

Section 34-13-121

(a) _____ remains shall not be cremated within _____ hours after the time of _____, unless death was a result of an _____, contagious, or communicable _____ and unless the disease is verified and the time requirement _____ by a medical examiner, county health director, county _____, or attending physician where the _____ occurred.

(b) A cremation _____ form prescribed by the board shall be _____ by the authorizing agent and _____ accompany any _____ for cremation. A _____ of the cremation authorization shall be _____ with the body to the crematory _____ any cremation process may be _____.

(c) It shall be _____ to the family member serving as the authorizing agent that he or she, or his or her designee, may _____ the transportation of the human remains to be cremated to the crematory. Every funeral _____ performing cremation services that _____ relatives or the responsible party from _____ the cremation process shall _____ this fact in _____ to the person or persons entitled to custody of the remains _____ to the signing of any _____.

(d) An _____ agent has the duty to inform the funeral director of the _____ of a _____ or other potentially hazardous implant, including any toxic or _____-type sealed _____ in the human remains. The _____ director shall be responsible for ensuring that all necessary steps have been taken to _____ the pacemaker _____ delivering the human remains to the _____. Should the cremationist discover the presence of a pacemaker or other hazardous implants in the human remains, the _____ shall arrange for the removal of the pacemaker or other _____ implant.

(e) The _____ cremation of the human remains of more than one person within the same _____, without the prior written _____ of the authorizing agent, is _____. It is hereby the declared intent of this subsection that establishments performing cremations in accordance with this chapter may _____ only dead _____ remains.

(f) Upon the _____ of each cremation, and insofar as is practicable, all of the _____ residue of the cremation process shall be _____ from the retort and _____ in a separate container and may not be _____ with cremated remains of another _____ nor shall _____ remains of a dead human be _____ or separated without the prior _____ consent of the _____ agent.

(g) Each funeral _____ which offers or performs cremations shall maintain an _____ system that ensures its ability to _____ the human remains in its possession _____ all _____ of the cremation process. Upon completion of the process, the _____ must attest to the _____ of the cremated remains, and the _____, _____, and _____ the cremation process occurred on a form issued by the board. The form shall _____ the human remains in all phases of _____, _____, and _____ of cremated remains.

(h) Each funeral establishment and cremationist which offers or performs cremations shall maintain a _____ of all cremations _____, which shall include the _____ of the decedent, the date of _____, the _____ and _____ of the cremation, the _____ of the cremationist performing the cremation, a _____ of the authorization for cremation, a copy of the _____ attesting to the cremation, and, if the cremation is performed for any other funeral establishment or entity, the _____ of this establishment or entity.

(i) _____ remains must be _____ to a crematory in a _____ cremation container. Human remains shall not be _____ from the cremation container and the cremation container shall be _____ with the human remains, unless the authorizing agent has been informed in writing that the crematory does not cremate _____ containers.

Section 34-13-122

(a) The authorizing _____ shall provide to the funeral establishment which the cremation arrangements are made a _____ statement specifying the ultimate _____ of the cremated _____, if known. A _____ of this statement shall be _____ by the funeral establishment offering or conducting the _____.

(b) Cremated remains shall be _____ only by a method that has an _____ tracing system available and that provides a _____ signed by the person _____ delivery.

(c) The authorizing agent is _____ for the _____ of the cremated remains. If, after _____ days from the date of _____, the authorizing agent or his or her representative has not _____ the ultimate disposition or _____ the cremated remains, the funeral establishment or entity in possession of the cremated remains may _____ of the cremated remains in a _____ and humane _____ and in accordance with any state, county, or municipal laws or provisions regarding the disposal of _____ remains. A _____ of this disposition shall be made and _____ by the entity making the disposition. Upon disposing of _____ remains in accordance with this section, the funeral _____ or entity in possession of the cremated remains shall be _____ from any legal obligation or _____ concerning the cremated remains.

Section 34-13-130

(a) Every person desiring to engage as an apprentice shall make _____ as a funeral director's apprentice or an embalmer's apprentice to the board upon a form provided by the board. The application shall state that the applicant is over the age of _____, holds a high school certificate or the _____, or is currently enrolled and actively working toward

graduation from an accredited high school and is of good _____ character. The application shall be verified by the _____ of applicant and be accompanied by a fee to be established by the board, not to exceed _____ dollars .The _____ secretary, whenever it appears to him or her that no reason exists for the _____ of an application and that the application is regular upon its face, may issue to the applicant a _____ of apprenticeship, without submitting the application to the board. If, however, any doubt exists as to the _____ of the applicant, the application shall be submitted to the _____ and may be accepted or rejected by a _____ of the board. The period of _____ of a funeral director's apprentice or an embalmer's apprentice must be performed in Alabama under the _____ of a funeral director or embalmer, respectively, _____ by the board.

(b) The regular course of apprenticeship shall be _____ years, but the apprentice is entitled to two weeks time off each year, without leave of absence from the board.

Section 34-13-131

A _____ of apprenticeship issued as provided for herein shall be signed by the apprentice and shall be renewable _____ upon the payment by the holder by _____ 1 of each year of an annual renewal fee to be established by the board, not to exceed \$_____. Failure to pay the renewal fee by the _____ date of any year shall cause the certificate to become _____, in which case it shall be renewed only for good cause shown. No person may be granted a certificate of apprenticeship as funeral director's apprentice or embalmer's apprentice, respectively, for more than _____ years, excepting as provided. The board shall mail, on or before _____ 1 of each year, to each registered apprentice at his or her last _____ address, a notice that his or her renewal fee is due and payable and that, if not paid by October 1, his or her license will _____.

Section 34-13-132

All _____ registered as provided in this chapter shall be under the _____ and _____ of the board and shall be required to report to the board _____ on January 1, upon forms provided by the board, showing the work which such apprentices have performed during the _____ period preceding the first of the _____ on which the report is made, including the number of _____ served and the number of _____ the apprentice has _____ in embalming or otherwise prepared for _____ during such period. The information contained in the report shall be _____ to as correct by the funeral _____ or embalmer by whom the apprentice has been employed during such period.

Section 34-13-134

(a) The board has power to suspend or _____ a certificate of apprenticeship, after _____ and upon _____, where the apprentice is guilty of any of the following acts or omissions:

- (1) Failure to devote not less than an average of _____ hours per week to the duties of his or her apprenticeship;
- (2) _____ to make an _____ report to the board as required by this chapter;
- (3) _____ from duty except on vacation for an aggregate of more than _____ days in any _____ months or 20 days in any year, without leave of absence granted by the board;
- (4) Gross _____;
- (5) Being on duty as an apprentice while under the influence of _____ or illegal _____;
- (6) _____ of proper orders or instructions of his or her superiors;
- (7) Violation of any _____ of this chapter or any rule or regulation of the board made under this chapter;
- (8) _____ business for a funeral director or for any _____; or
- (9) Fraud or _____ in _____ a certificate of registration as an apprentice.

(b) An apprentice who has failed to renew his or her registration, or who has had his or her _____ of apprenticeship _____ or revoked may, within one year after such _____, suspension or revocation, make application for registration but not more than _____ such registrations shall be allowed by the board. The board may, when the circumstances warrant, allow an apprentice _____ under a reregistration for time actually _____ under a previous registration; except, that if the previous registration has been suspended or revoked upon any of the grounds set forth in subsection (a) of this section, not more than _____ percent of the time previously served shall be _____ on the reregistration.

395-X-1-.02

In _____ of each year, a meeting shall be held in Montgomery for the purpose of _____ eligible candidates to serve on the Board. Nominations are taken for Districts One (1), Two (2), and Five (5) on _____ numbered years and Districts Three (3), Four (4), Six (6), and Seven (7) on _____ numbered years. Three nominees from each district shall be selected and their names submitted to the _____, who shall appoint one person from each district. No more than ___ nominees from each _____ can be of the same race. New members are sworn in at the first regular meeting following December 31 of the respective year. If an appointment is not made before the _____ of the term of a board member, then the board member may _____ to serve until a successor has been appointed.

395-X-2-.01

Anyone wishing to apply for _____ type of license with the Board, must do so on a _____ supplied by the Board. Said applicant must meet and comply with all _____ of Title 34, Chapter 13, Code of Ala. 1975, relating to _____ and application thereof. No application is considered valid unless it is submitted to and received by the _____ office. The passing score for any Board examination shall be _____ correct answers. The Board shall establish the beginning time of all _____ it administers. These examinations shall be completed within _____ minutes within said beginning time, as set by the Board, _____ of the length or number of sections of the examinations. In addition to the application fee, the Board shall charge each applicant an _____ fee of \$_____ for each funeral directing or embalming exam taken.

395-X-2-.02

All licenses expire each year on _____. Each license must be renewed on or before this date or it shall be considered _____ and may only be renewed by _____ of license and penalty fees and meeting all requirements for delinquent renewal as provided in Code of Ala. 1975, §34-13-55. The Board _____ provide notice by _____ format to each apprentice, funeral director, embalmer, and establishment at least ____ days _____ to the expiration date of said _____ that his or her renewal fee is due. Each _____ contains the expiration date and, therefore, failure to receive a renewal notice does _____ exempt a licensee from the _____ renewal of his/her license.

395-X-2-.03

Funeral Director Application Fee	\$ _____
Embalmer Application Fee	\$ _____
Apprentice Funeral Director / Apprentice Embalmer Application Fee	\$ _____
Funeral Establishment Application Fee	\$ _____
Funeral Director / Embalmer / Practical Embalmer Renewal Fee	\$ _____
Funeral Establishment Renewal Fee	\$ _____
Funeral Director Apprentice / Embalmer Apprentice Renewal Fee	\$ _____
Funeral Establishment Original Inspection Fee	\$ _____
Funeral Establishment Re-Inspection Fee	\$ _____
Funeral Establishment Annual Inspection Fee	\$ _____
Late Penalty for Past Due Inspection Fee	\$ _____
Funeral Establishment – License Transfer (Temporary Location)	\$ _____
Funeral Establishment Change of Ownership	\$ _____
Funeral Establishment – Reissued License Due to Name Change	\$ _____
Special Operating Permit	\$ _____
Late Renewal Fee or Lapsed Penalty	\$ _____
Reciprocity Licenses	\$ _____
Reciprocity Special Work Permit	\$ _____

395-X-2-.04

All _____ granted by the Board shall be on _____ display in a location of the establishment that is _____ restricted from the public _____.

395-X-2-.05

All _____ for original funeral director and/or embalmer _____ must successfully complete an examination on Alabama Funeral Service _____ and _____. A passing score shall be _____% correct answers. This examination shall be in _____ to any other examinations or tests.

395-X-2-.06

In the event that a _____ or state of emergency occur resulting in _____ casualties which overwhelms the _____ of funeral directors and embalmers of the affected community, _____ embalmers and funeral directors from other _____ may assist such local efforts in providing funeral directing and embalming services under the following conditions:

- (a) That the _____ related casualties _____ the capabilities of the local licensees;
- (b) That the disaster be _____ as such by the appropriate emergency _____ officials;
- (c) That the _____-of-state licensees be eligible for _____ licensure in Alabama;
- (d) That the out-of-state licensees be _____ members of _____ mortuary teams;
- (e) That the services provided by these _____ be limited for the _____ of servicing the disaster and that their service be under the _____ of Alabama _____;
- (f) That only _____ licensed funeral directors may _____ death certificates relating to the _____.

395-X-2-.07

(1) Beginning October 1, ____, each funeral director and embalmer, _____ by the Board, _____ complete a minimum of eight hours of Board approved continuing education within a _____ year period ending September 30, _____ and then continuing each two year period thereafter.

(2) An approved program of activity _____:

- (a) Constitute an _____ program or course of learning dealing with _____ directly related to the practice of funeral directing, embalming, or funeral service.
- (b) Be in the format of a lecture, workshop, seminar, _____, or internet based program or course.

(c) It _____ attendance by _____ funeral directors and embalmers in the State of Alabama.

(3) A sponsor, organization or person which desires to obtain approval of a course, program or other continuing education activity _____ obtain approval prior to the activity. A sponsor, organization or person shall make _____ on a form provided by the Board at least 90 days _____ to the activity. The applicant shall state the dates, subjects offered, total _____ of instruction, names and _____ of speakers, other pertinent information and a sample of the _____ of completion.

(4) Certificates of completion must be _____ upon the successful completion of all approved continuing education _____ and must include the following information:

(a) Sponsor's name;

(b) Licensee's _____ and license number;

(c) Approved _____ title;

(d) Date of course completion;

(e) _____ location;

(f) Number of _____ continuing education credit hours _____; and

(g) _____ of sponsor or representative for sponsor.

(5) The board shall approve _____ hour of continuing education credit time for _____ one hour of instruction _____ by the licensee at an approved program of activity.

(6) The licensee _____ retain all certificates of _____ for three years after the course or until the licensee _____ such proof during a random audit.

(7) Licensees, chosen _____-, shall submit to the board within 10 days of _____, copies of certificates of completion as _____ of completing the continuing education activities used to meet the _____ of this rule.

(8) _____ to comply with the continuing education audit and requirements _____ result in:

(a) The Board shall _____ renew the license of an individual who _____ to obtain the continuing education _____ of this section, except as provide by statute, _____ the Board _____ documentation that the licensee has _____ the required continuing education.

(b) A _____ who fails to obtain the _____ number of continuing education hours _____ to the expiration date appearing on the license _____ not have their license _____ until the licensee has obtained the required continuing education hours for that period and _____ all applicable fees and penalties.

(9) A license shall not be _____ unless the licensee _____ on the renewal application that the individual completed the _____ number of continuing education hours specified in paragraph (a) of this rule.

(10) The _____ shall not allow continuing education _____ for courses where the principal purpose of the course is to _____, sell or offer goods, products or services to funeral homes or _____.

(11) All course providers shall _____ records of all licensees _____ and those satisfactorily completing such continuing education courses for a _____ of three years following each course. The Board _____ require course providers to submit _____ of such records or certifications, as it deems necessary, to _____ compliance with continuing education requirements.

395-X-3-.01

Each _____ funeral director shall assist in conducting a _____ of _____ funerals each year of his/her apprenticeship; it being the specific intent of the Board that no person shall be _____ for funeral director licensure unless he/she has assisted in _____ a minimum of _____ funerals prior to application for licensure. Each apprentice funeral director shall maintain a _____ of said services containing the _____ of the deceased, _____ of service, and _____ of the supervising funeral director. Said record shall be _____ to the Board with the apprentice _____ report and forms shall be supplied to the _____ by the Board with the original application and each _____ notice thereafter.

395-X-3-.02

Each apprentice _____ shall assist in embalming a minimum of _____ human dead bodies each year of his/her apprenticeship, it being the specific intent of the _____ that no person shall be approved for _____ licensure unless he/she has assisted in embalming a minimum _____ human dead bodies prior to _____ for licensure. Each apprentice embalmer shall maintain a _____ of said embalming, containing the name of the _____, date of _____, and signature of the _____ embalmer. Said record shall be submitted to the Board with the _____ annual report and _____ shall be supplied to the apprentice by the _____ with the original _____ and each renewal notice thereafter.

395-X-3-.03

Title 34, _____, Code of Ala. 1975, _____ apprentice funeral director's period of apprenticeship to be under the _____ of a licensed funeral director. Title 34, Chapter 13, Code of Ala. 1975, requires apprentice embalmers' period of apprenticeship to be under the _____ of a licensed embalmer.

(2) Whenever an apprentice funeral director or _____ embalmer is performing any of the activities or duties of _____ funeral directors or embalmers, respectively, a _____ funeral director or licensed embalmer under whose _____ the

apprentice funeral director or apprentice embalmer is performing the particular activity or duty, must:

(a) Be _____ on the _____ of the funeral _____ where the activities or duties are being _____;

(b) Be readily _____ to _____ the apprentice.

(3) In an apprentice funeral director or apprentice embalmer is _____ any of the activities or duties of _____ funeral directors or embalmers, respectively, and that work is _____ being performed on the _____ of the funeral establishment, a _____ funeral director or _____ embalmer under whose _____ the apprentice funeral director or apprentice embalmer is performing the particular activity or duty, must:

(a) Be _____ on the _____ of the church, _____, chapel, auditorium, _____, or any other _____ where the activities or _____ are being performed;

(b) Be _____ available to assist the _____.

395-X-4.01

(1) Before a funeral establishment may _____ for business:

(a) An inspection of the _____ must be made by _____ of the Board's staff or its _____ to verify that the establishment is in compliance with _____ rules and laws.

(b) The establishment _____ obtain a current _____ license from the county or city _____ where the establishment is _____.

(2) The Board _____ charge a fee of one hundred fifty (150) dollars for the _____ inspection and one hundred fifty (150) dollars for any _____ necessitated by failure to meet _____ requirements in the first inspection.

395-X-4.02

The _____ shall inspect each funeral establishment at least _____ annually to ensure _____ operation of the establishments. The Board shall charge a fee of _____ dollars for each inspection conducted as provided in Code of Ala. 1975, §34-13-111(b). Said fees shall be _____ to the Board within _____ days of the _____. Inspection fees that are not received by the Board within forty-five (45) days will be _____ a late fee penalty of _____ dollars. Should an establishment be found to be _____ of state funeral service laws or regulations, the _____ may give the establishment a specified period of _____, to be set by the inspector, to correct the _____. Following the duration of such period, said _____ will be reinspected. Should the same violations _____, the establishment _____ will be notified to appear before the _____ to answer charges of violating state funeral service laws or _____. It is hereby declared to be the intent of the Board

that such period of _____ and reinspection is left completely to the _____ of the investigator and should violations or _____ found on the initial inspection pose serious consequences, the investigator may request the establishment operator to _____ before the Board for such violations _____ providing period of compliance on _____.

395-X-4-.03

Any person who feels that a _____ has committed an act which is in _____ of state laws or _____ to funeral service may make a _____ to the Board. The Board will only accept formal _____ complaints unless in the discretion of the Board representative receiving the complaint, there is sufficient information supplied by an oral complaint to warrant further investigation. After a complaint is _____ and _____, the Board staff shall send a _____ of the complaint to the affected _____ by _____ mail. The licensee shall _____ the complaint in writing within _____ days. After receipt of the response from the licensee or lapse of 20 days, the Board may conduct an _____ into the charges. If an investigation is initiated, upon its _____, the _____, along with one _____ member and/or _____ counsel, shall review the _____ obtained to decide if an administrative _____ by the Board is necessary. If such hearing takes place, the Board and its staff shall inform the accused licensee and meet any other requirements as set forth in Title 34, Chapter 13, and Title 41, Chapter 22, Code of Ala. 1975, relating to _____ hearings. Should a _____ member be involved in the investigation or in deciding the necessity of a hearing, said member shall not _____ in hearing the merits of the case or the final decision process of the hearing.

395-X-5-.01

The _____ will only accept _____, money orders, _____ checks, and cashier's checks as payment if the issuer has previously issued a _____ check to the Board. There will be a \$30.00 fee for any _____ or uncollectable check, in _____ to the original amount of the check. Personal or business checks will be accepted as long as the said checks are _____.

395-X-6-.01

(a).The _____ room of a funeral establishment _____ have at least:

1. One _____ embalming table,
2. _____ embalming equipment,
3. _____ professional instruments _____ for embalming and the preparation of dead human bodies.
4. The walls and floors shall be _____ for easy cleaning.
5. The preparation room _____ be equipped with hot _____ cold running water,

6. A _____ fan,
7. Container or receptacles for _____ linen, clothing, and waste disposal,
8. _____ for proper drainage and _____ disposal.

(b). A funeral establishment that has _____ than one location in this _____ is not required to maintain more than one preparation room for embalming, _____ its locations are more than 25 _____ from each other. The funeral establishment _____ maintain at each of its locations a _____ or _____ room which shall be adequately equipped for the holding and storage of dead human bodies. The holding room _____ meet the following requirements:

1. The establishment must be under the _____ ownership as the _____ facility, and be within a 25 miles _____ of the centralized embalming facility, and be located in this _____.
2. The _____ and floors shall be non-porous for _____ cleaning.
3. The _____ room shall be equipped with hot and cold running water,
4. The holding room shall be equipped with an _____, trocar, _____ tube aspirator, aspirating _____, and adequate drainage.
5. Container or receptacles for soiled linen, or _____, and waste disposal,
6. It shall have adequate _____.

(c). _____ contents or items shall be kept _____ of blood when not in use and at _____ time shall the preparation room or holding room be used as a _____ area.

395-X-6-.02

Each establishment _____ have a selection or display room for _____ to view available funeral merchandise or _____. In addition to _____ requirements the display room shall be _____ and neatly arranged and shall contain a _____ of adult caskets and funeral supplies _____ in full size, cuts, photographs, or electronic images. Each funeral establishment shall have a card or _____ in each full-size and _____ casket and a clear statement on each _____ and electronic image of a casket stating the _____ price of that casket. At _____ time shall less than _____ different adult full size caskets be on the _____.

395-X-6-.03

Each _____ shall have at least _____ public rest room. The rest room(s) shall have _____ floors and clean walls and also shall be equipped with _____ and

_____ running water, roll or disposable _____, and necessary lighting for adequate visibility. The rest room(s) shall not be used as a _____ area for mops, brooms, or any other items.

395-X-6-.04

The _____ of the establishment shall be maintained to assure that there are no _____ or _____ boards or _____ which would be subject to public _____. All outside _____ shall be screened, covered, or otherwise _____ to prevent the _____ of insects or rodents. Any openings between the _____ room and _____ areas shall be sealed to prevent _____ from escaping into such areas. All public areas should be maintained to present a clean and attractive appearance which includes the _____ and maintenance of all _____ and _____ which may have holes, scaling paint, or any other _____.

395-X-6-.05

The _____ and immediate _____ of the establishment should be maintained to assure that the premises be free of _____ and _____ and that all areas subject to public travel be free of _____ or other matter which could cause possible _____. All _____ or overhead covering shall be maintained to prevent any _____ to the interior of the establishment

395-X-6-.06

Each funeral establishment in the _____, beginning January 1, 1986, shall keep a _____ of each human dead body _____ at said establishment and shall _____ such record for a period of not _____ than _____ years. The record may be in simple _____ form, but shall contain the name of the _____, _____ of embalming, _____ embalming procedure _____ and _____, and the _____ of the embalmer. Said records may contain any additional information, at the discretion of the establishment, so long as it meets the aforementioned provisions. _____ records will be _____ during the annual _____ beginning fiscal year 1986-87.

395-X-6-.07

In addition to the _____ systems as provided in Section 22-19-5, Code of Ala. 1975, the Alabama Board of Funeral Service hereby provides that _____ _____ _____ bracelets are deemed as an _____ method of _____ of dead human bodies in the possession or custody of a funeral _____ in this _____.

395-X-6-.07

(a). Any violation _____ this section is a violation of _____ standards and a threat to the _____, safety, and welfare of the _____. A funeral establishment or

_____ service licensed by the board _____ pay a fine to the board for _____ violation of this section. If the inspector or a _____ of the board finds a violation during an inspection, he or she _____ immediately issue a citation listing each _____. After a citation has been issued, the licensee shall either _____ the amount of the fine to the board or _____ a written request for an administrative _____ before the board. A request for an administrative hearing before the board shall be received by the board _____ later than 30 _____ days after the day the citation is issued. Failure to either pay the fine or timely request an administrative hearing before the board shall cause _____ disciplinary action to be taken against the licensee. The requirements for inspections and the fines for violations under this section are as follows:

Minimum Standards	Fine for Violating
1. Licenses	
a. A _____ issued under this chapter _____ be current and on public display in an area _____ restricted from the _____ travel.	\$ _____
b. Each license _____ under this chapter shall be _____ in the place of business or _____ of the licensee.	\$ _____
2. Selection Room	
a. Each funeral establishment shall have a _____ and neatly arranged selection or display room containing a stock of _____ caskets and funeral supplies _____ in full size, cuts, photographs, or electronic images of caskets for persons to _____ available funeral merchandise or supplies.	\$ _____
b. At no time shall _____ than _____ different adult full-size caskets be on the _____ of the funeral establishment.	\$ _____ per casket below the minimum
c. Each funeral establishment shall have a _____ or brochure in each full-size and cut _____ and on each photograph and electronic image of a casket stating the _____ price of that casket.	\$ _____ per casket without a card or brochure
3. Rest Room	
a. Each funeral establishment _____ have at least _____ public rest room. Each rest room shall have a _____ floor, clean walls, and shall be equipped with _____ and cold running water, roll or disposable towels or an electronic hand dryer, and _____ lighting for adequate visibility.	\$ _____
b. No public _____ room shall be used as a _____ area for mops, brooms, or any other such items.	\$ _____
4. Preparation Room / Branch Location	
i. One _____ embalming table	\$ _____
ii. Correctly _____ embalming equipment	\$ _____
iii. A selection of _____ professional equipment _____ for embalming.	\$ _____
iv. Nonporous floors _____ walls.	\$ _____
v. Hot and _____ running water.	\$ _____
vi. A _____ ventilation fan.	\$ _____
vii. A suitable container for _____ disposal.	\$ _____
viii. A _____ container for soiled linen or clothing	\$ _____
ix. Proper drainage.	\$ _____
x. Embalming room and its _____ are kept clean of blood when not in use.	\$ _____
xi. At no time shall the _____ room be used as a storage area.	\$ _____
xii. Aspirator, trocar, _____ tube aspirator, aspirating _____.	\$ _____
5. Embalming Record	

a. Each funeral establishment in the ____ shall keep a current record of each human dead body ____ at the establishment and shall retain such record for a period of not less than ____ years. The record may be in simple log form and shall contain the ____ of the deceased, the date of embalming, the time the embalming procedure began and ended, and the ____ of the embalmer.	\$ ____
6. Identification of Dead Human Bodies	
a. Each funeral establishment ____ comply with Section 22-19-5 by ____ a ____ ankle bracelet to each dead human body in the ____ or custody of the funeral establishment.	\$ ____ per body not identified
7. General Interior	
a. There are no ____ or deteriorated floor boards or flooring which is ____ to public travel.	\$ ____
b. All outside openings are ____, covered, or otherwise sealed to prevent the entrance of ____ or rodents.	\$ ____
c. Any ____ between the preparation room and public areas are ____ to prevent fumes from escaping into those public areas.	\$ ____
d. All public ____ are well maintained with a clean and ____ appearance including the repair and proper maintenance of all ____, ceilings, and floors and the absence of ____, scaling paint, or any other ____.	\$ ____
8. General Exterior	
a. The premises are free of ____ and debris.	\$ ____
b. All areas subject to ____ travel are free of objects or other matter which could cause ____ injury.	\$ ____
c. All roofing or overhead ____ are well maintained to prevent any ____ to the interior of the funeral establishment.	\$ ____
9. Hearse or Funeral Coach	
a. One operating and properly licensed funeral ____ or hearse, equipped for transporting human remains in a ____ or urn, on the ____.	\$ ____
b. ____ Service must have at least ____ operating and properly licensed motor vehicle, equipped for ____ human remains in a casket or urn.	\$ ____
10. Access	
a. Each funeral establishment ____ allow reasonable ____ to the board, or an authorized agent or representative of the board, for ____ the facilities of the funeral establishment.	\$ ____

(b). If the board finds a licensee _____ of any violation of Chapter 13, Title 34, Code of Alabama 1975 or Chapter 395 of the administrative code, _____ but not limited to, any violation of subsection (a) and the _____ therein, the board may refuse to grant, _____ to renew, or _____ or revoke a license, after proper hearing and notice to the licensee, upon the licensee being found guilty of _____ violation of this chapter. The board may levy and _____ administrative fines for any violation of this chapter, or the rules or regulations of the board, in an amount not _____ than five hundred dollars (\$500) nor more than two thousand five hundred dollars (\$2,500) for _____ violation of this chapter for which the licensee has been _____ guilty. _____ violators will be subject to further

disciplinary _____ by the Board in accordance with the Code of Alabama, 1975, Title 34
Chapter 13.