



Senate Fiscal Agency
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BILL ANALYSIS



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Senate Bill 239 (as introduced 3-21-19)
Sponsor: Senator Stephanie Chang
Committee: Regulatory Reform

Date Completed: 4-19-19

CONTENT

The bill would amend Article 18 (Mortuary Science) of the Occupational Code to specify that Article 18 would not apply to a student working under the supervision of a holder of a license for the practice of mortuary science, if he or she were enrolled in a higher education program in mortuary science at a school, college, or university that was accredited as described under the bill.

Under the Code, the placing of a chemical on or in a dead human body by a person who is not the holder of a license for the practice of mortuary science is a violation of Article 18 of the Code.

Article 18 does not apply to a resident trainee working under the supervision of a holder of a license for the practice of mortuary science. The bill also would include in this provision a student who was enrolled in a higher education program in mortuary science at a school, college, or university that was accredited by an accrediting agency that was recognized by the United States Secretary of Education as a specialized accrediting agency in funeral service or mortuary science.

A person who is engaged or professes to be engaged in the practice of embalming, or who represents that he or she is an embalmer must be the holder of a license for the practice of mortuary science. The bill, instead, would prohibit an individual from engaging or professing to be engaged in the practice of embalming or from representing that he or she was an embalmer if he or she were not the holder of such a license.

(Under the Code, a person, school, or institution that violates the Code or a rule or order promulgated or issued under it must be assessed one or more of the following penalties:

- Placement of a limitation on a license or certificate of registration for an occupation regulated under Articles 8 through 25.
- Suspension of a license or certificate of registration.
- Denial of a license, certificate of registration, or renewal of a license or certificate of registration.
- Revocation of a license or certificate of registration.
- In the case of a person licensed or registered under the Code and except as otherwise provided, an administrative fine to be paid to the Department of Licensing and Regulatory Affairs of not more than \$10,000.
- Censure.
- Probation.

-- A requirement that restitution be made, based on proofs submitted to and findings made by the hearing examiner after a contested case.)

The bill would take effect 90 days after its enactment.

MCL 339.1803

Legislative Analyst: Drew Krogulecki

FISCAL IMPACT

The bill would have no fiscal impact on State or local government.

Fiscal Analyst: Elizabeth Raczkowski

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This analysis was prepared by nonpartisan Senate staff for use by the Senate in its deliberations and does not constitute an official statement of legislative intent.