

Proposal Summary/ Overview

To be completed by proposal sponsor. (500 Word Count Limit for this page) Please read the entire questionnaire before completing this page.

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Is this proposal regarding:

- *New or increased regulation of an existing profession/occupation? If so, complete Questionnaire A.*
- *Increased scope of practice or decreased regulation of an existing profession? If so, complete this form, Questionnaire B.*
- *Any other change to regulation or scope of practice? If so, please contact the Committee Administrator to discuss how to proceed.*

1) State the profession/occupation that is the subject of the proposal.

The subject of this proposal is the funeral service profession, specifically mortuary science interns and mortuary science students.

2) Briefly describe the proposed change.

Current law requires an individual to complete their mortuary science education and pass both national and state examinations before they can begin the required 2,080-hour registered internship.

This proposal allows students to begin their internship while enrolled in an accredited mortuary science program. Interns would continue to be under the direct supervision of a licensed mortuary science practitioner, would still complete the same 2,080 hours, and would still complete the same 75 case reports (25 each in embalming, funeral arrangements, and services). Students who have not yet completed coursework in embalming and restorative arts would be required to be in the physical presence of their supervising licensee during embalming procedures.

3) If the scope of practice of the profession/occupation has previously been changed, when was the most recent change? Describe the change and provide the bill number if available.

The last major update to Chapter 149A was in 1997. This is when cremation began to be regulated by the Minnesota Department of Health, when a Bachelor's Degree became a requirement to become a mortician, and when continuing education became a requirement to renew a mortician's license. Other changes have taken place in the law since 1997, such as Alkaline Hydrolysis, Home Funerals, the addition of the Transfer Care Specialist registration, authorizing Natural Organic Reduction, and CEU changes.

4) If the proposal has been introduced, provide the bill number and names of House and Senate sponsors. If the proposal has not been introduced, indicate whether legislative sponsors have been identified. If the bill has been proposed in previous sessions, please list previous bill numbers and years of introduction.

The proposal has been introduced in both the House and Senate. HF85 (Huot; Schomacker) and SF2155 (Utke).

Questionnaire B: Change in scope of practice or reduced regulation of a health-related profession (adapted from Mn Stat 214.002 subd 2 and MDH Scope of Practice Tools)

This questionnaire is intended to help legislative committees decide which proposals for change in scope of practice or reduced regulation of health professions should receive a hearing and advance through the legislative process. It is also intended to alert the public to these proposals and to narrow the issues for hearing.

This form must be completed by the sponsor of the legislative proposal. The completed form will be posted on the committee’s public web page. At any time before the bill is heard in committee, opponents may respond in writing with concerns, questions, or opposition to the information stated and these documents will also be posted. The Chair may request that the sponsor respond in writing to any concerns raised before a hearing will be scheduled.

A response is not required for questions that do not pertain to the profession/occupation (indicate “not applicable”). Please be concise. Refer to supporting evidence and provide citation to the source of the information where appropriate.

While it is often impossible to reach complete agreement with all interested parties, sponsors are advised to try to understand and to address the concerns of any opponents before submitting the form.

1) Who does the proposal impact?

- a. Define the occupations, practices, or practitioners who are the subject of this proposal.

This proposal impacts mortuary science interns and the licensed mortuary science practitioners who supervise them. Currently, an individual can only register as an intern and begin the required 2,080-hour internship after completing their mortuary science education. This proposal allows students currently enrolled in an accredited mortuary science program to register as interns and begin accumulating internship hours while still in school. All supervision requirements, case report requirements, and hour requirements remain the same.

- b. List any associations or other groups representing the occupation seeking regulation and the approximate number of members of each in Minnesota

The Minnesota Funeral Directors Association (MFDA) is supporting and advocating for this proposal. MFDA represents more than 650 members across Minnesota.

- c. Describe the work settings, and conditions for practitioners of the occupation, including any special geographic areas or populations frequently served.

Mortuary science interns work in licensed funeral establishments under the direct supervision of a licensed mortuary science practitioner. Funeral establishments are located throughout Minnesota, serving both urban and rural communities. The current, sequential model results in a gap of a year or more between graduation and completion of the internship.

- d. Describe the work duties or functions typically performed by members of this occupational group and whether they are the same or similar to those performed by any other occupational groups.

Interns perform the core functions of mortuary science under the direct supervision of a licensed practitioner, including embalming and body preparation, funeral arrangement conferences with families, and directing funeral and memorial services. Interns are required to complete 25 case reports in each of these three areas. These duties are unique to mortuary science and are not performed by any other occupational group. The proposal does not change what interns do, it changes when they can begin doing it.

- e. Discuss the fiscal impact.

The Mortuary Science Section at the Minnesota Department of Health is funded by licensing fees. Interns already pay a \$75 registration fee to register with MDH. The proposal is not anticipated to change the fee structure.

2) Specialized training, education, or experience (“preparation”) required to engage in the occupation

- a. What preparation is required to engage in the occupation? How have current practitioners acquired that preparation?

Current requirements to become a licensed mortician are as follows:

- Be 21 years of age
- Education requirement: Bachelor of Science with a major in mortuary science from an accredited program, OR a Bachelor’s degree and separate coursework from an accredited college of funeral service education, OR the functional equivalent in credit hours
- Pass the National Board Examination from the Conference of Funeral Service Examining Boards of the United States, Inc.
- Pass the Minnesota laws and rules exam administered by MDH
- Complete a registered internship (2,080 hours) under the direct supervision of a licensed mortician
 - Complete 25 case reports in each of the following: embalming, funeral arrangements, and funeral services

Current practitioners have acquired this preparation by completing each step in order: education, then examinations, then internship, then licensure. This proposal allows the registered internship to begin while the individual is enrolled in school.

- b. Would the proposed scope change or reduction in regulation change the way practitioners become prepared? If so, why and how? Include any change in the cost of entry to the occupation. Who would bear the increase or benefit from reduction in cost of entry? Are current practitioners required to provide evidence of preparation or pass an examination? How, if at all, would this change under the proposal?

The preparation of current practitioners will not change. All education, examination, internship, and case report requirements remain identical. What changes is the timing – students may begin the 2,080-hour internship while enrolled in their accredited program rather than waiting until after graduation. The cost of entry is not increased; students may actually benefit from reduced overall time to licensure and the ability to earn income while still in school. Examination requirements are unchanged. The intern registration process is unchanged.

- c. Is there an existing model of this change being implemented in another state? Please list state, originating bill and year of passage?

Most states allow concurrent education and internship. Minnesota has been an outlier in requiring full educational completion before internship can begin. Neighboring states such as Wisconsin and Iowa allow internship during education. The American Board of Funeral Service Education (ABFSE), which accredits mortuary science programs nationally, supports and accommodates concurrent internship models.

3) Supervision of practitioners

- a. How are practitioners of the occupation currently supervised, including any supervision within a regulated institution or by a regulated health professional? How would the proposal change the provision of supervision?

Currently, interns work under the direct supervision of a Minnesota-licensed mortuary science practitioner. An intern may only be registered under one supervising licensee at a time, and that supervising licensee may only have one intern at a time. The proposal maintains all of these requirements. It also adds the option for an alternate supervising licensee, providing backup supervision when the primary supervisor is unavailable. Additionally, interns who have not yet completed coursework in embalming and restorative arts must be in the physical presence of their supervising licensee when performing surgical procedures and embalming. This is a new safeguard that strengthens rather than weakens supervision for less-experienced student interns.

- b. If regulatory entity currently has authority over the occupation, what is the scope of authority of the entity? (For example, does it have authority to develop rules, determine standards for education and training, assess practitioners' competence levels?) How does the proposal change the duties or scope of authority of the regulatory entity? Has the proposal been discussed with the current regulatory authority? If so, please list participants and date.

Minnesota Department of Health currently has oversight over morticians, interns, and licensed funeral establishments. This would not be changed. MDH would continue to register interns, review case reports, and monitor compliance. MDH retains full disciplinary authority.

MDH has provided technical assistance on the legislation.

- c. Do provisions exist to ensure that practitioners maintain competency? Under the proposal, how would competency be ensured?

Yes. All existing competency requirements remain in place: completion of an accredited mortuary science education, passing national and state examinations, completion of 2,080 hours of supervised internship, and completion of 75 case reports reviewed by MDH. Licensed morticians are required to complete 15 continuing education credits every two years. The proposal adds an additional safeguard by requiring physical presence of the supervising licensee during embalming for student interns who have not completed coursework in embalming and restorative arts.

4) Level of regulation (See Mn Stat 214.001, subd. 2, declaring that “no regulations shall be imposed upon any occupation unless required for the safety and wellbeing of the citizens of the state.” The harm must be “recognizable, and not remote.” Ibid.)

- a. Describe how the safety and wellbeing of Minnesotans can be protected under the expanded scope or reduction in regulation.

This proposal is not a reduction in regulation. It is a change in the timing of when the internship can begin. All substantive requirements for public safety are maintained: same education requirements, same examinations, same internship hours, same case reports, same supervision, and same MDH oversight. The bill actually adds a safety provision by requiring student interns without embalming coursework to be in the physical presence of their supervising licensee during surgical procedures. Earlier practical experience under supervision may also allow unsuitable candidates to be identified sooner in the process.

- b. Can existing civil or criminal laws or procedures be used to prevent or remedy any harm to the public?

Yes. Due to Minnesota Department of Health oversight, morticians, interns, and licensed funeral establishments are held accountable to their actions. MDH has full authority to investigate complaints, issue correction orders, impose administrative penalties, and suspend or revoke licenses. Existing civil and criminal remedies remain fully available.

5) Implications for Health Care Access, Cost, Quality, and Transformation

- a. Describe how the proposal will affect the availability, accessibility, cost, delivery, and quality of health care, including the impact on unmet health care needs and underserved populations. How does the proposal contribute to meeting these needs?

This proposal addresses a workforce pipeline issue in funeral service. By allowing students to begin their internship while still in school, it reduces the overall time to licensure and removes a barrier that can discourage individuals from entering the profession. This is particularly important in Greater Minnesota, where funeral establishments face workforce shortages and need licensed practitioners.

- b. Describe the expected impact of the proposal on the supply of practitioners and on the cost of services or goods provided by the occupation. If possible, include the geographic availability of proposed providers/services. Cite any sources used.

The proposal is expected to help maintain and potentially increase the supply of licensed mortuary science practitioners by reducing the time between education and licensure. Currently, the sequential model can result in a gap of a year or more between graduation and completion of the internship, during which some students leave the profession. The proposal does not impact the cost of services or goods to the public.

- c. Does the proposal change how and by whom the services are compensated? What costs and what savings would accrue to patients, insurers, providers, and employers?

Not applicable.

- d. Describe any impact of the proposal on an evolving health care delivery and payment system (eg collaborative practice, innovations in technology, ensuring cultural competency, value based payments)?

Not applicable.

- e. What is the expected regulatory cost or savings to state government? How are these amounts accounted for under the proposal? Is there an up-to-date fiscal note for the proposal?

The fiscal impact is not anticipated to require a change in internship registration fees. MDH already processes intern registrations and monitors internships. The primary administrative change involves receiving enrollment verification letters from educational programs. All costs are covered through the existing fee structure. No general fund appropriation is anticipated.

6) Evaluation/Reports

Describe any plans to evaluate and report on the impact of the proposal if it becomes law, including focus and timeline. List the evaluating agency and frequency of reviews.

There have not been discussions about evaluating the impact of the proposal. There is a Mortuary Science Ad Hoc committee established by the Department of Health which meets quarterly, and this could be a venue to solicit feedback from the profession and craft future changes if necessary.

7) Support for and opposition to the proposal

- a. What organizations are sponsoring the proposal? How many members do these organizations represent in Minnesota?

The Minnesota Funeral Directors Association is supporting and advocating for this proposal. MFDA represents more than 650 members across Minnesota.

- b. List organizations, including professional, regulatory boards, consumer advocacy groups, and others, who support the proposal.

The Minnesota Funeral Directors Association is unaware of any other associations in the funeral profession who have weighed in on this proposal. MFDA has worked with the Department of Health and received their technical assistance in drafting. The University of Minnesota Mortuary Science Program is supportive of the proposal as it will benefit their students.

- c. List any organizations, including professional, regulatory boards, consumer advocacy groups, and others, who have indicated concerns/opposition to the proposal or who are likely to have concerns/opposition. Explain the concerns/opposition of each, as the sponsor understands it.

MFDA has not received feedback of any concern or opposition to this proposal.

- d. What actions has the sponsor taken to minimize or resolve disagreement with those opposing or likely to oppose the proposal?

MFDA has engaged with the University of Minnesota's Mortuary Science Program to ensure the proposal aligns with educational best practices. MFDA is not aware of any opposition at this time.