# Proposal Summary/ Overview

**To be completed by proposal sponsor. (500 Word Count Limit for this page)**

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*Is this proposal regarding:*

* *New or increased regulation of an existing profession/occupation? If so, complete this form, Questionnaire A.*
* *Increased scope of practice or decreased regulation of an existing profession? If so, complete 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.

Morticians

1. Briefly describe the proposed change.

The bill would allow individuals that work in a licensed funeral establishment. The ability to do funeral planning and conduct funerals. The other bill would allow unlicensed trained individuals to remove bodies from the place of death.

3) 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.

### HF 1888 HUOT

### SF 1847 Koran

### 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 assist the House Health Finance and Policy Committee in deciding which legislative 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?**
2. Define the occupations, practices, or practitioners who are the subject of this proposal.

Morticians and funeral home establishments

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

Minnesota funeral directors association they do not support the bill on its current state. However many other independent services and funeral support services do support the bill in the current state.

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

This bill will not allow these individuals to do any work that involves the embalming of a body. they will work close with a supervising funeral director.

1. 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.

Most unlicensed workers that work in a funeral home now such as night attendants, directors assistants, and students feel very comfortable with the task of body removal.

1. Discuss the fiscal impact

This would actually assist the funeral homes in saving money as they would not have to have full time funeral directors do these tasks

1. **Specialized training, education, or experience (“preparation”) required to engage in the occupation**
   1. What preparation is required to engage in the occupation? How have current practitioners acquired that preparation? Both these tasks could be done and completed as a on the job training education. This would be a great steppingstone to getting in the industry.
   2. 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? To become a licensed practitioner, one needs to pass a national standards exam and MN Laws and Regulations exam. Under the proposed legislation this would not change. A different class of practitioner would be added. These individuals would be working under the license of a licensed funeral director.
   3. Is there an existing model of this change being implemented in another state? Please list state, originating bill and year of passage? Only two states in the US (MN and OH) require a 4-year degree, or credit equivalent, to become a licensed funeral director. These changes would make MN more competitive in the job market for qualified individuals.
2. **Supervision of practitioners**
3. 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? MN Health Dept. inspects and oversees all things related to funeral directors and funeral establishments. This legislation would not change this.
4. 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.
5. Do provisions exist to ensure that practitioners maintain competency? Under the proposal, how would competency be ensured? All non-licensed personnel would have to be supervised by a licensed funeral director. That licensed would continue to be regulated. Any violation of MN149 would jeopardized the licensed individual.
6. **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.)**
7. Describe how the safety and wellbeing of Minnesotans can be protected under the expanded scope or reduction in regulation. Because these individuals would be acting under the supervision of a licensed funeral director, there is no change in the power of the MN Health Dept. to regulate the profession.
8. Can existing civil or criminal laws or procedures be used to prevent or remedy any harm to the public? Yes.
9. **Implications for Health Care Access, Cost, Quality, and Transformation**
   1. 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? Currently, the funeral profession is at a breaking point due to population aging, population growth, and Covid. MN Stat. 149 requires funeral directors to preform duties that should not require a 4-year Bachelor of Science degree, such as deceased removal from place of death or medical examiner facilities. Requiring licensed funeral directors to perform such duties is placing an enormous stress on the profession. It takes away from the meeting the needs of the living, keeping costs down, and providing job opportunities to those without a BS degree.
   2. 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. As stated, a 4-year BS degree is required in the State of MN (one of two states with such a requirement). This is a very high barrier to entry for qualified individuals seeking to help others. Much of what funeral directors do does not require this high level of education. Offering lower-level opportunities will create a pipeline to pursue this profession as a licensed individual once exposed to the job environment. I suspect that funeral home owners would begin to offer scholarships to qualified candidates.
   3. 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? The cost of funeral service would level out. The cost of labor is about 40% of funeral home costs.
   4. 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)? N/A
   5. 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? N/A
10. **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.

1. **Support for and opposition to the proposal** 
   1. What organizations are sponsoring the proposal? How many members do these organizations represent in Minnesota? MN Funeral Directors Assoc. has a complimentary proposal but not exactly the same.
   2. List organizations, including professional, regulatory boards, consumer advocacy groups, and others, who support the proposal.
   3. 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.
   4. What actions has the sponsor taken to minimize or resolve disagreement with those opposing or likely to oppose the proposal?