

CHAPTER 31

(SB 163)

AN ACT relating to courtesy cards issued by the Kentucky Board of Embalmers and Funeral Directors.

Be it enacted by the General Assembly of the Commonwealth of Kentucky:

➔Section 1. KRS 316.140 is amended to read as follows:

- (1) Any person holding an embalmer's or a funeral director's license issued in another state or federal district may obtain a *courtesy card*~~{Kentucky embalmer's or a Kentucky funeral director's license}~~ if the *following conditions are met*:~~{board finds that the person, before or after obtaining a license in another state or federal district, has met the same or similar requirements for a license as set out in KRS 316.030 and pays to the board a fee equal to the license renewal fee.}~~
 - (a) *The person is licensed as an embalmer or a funeral director in another state or federal district;*
 - (b) *The other state or federal district issues courtesy cards, or similar permits to embalmers or funeral directors licensed in Kentucky;*
 - (c) *The person completes an application for a courtesy card on a form provided by the board; and*
 - (d) *The person pays a fee that shall not exceed the amount of the fee an embalmer or a funeral director licensed under this chapter is required to pay for license renewal.*
- (2) The board may issue a~~{an annual}~~ courtesy card to a licensed funeral director or licensed embalmer~~{from another state that has reciprocal laws with Kentucky}~~ upon application and payment by the funeral director or embalmer of a fee prescribed by the board in administrative regulations promulgated under KRS Chapter 13A. The application shall be approved by the board, at its discretion.~~{A holder of a courtesy card shall not be permitted to open or operate a place of business for the purpose of conducting funerals or embalming bodies in Kentucky nor shall he or she be permitted to maintain an office in this state.}~~ The requirement in KRS 316.030 that all Kentucky-licensed embalmers or funeral directors who practice in Kentucky shall practice from a funeral establishment that is licensed to operate under the provisions of this chapter shall not apply to the holder of a courtesy card. *The board shall promulgate administrative regulations necessary to administer and enforce this section*~~{A violation of this section or any other section of this chapter shall be sufficient cause for the board to revoke or cancel the courtesy card of the violator and to pursue other remedies provided by this chapter.}~~
- (3) *A courtesy card issued under this chapter shall expire on July 31 of each year.*
- (4) *The holder of a courtesy card issued under this chapter may undertake the following acts of funeral directing:*
 - (a) *Remove and transport unembalmed and embalmed dead human bodies to and from Kentucky to the state or states where the courtesy card holder is licensed as a funeral director;*
 - (b) *Prepare and complete sections of death certificates and other disposition permits needed for the disposition of deceased human remains, without the assistance of, or being under the supervision of, an embalmer or funeral director licensed under this chapter; and*
 - (c) *Only a licensed funeral director who has been issued a courtesy card under this subsection may supervise and conduct funeral ceremonies in Kentucky without the assistance of a Kentucky funeral director.*
- (5) *A courtesy card holder pursuant to this chapter shall comply with all the laws of Kentucky when engaged in any acts of funeral directing in this state. The board may revoke or suspend the courtesy card, or subject the courtesy card holder to discipline in accordance with the laws applicable to funeral directors and embalmers licensed under this chapter. Any disciplinary measures taken by the board against a courtesy card holder shall be reported by the board to the state board or agency that issued the courtesy card holder's funeral director or embalmer's license or certification.*
- (6) *The holder of a courtesy card issued under this chapter shall not engage in the following acts:*
 - (a) *Transfer the courtesy card to another individual;*

- (b) *Own or operate a funeral home, crematory, or office that provides or offers to sell or arrange funeral or disposition services in Kentucky; and*
- (c) *Except as provided in subsection (4) of this section, perform any of the acts related to the practice of funeral directing in Kentucky, including:*
 - 1. *Arranging for a funeral or disposition service with members of the public;*
 - 2. *Being employed by, or contracted to perform funeral or embalming services in Kentucky, by a funeral home licensed under this chapter;*
 - 3. *Advertising funeral or disposition services;*
 - 4. *Executing contracts for funeral or disposition services in Kentucky;*
 - 5. *Preparing or embalming deceased human remains in Kentucky; or*
 - 6. *Exhuming or disinterring human remains in Kentucky.*

Signed by Governor April 6, 2012.