

**BOARDS AND COMMISSIONS**  
**Board of Embalmers and Funeral Directors**  
**(Amendment)**

**201 KAR 15:030. Fees.**

RELATES TO: KRS 316.125(2), 316.130(2), (4), (5), 316.132, 316.140(2)

STATUTORY AUTHORITY: KRS 316.125(2), 316.130(2), (4), (5), 316.132, 316.140(2), 316.210(1)

NECESSITY, FUNCTION, AND CONFORMITY: KRS 316.125(2)(a) and (b) require the board to issue an appropriate establishment license to an applicant who meets the statutory requirements. KRS 316.130(2), (4), and (5) establish the renewal and continuing education requirements for licensure. KRS 316.132 establishes the requirements for continuing education courses, board approval of continuing education courses, and certification for attendance thereof. KRS 316.140(2) establishes the requirements for a person holding an embalmer's or funeral director's license issued in another state or federal district to obtain a courtesy card. KRS 316.210(1) authorizes the board to promulgate administrative regulations to carry out and enforce the provisions of KRS Chapter 316, and 316.210(6) requires the board to promulgate administrative regulations to establish fees authorized by KRS Chapter 316. This administrative regulation establishes the fees authorized by KRS Chapter 316.

Section 1.

- (1) The funeral establishment license fee shall be \$500.
- (2) The renewal fee for a funeral establishment license shall be \$500.
- (3) The late fee for a funeral establishment license renewal shall be \$500.

Section 2. Individual License Fees.

- (1) The embalmer's license renewal fee shall be \$100.
- (2) The funeral director's license renewal fee shall be \$100.
- (3) The late fee for an embalmer's license renewal or a funeral director's license renewal shall be \$100 per year.

Section 3. The fee for an annual courtesy card shall be \$100 dollars.

Section 4. Apprenticeship Fees.

- (1) The registration fee for an embalmer apprenticeship shall be \$100.
- (2) The registration fee for a funeral directors apprenticeship shall be \$100.
- (3) The reinstatement fee for an apprenticeship shall be fifty (50) dollars ~~[(50)]~~ per ~~[license]~~ type.
- (4) The registration fee for Level II funeral director registration shall be fifty (50) dollars.
- (5) The registration fee for Level II embalmer registration shall be fifty (50) dollars.
- (6) The licensure exam fee shall be \$100 per ~~[license]~~ examination.

Section 5. Surface Transportation Fees.

- (1) The surface transportation license fee shall be \$150.
- (2) The surface transportation renewal fee shall be \$150.
- (3) The surface transportation course and examination fee shall be seventy-five (75) dollars.

Section 6. Inspection Fees for Establishment.

- (1) A routine or requested inspection shall be \$100.
- (2) A re-inspection within a period of three (3) months following a routine inspection, due to a deficiency found by the Inspector of the Board of Embalmers and Funeral Directors of the Commonwealth of Kentucky on a routine inspection shall be \$200.

(3) If an establishment fails three (3) consecutive inspections within a period of six (6) months, any subsequent inspections required to determine if the failures have been cured shall be \$300 for each subsequent inspection.

Section 7. The fee for processing an application for a continuing education program shall be \$150 per program; for programs included in a conference or convention setting, the total fee shall not exceed \$600.

Section 8. Processing and NSF.

(1) A processing fee of twenty-five (25) dollars shall apply to all document actions not covered by other fees established by KRS Chapter 316 or this administrative regulation, including national exam score requests, out-of-state verifications, official name change requests, paper submissions of any documents or applications that are available to submit electronically, processing or reprinting of any document due to a transfer or missed deadline or meeting, and revisions to wall licensure or wallet card.

(2) A fee of sixty (60) dollars shall be assessed for any payment made to the Board pursuant to KRS Chapter 316 or these administrative regulations, where the check, draft, money order, or other financial instrument is returned by the payor's bank or financial institution for insufficient funds, or cannot otherwise be deposited into the board's account.

Section 9. All fees assessed under this administrative regulation shall be nonrefundable.

Section 10. Incorporation by Reference.

(1) The following material is incorporated by reference.

- (a) "Individual Renewal Application", 6/2024;
- (b) "Continuing Education Approval Application", 6/2024;
- (c) "Application for Licensure", 6/2024;
- (d) "Medical Exemption", 6/2024;
- (e) "Seventy & Inactive", 6/2024;
- (f) "Establishment Renewal Application", 6/2024;
- (g) "Individual Information Update", 6/2024.

(2) This material may be inspected, copied, or obtained, subject to applicable copyright law, at the Kentucky Board of Embalmers and Funeral Directors, 9114 Leesgate Rd, Ste 4, Louisville, Kentucky 40222, Monday through Friday 8:00 a.m. to 4:30 p.m. Materials incorporated by reference can also be found on the Kentucky Board of Embalmers and Funeral Directors Web site at: <https://kbefd.ky.gov/Pages/forms.aspx>.

*KANETHA DORSEY, Executive Director*  
*JONATHAN RIDEOUT, Chairman*

APPROVED BY AGENCY: May 14, 2024

FILED WITH LRC: August 15, 2024 at 12:05 p.m.

PUBLIC HEARING AND COMMENT PERIOD: A public hearing on this administrative regulation shall be held on November 21, 2024 at 9:00 a.m., at 9114 Leesgate Rd, Ste 4, Louisville, Kentucky 40222. Individuals interested in being heard at this hearing shall notify this agency in writing by five workdays prior to the hearing, of their intent to attend. If no notification of intent to attend the hearing was received by that date, the hearing may be cancelled. A transcript of this hearing will not be made unless a written request for a transcript is made. If you do not wish to be heard at the public hearing, you may submit written comments on the proposed administrative regulation. Written comments shall be accepted until October 31, 2024. Send written notification of intent to be heard at the public hearing or written comments on the proposed administrative regulation to the contact person.

CONTACT PERSON: Kanetha Dorsey, Executive Director of Kentucky Board of Embalmers and Funeral Directors, 9114 Leesgate Road, Suite 4, Louisville, Kentucky 40222, phone 502-426-4589, fax 502-426-4117, email [Kanetha.dorsey@ky.gov](mailto:Kanetha.dorsey@ky.gov).

## REGULATORY IMPACT ANALYSIS AND TIERING STATEMENT

**Contact Person: Kanetha Dorsey**

**(1) Provide a brief summary of:**

**(a) What this administrative regulation does:**

This administrative regulation outlines all fees receivable by the Board of Embalmers and Funeral Directors for services or programs administered by the board.

**(b) The necessity of this administrative regulation:**

This regulation informs license holders, courtesy card holders, potential license and courtesy card holders, apprentices, surface transporters, and continuing education providers of fees required for each service or license provided by thisb.

**(c) How this administrative regulation conforms to the content of the authorizing statutes:**

This regulation describes all fees as required by HB 220 and supports programs the board is authorized to oversee via KRS 316.

**(d) How this administrative regulation currently assists or will assist in the effective administration of the statutes:**

This administrative regulation sets the fees for each program or service this board has been given the authority over according to KRS 316.

**(2) If this is an amendment to an existing administrative regulation, provide a brief summary of:**

**(a) How the amendment will change this existing administrative regulation:**

Section 2(3) Clarifies the wording for the fee for renewing an inactive license to match KRS 316.131(1)(a). Section 4 (3) provides the reinstatement processing fee for apprentices wishing to reinstate their apprenticeship according to 201 KAR 15:050 Section 4(5). Section 4(6) Updates the wording for examination fees to bring wording in line with the 201 KAR 15:040. Section 8(1) updates the regulation to include additional documents and requested services provided by the agency not previously requested or needed.

**(b) The necessity of the amendment to this administrative regulation:**

Section 2(3) The wording in the statute and the wording in the current regulation do not appear to have the same meaning. This amendment would clarify the wording to make the regulation more closely match the statute. Section 4 (3) 201 KAR 15 Section 4(5) informs the reader that a reinstatement processing fee is required, however, there is no reinstatement processing fee in the regulation. This amendment creates the reinstatement processing fee per the regulation. Section 4(6) 201 KAR 15:040 requires the applicant to pass each examination to obtain their license, this amendment updates wording to more closely match 201 KAR 15:040. Section 8(1) The office prints applicant and meeting specific documents and handbooks, as part of the initial fee for licensure and apprentice registration, all documents are personalized to the applicant or requester, and most are dated. This regulation updates the processing fee to include such documents.

**(c) How the amendment conforms to the content of the authorizing statutes:**

Section 2(3) supports KRS 316.131 and seeks to clarify the wording for the fee for renewing an inactive license to match KRS 316.131(1)(a). Section 4 (3) conforms to KRS 316.030 by providing for the completion of an apprenticeship by providing the

fee for reinstatement as allowed by its supporting regulation. (201 KAR 15:050 Section 4(5). Section 4(6) sets the fee for licensure by examination by KRS 316.030 and KRS 316.140. Section 8(1) updates the regulation to include additional documents and requested services provided by the agency not previously requested or needed which support the needs of license holders, apprentices, courtesy card holders and transporters according to KRS 316.030, KRS 316.125, KRS 316.140, and KRS 316.165.

**(d) How the amendment will assist in the effective administration of the statutes:**

This amendment seeks to clarify fees for examinations and renewal of inactive licenses. This brings all the fees related to funeral services under one regulation for ease of access for end users.

**(3) List the type and number of individuals, businesses, organizations, or state and local governments affected by this administrative regulation:**

There are currently 510 funeral related establishments in Kentucky. 3000 License holders (funeral director and/or embalmer). 250 Apprentices. 150 Surface Transport License Holders. 150 Courtesy Card holders. 450 CEU programs per year.

**(4) Provide an analysis of how the entities identified in question (3) will be impacted by either the implementation of this administrative regulation, if new, or by the change, if it is an amendment, including:**

**(a) List the actions that each of the regulated entities identified in question (3) will have to take to comply with this administrative regulation or amendment:**

Fees paid for application, licensure, examination would be submitted electronically or by check or money order mailed to the office.

**(b) In complying with this administrative regulation or amendment, how much will it cost each of the entities identified in question (3):**

Apprentice reinstatement fee \$50 per type. License Examination \$100 per license per examination. Establishment Late Fee \$500 per year. Individual Late Fee \$100 per type per year. Processing fee \$25.

**(c) As a result of compliance, what benefits will accrue to the entities identified in question (3):**

Funeral Directors, Embalmers, Surface Transporters, CEU providers are able utilize their license, registration, or approval or program. Applications will be processed and presented to the board for consideration to begin or continue their apprenticeship. Examination applicants will be able to sit for licensure examinations.

**(5) Provide an estimate of how much it will cost the administrative body to implement this administrative regulation:**

**(a) Initially:**

No additional cost

**(b) On a continuing basis:**

No additional cost

**(6) What is the source of the funding to be used for the implementation and enforcement of this administrative regulation:**

No special or additional funding will be required for implementation or enforcement.

**(7) Provide an assessment of whether an increase in fees or funding will be necessary to implement this administrative regulation, if new, or by the change if it is an amendment:**

These fees are necessary to implement the regulation and continue to pay for supplies and tools to provide for oversight

**(8) State whether or not this administrative regulation establishes any fees or directly or indirectly increases any fees:**

This regulation does establish the fee for reinstating an apprenticeship previous placed on hold by an approved request. This regulation increases fees for those requesting reprints for documents previously created

**(9) TIERING: Is tiering applied?**

Tiering is not applied to this regulation.

## FISCAL IMPACT STATEMENT

**(1) Identify each state statute, federal statute, or federal regulation that requires or authorizes the action taken by the administrative regulation.**

KRS 316.030(4)(g), 201 KAR 15:030, KRS 316.030(5)(f), KRS 316.125(2)(a), 201 KAR 15:040 Section 1(1), 201 KAR 15:040 Section 3(3), 201 KAR 15:040 Section 4(1), 201 KAR 15:050 Section 4(5), 201 KAR 15:110 Section 5(5)(b), 201 KAR 15:110 Section 5(5)(c), 201 KAR 15:110 Section 5(5)(d), 201 KAR 15:110 Section 5(5)(e), 201 KAR 15:125 Section 1(2)(b), 201 KAR 15:125 Section 2(1).

**(2) Identify the promulgating agency and any other affected state units, parts, or divisions:**

KY

**(a) Estimate the following for the first year:**

**Expenditures:None anticipated**

**Revenues:(By Fee Type) FD Apprentice: 100 requests, \$100 fee, Revenues \$10,000. E Apprentice: 75 requests, \$100 fee, Revenues \$7,500. Apprentice Reinstatements: 25 requests, \$50 fee/per type, Revenues \$1,250-2,500. Establishments: 510 requests, \$500 fee, Revenues \$255,000. New Establishments: 10 requests, \$500 fee, Revenues \$5,000. Funeral Director Only Renewals: 1,180 requests, \$100 fee, Revenues \$75,000. Embalmer Only Renewals: 20 requests, \$100 fee, Revenues \$20,000. Funeral Director and Embalmer Renewals: 2,020 requests, \$200 fee/per, Revenues \$404,000. Examinations: 200 requests, \$100 fee, Revenues \$20,000. Courtesy Card: 130 requests, \$100 fee, Revenues \$13,000. Continuing Education: 450 requests, \$150 fee, Revenues \$60,500 (conferences are capped at \$600). Processing Fees: 100 requests, \$25 fee, Revenues \$2,500.**

**Cost Savings:None anticipated**

**(b) How will expenditures, revenues, or cost savings differ in subsequent years?**

Revenues may have nominal differences as rates of apprentices and license holders have been largely the same over the last few years

**(3) Identify affected local entities (for example: cities, counties, fire departments, school districts):**

**(a) Estimate the following for the first year:**

**Expenditures:None known; although there are establishments in most counties and cities in the Commonwealth, this agency does not contract, provide or receive services from other entities**

**Revenues:None known; although there are establishments in most counties and cities in the Commonwealth, this agency does not contract, provide or receive services from other entities**

**Cost Savings:None known; although there are establishments in most counties and cities in the Commonwealth, this agency does not contract, provide or receive services from other entities**

**(b) How will expenditures, revenues, or cost savings differ in subsequent years?**

None anticipated; although there are establishments in most counties and cities in the Commonwealth, this agency does not contract, provide or receive services from

other entities

**(4) Identify additional regulated entities not listed in questions (2) or (3):**

**(a) Estimate the following for the first year:**

**Expenditures:**None anticipated; although there are establishments in most counties and cities in the Commonwealth, this agency does not contract, provide or receive services from other entities

**Revenues:**None anticipated; although there are establishments in most counties and cities in the Commonwealth, this agency does not contract, provide or receive services from other entities

**Cost Savings:**None anticipated; although there are establishments in most counties and cities in the Commonwealth, this agency does not contract, provide or receive services from other entities

**(b) How will expenditures, revenues, or cost savings differ in subsequent years?**

None known or anticipated due to fees or changes in the regulation.

**(5) Provide a narrative to explain the:**

**(a) Fiscal impact of this administrative regulation:**

This administrative regulation will increase revenues by \$5000-\$10000 due to fees that were not being collected prior because they were not included in this regulation.

**(b) Methodology and resources used to determine the fiscal impact:**

See chart for requests, fees, and revenue, the updated fees are for services that have been rarely requested in previous years.

**(6) Explain:**

**(a) Whether this administrative regulation will have an overall negative or adverse major economic impact to the entities identified in questions (2) - (4). (\$500,000 or more, in aggregate)**

This administrative regulation will not have an overall negative impact on entities as none were identified in question (2) – (4) and no new fees are being introduced.

**(b) The methodology and resources used to reach this conclusion:**

The administrative regulation and table above were used to reach the conclusion that this administrative regulation will not have an overall negative impact on entities listed in questions (2) – (4).