

DEPARTMENT OF LICENSING AND REGULATORY AFFAIRS
CORPORATIONS, SECURITIES, AND COMMERCIAL LICENSING
BUREAU

MORTUARY SCIENCE

(By authority conferred on the department of licensing and regulatory affairs by sections 205 and 308 of the occupational code, 1980 PA 299, MCL 339.205 and 339.308, and Executive Reorganization Order Nos. 1996-2, 2003-1, 2008-4, and 2011-4, MCL 445.2001, 445.2011, 445.2025, and 445.2030)

PART 1. GENERAL PROVISIONS

R 339.18901 Definitions.

Rule 1. (1) As used in these rules:

(a) "Authorizing agent" means the individual or individuals with priority under section 3206 of the estates and protected individuals code, 1998 PA 386, MCL 700.3206.

(b) "Board" means board of examiners in mortuary science as created in section 1802 of the code, MCL 339.1802.

(c) "Code" means the occupational code, 1980 PA 299, MCL 339.101 to 339.2677.

(d) "Continuing education" means an instructional course or activity that meets the requirements under 1806b of the code, MCL 339.1806b.

(e) "Continuing education audit" means the process by which a percentage of all licensees or approved course sponsors are randomly selected by the department for audit.

(f) "Continuous instruction" means the time spent completing an activity, not including any breaks in the program.

(g) "Course" means any qualifying activity or approved program with a clear purpose and objective that maintains, improves, or expands the skills and knowledge of the practice of mortuary science under section 1806b of the code, MCL 339.1806b. Regular duties for compensation are not considered activities, except for employer compensated continuing education activities.

(h) "Full-time" means not less than 40 hours per week.

(i) "In-house" means a course or seminar that takes place within the mortuary science establishment.

(j) "Manager" means an individual holder of a license for the practice of mortuary science that a funeral establishment appoints to manage the daily operations of the funeral establishment consistent with section 1809 of the code, MCL 339.1809, including ensuring its adherence to all applicable laws.

(k) "Provider" means a person that has been approved by the department to provide continuing education courses for credit.

(2) The terms defined in the code have the same meanings when used in these rules.

History: 1991 AACCS; 2001 AACCS; 2014 AACCS; 2025 MR 10, Eff. May 1, 2025.

R 339.18905 Rescinded.

History: 1991 AACCS; 2001 AACCS; 2014 AACCS.

R 339.18919 Rescission.

Rule 19. R 338.863 to R 338.869 and R 338.881 of the Michigan Administrative Code, appearing on pages 2453 to 2459 of the 1979 Michigan Administrative Code, are rescinded.

History: 1991 AACCS.

PART 2. MORTUARY SCIENCE LICENSE

R 339.18921 Mortuary science license requirements.

Rule 21. An applicant for a mortuary science license shall satisfy all of the following:

(a) Completion of not less than 90 semester or the equivalent quarter hours with not less than a 2.00 grade point average of nonremedial college level courses at an accredited college or university, including graduation from an accredited mortuary science program.

(b) Completion of resident training that satisfies the requirements of R 339.18923.

(c) Passing all required parts of the national board examination developed by the international conference of funeral service examining boards. The passing score for each part of the examination is the passing score as determined by the conference.

(d) Passing a state jurisprudence examination developed and administered by the department or the department's designee. The passing score is 75%.

History: 1991 AACCS; 2001 AACCS; 2025 MR 10, Eff. May 1, 2025.

R 339.18922 Educational program standards; adoption by reference.

Rule 22. (1) The department adopts by reference the standards for accrediting mortuary science programs as adopted by the American Board of Funeral Service Education (ABFSE) Committee on Accreditation, which is available from ABFSE, 992 Mantua Pike, Suite 108, Woodbury Heights, New Jersey 08097, or may be downloaded for no cost from ABFSE's website, at <https://abfse.org/>.

(2) The department adopts by reference the procedures and criteria for recognizing accrediting organizations of the Council of Higher Education Accreditation (CHEA), effective September 24, 2018, and the procedures and criteria for recognizing accrediting agencies of the United States Department of Education, effective July 1, 2020, as contained in 34 CFR part 602. The CHEA recognition standards may be obtained from CHEA, One Dupont Circle Northwest, Suite 510, Washington, DC 20036, or from the council's website at <https://www.chea.org/>, at no cost. The federal recognition criteria

may be obtained at no cost from the United States Department of Education's website at <https://www.ed.gov/>.

(3) Copies of the standards and criteria adopted by reference in this rule are available for inspection and distribution from the Department of Licensing and Regulatory Affairs, Corporations, Securities, and Commercial Licensing Bureau, 2407 N Grand River Avenue, Lansing, Michigan 48906, or at no cost from the bureau's website at <https://www.michigan.gov/lara/bureau-list/cscl>.

History; 2025 MR 10, Eff. May 1, 2025.

R 339.18923 Resident training requirements.

Rule 23. (1) Before commencing resident training, an applicant shall obtain a resident trainee license as provided in section 1808 of the code, MCL 339.1808. An individual shall not be issued more than 1 resident trainee license. Except as provided in subrule (2) of this rule, the resident trainee license may not be renewed more than once.

(2) If the resident trainee is seeking additional renewal beyond what is allowed in subrule (1) of this rule, or if an individual is seeking relicensure as a resident trainee, the resident trainee must file a petition consistent with article 5 of the code, MCL 339.501 to 339.559, with the board at the scheduled meetings. A petition must be completed on a form provided by the department and received by the department 30 days before the scheduled meeting date.

(3) The training program must be not less than 12 months in duration. However, an applicant holding a baccalaureate degree from an accredited school, college, or university may request the department to waive a 6-month portion of the time, pursuant to section 1806(2) of the code, MCL 339.1806.

(4) Credit for the training program must be granted while the individual is employed for a minimum of 40 hours per week.

(5) The training program must be under the instruction and supervision of a sponsor who has all of the following qualifications:

(a) Has held an active license for not less than 5 years.

(b) Has no disciplinary actions taken against the sponsor's license within the past 5 years.

(c) Has fulfilled all terms of any prior disciplinary action taken against the sponsor's license.

(6) A resident trainee shall report to the department as provided in section 1808(2) of the code, MCL 339.1808.

(7) The training program must satisfy the minimum practice experience requirements set forth in R 339.18925.

(8) A resident trainee performing embalming or assisting in the preparation of dead human bodies under R 339.18925(1)(a) shall be personally supervised by a mortuary science licensee. The mortuary science licensee shall remain physically present in the embalming or preparation room during the entire embalming process and be able to visually observe the resident trainee.

History: 1991 AACCS; 1998-2000 AACCS; 2025 MR 10, Eff. May 1, 2025.

R 339.18925 Minimum practical experience requirements.

Rule 25. (1) A resident trainee shall perform, under the supervision of the resident trainee's sponsor, who is a mortuary science licensee, all of the following during resident training:

(a) Not less than 25 embalmings or assisting a licensee in supervising the preparation of 25 dead human bodies. Assisting in the preparation of 25 dead human bodies means all of the following:

- (i) Setting features of the decedent.
- (ii) Surface disinfection of the decedent.
- (iii) Placing the decedent in a casket or container.

(b) All of the following services not less than 20 times each:

- (i) Transferring remains from the place of death or other location.
- (ii) Securing information for a death certificate, death notice, or obituary.
- (iii) Completing a death certificate and obtaining the burial transit permit.
- (iv) Publishing or posting of a death notice or obituary.
- (v) Arranging for clergy or celebrant.
- (vi) Receiving visitors.
- (vii) Assisting in selection of funeral merchandise.
- (viii) Assisting in making funeral arrangements.
- (ix) Arranging for final disposition or shipment by common carrier.
- (x) Assisting at the funeral.
- (xi) Dressing, casketing, and applying cosmetics to a deceased individual.
- (xii) Arranging for or providing music, livestreaming, or other media as part of a funeral or memorial service.
- (xiii) Completing a task on the electronic death registration system.
- (xiv) Completing and filing veterans' forms.
- (xv) Performing restorative work.
- (xvi) Completing cremation forms.
- (xvii) Confirming identification of the deceased.
- (xviii) Releasing cremated remains or arranging for shipping of cremated remains.
- (xix) Documenting and safeguarding personal effects, jewelry, or other items.
- (xx) Preparing an itemized statement of funeral goods and services.
- (xxi) Presenting a general price list, casket price list, and outer burial container price list to the consumer, as applicable.
- (xxii) Assist in making prearrangements.

(c) The experience requirements under subdivision (a) of this subrule must be overseen in the physical presence of a mortuary science licensee.

(2) The sponsor or other mortuary science licensee who is supervising the resident trainee is responsible for ensuring the trainee remains compliant with all statutes and rules affecting the practice of mortuary science.

History: 1991 AACCS; 2025 MR 10, Eff. May 1, 2025.

R 339.18927 Rescinded.

History: 1991 AACCS; 2001 AACCS; 2025 MR 10, Eff. May 1, 2025.

R 339.18928 Continuing education; license renewal; requirements.

Rule 28. (1) An applicant for license renewal who is licensed during the 2-year period immediately preceding the expiration date of the license shall comply with section 1806b of the code, MCL 339.1806b.

(2) Submission of an application for renewal constitutes the applicant's certification of compliance with this rule and R 339.18928a.

(3) A licensee shall retain documentation of satisfying the requirements of this rule and section 1806b of the code, MCL 339.1806b for a period of 4 years after the date of filing the application for license renewal.

(4) A licensee is subject to audit under this part and may be required to submit documentation as described by R 339.18928a upon request of the department.

(5) A request for a continuing education waiver pursuant to section 204(2) of the code, MCL 339.204, must be received by the department before the expiration date of the license.

History: 2025 MR 10, Eff. May 1, 2025.

R 339.18928a Continuing education requirements for licensees; eligible activities, programs, or courses.

Rule 28a. (1) The department shall grant credit for continuing education hours that satisfy the requirements in the following chart:

Activity Code	Activity and Proof Required	Number of Continuing Education Credits for the Activity
(a)	Completing an approved continuing education program, seminar, in-house course, workshop, professional or technical presentation. For proof of completion and if the continuing education requirements of the licensee are audited by the department, it is the responsibility of the licensee to obtain a certificate of completion from the provider.	One continuing education credit is granted for every 50 minutes of continuous instruction.
(b)	Physically attending a board of examiners in mortuary science	One continuing education credit is granted, with a limit of 1 continuing

<p>meeting. To receive credit, the licensee shall obtain a form provided by the department from a department employee present at the meeting and have that employee complete, sign, and date the form. The licensee shall present a valid government-issued photo identification to the department employee for verification.</p> <p>The licensee shall not receive credit if the licensee is petitioning the board and department or has current disciplinary actions against them.</p> <p>For proof of completion and if the continuing education requirements of the licensee are audited by the department, the licensee must provide the form completed, signed, and dated by the department employee who was present at the meeting.</p>	<p>education credit per year.</p>
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(2) A licensee shall attest to completion of continuing education requirements in submitting their application for license renewal. The department may audit a licensee as outlined in R 339.18929a.

(3) Continuing education credits must not be granted to the licensee for a program or activity that contains the same content of a program or activity for which the licensee has already earned continuing education credits during the renewal period.

(4) Unless otherwise specified in the rules, the department shall grant continuing education credit based on the length of a qualifying program, with 50 minutes of continuous instruction constituting 1 qualifying hour.

History:2025 MR 10, Eff. May 1, 2025.

R 339. 18929 Approved providers of continuing education; approval process for providers.

Rule 29. (1) A continuing education program, seminar, course, workshop, professional or technical presentation, or activity that is an Academy of Professional Funeral Service Practice approved course, provided by an ABFSE accredited program, or is sponsored by a hospital or other licensed healthcare institution or government agency, is an approved continuing education course consistent with section 1806b(2)(b) of the code, MCL 339.1806b, unless otherwise determined by the department.

(2) An in-person continuing education course that is not preapproved under subrule (1) of this rule must be approved by the department before offering continuing education

credit to mortuary science licensees. An applicant shall complete and submit an application on a form provided by the department that includes all the following:

(a) The subject offered consistent with section 1806b(2)(a) of the code, MCL 339.1806b.

(b) The total hours of instruction consistent with R 339.18928a(3).

(c) The names, qualifications, or other pertinent information of speakers or individuals providing continuing education instruction.

(d) A sample of the certificate of completion of each course.

(e) A means of reasonably ensuring licensee participation in the course.

(f) Affirmation that the course is available to all licensees and applicants until capacity of the course is reached.

(g) The capacity for the course.

(h) An agreement to maintain course records for 4 years.

(i) Other documentation as required by the department.

(3) The department, in consultation with the board, shall approve or deny a completed application within 60 days after receipt. An application is considered complete after receipt of all required documentation described in subrule (2) of this rule.

(4) Courses approved by the department are valid for 2 years. The department shall maintain a list of approved continuing education courses on the department's website.

(5) Certificates of completion must be awarded to licensees upon the successful completion of all approved continuing education courses and include all the following information:

(a) Name of provider and presenter, if applicable.

(b) Licensee's name and license number.

(c) Approved course title.

(d) Approved course topic.

(e) Approved course number.

(f) Date of course completion.

(g) Course location.

(h) Number of approved continuing education credits awarded.

(i) A signature, whether electronic or in ink, of the provider or a representative for the provider.

(6) Providers approved to offer continuing education shall comply with all local, state, and federal laws prohibiting discrimination based on race, color, national origin, sex, sexual orientation, religion, gender, disability, and age.

(7) The department, in consultation with the board, may revoke approval status at any time if a course approved under subrule (2) of this rule has failed to comply with these rules.

History: 1991 AACCS; 2001 AACCS; 2014 AACCS; 2025 MR 10, Eff. May 1, 2025.

R 339.18929a Continuing education audit of licensees.

Rule 29a. (1) The department may initiate an audit of the continuing education records of licensees. Selected licensees shall be notified and required to submit proof of completion of continuing education hours on or before October 31 of each odd numbered

year in accordance with the year in which a license renews, beginning November 1 and ending October 31.

(2) Selected licensees shall submit the records of continuing education to the department within 30 days after being notified of an audit. Failure to respond to or comply with an audit request is determined as non-compliance and the licensee is subject to the penalties under section 1806(7) of the code, MCL 339.1806.

(3) A licensee shall comply with continuing education requirements and retain all certificates of completion for 4 years or until the licensee submits them as proof during a continuing education audit. The licensee shall make certificates of completion available when the department requests them during an audit.

(4) Nothing in this rule limits the department's authority to investigate and act under section 1806 of the code, MCL 339.1806.

History: 2025 MR 10, Eff. May 1, 2025.

R 339.18929b Audit of continuing education providers.

Rule 29b (1) The department may conduct by random selection an audit of approved continuing education course providers to determine compliance with continuing education requirements in part 2 of these rules. To facilitate the audit, the provider shall comply with the following:

(a) Allow a department representative into any department-approved continuing education course, at no cost to the department.

(b) Provide free entry and passwords to an online course site for the department representative.

(c) Make available upon request the records and documents from the previous 4 years relating to the continuing education courses subject to the audit.

(2) Failure to respond to or comply with an audit request by a provider automatically rescinds the prior approval from the department and terminates the ability of the provider to offer the course subject to the audit and may rescind approval of any additional courses.

(3) Nothing in this rule limits the department's authority to investigate and act under section 1806 of the code, MCL 339.1806.

History: 2025 MR 10, Eff. May 1, 2025.

R 339.18929d Mortuary science license; relicensure.

Rule 29d. (1) An individual whose mortuary science license has been lapsed for more than 3 years shall pass a state jurisprudence examination developed and administered by the department or the department's designee. The passing score is 75%.

(2) An individual whose mortuary science license has been lapsed between 91 days and less than 3 years must prove completion of 4 hours of continuing education before relicensure.

History: 2025 MR 10, Eff. May 1, 2025.

PART 3. FUNERAL ESTABLISHMENT REQUIREMENTS

R 339.18930 Rescinded.

History: 2001 AACCS; 2025 MR 10, Eff. May 1, 2025.

R 339.18931 Funeral establishment requirements.

Rule 31. (1) A licensed funeral establishment shall satisfy all of the following requirements:

- (a) Have a preparation and embalming room that satisfies subrule (2) of this rule.
- (b) Have a room suitable for conducting a funeral that can hold 50 or more individuals with a lectern area and an area for the display of a casket and flowers.
- (c) Have an office space for making arrangements.
- (d) Ensure that dead human bodies are inaccessible to the public except when placed for a service or viewing.
- (e) Have in its direct employment a mortuary science licensee who is appointed as the establishment's manager. A manager shall comply with the following requirements:
 - (i) Be employed on a full-time basis and be available for funeral-related purposes.
 - (ii) One establishment manager shall not manage more than 2 funeral establishments.
 - (iii) The licensee shall not reside more than 75 miles from a funeral establishment that the licensee manages, in accordance with section 1809(1)(c) of the code, MCL 339.1809.

(2) In accordance with section 1809(6) of the code, MCL 339.1809, a preparation and embalming room must satisfy all of the following requirements:

- (a) Be maintained in a clean and sanitary condition at all times.
- (b) Have walls, floors, and ceilings that are made of, or covered by, waterproof and washable materials.
- (c) Have running hot and cold water with a sink for personal hygiene.
- (d) Have sanitary plumbing as required by R 325.11401 to R 325.11407.
- (e) Have an exhaust fan and intake vent permanently installed and operable with the capacity to change the air in the room not less than 12 times each hour.
- (f) Be inaccessible to the public, with no direct connection to any living quarters or to the chapel or other area accessible by the public. For the purposes of this rule, a direct connection has not been made if an area that is not less than 9 square feet in floor area has been provided between the entrance to the embalming room and the entrance to an area accessible by the public. A door or doors entering the preparation room must be lockable, in accordance with subrule (1) of this rule, and remain locked at all times.
- (g) Only contain the articles and instruments necessary for the embalming or other preparation of dead human bodies for viewing, burial, or final disposition and may only be used for the care and preparation of dead human bodies.

(3) The articles and instruments necessary for the embalming or other preparation of dead human bodies for viewing, burial, or final disposition must include all of the following:

- (a) Porcelain, stainless steel, metal-lined, fiberglass, or other nonporous material operating table.
- (b) A set of essential embalming instruments that are sterilized after each use.
- (c) A supply of disinfectants.
- (d) An autoclave, gas sterilizer, or instrument solution sterilizer that is large enough to accommodate a normal, adult-sized trocar.
- (e) Chemicals and supplies necessary to embalm and prepare human bodies.
- (f) An embalming machine.
- (g) A hydro aspirator or electric aspirator.

History: 1991 AACCS; 2014 AACCS; 2025 MR 10, Eff. May 1, 2025.

PART 4. CARE AND STORAGE OF REMAINS

R 339.18932 Proper care and storage of dead human bodies and cremated remains.

Rule 32. (1) In accordance with section 1805 of the code, MCL 339.1805, proper care and storage of dead human bodies as it pertains to the authorized activities of a licensee includes, but is not limited to, all of the following:

- (a) Dead human bodies must be clothed or completely covered except during embalming or preparation.
- (b) Dead human bodies or cremated remains must not be placed or stored directly on the floor of any room. For the purposes of this subdivision, the floor of any room includes the floor of a room that is part of a refrigeration unit.
- (c) Not more than 1 dead human body may be stored per container, unless otherwise authorized by the decedent's authorizing agent.
- (d) Dead human bodies must be stored and transported face up at all times.
- (e) Dead human bodies must not be placed on other dead human bodies for the purpose of preparation, storage, or transportation.
- (f) The premises of any location where dead human bodies are stored be maintained in a sanitary and professional manner.
- (g) When dead human bodies enter the care of a funeral establishment, the bodies must be affixed with a band or tag with the name of the deceased.
- (h) A case report must be completed for all dead human bodies that enter the care of a funeral establishment and retained electronically or in other formats for no less than 7 years. The case report must include all of the following:
 - (i) Name of the decedent.
 - (ii) Date of death.
 - (iii) Name, license number, and signature of each licensee that supervised the handling of the decedent.
 - (iv) Condition of decedent.
 - (v) Listing of personal effects that accompany the decedent when the decedent enters the care of the funeral establishment.
- (i) If the decedent is embalmed, the case report described under subdivision (h) of this subrule must also include all of the following:

- (i) Date of embalming.
- (ii) Procedures and chemicals used in the embalming process.
- (iii) Name, license number, and signature of each licensee who performed the embalming.

(2) In accordance with section 1805 of the code, MCL 339.1805, proper care and storage of cremated remains being stored in a funeral establishment before release or disposition as it pertains to the authorized activities of a licensee includes, but is not limited to, all of the following:

- (a) Cremated remains must be stored in an area inaccessible to the public.
- (b) Cremated remains must be contained in a rigid container or permanent container selected by the consumer with the name of the deceased, date of the cremation, and name of the crematory that performed the cremation affixed to the receptacle holding the cremated remains.
- (c) The funeral establishment shall maintain a record for not less than 7 years that identifies the release, disposition, or location of cremated remains.

(3) In accordance with section 13813 of the public health code, 1978 PA 368, MCL 333.13813, a licensed funeral establishment shall develop a medical waste management plan, which must be available upon inspection by the department.

(4) In accordance with R 325.1547, a funeral establishment shall provide instruction in the proper handling of medical waste according to the funeral establishment's medical waste management plan to its employees who generate, dispose of, or do both, for medical waste. The plan must comply with the requirements prescribed in section 13817 of the public health code, 1978 PA 386, MCL 333.13817.

History: 2025 MR 10, Eff. May 1, 2025.

R 339.18933 Rescinded.

History: 1991 AACCS; 2025 MR 10, Eff. May 1, 2025.

R 339.18935 Transportation of remains to crematory.

Rule 35. Transportation of a dead human body to a crematory for cremation must only occur if all of the following requirements pertaining to the dead human body are met:

- (a) The body is encased in a rigid container for cremation that is resistant to leakage or spillage.
- (b) The body is accompanied by authorization from individuals who have the right of disposition authority in accordance with section 3206 of the estates and protected individuals code, 1998 PA 386, MCL 700.3206, to cremate the decedent.
- (c) The body is accompanied by a cremation permit endorsed by the county medical examiner.

History: 2025 MR 10, Eff. May 1, 2025.

R 339.18937 Identification before final disposition.

Rule 37. (1) The licensee arranging the final disposition shall obtain positive identification of the remains.

(2) The documentation of positive identification, including the manner, date, time, place, and name of individual making the identification, must be retained for not less than 7 years.

History: 1991 AACCS; 2025 MR 10, Eff. May 1, 2025.

PART 5. STANDARDS OF CONDUCT

R 339.18941 Advertising.

Rule 41. (1) A mortuary science licensee or funeral establishment shall not use false, misleading, or deceptive advertising, including, but not limited to, on signs and billboards, or using digital, radio, television, online, or print media. As used in this subrule, "false, misleading, or deceptive advertising" includes using any name other than the name under which the funeral establishment is licensed. This subrule does not preclude the identification of an association, network, trademark, or other affiliation that is not part of the licensed name.

(2) A person shall not engage in the practice of mortuary science or do business in a location that is not licensed as a funeral establishment, except as provided for in section 1806(3) of the code, MCL 339.1806, and shall not advertise a service as available from an unlicensed location.

History: 1991 AACCS; 2014 AACCS; 2025 MR 10, Eff. May 1, 2025.

R 339.18942 Statement of funeral goods and services selected record retention.

Rule 42. The statement of funeral goods and services selected must be retained for not less than 7 years.

History: 2025 MR 10, Eff. May 1, 2025.

R 339.18943 Posting and possession of licenses.

Rule 43. (1) The current funeral establishment license, the mortuary science license of the appointed establishment manager, the prepaid provider license, and the medical waste producing facility certificate of registration issued by the department of environment, Great Lakes, and energy in accordance with section 13813 of the public health code, 1978 PA 368, MCL 333.13813, must be conspicuously displayed in the funeral establishment in a place accessible to the public.

(2) A mortuary science licensee shall have their individual license either on their person or in the licensed funeral establishment if the licensee is engaged in the practice of mortuary science. For the purposes of this rule, a digital copy of a license is acceptable to present.

History: 1991 AACCS; 2025 MR 10, Eff. May 1, 2025.

R 339.18945 Change of address.

Rule 45. A mortuary science or resident trainee licensee shall report a change of address to the department within 30 days after the change.

History: 1991 AACCS; 2025 MR 10, Eff. May 1, 2025.

R 339.18947 Rescinded.

History: 1991 AACCS; 2014 AACCS.