

3rd Agenda

Funeral Services Licensing Board

May 15, 2019

Room 402 - 9:00 a.m.

Heber M. Wells Building

160 E. 300 S. Salt Lake City, Utah

This agenda is subject to change up to 24 hours prior to the meeting.

ADMINISTRATIVE BUSINESS:

1. Call Meeting to Order
2. Swear in New Board Member
3. Sign Per Diem
4. Read and Approve Minutes for 12/12/2018 and 02/20/2019
5. Probation Update – Koriann Fausett
6. Investigation Update – Bobby Main

DISCUSSION ITEMS:

1. Instructor CEU
2. Funeral Service Intern License procedures
3. PSI Exams Update – Jenna Mayne
4. Guaranteed Product R156-9-610
5. Contract Forms R156-9-607
6. Model Internship
7. Discussion on Preneed by Tom Beard

NEXT SCHEDULED MEETING: August 21, 2019

Note: The per diem that commission and board members will receive for their service are considered stipends. Stipends are for reimbursement purposes only and are intended to cover costs related to transportation, meals, and supplies associated with meetings. They are not wages and will not entitle members to unemployment insurance. Stipends are not subject to the Unemployment Insurance Act pursuant to Administrative Rule R994-208-103(14).

Note: In compliance with the Americans with Disabilities Act, individuals needing special accommodations (including auxiliary communicative aids and services) during this meeting should notify, Carol Inglesby, ADA Coordinator, at least three working days prior to the meeting. Division of Occupational & Professional Licensing, 160 East 300 South, Salt Lake City, Utah 84115, 801-

Posted to Web: May 14, 2019

CFR

§453.1 Definitions.

(a) *Alternative container.*

(b) **Cash advance item.** A "cash advance item" is any item of service or merchandise described to a purchaser as a "cash advance," "accommodation," "cash disbursement," or similar term. A cash advance item is also any item obtained from a third party and paid for by the funeral provider on the purchaser's behalf. Cash advance items may include, but are not limited to: cemetery or crematory services; pallbearers; public transportation; clergy honoraria; flowers; musicians or singers; nurses; obituary notices; gratuities and death certificates.

R156-9-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 9, as defined or used in this rule:

(1) "Contract" means a guaranteed preneed funeral arrangement contract.

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(3) "**Guaranteed product contract**" means a contract wherein goods or services are selected which will be provided at the time of need for the consideration specified in the contract regardless of the market price at the time of need.

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R156-9-610. **Cash Advance Item Prohibited Unless a Guaranteed Product.**

A cash advance item as defined in 16 CFR Part 453, *Funeral Industry Practices Trade Regulation Rule, of the Federal Trade Commission* is prohibited in a preneed funeral arrangement contract unless the item is a **guaranteed product** permitting the contract to meet the requirements of Subsection 58-9-701(2)(d).

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R156. Commerce, Occupational and Professional Licensing.

R156-9. Funeral Service Licensing Act Rule.

R156-9-101. Short title.

This rule shall be known as the "Funeral Service Licensing Act Rule".

R156-9-102. Definitions.

In addition to the definitions in Title 58, Chapters 1 and 9, as defined or used in this rule:

(1) "Contract" means a guaranteed preneed funeral arrangement contract.

(2) "Funeral service establishment" is defined in Subsection 58-9-102(18).

(3) "Guaranteed product contract" means a contract wherein goods or services are selected which will be provided at the time of need for the consideration specified in the contract regardless of the market price at the time of need.

(4) "Recipient of goods and services" is synonymous with "beneficiary" as defined in Subsection 58-9-102(2), and is used herein to avoid confusion with various common meanings of the term "beneficiary".

(5) "Unprofessional conduct" as defined in Title 58, Chapters 1 and 9, is further defined in accordance with Subsection 58-1-203(1)(e) in Section R156-9-502.

R156-9-103. Authority - Purpose.

This rule is adopted by the Division under the authority of Subsection 58-1-106(1)(a) to enable the Division to administer Title 58, Chapter 9.

R156-9-104. Organization - Relationship to Rule R156-1.

The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-107.

R156-9-302a. Qualifications for Licensure - Examination Requirements.

In accordance with Subsections 58-1-203(1)(d) and 58-1-301(3), the qualifications for licensure in Subsections 58-9-302(1)(g), 58-9-302(2)(e), 58-9-302(4)(e) and 58-9-306(6) and (7) are defined, clarified, or established as follows:

(1) An applicant for licensure as a funeral service director shall pass:

(a) the National Board Examinations (science and art sections) of the Conference of Funeral Service Examining Boards, which may be taken while the individual is enrolled in an approved funeral service school; and

(b) the Utah Funeral Service Director Law and Rule Examination, with a score of at least 75%.

(2) An applicant for licensure as a funeral service intern or funeral service director by endorsement shall pass the Utah Funeral

Service Director Law and Rule Examination, with a score of at least 75%.

(3) An applicant for licensure as a preneed sales agent shall pass the Utah Preneed Funeral Arrangement Sales Agent Law and Rule Examination, with a score of at least 75%.

(4) An individual who fails the Utah Funeral Service Director Law and Rule Examination, or the Utah Preneed Funeral Arrangement Sales Agent Law and Rule Examination, may retake the failed examination:

- (a) no more than three times within a three month period; and
- (b) no earlier than three months following any failure thereafter.

R156-9-303. Renewal Cycle - Procedures.

(1) In accordance with Subsection 58-1-308(1), the renewal date for the two-year renewal cycle applicable to licenses under Title 58, Chapter 9 is established by rule in Section R156-1-308a.

(2) Renewal procedures shall be in accordance with Section R156-1-308c.

R156-9-304. Continuing Professional Education - Funeral Service Directors.

In accordance with Subsections 58-1-203(1)(g) and 58-1-308(3)(b) and Section 58-9-304, the continuing education requirements for funeral service directors is defined, clarified or established as follows:

(1) Continuing professional education shall consist of 20 hours of qualified continuing professional education in each preceding two-year period of licensure or expiration of licensure.

(2) If a renewal period is shortened or extended to effect a change of renewal cycle or if an initial license is granted for a period of less than two years, the continuing professional education hours required for that period shall be increased or decreased proportionately.

(3) The standards for qualified continuing professional education are:

(a) College classes, seminars, or workshops sponsored by professional associations in areas related to funeral service will generally qualify for continuing professional education (CPE) if the education contributes to the professional competence and knowledge of the funeral service director and if the program complies with the standards set forth under Subsection (b).

(b) CPE programs shall meet the following standards:

(i) the course shall be formally organized and be primarily instructional;

(ii) the sponsor shall prepare an outline of the course which shall be retained for a minimum of four years following the presentation;

(iii) the sponsor shall list the hour rating of the course in the course outline. One hour of CPE shall be credited for each 50 minute period of instruction;

(iv) the sponsor shall record and keep an accurate record of

course attendance including the date, place, and the name of the licensed funeral service directors attending the course; and

(v) the sponsor shall issue a certificate of completion listing the time, date, place, name of licensee, number of hours of CPE completed and the course title.

(c) Formal correspondence or other individual study programs which require registration shall provide evidence of satisfactory completion including test results and meet all other requirements as specified in this section will qualify.

(d) Each semester hour of college credit shall equal 15 hours of CPE. A quarter hour shall equal ten hours of CPE.

(e) Licensees who teach in continuing education courses meeting these requirements shall receive two hours of continuing education for each hour spent teaching. However, no teaching credit is available for participation in a panel discussion.

(4) Upon written request from the licensee, the Board may waive the requirement for CPE as provided in Section R156-1-308d.

(5) The licensee is responsible to insure that the program will qualify for CPE. Each licensee shall keep an accurate record of CPE on forms supplied by the Division. The records shall be maintained for a minimum of four years.

(6) The Division in collaboration with the Board shall perform random audits to determine if the licensee is in compliance with the CPE requirements. If audited, or upon request by the Division, the licensee is responsible to submit documentation of compliance with CPE requirements.

R156-9-401. Facility/Staff Requirements.

(1) The funeral service establishment is responsible for the maintenance and safe operation of equipment used in funeral services and to insure that the facility is in compliance with the local or state health, fire and life safety codes. All funeral service establishments shall be kept and maintained in a clean and sanitary condition, and all refrigeration units, embalming tables, sinks, receptacles, instruments, and other appliances used in embalming, cremation, or alkaline hydrolysis of dead human bodies shall be thoroughly cleansed and disinfected.

(2) The funeral service director is responsible to comply with the standards established by the Occupational Safety and Health Administration for the Federal Government and for the State of Utah.

(3) A funeral establishment or a number of funeral establishments under one management shall contain:

(a) a preparation room equipped with tile, cement, or composition floor, necessary drainage and ventilation. Every preparation room shall be provided with proper and convenient receptacles for refuse, bandages, cotton and other waste materials and supplies. All refuse, bandages, cotton, and other waste materials shall be destroyed in a sanitary manner, in accordance with health regulations.

(b) necessary instruments, supplies and proper protective clothing for the preparation and embalming of dead human bodies for burial, transportation, or other disposition.

(4) The care and preparation of the body for burial or other disposition of all human dead bodies shall be strictly private. No one shall be allowed in the embalming room while a dead body is being embalmed, except the licensed embalmer, intern, staff, public officials in the discharge of their duties and upon request, members of the immediate family of the deceased.

R156-9-402. Duties and Responsibilities of a Funeral Service Director in Supervision of Funeral Service Interns, Preneed Funeral Arrangement Sales Agents and Unlicensed Staff.

The duties and responsibilities of a supervising funeral service director include:

(1) being professionally responsible for the acts and practices of the supervisee;

(2) being engaged in a relationship with the supervisee in which the supervisor is independent from control by the supervisee and in which the ability of the supervisor to supervise and direct the practice of the supervisee is not compromised;

(3) being available for advice, consultation, and direction consistent with the standards and ethics of the profession and the requirements suggested by the total circumstances including the supervisee's level of training;

(4) monitoring the performance of the supervisee for compliance with laws, standards, and ethics applicable to the funeral service profession, including the Utah Vital Statistics Rules of the Utah Department of Health;

(5) submitting appropriate documentation to the Division with respect to all work completed by the funeral service intern evidencing the performance of the supervisee during the period of supervised training, including the supervisor's evaluation of the supervisee's competence in the practice of the funeral service profession. This report shall be submitted to the Division within 30 days after the supervisor-supervisee relationship is terminated or within 30 days after the supervisee has completed 2000 hours of supervised experience in a period exceeding one year, performed 50 embalmings, and has satisfactorily completed all the duties and functions of an intern throughout the entire internship period;

(6) supervising not more than one funeral service intern at any given time unless approved by the Board and Division;

(7) being physically present and directly supervising, or ensuring that another funeral director directly supervises all duties and functions completed by a funeral service intern throughout the entire internship period;

(8) being responsible for and signing all preneed and at need funeral contracts sold by persons under supervision;

(9) assuring each supervisee is appropriately licensed as a funeral service intern or preneed funeral arrangement sales agent prior to beginning the supervision;

(10) notifying the Division of beginning or ending of association or employment of a preneed sales agent with the funeral service establishment within ten days. Notification shall be made on forms provided by the Division; and

(11) assuring that the supervision requirements are met as required in Section 58-9-307.

R156-9-403. Death Registration - Removal of Body - Transportation and Preservation of Dead Human Bodies.

(1) A funeral service director licensed in another state may enter the state of Utah for the purpose of transporting a dead human body to another state without being in violation of Title 58, Chapter 9. However, the person shall comply with the Utah Vital Statistics Rules of the Utah Department of Health and any other statute or rule regulated by the Utah Department of Health.

(2) All licensed funeral service directors, who release a dead human body to such persons, are responsible to insure that the out of state persons and their staff comply with the Utah Vital Statistics Rules of the Utah Department of Health.

R156-9-502. Unprofessional Conduct.

"Unprofessional conduct" as defined in Title 58, Chapters 1 and 9, is further defined in accordance with Subsection 58-1-203(1)(e) to include:

- (1) violating the ethical standards of the profession;
- (2) failing to comply with laws and rules established by any local, state, federal or other authority regarding funeral services, preneed contracts, health, safety, sanitation, regarding funeral establishments or transportation or handling of dead human bodies, or disclosure requirements to purchasers or prospective purchasers of funeral services or preneed contract;
- (3) failing to comply with any provision of the Title 58, Chapter 9, Funeral Service Licensing Act or this Funeral Service Licensing Act Rule;
- (4) failing to comply with the disclosure requirements of the Federal Trade Commission;
- (5) failing to accurately report and record information required by law to be reported on a death certificate;
- (6) solicitation or the direct or indirect offer to pay a commission for the procurement of dead human bodies;
- (7) failing to comply with the Utah Vital Statistics Rules as promulgated by the Utah Department of Health;
- (8) selling preneed funeral arrangements by a preneed funeral arrangement sales agent when the sales agent is not associated with or employed by a funeral service establishment;
- (9) selling a preneed funeral arrangement when the preneed funeral arrangement sales agent has not obtained approval to do so from the funeral service establishment and the contract is not approved by the supervising funeral director;
- (10) selling an insurance policy to fund a preneed funeral arrangement contract naming a funeral service establishment as beneficiary, prior to executing the underlying preneed funeral arrangement contract;
- (11) selling a preneed funeral arrangement without executing an approved preneed funeral arrangement contract within ten working days following the sale;

(12) failing to notify the Division of the beginning or ending of association or employment of a preneed funeral arrangement sales agent;

(13) exercising undue influence over a consumer thereby requiring or causing the consumer to purchase goods or services beyond those the consumer desires or needs;

(14) collecting or receiving money from the sale of an insurance policy funding a preneed funeral arrangement contract unless the person is collecting or receiving the money as a licensed insurance agent or broker;

(15) violating Title 31A, Chapter 23a, containing the fiduciary duties of a trustee with respect to money collected or received as a licensed insurance agent or broker;

(16) receiving a death benefit payment of life insurance proceeds beyond the funeral service establishment's insurable interest in the recipient of goods and services specified in a preneed contract, unless the excess is promptly returned to the insurance company or paid to those entitled to the funds;

(17) converting a preneed funeral arrangement funded by money placed in trust to insurance except as provided by this rule;

(18) failing to provide guaranteed goods and services at time of need in accordance with the terms of a preneed funeral arrangement contract;

(19) retaining life insurance proceeds of a policy purchased to fund funeral arrangements but not accompanied by a preneed funeral arrangement contract, unless the licensee provides an equivalent value of funeral goods and services;

(20) failing to report known violations of governing law or rules to the Division and to appropriate law enforcement or other appropriate agencies; and

(21) failing to handle, remit or deposit funds received in payment for a preneed funeral arrangement contract by placing the funds in trust or remitting the funds to an insurance carrier as is required by the contract terms and conditions and by all laws and rules regulating the sale of preneed funeral arrangements and insurance and annuity policies.

R156-9-604. Affiliation of Licensed Sales Agent with Licensed Funeral Service Establishment.

(1) When a licensed sales agent enters association with a licensed funeral service establishment and such association is not currently registered with the Division under the provisions of Subsection 58-9-302(3)(d), or this subsection, the licensed funeral service establishment shall file a notice of association with the Division on forms provided by the Division within ten days after commencement of association.

(2) The licensed funeral service establishment shall provide the licensed sales agent with a copy of the notice filed with the Division.

(3) If a notice of association is not filed by the licensed funeral service establishment within ten days after association, the sales agent may not represent the licensed funeral service

establishment with respect to any preneed funeral arrangement until such notice is filed.

R156-9-605. Licensure of Persons Selling Preneed Funeral Arrangements to be Funded by Proceeds from Insurance or Annuity Policy.

(1) Any person who sells or represents that they will or intend to sell specific funeral goods or services, represents that goods or services will be provided by a specific funeral establishment, represents that specified amount of money will purchase defined funeral goods or services, or represents that payment for those goods or services to be provided at some future date shall be accomplished through the purchase of a life insurance policy or annuity policy, is engaged in the sale of a preneed funeral arrangement and is required to be licensed as a funeral service establishment or sales agent.

(2) Any person who sells or represents that they will or intend to sell an insurance or annuity policy which will provide a certain benefit at time of death, represents that such benefit will be available to pay for funeral arrangements and no reference is made to specific funeral goods or services, to the cost of specific funeral goods or services, or to the services of a specific funeral service establishment, is not engaged in the sale of a preneed funeral arrangement and is not required to be licensed as a funeral service establishment or preneed sales agent.

(3) Nothing in this section shall be interpreted to affect or modify any requirement under state law regarding licensure of persons engaged in the sale of insurance or annuity policies.

R156-9-606. Preneed Funeral Arrangement Contracts Funded by Insurance or Annuity Policy.

(1) The beneficiary designation on any insurance or annuity policy sold to fund a preneed funeral arrangement contract shall be a contingent designation using such wording as "as their interests may appear under a funeral arrangement contract" with information identifying the funeral arrangement contract, or other substantially equivalent beneficiary designation language.

(2) Monies received by a licensee in payment for an insurance or annuity policy sold to fund a preneed funeral arrangement contract shall be handled in accordance with the contractual terms and conditions of the policy and the insurance laws applicable to the policy.

R156-9-607. Contract Forms - Division Model.

(1) In accordance with Subsection 58-9-302(3)(e), a funeral service establishment shall ensure that if any amendments are made to, any form of contract or agreement that is filed with its application for licensure, the amendments meet the requirements of Section 58-9-701 before that contract or agreement is used in any marketing or sale of preneed funeral arrangements.

(2) In accordance with the provisions of Subsection 58-9-701(2)(a), easy-to-read type size is defined to be of a type size large enough to accommodate no more than six lines per vertical inch and no more than 15 characters per horizontal inch.

(3) After April 30, 2007, a new preneed contract form is not required to contain a clause indicating that the Division has approved the contract. Preneed contract forms approved prior to April 30, 2007, shall continue to contain a clause indicating approval by the Division.

R156-9-608. Contract Notice Regarding Medicaid.

The following notice shall appear in all preneed contracts:

"Notice: Under Federal regulations, a Medicaid recipient whose preneed contract is revoked, canceled, or mutually rescinded may become ineligible for Medicaid benefits. Before permitting or causing your preneed agreement to be revoked, canceled or rescinded, you should seek the advice of an attorney or a Medicaid representative."

R156-9-609. Retention of Completed or Terminated Contracts.

Contracts shall be maintained for a period of five years after the contracts have been serviced and obligations of the funeral service establishment have been completed, or after the contracts have been otherwise terminated. The contracts shall be filed and maintained with a copy of the death certification or burial transit permit with respect to those contracts for which services have been provided, and with sufficient documentation to clearly identify the basis for termination of otherwise terminated.

~~**[R156-9-610. Cash Advance Item Prohibited Unless a Guaranteed Product.**~~

~~A cash advance item as defined in 16 CFR Part 453, Funeral Industry Practices Trade Regulation Rule, of the Federal Trade Commission is prohibited in a preneed funeral arrangement contract unless the item is a guaranteed product permitting the contract to meet the requirements of Subsection 58-9-701(2)(d).] ?????~~

Renumber the following Sections:

R156-9-611. Use of Funds in Trust Account to Purchase Insurance or Annuity Policy.

A funeral service establishment may convert a contract funded by monies held in trust with a contract funded by the proceeds from an insurance or annuity policy provided:

(1) the buyer consents in writing to the conversion after full disclosure of the consequences of the transaction in writing by the funeral service establishment;

(2) the buyer's consent is given without coercion, threat, concealment of material fact, undue influence, or other prejudicial influence inconsistent with the buyer's best interest;

(3) the funeral service establishment uses all monies held in the individual trust account, including interest, as premium for the purchase of the life insurance or annuity policy, unless otherwise directed in writing by the buyer;

(4) the new preneed funeral arrangement contract must be in writing and must provide for goods and services which at least equal

to those required of the funeral service establishment under the original contract, and

(5) the new contract meets all requirements of Title 58, Chapter 9, and this rule.

R156-9-612. Conversion of Trust Accounts Under Prior Law Prohibited.

Conversion of funds held in trust which was established under any prior law regulating preneed funeral arrangements, may not be converted to a trust under the provisions of current statute and rules, but shall continue to be held in trust under the terms and conditions of the predecessor law. However, the funeral service establishment is required to file reports with the Division as required under this rule.

R156-9-613. Prohibition Against Provider Accepting Payment in a Form Other Than Cash, Cash Equivalents, or Negotiable Instruments.

A funeral service establishment may accept in payment for a preneed funeral arrangement contract only cash, cash equivalents, or negotiable instruments which are readily convertible to cash.

R156-9-614. Funeral Service Establishment Expenditure of Earnings from Trust Account.

(1) In accordance with Subsection 58-9-704(1), earnings of a preneed funeral arrangement trust account shall be available to the funeral service establishment for expenditure toward reasonable trustee expenses of administering a trust account, not to exceed the lesser of the earnings remaining in the trust account or 1% of the entire trust account, plus any amounts necessary to pay taxes incurred on the entire trust account's earnings.

(2) In accordance with Subsection 58-9-704(2), earnings of an individual account within the trust shall be available to the funeral service establishment for expenditure toward other authorized reasonable funeral service establishment expenses incurred against the individual account, not to exceed earnings totaling 30% of the sales amount of the respective preneed funeral arrangement contract.

(3) Remaining earnings of individual accounts within the trust shall, except as provided in Subsection 58-9-704(3), remain in each individual account within the trust to pay by account, the costs of providing the goods and services required under respective preneed funeral arrangement contracts.

R156-9-615. Maximum Life Insurance Proceeds Payable to Funeral Service Establishment.

(1) Preneed life insurance proceeds payable to a funeral service provider shall not exceed the funeral service establishment's insurable interest in the recipient of goods and services which, by definition, shall not exceed the funeral service establishment's current retail price for the goods and services provided, as determined by the funeral service establishment's price list in effect at the recipient of goods and service's death.

(2) Excess preneed life insurance proceeds not paid to the funeral service establishment shall be returned to the owner of the

life insurance policy or his heirs and beneficiaries unless otherwise designated by the owner or his heirs and beneficiaries.

R156-9-616. Reporting Requirements.

(1) In accordance with Sections 58-9-504 and 58-9-706, each funeral service establishment shall maintain an annual report at the establishment which shall be subject to Division audit at anytime.

The annual report shall be maintained in a format set forth by the Division and shall include:

(a) a statement of compliance certifying:

(i) that all payments received from the sale of contracts have been:

(A) placed in the funeral service establishment's trust account in accordance with Section 58-9-702 and administered in accordance with Sections 58-9-703 through 58-9-705 and this rule; or

(B) submitted to the insurance company whose insurance or annuity policy funds the contract;

(ii) that complete and accurate information concerning the preneed funeral arrangements by the funeral service establishment or the funeral service establishment's sales agent was furnished or made available to the independent certified public accountant who prepared the report of agreed upon procedures; and

(iii) that the annual report is complete and accurate;

(b) at least one of the following reports which reconciles balances in all trust accounts and insurance policies to those in the annual report:

(i) a report from a bank trust department;

(ii) a report from a licensed insurance company; or

(iii) an accounting report on forms available from the Division, completed by an independent certified public accountant (CPA) licensed pursuant to Title 58, Chapter 26a, which report indicates the procedures used and agreed upon by the CPA and the funeral service establishment.

(c) an exhibit listing preneed contracts sold prior to April 29, 1991, funded by money, 75% of which is required to be maintained in the name of the contract buyer in the funeral service establishment's trust account as provided in Section 58-9-703, which shall include at a minimum: the contract number, date, amount, the recipient of goods and services and buyer if different, and balance due; the individual trust account number and amount trusted; and the trust earnings, earnings used, and trust balance;

(d) an exhibit listing preneed contracts sold after April 28, 1991, funded by money, 100% of which is required to be maintained in the name of the contract buyer in the funeral service establishment's trust account as provided in Section 58-9-703, which shall include at a minimum the information required under subsection (c);

(e) an exhibit listing preneed contracts funded by money placed in trust which were serviced, revoked, rescinded, or amended since the last reporting period, which shall include at a minimum: the contract number, date, amount, the recipient of goods and services and buyer if different; the individual trust account number and trust

balance at the recipient of goods and service's death; the date the contract was closed; and an explanation regarding any preneed contract closed but not serviced;

(f) an exhibit listing preneed contracts sold after April 28, 1991, funded in whole or in part by insurance, which shall include at a minimum: the contract number, date, amount, recipient of goods and services and buyer if different; the insurance company; the policy number, policy holder, and face amount; and

(g) an exhibit listing preneed contracts funded by insurance which were serviced, revoked, rescinded, or otherwise amended since the last reporting period, which shall include at a minimum: the contract number, date, amount, the recipient of goods and services, and buyer if different; the insurance company; the policy number and policy holder; the policy proceeds; the date the contract was closed; and an explanation regarding any preneed contract closed but not serviced.

R156-9-617. Maximum Revocation Fee.

If a buyer revokes or defaults under a guaranteed preneed funeral arrangement contract, the funeral service establishment may retain a revocation fee from the trust corpus, not to exceed 25% of the amount received from the sale of the contract and trust earnings thereupon, provided the revocation fee is clearly identified in the contract.

R156-9-618. Goods and Services Not Provided - Refund.

If goods or services selected in the preneed contract are not provided at the time of need, the amount paid for those goods and services and any unexpended earnings thereupon will be distributed to the preneed contract buyer or the buyer's representative or in their absence, the buyer's heirs and beneficiaries.

KEY: funeral industries, licensing, funeral service directors, preneed funeral arrangements

Date of Enactment or Last Substantive Amendment: September 10, 2018

Notice of Continuation: April 26, 2016

Authorizing, and Implemented or Interpreted Law: 58-1-106(1)(a); 58-1-202(1)(a); 58-9-504

Model Internship Program

Presented By:

The Conference

THE INTERNATIONAL CONFERENCE OF
FUNERAL SERVICE EXAMINING BOARDS

Model Internship Program | January 2019

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Model Internship Program

Introduction

The International Conference of Funeral Service Examining Boards (The Conference or ICFSEB) is pleased to introduce its Model Internship Program. Much like *The Conference Model Practice Act* and *The Conference Model Application*, The Conference Model Internship Program will promote standardization of terminology and requirements which will better facilitate public understanding of the profession. This Program is designed to assist and provide guidance to both regulators and professionals in the development of an internship program. The primary mission of the Model Internship Program is to provide a foundation of best practices to train interns to become funeral service professionals. The Program offers information and templates intended to help create internships that meet the needs of the regulatory board, association, and/or funeral establishment. The Program is designed to facilitate training by providing guidelines on program outcomes, content, objectives, administrative procedures, training, and evaluation. The goal of The Conference Model Internship Committee was to develop a set of guidelines that were both rigorous enough to promote adequate supervision and yet flexible enough to accommodate the variety of requirements, training models and settings involved in providing internships. The Program includes guidelines for an Approved Supervisor Training Program, embalming tasks, funeral directing tasks and related reporting forms. The Program was approved by the Board of Directors on December 20, 2018 and will be presented for adoption at the 115th Annual Meeting on February 27, 2019.

Approved Supervisor Training Program

An internship is designed to train students or recent graduates for competent and responsible work in the funeral service profession. It is the expectation that interns will utilize their internship to broaden and extend their knowledge and practice of funeral service. The foundation of an internship is supervised training which acts as a bridge between education and entry into the profession of funeral service. The Approved Supervisor Training Program guidelines set forth a framework for a training course to prepare supervisors to translate their experience and knowledge into an organized and comprehensive learning experience for the intern. The Conference Model Internship Committee recommends that any individual supervising a funeral service intern complete a training program which meets specified standards.

Task Lists: Embalmer & Funeral Director Intern

The Conference Model Internship Program Task List for embalming and funeral directing interns includes core tasks that are to be performed during the internship. The objectives, tasks and associated competencies were selected to provide a comprehensive and structured plan for both an intern and supervisor to follow. The Conference Model Internship Committee recommends that every intern receive training and complete the tasks identified on the approved task forms.

Intern Training Reports: Embalmer & Funeral Director

Both the embalming and funeral director intern training reports provide structure to ensure the intern is meeting the expectations of the internship. The reports are designed to be used throughout the internship to track progress and as a final evaluation of the competencies of the intern. The Conference Model Internship Committee recommends that the intern completes the training reports with their supervisor.

The Conference Model Internship Committee recommends the documents to be used together to provide structure for an internship program. The forms are customizable and easily adapted to meet the requirements of the regulatory board or funeral establishment.



APPROVED SUPERVISOR TRAINING PROGRAM GUIDELINES



MODEL INTERNSHIP PROGRAM

Approved Supervisor Training Program Guidelines

The Conference Model Internship Committee recommends that any individual supervising funeral service interns complete an Approved Supervisor Training Program which meets all standards identified within this document.

Delivery: *On-line or In-person*

Frequency: *Every five (5) years*

Course provided by: *regulatory boards, state or national associations, accredited mortuary schools*

Learning outcomes for the supervisor at completion of Approved Supervisor Training Program:

Understand and communicate applicable local and state rules and regulations

Understand and communicate applicable federal rules and regulations

Understand and communicate funeral service ethics and confidentiality standards

Provide and communicate intern competency requirements

Understand appropriate supervisor relationships/human resource implications

Provide and communicate expectations of intern and supervisor

Provide and communicate funeral home practices and procedures

Recommended content for the Approved Supervisor Training Program:

Laws, Rules, and Safety Compliance

- **Local and state rules and regulations**
 - License limitations/restrictions
 - Vital statistics/vital records
- **Federal rules and regulations**
 - Federal Trade Commission Funeral Rule
 - Occupational Safety & Health Administration
 - Social Security Administration Benefits
 - Veterans Administration Benefits
 - American with Disabilities Act
 - Environmental Protection Agency

Supervision Principles

- **Funeral Service Ethics and Confidentiality Standards**
- **Oversight of Intern Competency Requirements**
 - Arranging and directing
 - Embalming and restorative art
 - Cremation
- **Appropriate supervisor relationships/human resource implications**
 - Dual relationships
 - Sexual harassment
 - Undue influence
 - Employment law (*Equal Employment Opportunity Commission, Wage and Hour, Americans with Disabilities Act*)
- **Expectations of intern and supervisor**
 - Reporting forms and submission deadlines
 - Overview of internship training timeline
 - Communication
- **Funeral home practices and procedures**
 - New employee orientation
 - Review of company policies and handbook
 - Operation specific practices and procedures



INTERNSHIP TASKS

Objectives for Approved Supervisor to review with Intern:	
	Understand and review intern expectations and reporting forms
	Understand and adhere to ethical and confidentiality standards
	Understand and apply local, state, and federal rules and regulations
	Understand and apply workplace safety standards
	Understand and review company policies and handbook e.g. proper communication and dress code

Demonstrated knowledge of the following:	
	1. Federal Trade Commission Funeral Rule
	2. Proper use of prep room equipment, fluids, formaldehyde monitoring test, ventilation system
	3. Personal protective equipment, eye wash and body wash stations
	4. Operation of a body lift and transfer to prep table/refrigeration
	5. Embalming procedures
	6. Required authorizations and verifications
	7. Requirements for transfer or shipping

Tasks to be completed by intern during internship:

A. Observe and assist licensed embalmer in the following:	
	1. Transfer of remains from place of death
	2. Pre-embalming procedures
	3. Embalming procedures
	4. Post-embalming care
	5. Restorative art, cosmetizing, dressing, and casketing

B. Transfer of remains from place of death:	
	1. Receive notification of death (first call) and obtain all necessary information
	2. Ensure personal protective clothing and equipment are being used as appropriate
	3. Verify identity of deceased and complete documentation
	4. Perform transfer from place of death
	5. Document personal effects
	6. Obtain embalming authorization (if authorizing agent is present and allowed by law)

C. Pre-embalming procedures:	
	1. Verify identity of deceased
	2. Place and position deceased on embalming table
	3. Inventory, document, clean, and safeguard personal effects
	4. Perform pre-embalming case analysis including: - notation of unique marks/tattoos, scars, etc. - notation of pre-embalming condition (edema, dehydration, prolonged refrigeration, decomposition, etc.)
	5. Assess whether restoration is necessary/possible, obtain authorization and discuss with responsible party
	6. Bathe and disinfect deceased
	7. Relieve rigor mortis

	8. Shave deceased
	9. Set facial features
	10. Select and mix embalming fluids based on case analysis

D. Embalming procedures:	
	1. Locate/raise vessels for injection/drainage (including: carotid, axillary, radial, ulnar, femoral, iliac)
	2. Inject embalming fluid into vessels
	3. Adjust and monitor the rate of flow and pressure of embalming machine
	4. Establish and monitor drainage
	5. Treat discolorations, bruises, and lacerations
	6. Perform proper treatment for special cases (e.g. infants, autopsies, trauma, burns, donations)
	7. Evaluate fluid distribution and take corrective measures, if necessary
	8. Close/suture embalming incision(s)/use of trocar button
	9. Perform autopsy repair if needed
	10. Aspirate, inject, and/or treat cavities as necessary

E. Post embalming care:	
	1. Perform hypodermic treatment as necessary
	2. Treat orifices
	3. Remove medical devices
	4. Bathe and sanitize
	5. Clean and disinfect the preparation/embalming room and instruments
	6. Dispose of bio-hazardous materials in compliance with Occupational Safety & Health Administration standards
	7. Complete embalming intern report

F. Restorative art, cosmetizing, dressing, and casketing:	
	1. Perform restoration procedures as necessary
	2. Cosmetize
	3. Dress deceased to ensure proper placement of clothes
	4. Place and position deceased in casket/container
	5. Ensure proper appearance
	6. Adjust cosmetics or lighting if needed for viewing



MODEL INTERNSHIP PROGRAM

Funeral Director Internship Tasks

Objectives for Approved Supervisor to review with Intern:	
	Understand and review intern expectations and reporting forms
	Understand and adhere to ethical and confidentiality standards
	Understand and apply local, state, and federal rules and regulations
	Understand and apply workplace safety standards
	Understand and review company policies and handbook e.g. proper communication and dress code
	Understand resources available for grief counseling
	Understand expectations of public speaking skills e.g. making announcements, leading services
	Understand basic merchandising and marketing
	Understand and apply laws, policies, and procedures pertaining to cremation

Demonstrated knowledge of the following:	
	1. Federal Trade Commission Funeral Rule
	2. Social Security Benefits (form SSA-721)
	3. Veterans Benefits (and forms)
	4. Military Honors (and forms)

Tasks to be completed by intern during internship:

A. Observe and assist licensed funeral director in the following:	
	1. Transfer of remains from place of death
	2. Arrangement conference
	3. Post arrangement activities
	4. Visitation and funeral/memorial service
	5. Post service follow-up

B. Transfer of remains from place of death:	
	1. Receive notification of death (first call) and obtain all necessary information
	2. Ensure personal protective clothing and equipment are being used as appropriate
	3. Verify identity of deceased and complete documentation
	4. Perform transfer from place of death
	5. Document personal effects
	6. Obtain embalming authorization (if authorizing agent is present and allowed by law)

C. Arrangement conference:	
	1. Schedule and conduct arrangement conference
	2. Comply with Federal Trade Commission Funeral Rule
	3. Determine responsible party and financial responsibility
	4. Determine if pre-arrangement contract exists
	5. Inform responsible party of available benefits
	6. Collect vital record information for death certificate and review with responsible party
	7. Compose obituary/notice and review with responsible party

	8. Present all service and merchandise options
	9. Contact cemetery, vault provider, crematory, officiant, church or service location, florist, musicians/vocalists, escorts, A/V personnel, etc.
	10. Verify all service arrangements with responsible party
	11. Coordinate with responsible party clothing, jewelry, photograph, and personal items
	12. Obtain authorizations for embalming, cremation, disposition, release, etc.
	13. Complete and present itemized statement of funeral goods and services to responsible party
	14. Discuss all payment options (including insurance) with responsible party

D. Post arrangement activities:	
	1. Complete and file death certificate
	2. Complete and file burial transit permit
	3. Submit and distribute obituary/notice to appropriate media
	4. Prepare and coordinate for visitation/service:
	a. Order merchandise (casket, vault, urn, etc.)
	b. Create memorial folders/pamphlets, registry books, acknowledgement cards, etc.
	c. Determine and arrange audio/visual needs
	d. Prepare site for service
	5. Prepare deceased for visitation/services including dressing, cosmetizing, casketing, etc.
	6. Coordinate religious funeral customs, fraternal and military funeral honors, etc.
	7. Prepare deceased for cremation including proper identification and removal of medical devices
	8. Arrange for shipping of remains
	9. Prepare honorariums/gratuities

E. Visitation and funeral/memorial service:	
	1. Direct services up to final disposition
	2. Instruct participants e.g. speakers, pallbearers, musicians, police escorts
	3. Prepare and direct funeral procession e.g. placement of vehicles, operate hearse in procession
	4. Present honorariums/gratuities

F. Post service follow-up:	
	1. Arrange for disposition and release of cremated remains to responsible party
	2. After service follow-up with responsible party
	3. Ensure final payment
	4. Complete funeral directing intern report



INTERNSHIP TRAINING REPORTS



EMBALMER INTERN TRAINING REPORT

Embalmer Intern Information (Please Print or Type)

Name of Intern (Full Legal Name):	Identification/Registration No:
Mailing Address:	City, State, Zip
Email Address:	Phone No:

Approved Supervisor and Establishment Information (Please Print or Type)

Name of Approved Supervisor:	License No:
Email Address of Approved Supervisor:	Phone No:
Name of Establishment where employed (include license #):	
Address of Establishment:	City, State, Zip

Reporting Period and Hours

Start Date (mm/dd/yy)	End Date (mm/dd/yy)
Average No. of Hours Per Week:	Total Hours Worked:
Please indicate if this is your first or final report:	

Demonstrated Knowledge

Each intern must receive training and demonstrate knowledge in the following areas during the course of their internship.

**Not all items will be completed by first six months of internship.*

The intern has successfully demonstrated knowledge of the following:		
1. Federal Trade Commission Funeral Rule	YES	NO
2. Proper use of prep room equipment, fluids, formaldehyde monitoring test, ventilation system	YES	NO
3. Personal protective equipment, eye wash and body wash stations	YES	NO
4. Operation of a body lift and transfer to prep table/refrigeration	YES	NO
5. Embalming procedures	YES	NO
6. Required authorizations and verifications	YES	NO
7. Requirements for transfer or shipping	YES	NO

Areas of Training

Each intern must receive training and observe and assist in the following areas during the course of their internship. Has the intern observed and assisted the licensed embalmer in the following?

**Not all tasks will be completed by first six months of internship.*

A. Observe and assist licensed embalmer in the following:	OBSERVE/ASSIST	
1. Transfer of remains from place of death	YES	NO
2. Pre-embalming procedures	YES	NO
3. Embalming procedures	YES	NO
4. Post-embalming care	YES	NO
5. Restorative art, cosmetizing, dressing, and casketing	YES	NO

B. Transfer of remains from place of death:	TRAINING	
1. Receive notification of death (first call) and obtain all necessary information	YES	NO
2. Ensure personal protective clothing and equipment are being used as appropriate	YES	NO
3. Verify identity of deceased and complete documentation	YES	NO
4. Perform transfer from place of death	YES	NO
5. Document personal effects	YES	NO
6. Obtain embalming authorization (if authorizing agent is present and allowed by law)	YES	NO

C. Pre-embalming procedures:	TRAINING	
1. Verify identity of deceased	YES	NO
2. Place and position deceased on embalming table	YES	NO
3. Inventory, document, clean, and safeguard personal effects	YES	NO
4. Perform pre-embalming case analysis including: - notation of unique marks/tattoos, scars, etc. - notation of pre-embalming condition (edema, dehydration, prolonged refrigeration, decomposition, etc)	YES	NO
5. Assess whether restoration is necessary/possible, obtain authorization and discuss with responsible party	YES	NO
6. Bathe and disinfect deceased	YES	NO
7. Relieve rigor mortis	YES	NO
8. Shave deceased	YES	NO
9. Set facial features	YES	NO
10. Select and mix embalming fluids based on case analysis	YES	NO

D. Embalming procedures:	TRAINING	
1. Locate/raise vessels for injection/drainage (incl.: carotid, axillary, radial, ulnar, femoral, iliac)	YES	NO
2. Inject embalming fluid into vessels	YES	NO
3. Adjust and monitor the rate of flow and pressure of embalming machine	YES	NO
4. Establish and monitor drainage	YES	NO
5. Treat discolorations, bruises, and lacerations	YES	NO
6. Perform proper treatment for special cases (e.g. infants, autopsies, trauma, burns, donations)	YES	NO
7. Evaluate fluid distribution and take corrective measures, if necessary	YES	NO
8. Close/suture embalming incision(s)/use of trocar button	YES	NO
9. Perform autopsy repair if needed	YES	NO
10. Aspirate, inject, and/or treat cavities as necessary	YES	NO

E. Post embalming care:	TRAINING	
1. Perform hypodermic treatment as necessary	YES	NO
2. Treat orifices	YES	NO
3. Remove medical devices	YES	NO
4. Bathe and sanitize	YES	NO

Approved Supervisor Recommendation

Do you recommend this intern move to licensure status at this time? YES NO

Attestations (Must be signed by both Intern and Approved Supervisor)

Embalmer Intern

I, the embalmer intern named herein, hereby certify that the information provided in this report is true and accurate. I further attest to the fact that I have complied with all applicable laws and regulations governing the practice of funeral services. I understand that any false statements, material omissions, and/or misleading information provided herein shall constitute grounds for the adverse action against my internship license/credential and/or any subsequent license issued by any state/jurisdictional licensing authority regardless of when such false statements, material omissions, and/or misleading information are discovered.

_____ Date _____
Signature of Intern

Approved Supervisor

I, the Approved Supervisor named herein, hereby certify that the information provided in this report is true and accurate. I further attest to the fact that I have complied with all applicable laws and regulations governing the practice of funeral services. I understand that any false statements, material omissions, and/or misleading information provided herein shall constitute grounds for the adverse action against my Approved Supervisor license/credential and/or any subsequent license issued by any state/jurisdictional licensing authority regardless of when such false statements, material omissions, and/or misleading information are discovered.

_____ Date _____
Signature of Approved Supervisor

For Board use only:

Report reviewed by: _____ Date: _____

All internship tasks completed? YES NO

Recommendations:



FUNERAL DIRECTOR INTERN TRAINING REPORT

Funeral Director Intern Information (Please Print or Type)

Name of Intern (Full Legal Name):	Identification/Registration No:
Mailing Address:	City, State, Zip
Email Address:	Phone No:

Approved Supervisor and Establishment Information (Please Print or Type)

Name of Approved Supervisor:	License No:
Email Address of Approved Supervisor:	Phone No:
Name of Establishment where employed (include license #):	
Address of Establishment:	City, State, Zip

Reporting Period and Hours

Start Date (mm/dd/yy)	End Date (mm/dd/yy)
Average No. of Hours Per Week:	Total Hours Worked:
Please indicate if this is your first or final report:	

Demonstrated Knowledge

Each intern must receive training and demonstrate knowledge in the following areas during the course of their internship.

**Not all items will be completed by first six months of internship.*

The intern has successfully demonstrated knowledge of the following:			
1. Federal Trade Commission Funeral Rule	YES	NO	
2. Social Security Benefits (form SSA-721)	YES	NO	
3. Veterans Benefits (and forms)	YES	NO	
4. Military Honors (and forms)	YES	NO	

Areas of Training

Each intern must receive training and observe and assist in the following areas during the course of their internship. Has the intern observed and assisted the licensed funeral director in the following?

**Not all tasks will be completed by first six months of internship.*

A. Observe and assist licensed funeral director in the following:	OBSERVE/ASSIST	
1. Transfer of remains from place of death	YES	NO
2. Arrangement conference	YES	NO
3. Post arrangement activities	YES	NO
4. Visitation and funeral/memorial service	YES	NO
5. Post service follow-up	YES	NO

B. Transfer of remains from place of death:	TRAINING	
1. Receive notification of death (first call) and obtain all necessary information	YES	NO
2. Ensure personal protective clothing and equipment are being used as appropriate	YES	NO
3. Verify identity of deceased and complete documentation	YES	NO
4. Perform transfer from place of death	YES	NO
5. Document personal effects	YES	NO
6. Obtain embalming authorization (if authorizing agent is present and allowed by law)	YES	NO

C. Arrangement conference:	TRAINING	
1. Schedule and conduct arrangement conference	YES	NO
2. Comply with Federal Trade Commission Funeral Rule	YES	NO
3. Determine responsible party and financial responsibility	YES	NO
4. Determine if pre-arrangement contract exists	YES	NO
5. Inform responsible party of available benefits	YES	NO
6. Collect vital record information for death certificate and review with responsible party	YES	NO
7. Compose obituary/notice and review with responsible party	YES	NO
8. Present all service and merchandise options	YES	NO
9. Contact cemetery, vault provider, crematory, officiant, church or service location, florist, musicians/vocalists, escorts, A/V personnel	YES	NO
10. Verify all service arrangements with responsible party	YES	NO
11. Coordinate with responsible party clothing, jewelry, photograph, and personal items	YES	NO
12. Obtain authorizations for embalming, cremation, disposition, release, etc.	YES	NO
13. Complete and present itemized statement of funeral goods and services to responsible party	YES	NO
14. Discuss all payment options (including insurance) with responsible party	YES	NO

D. Post arrangement activities:	TRAINING	
1. Complete and file death certificate	YES	NO
2. Complete and file burial transit permit	YES	NO
3. Submit and distribute obituary/notice to appropriate media	YES	NO
4. Prepare and coordinate for visitation/service:	YES	NO
a. Order merchandise (casket, vault, urn, etc.)	YES	NO
b. Create memorial folders/pamphlets, registry books, acknowledgement cards, etc.	YES	NO
c. Determine and arrange audio/visual needs	YES	NO
d. Prepare site for service	YES	NO
5. Prepare deceased for visitation/services including dressing, cosmetizing, casketing, etc.	YES	NO
6. Coordinate religious funeral customs, fraternal and military funeral honors, etc.	YES	NO
7. Prepare deceased for cremation including proper identification and removal of medical devices	YES	NO
8. Arrange for shipping of remains	YES	NO
9. Prepare honorariums/gratuities	YES	NO

Approved Supervisor Recommendation

Do you recommend this intern move to licensure status at this time? YES NO

Attestations (Must be signed by both Intern and Approved Supervisor)

Funeral Director Intern

I, the funeral director intern named herein, hereby certify that the information provided in this report is true and accurate. I further attest to the fact that I have complied with all applicable laws and regulations governing the practice of funeral services. I understand that any false statements, material omissions, and/or misleading information provided herein shall constitute grounds for the adverse action against my internship license/credential and/or any subsequent license issued by any state/jurisdictional licensing authority regardless of when such false statements, material omissions, and/or misleading information are discovered.

_____ Date _____
Signature of Intern

Approved Supervisor

I, the Approved Supervisor named herein, hereby certify that the information provided in this report is true and accurate. I further attest to the fact that I have complied with all applicable laws and regulations governing the practice of funeral services. I understand that any false statements, material omissions, and/or misleading information provided herein shall constitute grounds for the adverse action against my Approved Supervisor license/credential and/or any subsequent license issued by any state/jurisdictional licensing authority regardless of when such false statements, material omissions, and/or misleading information are discovered.

_____ Date _____
Signature of Approved Supervisor

For Board use only:

Report reviewed by: _____ Date: _____

All internship tasks completed? YES NO

Recommendations:

CONTENT OUTLINE

Subject Area	%
Business Organizations	4
Licensing	10
Estimating and Bidding	6
Contract Management	6
Project Management	5
Labor Laws	6
Lien Laws	3
Financial Management	6
Risk Management	5
Tax Laws	5
Safety	4
Subject Area	%

PRETEST ITEMS

such non-scored experimental questions is an essential step in developing future licensing examinations.

EXAMINATION REVIEW

PSI, in cooperation with the Utah Division of Occupational and Professional Licensing, will be consistently evaluating the examinations being administered to ensure that the examinations accurately measure competency in the required knowledge areas. While taking the examination, examinees will have the opportunity to provide comments on any questions, by clicking on the Comments key of the test question screen. These comments will be analyzed by PSI examination development staff. PSI does not respond to individuals regarding these comments, all substantive comments are reviewed. This is the only review of examination materials available to candidates.

SCORE REPORTING

You will receive your score report immediately following the completion of the examination.

DUPLICATE SCORE REPORTS

You may request a duplicate score report after your examination by emailing scorereport@psionline.com or by calling 800-733-9267.

TIPS FOR PREPARING FOR YOUR LICENSE EXAMINATION

The following suggestions will help you prepare for your examination.

- Planned preparation increases your likelihood of passing.
- Start with a current copy of this Candidate Information Bulletin and use the examination content outline as the basis of your study.
- Read study materials that cover all the topics in the content outline.
- Take notes on what you study. Putting information in writing helps you commit it to memory and it is also an excellent business practice. Discuss new terms or concepts as frequently as you can with colleagues. This will test your understanding and reinforce ideas.
- Your studies will be most effective if you study frequently, for periods of about 45 to 60 minutes. Concentration tends to wander when you study for longer periods of time.

EXAMINATION REFERENCE MATERIAL AND CONTENT OUTLINES

UTAH FUNERAL SERVICE DIRECTOR LAW AND RULE EXAMINATION

# of Questions	Minimum Passing Score	Time Allowed
25	19 Correct (75%)	45 Minutes

CONTENT OUTLINE

I. Utah Code -- Title 58, Chapter 1, Division of Occupational and Professional Licensing Act; and Utah Administrative Code -- Rule R156-1, General Rule of the Division of Occupational and Professional Licensing-

- 3 items
- a. Division Responsibilities
- b. Penalties
- c. Miscellaneous DOPL Regulations

II. Utah Code -- Title 58, Chapter 9, Funeral Services Licensing Act; and Utah Administrative Code -- Rule R156-9, Funeral Service Licensing Act Rule

- 22 items
- a. Definitions
- b. Intern Supervision
- c. Activity Requiring License
- d. FTC Rules and Merchandise
- e. Beneficiary
- f. Audit Guarantee
- g. Record Maintenance
- h. Dir License Qualification
- i. Preneed Arrangement and Fund Liquidation
- j. Contract Filed with UT Insurance
- k. Contents of File
- l. Licensure
- m. Excess Proceeds
- n. Unprofessional Conduct
- o. Cremation

REFERENCE LIST

This examination is OPEN BOOK using ONLY the following materials.

The following reference materials are allowed in the examination center:

- Utah Code -- Title 58, Chapter 1, Division of Occupational and Professional Licensing Act
<https://le.utah.gov/xcode/Title58/Chapter1/58-1.html>



such non-scored experimental questions is an essential step in developing future licensing examinations.

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- Read study materials that cover all the topics in the content outline.
- Take notes on what you study. Putting information in writing helps you commit it to memory and it is also an excellent business practice. Discuss new terms or concepts as frequently as you can with colleagues. This will test your understanding and reinforce ideas.
- Your studies will be most effective if you study frequently, for periods of about 45 to 60 minutes. Concentration tends to wander when you study for longer periods of time.

EXAMINATION REFERENCE MATERIAL AND CONTENT OUTLINE

UTAH PRE-NEED FUNERAL ARRANGEMENT SALES AGENT LAW AND RULE EXAMINATION

# of Questions	Minimum Passing Score	Time Allowed
25	19 Correct (75%)	45 Minutes

I. Utah Code -- Title 58, Chapter 1, Division of Occupational and Professional Licensing Act; and Utah Administrative Code -- Rule R156-1, General Rule of the Division of Occupational and Professional Licensing

- 3 items

- a. Division Responsibilities
- b. Penalties
- c. Miscellaneous DOPL Regulations

II. Utah Code -- Title 58, Chapter 9, Funeral Services Licensing Act; and Utah Administrative Code -- Rule R156-9, Funeral Service Licensing Act Rule

- 22 items

- a. Definitions
- b. Funeral Merchandise
- c. FTC Rules
- d. Beneficiary
- e. Audit; Guarantee
- f. Record Maintenance
- g. Licensure
- h. Pre-need Arrangement
- i. Contract filed with UT Insurance
- j. Contents of File
- k. Preneed Provider
- l. Unprofessional Conduct
- m. Association with Funeral Director/Provider
- n. Excess Proceeds
- o. Revocation Fee
- p. Deposit Time Limits

REFERENCE LIST

This examination is OPEN BOOK using ONLY the following materials.

The following reference materials are allowed in the examination center:

- Utah Code -- Title 58, Chapter 1, Division of Occupational and Professional Licensing Act
<https://le.utah.gov/xcode/Title58/Chapter1/58-1.html>

