

**DEPARTMENT OF ADMINISTRATIVE SERVICES**  
**DIVISION OF PROFESSIONAL REGULATION**  
**3100 Board of Funeral Services**  
**Statutory Authority: 24 Delaware Code, Section 3105(a)(10) (24 Del.C. §3105(a)(10))**  
**24 DE Admin. Code 3100**

**PUBLIC NOTICE**

The Delaware Board of Funeral Services in accordance with 24 Del.C. §3105(a)(1) has proposed changes to its rules and regulations relating to continuing education. The proposal authorizes the automatic approval of courses offered by the Academy of Funeral Services Practitioners (AFSP) or state boards that license funeral directors.

A public hearing will be held at 10:30 a.m. on April 6, 2005, in the second floor Conference Room B of the Cannon Building, 861 Silver Lake Boulevard, Dover, Delaware where members of the public can offer comments. Anyone wishing to receive a copy of the proposed rule may obtain a copy from the Delaware Board of Funeral Services, 861 Silver Lake Blvd, Cannon Building, Suite 203, Dover DE 19904. Persons wishing to submit written comments may forward these to the Board at the above address. The final date to receive written comments will be at the public hearing.

The Board will consider promulgating the proposed rule at its regularly scheduled meeting following the public hearing.

**3100 Board of Funeral Services**

**9.0 Continuing Education Regulations**

9.1 Board Authority

9.1.1 This rule is promulgated under the authority of 24 Del.C. §3105 which grants the Board of Funeral Services (hereinafter "the Board") authority to provide for rules for continuing funeral services education as a prerequisite for license renewal.

9.2 Requirements

9.2.1 Every licensed funeral director in active practice shall complete at least 10 hours/credits of approved continuing education (hereinafter "CE") during the two year licensure period prior to the time of license renewal. All CE credit hours must further the licensee's skills and understanding in the field of funeral services. Licensees who earn more than the required amount of CE credit hours during a given licensure period may carry over no more than 50% of the total CE credit hours required for the next licensure period.

9.2.2 When a Delaware licensee on inactive status files a written application to return to active practice with the Board, the licensee shall submit proof of having completed the required CE credit hours for the period just prior to the request to return to active practice.

9.2.3 Upon application for renewal of a license, a funeral director licensee shall submit to the Board proof of completing the required number of CE credit hours.

9.3 Waiver of the CE Requirement

9.3.1 The Board has the power to waive any part of the entire CE requirement for good cause if the licensee files a written request with the Board. For example, exemptions to the CE requirement may be granted due to health or military service. Application for exemption shall be made in writing to the Board by the applicant for renewal. The Board shall decide the merits of each individual case at a regularly scheduled meeting.

9.3.2 Newly licensed funeral directors, including those newly licensed by reciprocity, are exempt during the time from initial licensure until the commencement of the first full licensure period.

9.4 Continuing Education Program Approval

9.4.1 Each contact hour (at least fifty minutes) is equivalent to 1.0 CE credit hour. One college credit hour is equivalent to 5 CE credit hours.

9.4.2 Eligible program providers or sponsors include but are not limited to, educational institutions, government agencies, professional or trade associations and foundations and private firms. Programs offered by the Academy of Funeral Service Practitioners (AFSP) or state boards that license funeral directors are automatically approved. Eligible program providers or sponsors include but are not limited to, educational institutions, government agencies, professional or trade associations and foundations and private firms.

9.4.3 Sources of CE credits include but are not limited to the following:

- Programs sponsored by national funeral service organizations.
- Programs sponsored by state associations.

- Program provided by local associations.
  - Programs provided by suppliers.
  - Independent study courses for which there is an assessment of knowledge.
  - College courses.
- 9.4.4 The recommended areas include but are not limited to the following:
- Grief counseling
  - Professional conduct, business ethics or legal aspects relating to practice in the profession.
  - Business management concepts relating to delivery of goods and services.
  - Technical aspects of the profession.
  - Public relations.
  - After care counseling.
- 9.4.5 Application for CE program approval shall include the following:
- 9.4.5.1 Date and location.
- 9.4.5.2 Description of program subject, material and content.
- 9.4.5.3 Program schedule to time segments in subject content areas for which approval of, and determination of credit is required.
- 9.4.5.4 Name of instructor(s), background, expertise.
- 9.4.5.5 Name and position of person making request for program approval.
- 9.4.6 Requests for CE program approval shall be submitted to the Board on the application provided by the Board. Application for approval may be made after the program; however, if the program is not approved, the applicant will be notified and no credit given.
- 9.4.7 Approval of CE credits and program formats by the Committee shall be valid for a period of two years from the date of approval. Changes in any aspect of the approved program shall render the approval invalid and the presenter will be responsible for making reapplication to the Committee.
- 9.4.8 Upon request, the Board shall mail a current list of all previously approved programs.
- 9.5 Continuing Education Committee
- 9.5.1 The Board of Funeral Services shall appoint a committee known as the Continuing Education Committee. The Committee shall consist of the following who shall elect a chairperson:
- 9.5.1.1 One (1) Board member (non-licensed).
- 9.5.1.2 One (1) non-Board member who shall be a licensed funeral director who is owner/operator of a funeral establishment.
- 9.5.1.3 One (1) non-Board member who shall be a licensed funeral director who does not own or operate a funeral establishment.
- 9.5.2 Membership on this Committee shall be on a rotating basis, with each member serving a three year term and may be eligible for reappointment. The Committee members shall continue to serve until a new member is appointed.
- 9.5.3 The Continuing Education Committee shall oversee matters pertaining to continuing education and make recommendations to the Board with regard to approval of submitted programs for CE by licensees and with regard to the Board's review of audited licensees. The Board shall have final approval on all matters.
- 9.6 Certification of Continuing Education - Verification and Reporting
- 9.6.1 The program provider/sponsor has sole responsibility for the accurate monitoring of program attendance. Certificates of attendance shall be supplied by the program provider/sponsor and be distributed only at the completion of the program.
- 9.6.2 Verification of completion of an independent study program will be made with a student transcript.
- 9.6.3 The funeral director licensee shall maintain all original certificates of attendance for CE programs for the entire licensure period. Proof shall consist of completed CE form provided by the Board and shall be filed with the Board on or before thirty (30) days prior to the expiration date of the biennial renewal period.
- 9.6.4 Applications for renewal may be audited by the Board to determine whether or not the recommended requirements of continuing education have been met by the licensee.
- 9.6.5 If a licensee is found to be non-compliant in continuing education, the licensee's license shall lapse at the expiration of the present licensing period. The Board shall reinstate such license within twelve (12) months of such lapse upon presentation of satisfactory evidence of successful completion of continuing education requirements and upon payment of all fees due.
- 9.6.6 Programs approved for continuing education credit by another state funeral board other than

Delaware shall be automatically approved for all Delaware licensees upon written application and verification of CE credits by the applicable state board.

**5 DE Reg. 606 (9/1/01)**

**\*Please Note: As the rest of the sections were not amended they are not being published. A complete set of the rules and regulations for the Board of Funeral Services is available at:**

**<http://dpr.delaware.gov/boards/funeralservices/index.shtml>**

**8 DE Reg. 1241 (3/1/05)**