

Chapter 308-48 WAC

FUNERAL DIRECTORS AND EMBALMERS

WAC

308-48-010	Definitions.		
308-48-015	Retired status certificate of registration.		
308-48-030	Care of human remains.		
308-48-031	Funeral establishment facility, equipment, and embalming and preparation room standards.	308-48-115	110, filed 1/26/83; Order PL 273, § 308-48-110, filed 8/1/77; Rule 11, filed 9/17/64.] Repealed by WSR 07-03-027, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW.
308-48-040	Control of human remains.		
308-48-050	Confidence.	308-48-120	Director's designees. [Order PL 273, § 308-48-115, filed 8/1/77.] Repealed by WSR 83-04-021 (Order PL 420), filed 1/26/83. Statutory Authority: 1982 c 66 § 12.
308-48-060	Against concealment of crime.		
308-48-075	Display of licenses.		
308-48-080	Improper use of license.		
308-48-085	Funeral establishments and crematories—Inspections.	308-48-130	Apprentices—Credit limitation for prior employment. [Rules, § 1, filed 10/5/67.] Repealed by WSR 86-15-022 (Order PM 604), filed 7/11/86. Statutory Authority: RCW 18.39.175(4).
308-48-141	Application for examination and reciprocity.		
308-48-142	Licensing examination.	308-48-140	College credit. [Rules, § 2, filed 10/5/67.] Repealed by WSR 86-15-022 (Order PM 604), filed 7/11/86. Statutory Authority: RCW 18.39.175(4).
308-48-145	Approval of embalming schools and accrediting associations.		
308-48-150	Course of training—Funeral director intern.		
308-48-160	Course of training—Embalmer interns.		
308-48-180	Renewal of licenses, registrations, endorsements and permits.		
308-48-200	Report of internship registration, termination, transfer and credit.		
308-48-210	Establishment licensure.		
308-48-350	AIDS prevention and information education requirements.	308-48-165	Licenses—Applicants from other states. [Statutory Authority: RCW 18.35.175(4). WSR 88-13-010 (Order PM 737), § 308-48-140, filed 6/6/88; WSR 86-15-022 (Order PM 604), § 308-48-140, filed 7/11/86. Statutory Authority: RCW 18.39.130, as amended by SHB 871. WSR 83-01-111 (Order PL 416), § 308-48-140, filed 12/21/82; Order 700801, § 308-48-140, filed 8/25/70.] Repealed by WSR 96-17-040, filed 8/19/96, effective 9/19/96. Statutory Authority: RCW 34.05.354, 18.16.030, 43.17.060, 43.24.040, 43.24.024, 46.01.160, 18.145.050 and 18.39.175.
308-48-510	Continuing education requirements—Purpose.		
308-48-520	Effective date of continuing education requirement.		
308-48-530	Continuing education basic requirement—Amount.		
308-48-540	Continuing education requirement to reinstate lapsed license or registration.	308-48-170	Examination subjects. [Statutory Authority: RCW 18.39.175(4). WSR 86-15-022 (Order PM 604), § 308-48-165, filed 7/11/86. Statutory Authority: RCW 18.39.175. WSR 83-04-020 (Order PL 419), § 308-48-165, filed 1/26/83.] Repealed by WSR 90-17-148, filed 8/22/90, effective 9/22/90. Statutory Authority: RCW 18.39.175(4).
308-48-550	Continuing education reporting requirement.		
308-48-560	Continuing education documentation may be required.	308-48-175	Collegiate level hours. [Order PL 122, § 308-48-170, filed 5/9/72.] Repealed by WSR 83-04-021 (Order PL 420), filed 1/26/83. Statutory Authority: 1982 c 66 § 12.
308-48-570	Continuing education discretionary exception for emergency situation.		
308-48-580	Board approval of continuing education activities.		
308-48-590	Qualification for board approval of continuing education activities.	308-48-185	Application to national boards—Embalmers. [Order PL 273, § 308-48-175, filed 8/1/77; Order PL-259, § 308-48-175, filed 12/7/76.] Repealed by WSR 83-04-021 (Order PL 420), filed 1/26/83. Statutory Authority: 1982 c 66 § 12.
308-48-600	Procedure for obtaining board approval of continuing education activity.		
308-48-780	Crematories—Inspections.		
308-48-800	Funeral director/embalmer fees.	308-48-190	Funeral establishments and crematories—License expiration. [Statutory Authority: RCW 18.39.175(4). WSR 98-21-056, § 308-48-185, filed 10/19/98, effective 11/19/98; Order PL 273, § 308-48-185, filed 8/1/77.] Repealed by WSR 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
308-48-810	Brief adjudicative proceedings—When they can be used.		
308-48-815	Objections to brief adjudicative proceedings and conversion to formal adjudicative hearings.		
308-48-840	Funeral director and embalmer interns.	308-48-19001	Examination fee. [Statutory Authority: RCW 18.39.175. WSR 83-04-020 (Order PL 419), § 308-48-190, filed 1/26/83; Order PL-249, § 308-48-190, filed 5/21/76.] Repealed by WSR 09-17-116, filed 8/18/09, effective 9/18/09. Statutory Authority: RCW 18.39.050, 18.39.175, 43.24.086 and chapter 34.05 RCW.
308-48-850	Intern sponsors—Qualifications, limitations and responsibilities.		
308-48-860	Registered intern examination.		
308-48-870	Leave of absence—Interns.		
308-48-880	Transporting of human remains.		

DISPOSITION OF SECTIONS FORMERLY CODIFIED IN THIS CHAPTER

308-48-020	Misconduct enumerated in statute. [Rule 2, filed 9/17/64.] Repealed by WSR 83-04-021 (Order PL 420), filed 1/26/83. Statutory Authority: 1982 c 66 § 12.	308-48-250	Definition—Employ. [Order PL 273, § 308-48-190 (codified as WAC 308-48-19001), filed 8/1/77.] Repealed by WSR 83-04-021 (Order PL 420), filed 1/26/83. Statutory Authority: 1982 c 66 § 12.
308-48-070	Fraud and deceit. [Rule 7, filed 9/17/64.] Repealed by WSR 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).	308-48-300	Fees. [Statutory Authority: 1983 c 168 § 12. WSR 83-17-031 (Order PL 442), § 308-48-250, filed 8/10/83. Formerly WAC 308-48-310.] Repealed by WSR 87-10-028 (Order PM 650), filed 5/1/87. Statutory Authority: RCW 43.24.086.
308-48-090	Absence of licensee. [Order PL 273, § 308-48-090, filed 8/1/77; Rule 9, filed 9/17/64.] Repealed by WSR 83-04-021 (Order PL 420), filed 1/26/83. Statutory Authority: 1982 c 66 § 12.	308-48-310	License renewal fee. [Order PL-163, § 308-48-300, filed 3/18/74.] Repealed by Order PL 207, filed 11/5/75. Later promulgation, see WAC 308-48-310.
308-48-100	Improper methods for seeking business. [Statutory Authority: RCW 18.39.175 (4) and (5). WSR 85-19-014 (Order PL 551), § 308-48-100, filed 9/6/85; Rule 10, filed 9/17/64.] Repealed by WSR 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).	308-48-320	Funeral directors and embalmers—Fees. [Statutory Authority: RCW 43.24.085. WSR 80-14-022 (Order 356), § 308-48-310, filed 9/25/80; Order PL 273, § 308-48-310, filed 8/1/77; Order PL-259, § 308-48-310, filed 12/7/76; Order PL 207, § 308-48-310, filed 11/5/75.] Repealed by WSR 83-17-031 (Order PL 442), filed 8/10/83. Statutory Authority: 1983 c 168 § 12. Later promulgation, see WAC 308-48-250.
308-48-110	Revocation of license. [Statutory Authority: RCW 18.39.175. WSR 83-04-020 (Order PL 419), § 308-48-		Uniform Disciplinary Act. [Statutory Authority: 1984 c 279 § 35. WSR 84-21-132 (Order PL 492), § 308-48-

- 320, filed 10/24/84.] Repealed by WSR 85-19-013 (Order PL 550), filed 9/6/85. Statutory Authority: RCW 18.39.175 (4) and (6) and 18.39.176.
- 308-48-700 Definitions. [Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. WSR 85-21-066 (Order PL 561), § 308-48-700, filed 10/17/85.] Repealed by WSR 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
- 308-48-710 Identification of human remains. [Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. WSR 85-21-066 (Order PL 561), § 308-48-710, filed 10/17/85.] Repealed by WSR 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
- 308-48-720 Holding human remains for cremation. [Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. WSR 85-21-066 (Order PL 561), § 308-48-720, filed 10/17/85.] Repealed by WSR 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
- 308-48-730 Cremation of human remains. [Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. WSR 85-21-066 (Order PL 561), § 308-48-730, filed 10/17/85.] Repealed by WSR 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
- 308-48-740 Processing of cremated remains. [Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. WSR 85-21-066 (Order PL 561), § 308-48-740, filed 10/17/85.] Repealed by WSR 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
- 308-48-750 Packaging and storage of cremated or processed remains. [Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. WSR 85-21-066 (Order PL 561), § 308-48-750, filed 10/17/85.] Repealed by WSR 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
- 308-48-760 Disposition of cremated or processed remains. [Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. WSR 85-21-066 (Order PL 561), § 308-48-760, filed 10/17/85.] Repealed by WSR 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
- 308-48-770 Endorsement required. [Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. WSR 85-21-066 (Order PL 561), § 308-48-770, filed 10/17/85.] Repealed by WSR 02-19-019, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4).
- 308-48-790 Crematory endorsements—Registration—Expiration. [Statutory Authority: RCW 18.35.175(4). WSR 88-13-010 (Order PM 737), § 308-48-790, filed 6/6/88. Statutory Authority: RCW 18.39.175(4) as amended by 1985 c 402 § 6. WSR 86-05-031 (Order PL 581), § 308-48-790, filed 2/19/86.] Repealed by WSR 98-21-056, filed 10/19/98, effective 11/19/98. Statutory Authority: RCW 18.39.175(4).
- 308-48-820 Preliminary record in brief adjudicative proceedings. [Statutory Authority: RCW 18.39.175(4). WSR 97-21-063, § 308-48-820, filed 10/14/97, effective 11/14/97.] Repealed by WSR 05-23-150, filed 11/22/05, effective 12/23/05. Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW.
- 308-48-830 Conduct of brief adjudicative proceedings. [Statutory Authority: RCW 18.39.175(4). WSR 97-21-063, § 308-48-830, filed 10/14/97, effective 11/14/97.] Repealed by WSR 05-23-150, filed 11/22/05, effective 12/23/05. Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW.

WAC 308-48-010 Definitions. For the purpose of these rules, the following term will be construed as follows:

"Embalmer intern" is a person engaged in the study and supervised practical training of embalming under the instruction of a qualified sponsor.

"Funeral director intern" is a person engaged in the study and supervised practical training of funeral directing under the instruction of a qualified sponsor.

"In its employ" as used in RCW 18.39.148 will include personnel who are employed on a part-time basis as well as

personnel who are employed on a full-time basis and be in service at a specific location and involved in the execution of the daily activities of the business.

"Internship" means a course of required practical training, for a specified period of time, as a prerequisite for obtaining a license to practice the profession of funeral directing or embalming.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 09-06-043, § 308-48-010, filed 2/25/09, effective 3/28/09; WSR 07-18-030, § 308-48-010, filed 8/28/07, effective 9/28/07; WSR 07-03-027, § 308-48-010, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.175(4). WSR 02-19-019, § 308-48-010, filed 9/9/02, effective 10/10/02; WSR 86-15-022 (Order PM 604), § 308-48-010, filed 7/11/86. Statutory Authority: RCW 18.39.175. WSR 83-04-020 (Order PL 419), § 308-48-010, filed 1/26/83; Rule 1, filed 9/17/64.]

WAC 308-48-015 Retired status certificate of registration. Any individual who has been issued a license, in accordance with chapter 18.39 RCW, as a funeral director and/or embalmer having reached at least the age of sixty-two and having discontinued active practice may be eligible to obtain a "retired certificate of registration." If granted, further certificate of registration renewal fees and continuing education are waived. For the purpose of this provision, active practice has the same meaning as funeral director and/or embalmer under RCW 18.39.010 (1) and (2).

(1) Applications. Those persons wishing to obtain the status of a retired registration shall complete an application form, as provided by the board, and pay the required application fee. The retired status would become effective upon the filing of a complete application.

(2) Privileges. In addition to the waiver of the renewal fee and continuing education, a retired registrant is permitted to:

(a) Retain and display the board-issued wall certificate of registration;

(b) Use the title funeral director and/or embalmer, provided that it is supplemented by the term "retired";

(c) Offer consultant services relative to funeral directing and embalming;

(d) Provide references for persons seeking licensure under 18.39 RCW;

(e) Serve as a volunteer in an instructional capacity on funeral directing and/or embalming topics; and

(f) Provide services as a technical expert before a court, or in preparation for pending litigation, on matters directly related to funeral directing and/or embalming work performed by the registrant prior to being granted a retired registration.

(3) Restrictions. A retired registrant is not permitted to: Perform any duties of a funeral director and/or embalmer on a full-time, part-time or occasional basis.

(4) Certificate of registration reinstatement. A retired registrant, upon written request to the board and payment of the current renewal fee, may resume active practice as a funeral director and/or embalmer. At that time, the retired registrant shall be removed from retired status and placed on valid/active status in the records of the board.

(5) Exemptions. Under no circumstances shall a registrant be eligible for a retired certificate of registration if his/her license(s) has been revoked, surrendered, or in any way permanently terminated by the board under chapter

18.39 RCW. Registrants who are suspended from practice and/or who are subject to terms of a board order at the time they reach age sixty-two, shall not be eligible for a retired registration until such time that the board has removed the restricting conditions.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 09-06-043, § 308-48-015, filed 2/25/09, effective 3/28/09.]

WAC 308-48-030 Care of human remains. (1)

Funeral establishments, funeral directors, embalmers, interns, employees or agents while providing for the care and handling of human remains shall:

(a) Comply with all applicable Washington state laws, rules and regulations related to health or the handling, transportation or disposition of human remains.

(b) Not perform any act which will tend to affect adversely the dignity, individual integrity or the respectful and reverential handling and burial or other customary disposition of human remains.

(c) Upon receipt of the human remains, obtain the identity of the human remains as established by the institution, agency, or individual releasing the remains and place an identification bracelet or tag on the ankle or wrist of the remains. In the case of a remains that must be placed in a protective pouch due to the condition of the remains, an identification bracelet or tag should be placed inside the pouch and a second bracelet or tag attached to the exterior of the pouch.

(d) Follow the directions of the individual or individuals that has/have the right to control the disposition of the human remains.

(e) Record and maintain the following information:

(i) Name of deceased;

(ii) Date of death;

(iii) Place of death;

(iv) Name and relationship of person(s) having the right to control the disposition;

(v) Date and time of receipt of remains;

(vi) Date and time of refrigeration and/or embalming;

(vii) Method, date and location of disposition.

(f) Not separate any organs, viscera or appendages of a human remains from any other portion of the remains for a separate or different disposition. The entire noncremated human remains that the funeral establishment has received and has possession of must be maintained and disposed of as one entity.

(g) Provide refrigerated holding of a human remains for which embalming has not been authorized. In addition to these regulations, the handling and refrigeration of human remains shall be governed by chapter 246-500 WAC.

(2) The care and preparation for burial or other disposition of all human remains shall be private. No one shall be allowed in the embalming or preparation rooms while a human remains is being embalmed or during the course of an autopsy except the licensee, his authorized employees, and public officials in the discharge of their duties. This rule shall not apply to duly authorized medical personnel employed in a case or those authorized to be present by the decedent's next of kin.

(3) Every licensee shall provide a written itemization of any property, money, jewelry, possessions or other items of significant value found on a human remains in the licensee's

care, custody or control to the decedent's next of kin or the proper authorities.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-03-027, § 308-48-030, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.175(4). WSR 97-21-061, § 308-48-030, filed 10/14/97, effective 11/14/97. Statutory Authority: RCW 18.39.157(4) [18.39.175(4)]. WSR 88-08-015 (Order PM 716), § 308-48-030, filed 3/28/88. Statutory Authority: RCW 18.39.175. WSR 83-04-020 (Order PL 419), § 308-48-030, filed 1/26/83; Rule 3, filed 9/17/64.]

WAC 308-48-031 Funeral establishment facility, equipment, and embalming and preparation room standards. A funeral establishment or branch establishment shall:

(1) Have an exclusive area/office at an identified location for conducting the business which is accessible to the public.

(2) Provide private and secure area(s) for holding human remains which will include:

(a) A mechanically or commercially acceptable refrigerated holding area of adequate capacity for unembalmed remains with a maximum temperature of 48 degrees Fahrenheit or as determined by chapter 246-500 WAC;

(b) A sink with hot and cold running water;

(c) Covered receptacles for soiled linens, bandages, refuse and other waste materials which meet OSHA, WISHA, department of health and any other applicable regulations;

(d) Adequate chemicals for the disinfection of human remains and the equipment used in handling and caring for human remains;

(e) Chemical storage that meets OSHA, WISHA, department of health and any other applicable regulations.

(3) Provide rest rooms that are available for staff and the public.

(4) In the case where the holding of human remains is not provided at this facility, provide the identification of the facility upon request to the board and the individual or individuals that has/have the right to control the disposition of the human remains where this establishment or branch provides for the holding and/or preparation of the human remains entrusted to its care (this offsite facility must meet the requirements of subsection (2) of this section).

(5) Provide for the privacy of uncasketed human remains in vehicles used for transportation of the remains by screening, curtains, or adequately tinted windows.

(6) Provide that if embalming is performed at the establishment or branch, no embalming of a human remains shall be performed in a funeral establishment or branch establishment except in a room set aside exclusively for embalming of a human remains. Such room shall be maintained and kept in a clean sanitary condition, and every embalming and preparation room shall be constructed, equipped, and maintained as follows:

(a) The surfaces of the floor, walls, and ceiling shall be covered with tile or other hard, smooth, impervious washable material.

(b) The room shall be adequately lighted and adequately ventilated. The ventilation shall be provided by an exhaust fan and shall comply with OSHA/WISHA standards.

(c) The room shall be equipped and provided with hot and cold running water, a utility sink, and cabinets, closets or shelves for instruments and supplies.

(d) The room shall be equipped with adequate sewage and waste disposal and drainage facilities and systems and comply with OSHA/WISHA standards.

(e) The doors shall be tight closing and rigid and any windows of the room shall be so maintained as to obstruct any view into such room. The room's entry door(s) must be labeled "Private" or "Authorized Entry Only," and must be locked at all times.

(f) The embalming or preparation table shall be nonporous.

(g) The room shall be equipped with proper and convenient covered receptacles for refuse.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-03-027, § 308-48-031, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.175(4). WSR 02-19-019, § 308-48-031, filed 9/9/02, effective 10/10/02; WSR 97-21-060, § 308-48-031, filed 10/14/97, effective 11/14/97. Statutory Authority: RCW 18.39.157(4) [18.39.175(4)]. WSR 88-08-015 (Order PM 716), § 308-48-031, filed 3/28/88.]

WAC 308-48-040 Control of human remains. No licensee will, directly or indirectly, assume control of any human remains without having first obtained authority from the person(s) having the right to control the disposition of the human remains under RCW 68.50.160, as to matters relating to the preparation, handling and final disposition of the human remains (including steps in preparation, autopsy, embalming, dressing, viewing, videotaping, photographing; funeral, burial and cremation merchandise, and disposition arrangements.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-03-027, § 308-48-040, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.175(4). WSR 02-19-019, § 308-48-040, filed 9/9/02, effective 10/10/02; Rule 4, filed 9/17/64.]

WAC 308-48-050 Confidence. No licensee will divulge any information as to illness, cause of death, financial affairs or transactions, and any other information customarily considered confidential, obtained while serving in such licensed capacity.

[Statutory Authority: RCW 18.39.175(4). WSR 02-19-019, § 308-48-050, filed 9/9/02, effective 10/10/02; Rule 5, filed 9/17/64.]

WAC 308-48-060 Against concealment of crime. (1) No licensee will remove, embalm, or perform other preparation of a human remains when he/she has information indicating crime or violence in connection with the cause of death, until permission is obtained from a coroner, medical examiner or other qualified official.

(2) Any licensee having or obtaining, as a result of providing services, any information in relation to a possible crime must communicate such information to a properly qualified official.

(3) No licensee will perform any act knowing that it will conceal evidence of crime.

[Statutory Authority: RCW 18.39.175(4). WSR 02-19-019, § 308-48-060, filed 9/9/02, effective 10/10/02; WSR 86-15-022 (Order PM 604), § 308-48-060, filed 7/11/86; Rule 6, filed 9/17/64.]

[Ch. 308-48 WAC p. 4]

WAC 308-48-075 Display of licenses. (1) A licensee must display a license in each location where he/she is employed. Legal duplicates provided by the department at a fee to be determined by the director will be displayed when a licensee is employed at more than one location. The display of photocopies is prohibited.

[Statutory Authority: RCW 18.39.175(4). WSR 87-11-063 (Order PM 652), § 308-48-075, filed 5/20/87.]

WAC 308-48-080 Improper use of license. No licensee shall lend, place, permit or authorize the placement of his/her license in any establishment or place of business unless the licensee is an owner, part owner or bona fide employee of such place of business, nor shall a funeral establishment or place of business to pretend or represent that it is legally qualified to perform funeral directing or embalming by any such improper use of his/her license.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-03-027, § 308-48-080, filed 1/5/07, effective 2/5/07; Rule 8, filed 9/17/64.]

WAC 308-48-085 Funeral establishments and crematories—Inspections. (1) Funeral establishments and crematories licensed under the provisions of chapter 18.39 RCW will be inspected at least once each year by the duly appointed department inspector.

(2) Inspections shall cover compliance with applicable statutes and rules. Funeral establishments and crematories will be open for inspection during normal business hours. If the establishment or crematory is not open, the ownership must identify someone to the department that can open the establishment or crematory for an unannounced inspection, or provide a method of access to the inspector.

[Statutory Authority: RCW 18.39.175(4). WSR 02-19-019, § 308-48-085, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.157(4) [18.39.175(4)]. WSR 88-08-015 (Order PM 716), § 308-48-085, filed 3/28/88; Order PL 273, § 308-48-085, filed 8/1/77.]

WAC 308-48-141 Application for examination and reciprocity. (1) Applicants for initial licensing as a funeral director or embalmer must submit:

- (a) An application on a form prescribed by the board.
- (b) Official sealed college transcripts.
- (c) Official national board or other state board examination scores.
- (d) A nonrefundable application fee as defined in WAC 308-48-800.

(2) Applicants seeking reciprocity must submit:

- (a) An application on a form prescribed by the board.
- (b) Official verification of out-of-state licensure from the out-of-state licensing board.

(c) Official sealed college transcripts, if licensed in another state for a period of less than five years.

(d) A nonrefundable application fee as defined in WAC 308-48-800.

[Statutory Authority: RCW 18.39.050, 18.39.175, 43.24.086 and chapter 34.05 RCW. WSR 09-17-116, § 308-48-141, filed 8/18/09, effective 9/18/09.]

WAC 308-48-142 Licensing examination. (1) The board adopts the national examination and grading procedure

(11/24/10)

of the International Conference of Funeral Service Examining Boards (ICFSEB).

(2) All applicants must pass a state law examination. In addition, applicants for funeral director licensing are required to pass an examination in funeral arts. Applicants for embalmer licensing must pass an examination in funeral sciences.

(3) Examination fees must be paid to and collected by the ICFSEB directly.

[Statutory Authority: RCW 18.39.050, 18.39.175, 43.24.086 and chapter 34.05 RCW. WSR 09-17-116, § 308-48-142, filed 8/18/09, effective 9/18/09.]

WAC 308-48-145 Approval of embalming schools and accrediting associations. (1) The board adopts the standards of the American Board of Funeral Service Education, Inc., in approving courses of instruction in embalming schools, pursuant to RCW 18.39.035(2). The board approves all schools accredited by, and in good standing with, the American Board of Funeral Service Education, Inc.

(2) The board approves associations accrediting schools, colleges or universities providing a two-year college course pursuant to RCW 18.39.045. The board approves of accrediting groups recognized by the Council for Higher Education Accreditation. The board adopts the standards of the Council for Higher Education Accreditation.

The board may approve other accrediting associations which meet the board's standards. It is the responsibility of an association to apply for approval and of an applicant to ascertain whether or not a school, college or university has been accredited by an association approved by the board.

[Statutory Authority: RCW 18.39.175(4). WSR 02-19-019, § 308-48-145, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.175(4), 18.39.035(2) and 18.39.045. WSR 84-11-059 (Order PL 468), § 308-48-145, filed 5/18/84.]

WAC 308-48-150 Course of training—Funeral director intern. (1) For the purposes of RCW 18.39.035, the term "one year course of training" shall include assisting a licensed funeral director in coordinating all aspects of at least twenty-five arrangements for funeral, memorial and/or final disposition services for human remains.

(2) The term "one year" shall consist of at least eighteen hundred hours of employment and cannot be completed in a period of time less than one calendar year.

(3) Registered funeral director interns shall provide a quarterly report to the board on a form supplied by the board containing information relating to the arrangements, services, final dispositions, and other duties of a funeral director the intern has assisted with or performed during the required term of internship.

(4) Licensed sponsors shall provide a quarterly report to the board on a form supplied by the board showing the progress of the intern toward the skill level required to work independently.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-18-030, § 308-48-150, filed 8/28/07, effective 9/28/07; WSR 07-03-027, § 308-48-150, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.175(4). WSR 97-21-062, § 308-48-150, filed 10/14/97, effective 11/14/97; WSR 86-15-022 (Order PM 604), § 308-48-150, filed 7/11/86; Order PL-259, § 308-48-150, filed 12/7/76; Order PL 122, § 308-48-150, filed 5/9/72.]

(11/24/10)

WAC 308-48-160 Course of training—Embalmer interns. (1) For the purposes of RCW 18.39.035, the term "two year course of training" shall include the embalming of at least fifty human remains under the supervision of a licensed embalmer.

(2) The term "two year" shall consist of at least thirty-six hundred hours of employment and cannot be completed in a period of time less than two calendar years.

(3) Registered embalmer interns shall provide a quarterly report to the board on a form supplied by the board containing information relating to the embalmings the intern has assisted with or performed during the required term of internship.

(4) Licensed sponsors shall provide a quarterly report to the board on a form supplied by the board showing the progress of the intern toward the skill level required to work independently.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-18-030, § 308-48-160, filed 8/28/07, effective 9/28/07; WSR 07-03-027, § 308-48-160, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.175(4). WSR 97-21-062, § 308-48-160, filed 10/14/97, effective 11/14/97; WSR 86-15-022 (Order PM 604), § 308-48-160, filed 7/11/86; Order PL-259, § 308-48-160, filed 12/7/76; Order PL 122, § 308-48-160, filed 5/9/72.]

WAC 308-48-180 Renewal of licenses, registrations, endorsements and permits. (1) The annual license or registration renewal date for embalmers, funeral directors and interns is the licensee's birth date. Individuals making application and fulfilling requirements for initial license and examination will be issued a license or registration, which will expire on their next birth date.

(2) All licensees, with the exception of academic intern, must renew annually.

(3) Before the expiration date of the license, the director will mail a notice of renewal. The licensee must return such notice along with current renewal fees prior to the expiration of the license. Failure to renew the license prior to the expiration date will require payment of the penalty fee.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-03-027, § 308-48-180, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.175(4). WSR 02-19-019, § 308-48-180, filed 9/9/02, effective 10/10/02; Order PL 207, § 308-48-180, filed 11/5/75; Order PL 171, § 308-48-180, filed 5/20/74.]

WAC 308-48-200 Report of internship registration, termination, transfer and credit. (1) The responsibility for notifying the director, department of licensing of internship registration and termination rests with the employing funeral establishment. In order to protect the status of the intern in cases where the employing licensee fails to initiate the required report of registration or termination, the affected intern should initiate and ensure submission of same. The notification shall be certified by signature of the sponsor.

(2) No credit for internship will be allowed for any period during which the intern is not registered pursuant to RCW 18.39.120. In the event an intern's sponsor dies or is otherwise incapable of certifying internship credit, such credit may be given by certification by another licensed funeral director or embalmer who has knowledge of the work performed and the credit due or by documentation or reasonable proof of such credit as determined by the board.

[Ch. 308-48 WAC p. 5]

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-03-027, § 308-48-200, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.175(4). WSR 02-19-019, § 308-48-200, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 18.39.120 and 18.39.175. WSR 88-01-024 (Order PM 697), § 308-48-200, filed 12/9/87. Statutory Authority: RCW 18.39.175. WSR 83-04-020 (Order PL 419), § 308-48-200, filed 1/26/83; Order PL-249, § 308-48-200, filed 5/21/76.]

WAC 308-48-210 Establishment licensure. (1) It is the intent of the board that the establishment licensure process serve to protect consumers by identifying to the department all locations subject to regulation. Any provider of any aspect of the care, shelter, transportation, embalming, other preparation and arrangements for the disposition of human remains must be licensed as a funeral establishment. Establishments must obtain a funeral establishment or branch license for each location.

(2) Branches of an establishment may operate under the general license of the establishment, pursuant to RCW 18.39.145 and 18.39.148 and the following terms and conditions:

(a) Branch(es) must operate under the same name as the establishment.

(b) Branch(es) must display a current branch license.

(c) Branch(es) must have a licensed funeral director in its employ and available to provide any services requiring the professional skills of a licensee.

(d) The failure of a branch to meet the standards of an establishment may result in cancellation of the establishment license, pursuant to RCW 18.39.148.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-03-027, § 308-48-210, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.175(4). WSR 02-19-019, § 308-48-210, filed 9/9/02, effective 10/10/02; WSR 87-11-063 (Order PM 652), § 308-48-210, filed 5/20/87.]

WAC 308-48-350 AIDS prevention and information education requirements. (1) Definitions.

(a) "Acquired immunodeficiency syndrome" or "AIDS" means the clinical syndrome of HIV-related illness as defined by the board of health by rule.

(b) "Office on AIDS" means that section within the department of social and health services or any successor department with jurisdiction over public health matters as defined in 70.24 RCW.

(2) Renewal of funeral director and/or embalmer licenses or internship registrations, and all persons making initial application for funeral director and/or embalmer licensure, or initial renewal of funeral director and/or embalmer internship registration must submit evidence to show compliance with the education requirements of subsection (3) of this section.

(3) AIDS education and training.

(a) Acceptable education and training. The board will accept education and training that is consistent with the model curriculum available from the office on AIDS. Such education and training must be a minimum of four clock hours and must include, but is not limited to, the following: Prevention, transmission and treatment of AIDS.

(b) Implementation. The requirement for initial funeral director and/or embalmer licensure, the first renewal of a funeral director and/or embalmer internship registration, or reinstatement of any license or internship registration on

lapsed, inactive, or disciplinary status will include evidence of completion of an education and training program, which meets the requirements of subsection (a).

(c) Documentation. The applicant must:

(i) Certify, on forms provided, that the minimum education and training has been completed;

(ii) Keep records for five years documenting attendance and description of the learning;

(iii) Be prepared to validate, through submission of these records, that attendance has taken place.

(4) Continuing education. The AIDS education requirement may be counted towards the fulfillment of the continuing education requirement.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-03-027, § 308-48-350, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.175(4). WSR 02-19-019, § 308-48-350, filed 9/9/02, effective 10/10/02. Statutory Authority: RCW 70.24.270. WSR 89-04-002 (Order PM 793), § 308-48-350, filed 1/19/89.]

WAC 308-48-510 Continuing education requirements—Purpose. Continuing education activities, approved by the board of funeral directors and embalmers, shall be required as a condition of renewal of funeral director and embalmer licenses and of funeral director intern and embalmer intern registration, in order to maintain and improve the quality of their services to the public.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-03-027, § 308-48-510, filed 1/5/07, effective 2/5/07. Statutory Authority: 1984 c 279 § 53(b). WSR 85-01-077 (Order PL 504), § 308-48-510, filed 12/19/84.]

WAC 308-48-520 Effective date of continuing education requirement. The effective date of the continuing education requirement will be two years after initial licensure as a funeral director and/or embalmer, or initial registration as a funeral director intern and/or embalmer intern.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-03-027, § 308-48-520, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.175(4). WSR 02-19-019, § 308-48-520, filed 9/9/02, effective 10/10/02. Statutory Authority: 1984 c 279 § 53(b). WSR 85-01-077 (Order PL 504), § 308-48-520, filed 12/19/84.]

WAC 308-48-530 Continuing education basic requirement—Amount. (1) Every individual licensed as a funeral director and/or embalmer or registered as a funeral director intern and/or embalmer intern, shall be required to complete ten hours of approved continuing education every two years as a condition of renewal of such licenses or registrations.

(2) Continuing education credits in excess of the required hours earned in any renewal period may not be carried forward to a subsequent renewal period.

(3) The department shall not renew a license or registration or issue a new license or registration to any person who has failed to submit evidence of completion of ten hours of approved continuing education for the prior two-year period.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-03-027, § 308-48-530, filed 1/5/07, effective 2/5/07. Statutory Authority: 1984 c 279 § 53(b). WSR 85-01-077 (Order PL 504), § 308-48-530, filed 12/19/84.]

WAC 308-48-540 Continuing education requirement to reinstate lapsed license or registration. Any person seeking to reinstate a license or registration which has lapsed for less than one year must comply with the continuing education requirements for regular renewal of the license or registration. Any person seeking to reinstate a license or registration which has lapsed for one year or longer must present satisfactory evidence of having completed at least ten hours of approved continuing education activities for the two-year period prior to his or her reinstatement.

[Statutory Authority: RCW 18.39.175(7). WSR 90-24-056, § 308-48-540, filed 12/3/90, effective 1/3/91. Statutory Authority: 1984 c 279 § 53(b). WSR 85-01-077 (Order PL 504), § 308-48-540, filed 12/19/84.]

WAC 308-48-550 Continuing education reporting requirement. (1) The licensee or registrant shall submit an affidavit certifying compliance with the continuing education requirement on the form provided by the board. The affidavit shall be submitted with license or registration renewal fee every two years.

(2) A material misstatement of information on the continuing education report shall be grounds for disciplinary action.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-03-027, § 308-48-550, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.120 and 18.39.175. WSR 88-01-024 (Order PM 697), § 308-48-550, filed 12/9/87. Statutory Authority: 1984 c 279 § 53(b). WSR 85-01-077 (Order PL 504), § 308-48-550, filed 12/19/84.]

WAC 308-48-560 Continuing education documentation may be required. The board of funeral directors and embalmers reserves the right to require any licensee or registrant to submit evidence, e.g., course or program certificate of training, transcript, course or workshop brochure description, evidence of attendance, etc., in addition to the sworn statement in order to demonstrate compliance with the continuing education requirement. It is therefore the responsibility of each licensee or registrant to maintain records, certificates or other evidence of compliance with the continuing education requirements. The original or a copy of such evidence of compliance shall be available for inspection at the licensee or registrant's principal place of employment.

[Statutory Authority: RCW 18.39.175(7). WSR 90-24-056, § 308-48-560, filed 12/3/90, effective 1/3/91. Statutory Authority: 1984 c 279 § 53(b). WSR 85-01-077 (Order PL 504), § 308-48-560, filed 12/19/84.]

WAC 308-48-570 Continuing education discretion-ary exception for emergency situation. In emergency situations, such as personal or family sickness, the board of funeral directors and embalmers may waive, for good cause shown, all or part of the continuing education requirement for a particular two-year period for an individual licensee or registrant. The board will require such verification of the emergency as is necessary to prove its existence.

[Statutory Authority: 1984 c 279 § 53(b). WSR 85-01-077 (Order PL 504), § 308-48-570, filed 12/19/84.]

WAC 308-48-580 Board approval of continuing education activities. All continuing education activities, to satisfy the licensure/registration requirements, must be approved by the board of funeral directors and embalmers. Further, the board shall certify the number of hours to be

awarded for participation in each approved continuing education activity.

[Statutory Authority: 1984 c 279 § 53(b). WSR 85-01-077 (Order PL 504), § 308-48-580, filed 12/19/84.]

WAC 308-48-590 Qualification for board approval of continuing education activities. (1) In order for a continuing education activity to qualify for board approval, the following qualifications must be met:

(a) The activity must contribute directly to the professional competency of the licensee or registrant;

(b) The activity must relate to the practice of mortuary science or, for a registrant, be a course required for initial licensure;

(c) The activity must be conducted by individuals who are considered by the board to be knowledgeable in the subject matter of the program by virtue of education, training, or experience.

(2) The board may approve as continuing education activities courses, lectures, seminars, correspondence or homestudy programs, or other instructional programs which meet the above qualifications and which the board determines would be beneficial in improving the knowledge or service capability of licensees and registered interns.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-03-027, § 308-48-590, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.120 and 18.39.175. WSR 88-01-024 (Order PM 697), § 308-48-590, filed 12/9/87. Statutory Authority: RCW 18.39.175 (4) and (6) and 18.39.176. WSR 85-19-013 (Order PL 550), § 308-48-590, filed 9/6/85. Statutory Authority: 1984 c 279 § 53(b). WSR 85-01-077 (Order PL 504), § 308-48-590, filed 12/19/84.]

WAC 308-48-600 Procedure for obtaining board approval of continuing education activity. (1) An application for approval of continuing education activity must be submitted to the board before the activity is scheduled to commence. The board will notify the applicant of approval or disapproval of the continuing education activity and the number of credit hours approved.

(2) The board may require examples of teaching materials and descriptive information about any continuing education activity and refuse approval of any continuing education activity that does not meet the qualifications.

(3) The board may monitor any approved activity and, upon a subsequent significant variation in the program, may disapprove any part of the credit hours.

[Statutory Authority: RCW 18.39.175(4). WSR 02-19-019, § 308-48-600, filed 9/9/02, effective 10/10/02; WSR 91-20-071, § 308-48-600, filed 9/26/91, effective 10/27/91. Statutory Authority: 1984 c 279 § 53(b). WSR 85-01-077 (Order PL 504), § 308-48-600, filed 12/19/84.]

WAC 308-48-780 Crematories—Inspections. Crematories regulated under the authority of chapter 18.39 RCW are subject to inspection at least once each year by the inspector of funeral directors and embalmers to ensure compliance with Washington state laws and regulations related to health or the handling or disposition of human remains.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-03-027, § 308-48-780, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.175 as amended by 1985 c 402 § 6. WSR 85-21-066 (Order PL 561), § 308-48-780, filed 10/17/85.]

WAC 308-48-800 Funeral director/embalmer fees.

The following fees shall be charged by the professional licensing division of the department of licensing:

Title of Fee	Fee
Embalmer:	
State examination application	\$100.00
Renewal	150.00
Late renewal penalty	35.00
Duplicate	25.00
Embalmer intern:	
Intern application	135.00
Application for examination	100.00
Intern renewal	100.00
Duplicate	25.00
Funeral director:	
State examination application	100.00
Renewal	150.00
Late renewal penalty	35.00
Duplicate	25.00
Funeral director intern:	
Intern application	135.00
Application for examination	100.00
Intern renewal	100.00
Duplicate	25.00
Funeral establishment:	
Original application	400.00
Renewal	325.00
Branch registration	350.00
Branch renewal	325.00
Preneed application	250.00
Preneed renewal:	225.00
Crematory endorsement registration	210.00
Crematory endorsement renewal	8.00
Charge per cremation performed during previous calendar year:	
Charge per cremation performed before 1/1/2011.	6.50
Charge per cremation performed on or after 1/1/2011.	8.00
Academic intern	No fee
Certificate of removal registration:	
Application	30.00
Renewal	15.00
Retired status certificate	No fee

[Statutory Authority: RCW 18.39.050 and 18.39.175, chapter 34.05 RCW and RCW 43.24.086. WSR 10-24-046, § 308-48-800, filed 11/24/10, effective 1/1/11; WSR 09-17-116, § 308-48-800, filed 8/18/09, effective 9/18/09. Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-18-030, § 308-48-800, filed 8/28/07, effective 9/28/07; WSR 07-03-027, § 308-48-800, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.181 and chapter 34.05 RCW. WSR 05-20-076, § 308-48-800, filed 10/4/05, effective 11/4/05. Statutory Authority: RCW 18.39.050. WSR 03-11-021, § 308-48-800, filed 5/12/03, effective 6/30/03. Statutory Authority: RCW 18.39.181. WSR 99-16-040, § 308-48-800, filed 7/29/99, effective 8/29/99. Statutory Authority: RCW 18.39.175(4). WSR 98-21-056, § 308-48-800, filed 10/19/98, effective 11/19/98; WSR 91-11-023, § 308-48-800, filed 5/7/91, effective 6/7/91; WSR 91-01-006, § 308-48-800, filed 12/6/90, effective 1/6/91. Statutory Authority: RCW 43.24.086. WSR 90-07-024, § 308-48-800, filed 3/14/90, effective 4/14/90; WSR 87-10-028 (Order PM 650), § 308-48-800, filed 5/1/87.]

tive 1/1/11; WSR 09-17-116, § 308-48-800, filed 8/18/09, effective 9/18/09. Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-18-030, § 308-48-800, filed 8/28/07, effective 9/28/07; WSR 07-03-027, § 308-48-800, filed 1/5/07, effective 2/5/07. Statutory Authority: RCW 18.39.181 and chapter 34.05 RCW. WSR 05-20-076, § 308-48-800, filed 10/4/05, effective 11/4/05. Statutory Authority: RCW 18.39.050. WSR 03-11-021, § 308-48-800, filed 5/12/03, effective 6/30/03. Statutory Authority: RCW 18.39.181. WSR 99-16-040, § 308-48-800, filed 7/29/99, effective 8/29/99. Statutory Authority: RCW 18.39.175(4). WSR 98-21-056, § 308-48-800, filed 10/19/98, effective 11/19/98; WSR 91-11-023, § 308-48-800, filed 5/7/91, effective 6/7/91; WSR 91-01-006, § 308-48-800, filed 12/6/90, effective 1/6/91. Statutory Authority: RCW 43.24.086. WSR 90-07-024, § 308-48-800, filed 3/14/90, effective 4/14/90; WSR 87-10-028 (Order PM 650), § 308-48-800, filed 5/1/87.]

WAC 308-48-810 Brief adjudicative proceedings—When they can be used.

(1) The board adopts RCW 34.05.482 through 34.05.494 for the administration of brief adjudicative proceedings conducted at the discretion of the board. Brief adjudicative proceedings can be used in place of formal adjudicative hearings whenever the board issues a statement of charges, notice of intent to issue a cease and desist order, or temporary cease and desist order alleging that an applicant or licensee's conduct, act(s), or condition(s) constitute unlicensed practice or unprofessional conduct as that term is defined under chapter 18.235 RCW, the Uniform Regulation of Business and Professions Act. Brief adjudicative proceedings can also be used whenever the statement of charges, notice of intent to issue a cease and desist order, or temporary cease and desist order alleges violations of any statute or rule that specifically governs disciplinary actions within a profession for which the applicant seeks a license or from which the licensee holds a license.

(2) Brief adjudicative proceedings may be used to determine the following issues, including, but not limited to:

(a) Whether an applicant has satisfied terms for reinstatement of a license after a period of license restriction, suspension, or revocation;

(b) Whether an applicant is eligible to sit for a professional licensing examination;

(c) Whether an applicant or licensee has satisfied financial security requirements by providing adequate proof of surety bonds or other proof of financial security, as required by law;

(d) Whether a sanction proposed by the board is appropriate based on the stipulated facts;

(e) Whether an applicant meets minimum requirements for an initial or renewal application;

(f) Whether an applicant has failed the professional licensing examination;

(g) Whether a licensee has sufficient continuing education credits when the licensee submits a renewal application;

(h) Whether an applicant or licensee failed to cooperate in an investigation by the department;

(i) Whether an applicant or licensee was convicted of a crime that should disqualify the applicant or licensee from holding the specific license sought or held;

(j) Whether an applicant or licensee has defaulted on educational loans;

(k) Whether an applicant or licensee has violated the terms of a final order issued by the director or director's designee;

(l) Whether a licensee has committed recordkeeping violations;

(m) Whether a licensee has committed trust account violations;

(n) Whether an applicant or licensee has engaged in false, deceptive, or misleading advertising;

(o) Whether a person has engaged in unlicensed practice; or

(p) Whether an education course or curriculum meets the criteria for approval when approval by the board is required or authorized by statute or rule.

(3) In addition to the situations enumerated in subsection (2) of this section, the board may conduct brief adjudicative proceedings instead of formal adjudicative hearings whenever the parties have stipulated to the facts and the only issues presented are issues of law, or whenever issues of fact exist but witness testimony is unnecessary to prove or disprove the relevant facts.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 05-23-150, § 308-48-810, filed 11/22/05, effective 12/23/05. Statutory Authority: RCW 18.39.175(4), WSR 97-21-063, § 308-48-810, filed 10/14/97, effective 11/14/97.]

WAC 308-48-815 Objections to brief adjudicative proceedings and conversion to formal adjudicative hearings. (1) At least five days before the scheduled brief adjudicative proceeding, any party, including the board, may file a written objection to resolution of a matter by a brief adjudicative proceeding and may request that a matter be converted to a formal adjudicative hearing. Upon receiving a timely written objection, the presiding officer shall determine whether the matter should be converted. Regardless of whether any party files a timely objection, the presiding officer may convert any brief adjudicative proceeding to a formal adjudicative hearing whenever it appears that a brief adjudicative proceeding is insufficient to determine the issues pending before the board.

(2) In determining whether to convert a proceeding, the presiding officer may consider the following factors:

(a) Whether witness testimony will aid the presiding officer in resolving contested issues of fact;

(b) Whether the legal or factual issues are sufficiently complex to warrant a formal adjudicative proceeding, including whether there are multiple issues of fact or law;

(c) Whether a brief adjudicative proceeding will establish an adequate record for further agency or judicial review;

(d) Whether the legal issues involved in the proceeding present questions of legal significance or are being raised for the first time before the agency;

(e) Whether conversion of the proceeding will cause unnecessary delay in resolving the issues; and

(f) Any other factors that the presiding officer deems relevant in reaching a determination.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 05-23-150, § 308-48-815, filed 11/22/05, effective 12/23/05.]

WAC 308-48-840 Funeral director and embalmer interns. (1) Registration as a funeral director intern or embalmer intern shall not exceed a time period of five years from the date of initial registration. Following completion of the internship program:

- The registration for internship will not be renewed.
- The intern must qualify for licensure as a funeral director, embalmer or funeral director and embalmer.

(2) Interns must be eighteen years of age and registered under the sponsorship and supervision of a licensed funeral director, embalmer or funeral director and embalmer.

(3) Interns whose job duties require that they perform work at multiple funeral establishment locations may do so and receive training from their sponsor and other licensees as approved by the sponsor.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-18-030, § 308-48-840, filed 8/28/07, effective 9/28/07.]

WAC 308-48-850 Intern sponsors—Qualifications, limitations and responsibilities. Licensees who supervise interns:

- Must be working and located in the same licensed establishment as the intern, provided: Sponsors may permit interns to perform work at multiple funeral establishment locations if required by their job duties.

- Each sponsor can supervise a maximum of three interns.

- Sponsors of funeral director interns must have a minimum of one year of practical experience as a licensed funeral director in the state of Washington.

- Sponsors of embalmer interns must have a minimum of one year of practical experience as a licensed embalmer in the state of Washington.

- Sponsors are responsible for work performed by interns registered under the supervision of the sponsor.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-18-030, § 308-48-850, filed 8/28/07, effective 9/28/07.]

WAC 308-48-860 Registered intern examination. (1) Interns registered prior to January 1, 2004, can maintain registration as an intern and not be subject to the five-year limitation, provided:

- The registered intern passes an examination in funeral service law and public health within three years of the effective date of this rule.

- The intern maintains a current, valid and nonexpired intern registration with the board.

- Registered interns will not be eligible for examination under this section if the intern leaves the funeral service profession and reactivates the internship registration at a later date.

(2) Registered intern examinations shall be held by the director at least once each year for a period of three years from the effective date of this rule. The director will designate the time and place of the examination. An application for examination shall be filed with the director at least fifteen days prior to the examination date. The department will provide each applicant a written notice of the time and place of the next examination. The applicant will be deemed to have passed the examination if the applicant attains a grade of not less than seventy-five percent. Applicants qualified for examination shall:

- Have three opportunities to take and pass the examination;
- Pay a fee, determined by the director, for each examination.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-18-030, § 308-48-860, filed 8/28/07, effective 9/28/07.]

WAC 308-48-870 Leave of absence—Interns. A leave of absence from internship requirements may be granted by the board with the following provisions:

- The intern submits an appeal to the board for a leave of absence.
- The intern is enlisted in military service of the United States or called to active duty in the United States armed forces and resumes internship within one year of release from military service.
- The intern is enrolled as a full-time student in a funeral service education program accredited by the American Board of Funeral Service Education (ABFSE).
- The board reserves the right to make a determination to waive internship requirements for extenuating circumstances.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-18-030, § 308-48-870, filed 8/28/07, effective 9/28/07.]

WAC 308-48-880 Transporting of human remains. For the purpose of RCW 18.39.010(1), the board has determined that transportation of human remains may be performed by unregistered persons who are employed by licensed funeral establishments.

[Statutory Authority: RCW 18.39.175 and chapter 34.05 RCW. WSR 07-18-030, § 308-48-880, filed 8/28/07, effective 9/28/07.]