

**WSR 23-15-120**  
**EXPEDITED RULES**  
**DEPARTMENT OF LICENSING**  
[Filed July 19, 2023, 10:36 a.m.]

Title of Rule and Other Identifying Information: WAC 308-47-090 Operator licensure for those who conduct cremations, alkaline hydrolysis, or natural organic reduction, 308-47A-030 Final disposition permit application procedure, and 308-48-180 Renewal of licenses—Funeral directors, embalmers, funeral director interns and embalmer interns.

Purpose of the Proposal and Its Anticipated Effects, Including Any Changes in Existing Rules: The department of licensing is updating WAC to align with current statute per SSB 5261 passed during the 2023 legislative session, which changes renewal dates for cemetery certificates, prearrangement sales licenses, funeral directors, embalmers, and reduction facility operators.

Reasons Supporting Proposal: These updates align rule with statute following the adoption of SSB 5261.

Statutory Authority for Adoption: RCW 68.05.100 Rules, 68.05.105 Authority of the board, 18.39.175 Board—Duties and responsibilities—Rules, and 46.01.110.

Statute Being Implemented: SSB 5261; RCW 68.05.215, 68.05.225, 68.05.245, and 18.39.020.

Rule is not necessitated by federal law, federal or state court decision.

Name of Agency Personnel Responsible for Drafting, Implementation, and Enforcement: Tanya Hessler, 405 Black Lake Boulevard S.W., Olympia, WA 98502, 360-968-4048.

This notice meets the following criteria to use the expedited adoption process for these rules:

Adopts or incorporates by reference without material change federal statutes or regulations, Washington state statutes, rules of other Washington state agencies, shoreline master programs other than those programs governing shorelines of statewide significance, or, as referenced by Washington state law, national consensus codes that generally establish industry standards, if the material adopted or incorporated regulates the same subject matter and conduct as the adopting or incorporating rule.

Content is explicitly and specifically dictated by statute.

Explanation of the Reason the Agency Believes the Expedited Rule-Making Process is Appropriate: This rule making is to incorporate new explicit laws passed by the 2023 state legislature to change renewal dates for cemetery certificates, prearrangement sales licenses, funeral directors, embalmers, and reduction facility operators.

**NOTICE**

THIS RULE IS BEING PROPOSED UNDER AN EXPEDITED RULE-MAKING PROCESS THAT WILL ELIMINATE THE NEED FOR THE AGENCY TO HOLD PUBLIC HEARINGS, PREPARE A SMALL BUSINESS ECONOMIC IMPACT STATEMENT, OR PROVIDE RESPONSES TO THE CRITERIA FOR A SIGNIFICANT LEGISLATIVE RULE. IF YOU OBJECT TO THIS USE OF THE EXPEDITED RULE-MAKING PROCESS, YOU MUST EXPRESS YOUR OBJECTIONS IN WRITING AND THEY MUST BE SENT TO Kelsey Stone, Department of Licensing, 1125 Washington Street S.E., Olympia, WA 98504, phone 360-902-0131, email rulescoordinator@dol.wa.gov, AND RECEIVED BY September 19, 2023.

July 19, 2023  
Ellis Starrett  
Rules and Policy Manager

**OTS-4760.1**

AMENDATORY SECTION (Amending WSR 20-09-031, filed 4/6/20, effective 5/7/20)

**WAC 308-47-090 Operator licensure for those who conduct cremations, alkaline hydrolysis, or natural organic reduction.** (1) Licenses are required for operators of each method of reduction. In order to operate a crematory, a hydrolysis facility, or a natural organic reduction facility, applicants must submit:

(a) An application on a form prescribed by the board;

(b) A nonrefundable application fee as defined in WAC 308-48-800; and

(c) A certificate of completion of operator training provided by the equipment manufacturer, or other provider generally accepted by the death care profession, or as approved by the board.

(2) Each operator license will expire annually on the (~~operator's birth date~~) 31st day of January and may be renewed by paying the renewal fee.

(3) Operators of equipment used to perform cremation, alkaline hydrolysis, or natural organic reduction must provide proof of current operator training every five years at the time of the license renewal.

(4) All licenses must be posted at the reduction facility.

[Statutory Authority: RCW 68.05.105 and 18.39.175. WSR 20-09-031, § 308-47-090, filed 4/6/20, effective 5/7/20.]

**OTS-4761.1**

AMENDATORY SECTION (Amending WSR 20-09-031, filed 4/6/20, effective 5/7/20)

**WAC 308-47A-030 Final disposition permit application procedure.**

(1) Designees who regularly or occasionally dispose of reduced human remains must submit an application for a final disposition permit on a form prescribed by the board and pay the application fee.

(2) All final disposition permits issued under this rule shall be issued for the calendar year and shall expire at midnight, the (~~thirty-first day of January~~) 31st day of March of each year, or at whatever time during any year that ownership or control of any permit holder is transferred or sold.

(3) The final disposition permit fees shall be as set forth in chapter 308-48 WAC and the department shall collect in advance the fees required for licensing.

[Statutory Authority: RCW 68.05.105 and 18.39.175. WSR 20-09-031, § 308-47A-030, filed 4/6/20, effective 5/7/20.]

### OTS-4762.1

AMENDATORY SECTION (Amending WSR 20-09-031, filed 4/6/20, effective 5/7/20)

**WAC 308-48-180 Renewal of licenses—Funeral directors, embalmers, funeral director interns and embalmer interns.** (1) The annual license renewal date for embalmers(~~(r)~~) and funeral directors (~~(and)~~) is the 31st day of January of each year. The annual renewal license date for embalmer interns and funeral director interns is the licensee's birth date. ((Individuals)) Interns making application and fulfilling requirements for (~~(initial)~~) their first license (~~(and examination)~~) will be issued a license, 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 a late fee.

[Statutory Authority: RCW 68.05.105 and 18.39.175. WSR 20-09-031, § 308-48-180, filed 4/6/20, effective 5/7/20. 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.]