

WSR 23-19-098

PERMANENT RULES

DEPARTMENT OF LICENSING

[Filed September 20, 2023, 10:45 a.m., effective October 21, 2023]

Effective Date of Rule: Thirty-one days after filing.

Purpose: 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.

Citation of Rules Affected by this Order: Amending 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.

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

Adopted under notice filed as WSR 23-15-120 on July 19, 2023.

Number of Sections Adopted in Order to Comply with Federal Statute: New 0, Amended 0, Repealed 0; Federal Rules or Standards: New 0, Amended 0, Repealed 0; or Recently Enacted State Statutes: New 0, Amended 3, Repealed 0.

Number of Sections Adopted at the Request of a Nongovernmental Entity: New 0, Amended 0, Repealed 0.

Number of Sections Adopted on the Agency's own Initiative: New 0, Amended 0, Repealed 0.

Number of Sections Adopted in Order to Clarify, Streamline, or Reform Agency Procedures: New 0, Amended 0, Repealed 0.

Number of Sections Adopted using Negotiated Rule Making: New 0, Amended 0, Repealed 0; Pilot Rule Making: New 0, Amended 0, Repealed 0; or Other Alternative Rule Making: New 0, Amended 3, Repealed 0.

Date Adopted: September 20, 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 exami-

nation)) 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.]