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State of Minnesota

HOUSE OF REPRESENTATIVES

NINETY-FIRST SESSION

H. F. No. 2309

03/11/2019

Authored by Noor

The bill was read for the first time and referred to the Committee on Health and Human Services Policy

1.1 A bill for an act

1.2 relating to mortuary science; clarifying the work nonlicensed personnel may

1.3 perform under the direct supervision of individuals licensed to practice mortuary

1.4 science; amending Minnesota Statutes 2018, sections 149A.02, subdivision 13a;

1.5 149A.20, subdivision 1.

1.6 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.7 Section 1. Minnesota Statutes 2018, section 149A.02, subdivision 13a, is amended to read:

1.8 Subd. 13a. **Direct supervision.** "Direct supervision" means overseeing the performance

1.9 of an individual. For the purpose of a clinical, practicum, or internship, direct supervision

1.10 means that the supervisor is available to observe and correct, as needed, the performance

1.11 of the trainee. The mortician supervisor is accountable for the actions of the clinical student,

1.12 practicum student, or intern throughout the course of the training. The supervising mortician

1.13 is accountable for any violations of law or rule, in the performance of their duties, by the

1.14 clinical student, practicum student, or intern. For the purpose of supervising nonlicensed

1.15 employees, direct supervision means the funeral director or mortician is available to direct

1.16 the nonlicensed employee by being physically present at the same location or available by

1.17 telephone.

1.18 Sec. 2. Minnesota Statutes 2018, section 149A.20, subdivision 1, is amended to read:

1.19 Subdivision 1. **License required.** Except as provided in section 149A.01, subdivision

1.20 3, any person who takes charge of or removes from the place of death a dead human body,

1.21 or prepares a dead human body for final disposition in any manner, or arranges, directs, or

1.22 supervises a funeral, memorial service, or graveside service must possess a valid license to

1.23 practice mortuary science issued by the commissioner. A funeral establishment may provide

- 2.1 a nonlicensed individual to arrange, direct, or supervise a funeral, memorial, or graveside
- 2.2 service provided they disclose that information to the person or persons with the authority
- 2.3 to make the funeral arrangement as provided in section 149A.80 and the nonlicensed
- 2.4 individual acts under the direct supervision of a person licensed under this subdivision.