

New Hampshire Code of Administrative Rules

PART Frl 403 CONTINUING EDUCATION REQUIREMENTS

Frl 403.01 Purpose.

The purpose of Frl 403 is to require all licensed embalmers and funeral directors to obtain continuing education as a condition for renewal of their licenses in order to maintain the high standards of the profession and business of funeral directing and embalming, and to establish criteria for approval of continuing education programs to be used in fulfilling such continuing education requirements.

Source. #2344, eff 4-15-83; ss by #2986, eff 3-18-85; ss by #4357, eff 1-20-88, EXPIRED: 1-20-94

New. #6516, eff 5-24-97, EXPIRED: 5-24-05

New. #9387, eff 2-12-09

Frl 403.02 Definitions.

(a) "Board approved programs and/or courses" means continuing education which has been reviewed and recommended by the continuing education review committee and approved by the board.

(b) "Continuing education" means approved post-licensure education designed to maintain professional competence in the practice of funeral directing and embalming, improve professional skills, and preserve standards for the purpose of protecting the health and welfare of the citizens in the state of New Hampshire.

(c) "Continuing education review committee (CERC)" means a group of at least 2 individuals or board members appointed by the board to review programs and/or courses and make recommendations relative to the standards of such continuing education.

(d) "Continuing education unit (CEU)" means one hour of satisfactory participation in an accredited and/or approved program of continuing education.

(e) "Certification of attendance and/or participation" means a document, issued to a particular licensee by a provider certifying that the licensee has satisfactorily completed a specified number of CEUs.

(f) "Didactic" means continuing education earned via live presentation.

Source. #2344, eff 4-15-83; ss by #2986, eff 3-18-85; ss by #4357, eff 1-20-88, EXPIRED: 1-20-94

New. #6516, eff 5-24-97; amd by #7420, eff 1-1-01; paragraphs (a)-(h) & (j) EXPIRED: 5-24-05

New. #9387, eff 2-12-09 (from Frl 403.01)

Frl 403.03 Renewal Requirements.

(a) The board shall not issue license renewals until proof has been submitted, indicating the completion of approved continuing education programs/courses during the year immediately preceding the application for renewal as required by Frl 403.03(i).

(b) A list of continuing education units earned shall be submitted with each year's renewal application on a form provided by the board.

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(c) The list required by (b) above shall contain the following information:

- (1) Identification of the program/course completed;
- (2) Date of completion;
- (3) Location of the program and/or course, didactic or web-based; and
- (4) CEUs earned.

(d) In addition to Frl 403.03(c) the licensee shall submit proof of successful program/course completion. The licensee shall maintain such documentation for a period of not less than two (2) years.

(e) Proof of successful program/course completion shall be in the form of a certificate which shall contain at a minimum the following:

- (1) The name of the provider;
- (2) The completion date of the continuing education program;
- (3) The name of the participant;
- (4) The title of the program; and
- (5) The number of CEUs the program has been assigned.

(f) A renewal application not in compliance with the requirements of Frl 403.03(c) shall not be accepted or processed and shall be returned to the applicant.

(g) Continuing education shall be required of all licensed funeral directors or licensed embalmers who apply for a license renewal.

(h) Licensees submitting applications for the first annual licensure renewal after initial New Hampshire licensure shall acquire 7 CEUs if licensed prior to June 30th and 3 CEUs if licensed after June 30th.

(i) All licensees licensed in New Hampshire shall acquire 7 CEUs every calendar year.

(j) Continuing education credits shall not be recognized for the same program attended or completed within 2 consecutive calendar years.

(k) Continuing education approval is granted on a calendar year basis ending December 31st.

Source. #2344, eff 4-15-83; ss by #2986, eff 3-18-85; ss by #4357, eff 1-20-88, EXPIRED: 1-20-94

New. #6516, eff 5-24-97, EXPIRED: 5-24-05

New. #9387, eff 2-12-09 (from Frl 403.02)

Frl 403.04 Home Study/Internet Continuing Education.

(a) Continuing education credit shall be granted for the completion of home study or online internet programs/courses, provided that such programs require the completion of a written exam by the funeral director and/or embalmer to be scored by the provider of such programs.

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(b) Satellite transmissions which provide for group discussion and include a facilitator shall be granted credit.

(c) A maximum of 5 hours in this category may be applied toward fulfilling the total continuing education yearly requirements.

Source. #6516, eff 5-24-97, EXPIRED: 5-24-05

New. #9387, eff 2-12-09 (from Frl 403.05)

Frl 403.05 Postgraduate Funeral Science Curricula.

A funeral director and/or embalmer who matriculates in a postgraduate funeral science curriculum or program shall be awarded CEUs for satisfactory completion of each course within said curriculum or program.

Source. #6516, eff 5-24-97, EXPIRED: 5-24-05

New. #9387, eff 2-12-09 (from Frl 403.07)

Frl 403.06 Waivers.

(a) Any licensee with a serious illness, disability, hardship or extenuating circumstances shall notify the Board, in writing, and request a waiver of Frl 403 not less than 30 days prior to December 31st of a calendar year. The letter of request shall include documentation from the licensee's physician to verify the illness and or disability. The Board shall have the power to review the request for a waiver of all or a portion of the continuing education requirements as defined in Frl 403.03(i) on a case by case basis.

(b) The board shall approve or deny a waiver request, in writing, within 30 days of receipt of the request.

(c) The board shall approve a waiver request only if:

(1) The length of time an illness, disability, hardship or extenuating circumstances exceeds 6 months in a calendar year; and

(2) The licensee has provided a plan for compliance with the rule including an estimated date of completion.

Source. #6516, eff 5-24-97, EXPIRED: 5-24-05

New. #9387, eff 2-12-09 (from Frl 403.08)

Frl 403.07 Reinstatement. Any individual desiring reinstatement of his/her license shall show evidence of completion of at least the following minimal CEU requirements:

(a) Individuals who have not held an active license for 6 or less years shall complete 4 CEUs of Occupational Safety and Health Association (OSHA) 29 CFR Part 1910 compliance training, 4 CEUs of bloodborne pathogen training, 4 CEUs of Federal Trade Commission (FTC) 16 CFR Part 453 compliance training, 2 CEUs of current didactic compliance training of Secretary of State, Division of Vital Records Administration automated death registration submission procedures and 4 CEUs of current funeral and cremation trends.

(b) Individuals who have not held an active license for more than 6 years shall, in addition to the requirements set forth in Frl 403.07(a), complete and pass a practical examination and a written

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examination on the current state laws and rules governing the practice of funeral directing and embalming in the State of New Hampshire.

Source. #6516, eff 5-24-97, EXPIRED: 5-24-05

New. #9387, eff 2-12-09 (from Frl 403.09)

Frl 403.08 Penalty. Any funeral director and/or embalmer who alters, forges, or falsifies, or causes to be altered, forged, or falsified any documents, or records required to be kept or submitted by this rule shall be subject to disciplinary action under RSA 325:32, II and Frl 402.02.

Source. #6516, eff 5-24-97, EXPIRED: 5-24-05

New. #9387, eff 2-12-09 (from Frl 403.10)

Frl 403.09 Continuing Funeral Service Education Requirements.

(a) In order to obtain continuing education credit according to Frl 403.03(f) and (g) the funeral director and/or embalmer shall submit a written request for approval of programs/courses.

(b) The written request shall at a minimum contain the following:

- (1) The name of the provider;
- (2) The title(s) of the program(s)/course(s);
- (3) Date and location of the program(s)/course(s);
- (4) The number of CEUs requested for the program(s)/course(s);
- (5) The name of the program(s)/course(s) coordinator;
- (6) A copy of the program(s)/course(s) description, agenda and handout materials;
- (7) A biographical sketch of each presenter: and
- (8) Certificate of attendance or completion.

(c) The following programs or courses shall be approved for continuing education credit:

- (1) Funeral Service/Funeral Home Management to include;
 - a. Meeting the needs of families and the community funeral service;
 - b. Management functions and concepts as related to funeral service;
 - c. Management of human resources that include personnel management relevant to funeral service operations;
 - d. Financial management;
 - e. Marketing management to include.
 1. Merchandising;
 - (i) Casket types and materials;
 - (ii) Vault types and materials;

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- (iii) Selection room guidelines;
 - (iv) Urns; and
 - (v) Display.
 - 2. Product;
 - 3. Price;
 - 4. Pricing methods;
 - 5. Distribution; and
 - 6. Promotion of funeral service to include advertising, public relations and customer relations.
- (2) Management of facilities to include;
- a. Requirements of facilities and equipment, including;
 - 1. Requirements for state licensure;
 - 2. Provisions of the Americans with Disabilities Act applicable to funeral service; and
 - 3. OSHA standards and requirements relevant to funeral service.
- (3) Office systems and records to include;
- a. Client service records such as case reports, first call methods arrangement forms, sales contracts, and disclaimers;
 - b. Records required by government agencies; and
 - c. Required personnel records.
- (4) Funeral service operational procedures to include;
- a. Notification of death;
 - b. Transfer of remains / removal of remains from place of death;
 - c. Arrangement conference / statistical information recovery; and
 - d. Dressing, casketing and preparing the deceased for viewing by family or public.
- (5) Preparing and directing of funeral;
- (6) Post need services / aftercare / Estate Procedures;
- (7) Disaster procedures to include;
- a. Role of funeral professionals and other personnel;
 - b. Disasters, both natural and man made;

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- c. General consequences and concerns that occur due to disasters;
 - d. Investigational procedures and concerns related to funeral personnel; and
 - e. Federal, state and local concerns and roles in disasters.
- (8) Trends and changes in funeral service and areas related to funeral service, including:
- a. Population and death projections pertaining to funeral service;
 - b. The place of death and how it has changed as a result of medical technology;
 - c. Changes in the family unit structure;
 - d. Religion and the clergy;
 - e. Alternatives to current legal forms of disposition;
 - f. Regulatory issues;
 - g. Recruitment and retention of personnel in funeral service;
 - h. Diversity in funeral service employment;
 - i. Role of computers and their effects in funeral service;
 - j. Pre-need service and pre-financing of funerals and its growth in the industry;
 - k. World-wide Funeral customs; and
 - l. Changing attitudes of consumers relative to funeral service.
- (9) Funeral service law;
- (10) NH state statutes and administrative rules;
- (11) Religious customs in funeral service;
- (12) History of funeral service;
- (13) Accounting as related to funeral law;
- (14) Business law;
- (15) Restorative art;
- (16) Embalming and embalming theory;
- (17) Psychology including;
- a. Grief processes; and
 - b. Effects of grief on family, caregivers, funeral professionals.
- (18) Sociology including;
- a. Cultural and ethnic sociology; and
 - b. Society as related to funeral service.

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- (19) Cremation including;
 - a. Trends;
 - b. Statistics; and
 - c. Laws and rules.
 - (20) Anatomy and physiology;
 - (21) Pre-need funeral service laws and rules;
 - (22) Veteran Administration (VA) including;
 - a. Laws;
 - b. Benefits;
 - c. Procedures; and
 - d. VA and national cemetery requirements and procedures.
 - (23) Military including;
 - a. Mortuary affairs;
 - b. Benefits as related to funeral service;
 - c. National cemetery requirements and procedures; and
 - d. Military burials.
 - (24) Organ procurement including;
 - a. Trends; and
 - b. Clinical harvesting of organs.
 - (25) Agencies not previously mentioned that are relevant to funeral service;
 - (26) Federal trade commission, especially its funeral rule, 16 CFR 453; and
 - (27) Insurance seminars that are relevant to pre-need funeral services.
- (d) The following programs or courses shall not be approved for continuing education credit:
- (1) Courses within the normal college curriculum such as english, history and social studies;
 - (2) Courses that deal with sales and advertising of brand specific products only and would not further educate a licensee as to his or her product knowledge and development of funeral procedures and management models designed to increase the level of service provided to the consumer;
 - (3) Courses that deal with promoting brand specific marketing and merchandising of funeral goods and funeral services;

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- (4) Courses in psychology and sociology that are not grief specific to families, care-givers and funeral professionals including participation in an ongoing grief support group(s);
- (5) Courses that are offered for academic credit by a Mortuary Science College approved by the American Board of Funeral Service Education, and taken to obtain licensure as a funeral director or embalmer shall not be approved;
- (6) Courses involving cemetery operations and procedures shall not be construed as allowable topics under the Funeral Service Management Curriculum in that regulation of cemeteries is not in the scope of regulation and authority of the NH Board of Registration of Funeral Directors and Embalmers;
- (7) Courses and instruction in non-human related services such as but not limited to pets and merchandising and related topics; and
- (8) Activities such as social occasions, meals, receptions, sporting events, business meetings to include association meeting, sales meetings, or exhibits displayed at such activities.

(e) The board shall monitor, inspect, or review any approved continuing education course or program as necessary to determine compliance, and upon evidence of variations in the program presented from the program approved, shall disapprove any or all of the approved hours granted to the course or program if the board determines the course or program is not in compliance with these rules.

Source. #6516, eff 5-24-97, EXPIRED: 5-24-05

New. #9387, eff 2-12-09 (from Frl 403.11)

Frl 403.10 Requirement for Funeral Service Course or Program Approval.

(a) A continuing education course or program shall be recognized and approved by the Board upon submission of a completed application for approval of said course or program, provided that said sponsor meets all the following requirements:

- (1) The sponsor establishes and maintains an accurate record of course attendance showing the date of the program or course, the location at which the program or course was given, the name of each person who attended, and the license or registration number of each person who attended;
- (2) The sponsor issues certificates or other written evidence of completion of the course or program to each person who attends the entire course or program;
- (3) Names and signatures of persons authorized to certify attendance forms are completed and submitted for each date, time and location the program will be offered.
- (4) If multiple courses are being offered for one program, then all courses are listed together provided the same individual(s) are certifying attendance for all courses;
- (5) The sponsor does not issue certificates or other written evidence of completion of the course or program until the course or program is completed;
- (6) The course or program meets all applicable requirements of Frl 403.09(c); and
- (7) The sponsor maintains a copy of the course or program outline, and all records required by Frl 403.09(b) for a period of at least two years from the date on which the course or program is presented.

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[Source.](#) #6516, eff 5-24-97, EXPIRED: 5-24-05

[New.](#) #9387, eff 2-12-09

Frl 403.11 Continuing Funeral Service Education Appeal Process.

In the event that an application for approval of a specific continuing education course or program, or for approval as a sponsor of continuing education courses or programs, is denied by the board, the applicant shall have the right, upon written request, received by the board within 30 days of the applicant's receipt of denial, to have the board's decision reviewed and reconsidered. As part of said review process, the applicant may appear personally before the board and shall have the right to present any additional information which may reasonably have a bearing on the issue of whether the application for approval should be granted. The decision by the board on appeal shall be final and is not further appealable.

[Source.](#) #6516, eff 5-24-97, EXPIRED: 5-24-05

[New.](#) #9387, eff 2-12-09