

DEPARTMENT OF CONSUMER AFFAIRS

TITLE 16. CEMETERY AND FUNERAL BUREAU

PROPOSED REGULATORY LANGUAGE

Approval to Train Apprentices

Legend:	Added text is indicated with an <u>underline</u> . Omitted text is indicated by (* * * *) Deleted text is indicated by strikeout .
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Amend section 1230 of Division 12 of Title 16 of the California Code of Regulations to read as follows:

§ 1230. Approval to Train Apprentices

~~(a) A licensed funeral establishment may, upon approval by the bureau, request to be treated in aggregate for the purpose of training apprentices pursuant to the provisions of Section 7670(b) of the Business and Professions Code under the following conditions:~~

~~(1) the licensed funeral establishments are under common ownership;~~

~~(2) the common owners have designated one (1) funeral establishment as the main office as defined in Section 1204(c)(2), and;~~

~~(3) the remaining establishments must be within sixty (60) miles, radius of the main office.~~

A licensed funeral establishment requesting permission from the bureau to train apprentices pursuant to Section 7670(a)(1) of the Business and Professions Code (the Code) shall submit a completed bureau form 12-TAE (new 1/24), Approval to Train Apprentice Embalmers, which is hereby incorporated by reference. The form shall be accompanied by the filing fee specified in Section 7729(h) of the Code.

(b) Each licensed funeral establishment who has received Bureau approval shall submit to the Bureau, no later than January 15 of each year, a completed bureau form 12-TAE (new 1/24) accompanied with the required fee specified by subdivision (a) of this section.

(c) The licensed funeral establishments requesting permission from the bureau to be treated in aggregate, shall make a request, in writing, on a form 21 A-12 (12/96) provided by the bureau. An inspection shall be scheduled and completed to ensure that the requirements of this section and section 7670 of the Business and Professions Code have been satisfied prior to approval by the bureau. A licensed funeral establishment may request to be treated in aggregate for the purpose of training apprentices pursuant to the provisions of Section 7670(b) of the Code by completing

and submitting the approved bureau form specified in subdivision (a) of this section, and must meet the following requirements:

(1) the licensed funeral establishments must be under common ownership;

(2) the common owners must designate one (1) funeral establishment as the main office as defined in Section 1204(c)(2), and;

(3) the remaining establishments must be located within 60 miles from the designated main office.

Note: Authority cited: Sections 7606 and 7670, Business and Professions Code.
Reference: Sections 7606, 7607, 7648, 7649, 7660, and 7670, Business and Professions Code.



APPROVAL TO TRAIN APPRENTICE EMBALMERS - \$190 FEE

A funeral establishment requesting permission from the Bureau to train apprentices pursuant to Title 16, section (16 CCR) 1230(a), shall meet the requirements of that section and Business and Professions Code (BPC) section 7670 and complete Sections A and C of this form. This signed application must be submitted to the Bureau accompanied with the required fee of \$190 by mail to the address above. A funeral establishment requesting Bureau approval to be treated in aggregate pursuant to 16 CCR 1230(b) shall meet the requirements of that section and BPC section 7670 and complete Section B of this form.

SECTION A: FUNERAL ESTABLISHMENT INFORMATION			
*Designate main office for funeral establishments under common ownership			
Name of Funeral Establishment (FD)		License Number FD	
Address of Funeral Establishment	City	State CA	Zip Code
Mailing Address (if applicable)	City	State	Zip Code
Telephone Number ()	Fax Number ()	Contact Name for this Application	
How many embalmings were performed by this establishment during the last 12 months from the date of the application?	<p>BPC section 7670(a)(1) requires that not less than 50 human remains per apprentice employed have been embalmed in the establishment during the 12 months immediately preceding the date of this application.</p> <p>If you are applying for multiple establishments to be treated in aggregate for the purpose of meeting this requirement, complete Section B.</p>		
Does this establishment employ a qualifying supervising embalmer for each two apprentices and who has practical experience (actively performing or overseeing embalming) as a California licensed embalmer (EMB) in the two years immediately preceding the date of this application as required per BPC section 7670(a)(2)?	<input type="checkbox"/> YES <input type="checkbox"/> NO		
Name of Supervising Embalmer (Attach a separate page for additional supervising embalmers for this location)	License Number EMB		
You are required to designate at least one additional supervising embalmer for every two registered apprentice embalmers pursuant to BPC section 7670(a)(2).			
SECTION B: ADDITIONAL FUNERAL ESTABLISHMENT INFORMATION (under common ownership)			
If you are applying for multiple establishments to be treated in aggregate for the purpose of meeting this requirement, complete this section. Provide the name, address, license number, number of embalmings performed during the last 12 months preceding the date of this application, and miles from the designated main office. If more than one facility, attach a separate piece of paper.			
Name of the Funeral Establishment		FD License Number	

How many embalmings were performed by this establishment during the last 12 months preceding the date of this application?	Miles from FD Main Office			
SECTION C: FUNERAL DIRECTOR CERTIFICATION				
<p>I certify any apprentice embalmer employed by this funeral establishment shall be instructed in the study of embalming. Such instruction shall be under the supervision of an embalmer approved by the Cemetery and Funeral Bureau.</p> <p>In accordance with Title 16, California Code of Regulations Section 1204(b), as the managing funeral director, I understand I am responsible for exercising such direct supervision and control over the conduct of the funeral establishment to ensure full compliance with the Cemetery and Funeral Bureau laws, rules, and regulations.</p>				
<p>I hereby certify under penalty of perjury, under the laws of the State of California, that all statements made on this application, including any attached documents, are true and correct</p>				
<p>_____</p> <p>SIGNATURE</p>	<p>_____</p> <p>DATE</p>			
FOR BUREAU USE ONLY				
<p>THIS APPLICATION HAS BEEN <input type="checkbox"/> APPROVED <input type="checkbox"/> REASON FOR DENIAL</p>				
APPROVER NAME: _____	APPROVAL DATE:			
<p>THE ABOVE-NAMED FUNERAL ESTABLISHMENT, DESIGNATED AS THE MAIN OFFICE, IS APPROVED TO TRAIN APPRENTICE EMBALMERS, PROVIDED THE FUNERAL ESTABLISHMENT EMPLOYS AT LEAST ONE (1) QUALIFIED SUPERVISING EMBALMER TO EVERY TWO APPRENTICE EMBALMERS</p>	APPROVAL EXPIRES ON:			
DATE CASHIERED	AMOUNT CASHIERED	ATS ID NUMBER	RECEIPT NUMBER	DATE COMPLETED
<p>INFORMATION COLLECTION AND ACCESS Except for the email address, the information requested herein is mandatory and is maintained by the Cemetery and Funeral Bureau (Bureau) 1625 North Market Blvd., Suite S208 Sacramento, CA 95834, (916) 574-7870, in accordance with Business and Professions Code (BPC) sections 7600 et seq. The Bureau collects the personal information requested on this form as authorized by BPC sections 27 and 7670. The Bureau uses this information to identify and evaluate applicants for licensure, issue and renew licenses, and enforce licensing standards set by law and regulation.</p> <p>Each individual has the right to review the personal information maintained by the agency unless the records are exempt from disclosure by the Information Practices Act, including Civil Code section 1798.40. The Bureau makes every effort to protect the personal information you provide us; however, it may be disclosed in response to a Public Records Act request as allowed by the Information Practices Act, to another government agency as required by state or federal law or Civil Code section 1798.24; or in response to a court or administrative order, a subpoena, or a search warrant. Failure to provide all of the information required by this application may result in your application being returned to you as incomplete.</p>				