



**ARKANSAS INSURANCE DEPARTMENT
FUNERAL SERVICES DIVISION | EMBALMERS & FUNERAL DIRECTORS**

**APPRENTICESHIP - COMPLETION INSTRUCTIONS | NEW
ARKANSAS RESIDENTS**

PLEASE CHECK THAT ALL OF THE FOLLOWING ITEMS ARE ENCLOSED:

- \$50.00 Per Apprenticeship Application Fee** (Check, Cashier's Check, or Money Order – NO CASH, PLEASE)
- A color copy of your Driver's License or other Photo ID.** (Scan and e-mail to AID.EFD@arkansas.gov)
- A copy of your High School Diploma (from an accredited high school), or a certified transcript with the date of graduation, or certificate of equivalency issued by the public-school system or the military service, or a certified transcript from an accredited college or university.
- An **apprentice application form** is to be completed for each location at which you are serving as an apprentice. The application must be fully completed, signed, and notarized.
- A **Statement of Apprenticeship** form is to be completed for each location at which you are serving as an apprentice. The statement must be fully completed, signed, and notarized.
- A **CERTIFICATION OF APPRENTICESHIP** form MUST be completed by the state's licensing board and sent directly to our office. This is required to establish the training received in the other state.
- If you are registering as an Apprentice Embalmer, you must submit proof of enrollment within one (1) year of starting your apprenticeship.
- Applicants must complete the Background Check Form (ASP-122) and **submit a separate payment in the amount of \$22.00** (Business Check, Cashier's Check, or Money Order – Personal checks will be returned). **If applicants are paying with a Business Check, Cashier's Check, or Money Order, they may submit one payment for the total amount due. Just NO personal checks.**
- Make payment(s) payable to the following: Arkansas Insurance Department and mail all together to address below.**

If you have any questions regarding the completion of these forms or the documentation requirements, you may e-mail us at AID.EFD@arkansas.gov.

If any of the above-referenced items are not enclosed with the application paperwork, it will result in a delay in the processing of your application. In some cases, it may result in your application being returned.

For more information, please visit our webpage on the Arkansas Insurance Department's website at:

<https://insurance.arkansas.gov/pages/industry-regulation/pre-paid-funeral/embalmers-funeral-directors-burial-association/apprenticeship/>

Return Application Paperwork To: Arkansas Department of Commerce
Arkansas Insurance Department | Funeral Services Division
1 Commerce Way, Suite 502 | Little Rock, AR 72202-2087
Phone (501) 682-0574 | Fax (501) 682-0575
E-Mail: AID.EFD@arkansas.gov



ARKANSAS INSURANCE DEPARTMENT
FUNERAL SERVICES DIVISION | EMBALMERS & FUNERAL DIRECTORS

APPRENTICE FUNERAL DIRECTOR APPLICATION – NEW ARKANSAS RESIDENT

FEE DUE:

Application Fee: \$50.00 ◀ Due at time of application

Have you ever been convicted of a felony? [] YES [] NO
If "YES," please attach an explanation to this application form.

[For Office Use Only]

No.: _____

Date Issued: _____

I hereby make application to the Arkansas Insurance Department | State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services to be registered as an Apprentice Funeral Director. I submit the following information.

Name: _____ Soc. Sec. No.: _____

Address: _____ P.O. Box/Street City State Zip County DOB: _____

Gender: [] Male [] Female Cell Phone: (____) _____ Work Phone: (____) _____

E-Mail Address: _____

[] I have completed a High School course of education at: _____ Name of School

**** Attach a photocopy of your High School Diploma or Equivalent ****

I will be employed by: _____ Name of Funeral Home

Mailing Address: _____ P.O. Box/Street City State Zip

I will serve under the following licensed Funeral Directors:

Table with 3 columns: Name of Funeral Director, Board ID # - Funeral Dir., Address. Contains 4 rows of information.

I hereby certify that all information and statements contained within this application are true, to the best of my knowledge and belief.

Applicant Signature

Application Date

NOTARY PUBLIC:

[Notary Stamp or Seal]

State of _____
County of _____

Subscribed and sworn to before me this _____ day of _____, 20 _____.

Notary Public Signature

Commission Expiration Date

Mail Completed Application To:

Arkansas Department of Commerce
Arkansas Insurance Department | Funeral Services Division
1 Commerce Way, Suite 502 | Little Rock, AR 72202-2087
Phone (501) 682-0574 | Fax (501) 682-0575
E-Mail: AID.EFD@arkansas.gov

PLEASE READ INSTRUCTIONS SHEET AND INCLUDE ALL REQUIRED MATERIALS WITH THE APPLICATION.



**ARKANSAS INSURANCE DEPARTMENT
FUNERAL SERVICES DIVISION | EMBALMERS & FUNERAL DIRECTORS**

STATEMENT OF APPRENTICESHIP

_____ Funeral Home ("the Company"),
Board ID # _____, certifies that _____ is an
apprentice of the Company. Both parties understand that one, or both, must inform the **State
Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services** within thirty (30)
days of termination of the above-named apprentice, if his/her termination occurs prior to the
completion of the apprenticeship.

Funeral Home Manager Signature

Apprentice Signature

Date

NOTARY PUBLIC:

[Notary Stamp or Seal]

State of _____

County of _____

Subscribed and sworn to before me this _____ day of _____, 20 _____.

Notary Public Signature

Commission Expiration Date

Return To: Arkansas Department of Commerce
Arkansas Insurance Department | Funeral Services Division
1 Commerce Way, Suite 502 | Little Rock, AR 72202-2087
Phone (501) 682-0574 | Fax (501) 682-0575
E-Mail: AID.EFD@arkansas.gov



Fee \$22.00

ARKANSAS STATE POLICE

ASP-122
(Eff. 09/21/2022)

Identification Bureau Individual Record Check Request Form

Please mark the box if this background check is for U.S. VISA purposes only and requires an Apostille Letter

Full Name: _____
Last name First name Middle name Jr/Sr/III

Daytime Phone #: (____) _____
List ALL other names ever used (married, maiden, shortened, etc)

Date of Birth: _____ State of Birth: _____ Race: _____ Sex: _____
(Month/Day/Year)

Social Security #: _____ Driver's License #: _____
State

Physical Address: _____
Street

City State ZIP

Mailing Address: _____
Street or P.O. Box

City State ZIP

APPLICANT RECORD NOTIFICATION

Change, Correction, or Updating: Procedures for obtaining a change, correction, or updating of an FBI criminal history record are set forth at Title 28, Code of Federal Regulations (CFR), Section 16.34 and/or Arkansas Code § 12-12-1013.

I give my consent for the Arkansas State Police to conduct a criminal record search on myself and release any results to the following person or entity:

Signature: _____ Date: _____
(First/MI/Last Name) Month/Day/Year

Release to: **Arkansas Insurance Department | Funeral Services Division**
(First/MI/Last Name) or Full Name of Agency

Mailing Address: **1 Commerce Way, Suite 502**

Street
Little Rock Arkansas 72202
City State ZIP

Daytime Phone #: (**501**) **682-0574**

THIS PROPERLY COMPLETED FORM MUST BE NOTARIZED

STATE OF _____

COUNTY OF _____

Subscribed and sworn before me, a Notary Public, in and for the county and state aforesaid, this the _____ day of _____, 20 _____.

Notary Public



**ARKANSAS INSURANCE DEPARTMENT
FUNERAL SERVICES DIVISION | EMBALMERS & FUNERAL DIRECTORS**

NEW ARKANSAS RESIDENT AFFIDAVIT

DATE _____

Comes now the undersigned, _____ states that he/she
(Applicant's Printed Name)

became a resident of Arkansas on _____ and lives at
(Date of Arkansas Residency)

(Physical Address) (City)

(County) (State) (Zip Code)

I hereby certify that all information and statements contained within this application are true, to the best of my knowledge and belief.

(Applicant's Signature)

NOTARY PUBLIC:

[Notary Stamp or Seal]

State of _____

County of _____

Subscribed and sworn to before me this _____ day of _____, 20 _____.

Notary Public Signature

Commission Expiration Date

Mail Completed Affidavit To:

Arkansas Department of Commerce
Arkansas Insurance Department | Funeral Services Division
1 Commerce Way, Suite 502 | Little Rock, AR 72202-2082
Phone (501) 682-0574 | Fax (501) 682-0575
E-Mail: AID.EFD@arkansas.gov

CERTIFICATION OF APPRENTICESHIP

(Must be completed and signed by the Licensing Board where applicant is currently registered)

Licensing State: _____

Applicant Name: _____

Apprentice Funeral Director (FD):

Apprentice Embalmer (EMB):

License No.: _____

License No.: _____

Apprenticeship Start Date: _____

Apprenticeship Start Date: _____

Number of FD Cases Completed: _____

Number of EMB Cases Completed: _____

Apprenticeship Completion Date: _____

Apprenticeship Completion Date: _____

LRR Exam Score: _____

NBE Arts and Science Scores: _____

Questionnaire:

1. Name of mortuary school licensee attended or is attending: _____
2. Has the apprentice been current and in "good standing" for a period of at least one (1) year with your State Board?
 Yes No If "No," please explain: _____

3. Has the apprentice ever been disciplined by your State Board? (Revocation, suspension, probation, etc.)
 Yes No If "Yes," please explain and attach a copy of your final decision: _____

4. Are there any formal charges pending against the apprentice? Yes No If "Yes," please explain and attach a copy of the complaint: _____

5. Please include a copy of your requirements for an apprentice embalmer and funeral director.

ATTESTATION:

Acting on behalf of _____, I hereby certify that the above information is true and correct, based on the records of this Board.

[State Board – Seal]

Board Official – Printed Name

Board Official – Signature

Title

Date

****IMPORTANT****

The *Certification of Licensure* page must be completed and signed by the applicable State Board and returned directly to:

Arkansas Department of Commerce
Arkansas Insurance Department | Funeral Services Division
 1 Commerce Way, Suite 502 | Little Rock, AR 72202-2087
 Phone (501) 682-0574 | Fax (501) 682-0575
 E-Mail: AID.EFD@arkansas.gov

EMBALMERS AND FUNERAL DIRECTORS LAW - LICENSING

ARKANSAS CODE ANNOTATED (A.C.A.) TITLE 17, SUBTITLE 2, CHAPTER 29, SUBCHAPTER 3

FUNERAL DIRECTORS - QUALIFICATIONS

UPDATED THROUGH THE 2021 ARKANSAS LEGISLATIVE SESSION

Current through all acts of the 2021 Regular Session, First Extraordinary Session, and Extended Session, including corrections and edits by the Arkansas Code Revision Commission received through August 1, 2021.

A.C.A. § 17-29-302 Funeral Directors - Qualifications. [Effective July 1, 2018]

- (a) A person who desires to engage in the business of funeral directing in this state shall:
- (1) Be at least eighteen (18) years of age;
 - (2) Be a graduate of an accredited high school or the equivalent thereof;
 - (3) (A) Have served as an apprentice funeral director for not less than eighteen (18) months in the State of Arkansas under the direct personal supervision of an Arkansas-licensed funeral director.
(B) Completion of the requirement to be a graduate of a school of embalmers as set forth in § 17-29-301(a)(3) may be substituted for six (6) of the eighteen (18) months' apprenticeship established in this section;
 - (4) Make application to the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services and attach the fee;
 - (5)
 - (A) Take and pass all examinations approved and required by the board.
 - (B) To be eligible to take the examination under subdivision (a)(5)(A) of this section, an applicant shall be an active apprentice who is currently registered with the board; and
 - (6)
 - (A) Undergo and pass a criminal background check conducted by the Department of Arkansas State Police.
 - (B) The board may charge and collect a processing fee in an amount necessary to recover the cost imposed by the department for the criminal background check under subdivision (a)(6)(A) of this section.
- (b) (1) (A) A person desiring to engage in the business of funeral directing in this state shall serve an apprenticeship in this state for at least eighteen (18) months.
(B) An apprentice shall:
- (i) Register with the board on forms provided by the board and by attaching the fee as prescribed by the board;
 - (ii) Upon registration with the board, be supervised by a funeral director licensed by the board;
 - (iii) Actively assist in arranging fifty (50) services as determined by rule of the board; and
 - (iv)
 - (a) By the tenth day of the following month, file with the board individual case reports of services arranged by the apprentice.
 - (b) A case report under subdivision (b)(1)(B)(iv)(a) of this section shall be signed by the apprentice and the licensed funeral director under whose supervision the work was performed.
- (2) Before an apprenticeship under this section begins, a licensed funeral director who is supervising an apprenticeship shall record a notice of the apprenticeship with the board.
- (3) The board may suspend or revoke an apprenticeship under this section for a violation of this subchapter or § 23-61-1101 et seq.
- (4) A person who is currently in an apprenticeship under this section shall be subject to the provisions in this section concerning an apprenticeship as determined by rules of the board.
- (c)
- (1) The board shall require applicants for licensure as funeral directors to successfully complete up to twenty (20) hours of classroom instruction in funeral service practices and ethics, laws, and rules affecting funeral service.
 - (2) As used in subdivision (c)(1) of this section, "classroom instruction" means instruction that is delivered:
 - (A) On-site or that requires the attendee to be at the same physical location as the instructor; or
 - (B) By any virtual method through remote communication, including audio-only or audio-and-video instruction that is delivered digitally.

EMBALMERS AND FUNERAL DIRECTORS LAW - LICENSING
ARKANSAS CODE ANNOTATED (A.C.A.) TITLE 17, SUBTITLE 2, CHAPTER 29, SUBCHAPTER 3
FUNERAL DIRECTORS - QUALIFICATIONS

UPDATED THROUGH THE 2021 ARKANSAS LEGISLATIVE SESSION

Current through all acts of the 2021 Regular Session, First Extraordinary Session, and Extended Session, including corrections and edits by the Arkansas Code Revision Commission received through August 1, 2021.

- (3) Only courses of instruction approved by the board shall satisfy the requirement under subdivision (c)(1) of this section.

HISTORY:

Acts 1983, No. 325, §§ 4, 5; A.S.A. 1947, §§ 71-904, 71-905; Acts 1989, No. 106, § 4; 1999, No. 1138, § 3; 2003, No. 367, § 2; 2015, No. 1095, §§ 16, 17; 2017, No. 788, § 7; 2021, No. 396, §§ 1, 2.

Arkansas Code of 1987 Annotated Official Edition
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Arkansas Code Ann. §17-7-101

[AR - Arkansas Code Annotated](#) | [Title 17 Professions, Occupations, and Businesses](#) | [Subtitle 1. Professions Generally](#) | [Chapter 7 AUTOMATIC OCCUPATIONAL LICENSURE FOR OUT-OF-STATE LICENSURE ACT](#)

Current through all legislation of the 2023 Regular Session and the 2023 First Extraordinary Session.

17-7-101. Title.

This chapter shall be known and may be cited as the “Automatic Occupational Licensure for Out-of-State Licensure Act”.

17-7-102. Definitions.

As used in this chapter:

- (1) “Automatic occupational licensure” means the granting of occupational licensure to an individual who establishes residency in this state without the individual's having met occupational licensure requirements provided under this title or by the rules of the relevant occupational licensing entity;
- (2) “Occupational licensing entity” means an office, board, commission, department, council, bureau, or other agency of state government having authority to license, certify, register, permit, or otherwise authorize an individual to engage in a particular occupation or profession, not including occupations or professions within the judicial branch of government or occupations or professions subject to the superintending control of the Supreme Court; and
- (3) “Occupational licensure” means a license, certificate, registration, permit, or other form of authorization, including without limitation military occupational specialty, required by law or rule that is required for an individual to engage in a particular occupation or profession.

17-7-103. Applicability.

Unless otherwise stated in this chapter, this chapter applies to an individual who has occupational licensure in another state, territory, or district of the United States and has established a residence in this state.

17-7-104. Automatic occupational licensure.

- (a) If the individual does not have a disqualifying criminal offense under § 17-3-102 or any additional state law relating to the occupational licensure and does not have a complaint, allegation, or investigation pending for his or her occupational activity, an occupational licensing entity shall grant automatic occupational licensure to engage in an occupation or a profession to an individual who is:
- (1) The holder in good standing for one (1) year of an occupational licensure with similar scope of practice issued by another state, territory, or district of the United States; or
 - (2) An individual who worked:
 - (A) In another state, territory, or district of the United States that does not use an occupational licensure to regulate an occupation or profession but is regulated by occupational licensure in this state; and
 - (B) At least three (3) years in the occupation.
- (b) An individual who is granted automatic occupational licensure under this chapter shall meet all other occupational licensure requirements for a resident of this state and all renewal requirements of

the occupational licensure, including without limitation a criminal background check and continuing education hours.

(c)

(1) Notwithstanding subsections (a) and (b) of this section, an occupational licensing entity may require an applicant to pass an examination specific to relevant state laws that regulate the occupation or profession.

(2) Notwithstanding subsections (a) and (b) of this section, an occupational licensing entity shall require an applicant to furnish a bond, financial statement, or proof of insurance coverage if required by state law.

(d) An occupational licensing entity may waive the requirements of subdivision (c)(1) of this section if the occupational licensing entity finds that:

(1) The combination of the applicant's education, training, and experience is a sufficient substitute for the requirement; and

(2) A waiver of the requirement will not harm public health, safety, or welfare.

17-7-105. Responsibilities of occupational licensing entities.

An occupational licensing entity shall:

(1) Provide automatic occupational licensure to an individual listed in § 17-7-104;

(2) Post prominently on the occupational licensing entity's website a link entitled "Out-of-State Licensure" that leads directly to information applicable to an individual licensed under § 17-7-104; and

(3) Provide to the Legislative Council an annual report stating the number of individuals granted automatic occupational licensure under this chapter.

17-7-106. Exemptions.

(a) This chapter does not apply to licensure or certification of:

(1) Medical professions under Title 17, Subtitle 3;

(2) Legal professionals; or

(3) Individuals under reciprocity agreements.

(b) This chapter does not apply to an existing multistate or interstate compact if the chapter would result in a nullification of the multistate or interstate compact.

History

Acts 2023, No. 457, § 1.

17-4-101. Title.

This chapter shall be known and may be cited as the “Arkansas Occupational Licensing of Uniformed Service Members, Veterans, and Spouses Act of 2021”.

17-4-102. Legislative findings and intent.

(a) The General Assembly finds that:

- (1)** Arkansas sets the bar as a national leader in addressing employment barriers faced by uniformed service members, uniformed service veterans, and their spouses in attaining occupational licensure;
- (2)** Arkansas is one (1) of only four (4) states to successfully address eight (8) or more of the ten (10) issues affecting uniformed service families identified by the United States Department of Defense;
- (3)** Of the United States Department of Defense's ten (10) issues in fiscal year 2020, four (4) of the issues concern occupational licensure of spouses of uniformed service members;
- (4)** Annually, fourteen and five-tenths percent (14.5%) of spouses of uniformed service members move across state lines as opposed to one and one-tenth percent (1.1%) of civilians;
- (5)** States can continue to improve the attainment of occupational licensure and to eliminate barriers impeding employment of spouses of uniformed service members following a move across state lines;
- (6)** Acts 2019, No. 820, established provisions for the granting of automatic occupational licensure or expedited occupational licensure to active-duty service members, recently separated veterans, and their spouses who hold occupational licensure in good standing in another jurisdiction; and
- (7)** Additional steps need to be taken to clarify, simplify, and elevate the occupational licensure process for uniformed service members, uniformed service veterans, and their spouses.

(b) It is the intent of the General Assembly to address occupational licensure barriers that impede the launch and sustainability of civilian occupational careers and employment faced by uniformed service members, uniformed service veterans, and their spouses due to frequent uniformed service assignment by:

(1) Providing:

- (A)** Automatic occupational licensure or expedited occupational licensure to current license holders to expedite their entry into the workforce of this state;
 - (B)** Temporary or provisional licensure to initial licensure candidates while expediting full licensure;
 - (C)** Legislative oversight of rulemaking by occupational licensing entities to ensure removal of occupational licensure barriers faced by uniformed service members, uniformed service veterans, and their spouses; and
 - (D)** Guidance to assure effective rulemaking and clear license application instructions to uniformed service members, uniformed service veterans, and their spouses;
- (2)** Recognizing uniformed service education, training, experience, and credentials of uniformed service members and uniformed service veterans applying for initial occupational licensure; and
 - (3)** Extending licensure expiration and any continuing education required for occupational licensure renewal when a uniformed service member is deployed.

17-4-103. Definitions.

As used in this chapter:

- (1) "Automatic occupational licensure" means the granting of occupational licensure without an individual's having met occupational licensure requirements provided under this title or by the rules of the relevant occupational licensing entity;
- (2) "Occupational licensing entity" means an office, board, commission, department, council, bureau, or other agency of state government having authority to license, certify, register, permit, or otherwise authorize an individual to engage in a particular occupation or profession, not including occupations or professions within the judicial branch of government or occupations or professions subject to the superintending control of the Supreme Court;
- (3) "Occupational licensure" means a license, certificate, registration, permit, or other form of authorization required by law or rule that is required for an individual to engage in a particular occupation or profession;
- (4) "Uniformed service member" means:
 - (A) An active or reserve component member of the United States Air Force, United States Army, United States Coast Guard, United States Marine Corps, United States Navy, United States Space Force, or National Guard;
 - (B) An active component member of the National Oceanic and Atmospheric Administration Commissioned Officer Corps; or
 - (C) An active or reserve component member of the United States Commissioned Corps of the Public Health Service; and
- (5) "Uniformed service veteran" means a former member of the United States uniformed services discharged under conditions other than dishonorable.

17-4-104. Applicability.

Unless otherwise stated in this chapter, this chapter applies to:

- (1) A uniformed service member stationed in the State of Arkansas;
- (2) A uniformed service veteran who resides in or establishes residency in the State of Arkansas; and
- (3) The spouse of:
 - (A) A person listed in subdivision (1) or subdivision (2) of this section;
 - (B) A uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed service member and the spouse relocates to this state; and
 - (C) A uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.

17-4-105. Automatic occupational licensure.

An occupational licensing entity shall grant automatic occupational licensure to engage in an occupation or profession to an individual who is:

- (1) Listed in § 17-4-104; and
- (2) The holder in good standing of occupational licensure with similar scope of practice issued by another state, territory, or district of the United States.

17-4-106. Expedited occupational licensure.

(a)

(1) An occupational licensing entity may submit proposed rules recommending an expedited process for the attainment of occupational licensure instead of automatic occupational licensure as provided under § 17-4-105 to the Administrative Rules Subcommittee of the Legislative Council.

(2) The proposed rules described in subdivision (a)(1) of this section shall include temporary or provisional occupational licensure provisions with a term of ninety (90) days or more.

(3) The occupational licensing entity shall provide automatic occupational licensure if the proposed expedited occupational licensure rules are not approved as required by § 17-4-109.

(b)

(1) An occupational licensing entity shall expedite the process for initial occupational licensure for an individual who is listed in § 17-4-104.

(2) An occupational licensing entity shall provide the applicant under subdivision (b)(1) of this section with a temporary or provisional license upon receipt of required documentation or the successful completion of any examination required by the relevant occupational licensing entity to enable the applicant to secure employment in his or her occupation or profession.

17-4-107. Acceptance of uniformed service education, training, national certification, or service-issued credential.

An occupational licensing entity shall accept relevant and applicable uniformed service education, training, national certification, or service-issued credential toward occupational licensure qualifications or requirements when considering an application for initial licensure of an individual listed in § 17-4-104.

17-4-108. Extension of license expiration and continuing education requirements.

(a) An occupational licensing entity shall extend the expiration date of an occupational licensure for a deployed uniformed service member or his or her spouse for one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(b)

(1) An occupational licensing entity shall allow a full or partial exemption from a continuing education requirement that is required as a component of occupational licensure for an individual who is listed in subsection (a) of this section until one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(2) An occupational licensing entity that allows full or partial exemption from continuing education requirements may require evidence of completion of continuing education before granting a subsequent occupational licensure or authorizing the renewal of an occupational licensure.

17-4-109. Legislative oversight of rules.

(a) The Administrative Rules Subcommittee of the Legislative Council shall:

(1) Review the proposed rules of an occupational licensing entity as submitted for public comment at least thirty (30) days before the public comment period ends under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.; and

(2) Approve the proposed rules submitted under § 17-4-106 based on:

(A) A determination of whether the expedited process provides the least restrictive means of attaining occupational licensure; and

(B) Any other criteria the Administrative Rules Subcommittee of the Legislative Council determines necessary to achieve the objectives of this section.

(b) The Administrative Rules Subcommittee of the Legislative Council may:

(1) Establish a further subcommittee to assist in the duties assigned to the Administrative Rules Subcommittee of the Legislative Council under this section;

(2) Assign information filed with the Administrative Rules Subcommittee of the Legislative Council under this section to one (1) or more subcommittees of the Legislative Council, including without limitation a subcommittee created under subdivision (b)(1) of this section; or

(3) Delegate the duties of the Administrative Rules Subcommittee of the Legislative Council under this section to one (1) or more subcommittees of the Legislative Council, which shall be subject to the final review and approval of the Administrative Rules Subcommittee of the Legislative Council.

17-4-110. Responsibilities of occupational licensing entities.

An occupational licensing entity shall:

(1) Submit proposed rules authorized under § 17-4-106 to the Administrative Rules Subcommittee of the Legislative Council for review and approval before the proposed rules are promulgated under the Arkansas Administrative Procedure Act, § 25-15-201 et seq.;

(2) If the proposed rules are not approved as required under § 17-4-109, provide automatic occupational licensure to an individual listed in § 17-4-104;

(3) Post prominently on the occupational licensing entity's website a link entitled "Military Member Licensure" that directly leads to information applicable to an individual listed in § 17-4-104; and

(4) Provide to the House Committee on Aging, Children and Youth, Legislative and Military Affairs an annual report stating the number of individuals granted automatic occupational licensure and expedited occupational licensure under this chapter.

History

Acts 2021, No. 135, § 2.

Part 30. Rules Pertaining to Embalmers, Funeral Directors, Funeral Establishments, Crematories, Crematory Retort Operators, and Transport Services

17 CAR § 30-403. Requirements for out-of-state licensure

(c) Upon receipt of the application, the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services may issue a temporary working number, which is valid for one (1) year from the date of issuance.

(d)(1) To obtain a license, the applicant shall pass an exam to prove his or her proficiency, including at least, but not limited to, a minimum knowledge of the laws and rules of this state pertaining to funeral service.

(2) The exam may be taken at one of the regularly scheduled exam sessions set by the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services.

(3) The exam may be taken once every fifteen (15) days.

(e) If the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services is satisfied with the proficiency of the applicant, upon receipt of the required fees, a license may be granted.

(f) Individuals who hold a license in another state, territory, or district of the United States that does not offer individual licenses that require the minimum standards required by the individual licenses issued by the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services will be required to successfully pass the Arkansas Laws, Rules, and Regulations Exam.

(g) Automatic licensure for military service members, veterans, and spouses.

(1) As used in this subsection:

(A) "Automatic occupational licensure" means the granting of an embalmer's license, a funeral director's license, a crematory retort operator's license, an apprentice embalmer, or an apprentice funeral director without the individual's having met occupational licensure requirements provided under Title 17 of the Arkansas Code or by this part;

(B) "Occupational licensure" means a license, permit, or registration that is required for an individual to engage in apprenticeship, embalming, funeral directing, or operating a crematory retort;

Part 30. Rules Pertaining to Embalmers, Funeral Directors, Funeral Establishments, Crematories, Crematory Retort Operators, and Transport Services

17 CAR § 30-403. Requirements for out-of-state licensure

(C) "Returning military veteran" means a former member of the United States Armed Forces who was discharged from active duty under the circumstances other than dishonorable;

(D) "Uniformed service member" means:

(i) An active or reserve component member of the:

- (a) United States Air Force;
- (b) United States Army;
- (c) United States Coast Guard;
- (d) United States Marine Corps;
- (e) United States Navy;
- (f) United States Space Force; or
- (g) National Guard;

(ii) An active component member of the National Oceanic and Atmospheric Commissioned Officer Corps; or

(iii) An active or reserve component member of the United States Commissioned Corps of the Public Health Service; and

(E) "Uniformed service veteran" means a former member of the United States uniformed services discharged under conditions other than dishonorable.

(2) The State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services shall grant automatic occupational licensure to any the following individuals:

(A) A uniformed service member stationed in the State of Arkansas;

(B) A uniformed service veteran who resides in or establishes residency in the State of Arkansas;

(C) The spouse of a uniformed service member stationed in the State of Arkansas;

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(D) The spouse of a uniformed service veteran who resides in or establishes residency in the State of Arkansas;

(E) The spouse of a uniformed service member who is assigned a tour of duty that excludes the uniformed service member's spouse from accompanying the uniformed serviced member and the spouse relocates to this state; and

(F) The spouse of a uniformed service member who is killed or succumbs to his or her injuries or illness in the line of duty if the spouse establishes residency in the state.

(3)(A) The State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services shall grant automatic occupational licensure to any individual listed in subdivision (g)(2) of this section and is the holder in good standing of occupational licensure with similar scope of practice issued by another state, territory, or district of the United States.

(B) No testing will be required.

(4) The State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services shall accept relevant and applicable uniformed service education, training, national certifications, or service-issued credential toward occupational licensure qualifications or requirements when considering an application for initial licensure of an individual who is a uniformed service member or a uniformed service veteran who makes an application after his or her discharge from uniformed service.

(5) The State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services shall extend the expiration date of any license, permit, or registration issued for a deployed service member or his or her spouse for one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

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(6) The State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services shall allow for a full exemption from continuing education requirements for any individual listed in subdivision (g)(7) of this section, until one hundred eighty (180) days following the date of the uniformed service member's return from deployment.

(7) In order to allow for full exemption of continuing education, the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services may require evidence of completion of continuing education before granting a subsequent licensure or authorizing the renewal of the:

- (A) License;
- (B) Permit; or
- (C) Registration.

(h) Automatic licensure for new Arkansas residents.

(1) As used in this subsection:

(A) "Automatic occupational licensure" means the granting of an embalmer license, a funeral director license, a crematory retort operator license, an apprentice embalmer registration, or an apprentice funeral director registration to an individual who establishes residency in this state without the individual's having met occupational licensure requirements provided under Title 17 of the Arkansas Code or by State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services rules; and

(B) "Occupational licensure" means a license, permit, or registration that is required for an individual to engage in:

- (i) Apprenticeship;
- (ii) Embalming;
- (iii) Funeral directing; or
- (iv) Operating a crematory retort.

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(2) Unless otherwise stated in this part, this subsection applies to an individual who has:

(A) Occupational licensure in another state, territory, or district of the United States; and

(B) Has established a residence in this state.

(3) If the individual does not have a disqualifying criminal offense under Arkansas Code § 17-3-102 or any additional state law relating to the occupational licensure and does not have a complaint, allegation, or investigation pending for his or her occupational activity, the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services shall grant automatic licensure to engage in the science of embalming, the business of funeral directing, the operation of a crematory retort, or a registration as an apprentice embalmer or apprentice funeral director to an individual who is:

(A) The holder in good standing for one (1) year of:

(i) Licensure as:

(a) An embalmer;

(b) A funeral director;

(c) A crematory retort operator;

(d) An apprentice embalmer; or

(e) An apprentice funeral director; or

(ii) Other similar licensure issued by another state, territory,

or district of the United States; or

(B) An individual who worked:

(i) In another state, territory, or district of the United States that does not use an occupational licensure for:

(a) Embalmers;

(b) Funeral directors;

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- (c) Crematory retort operators;
 - (d) Apprentice embalmers; and
 - (e) Apprentice funeral directors; and
- (ii) At least three (3) years in an occupation similar to:
- (a) Embalming;
 - (b) Funeral directing;
 - (c) Operating a crematory retort;
 - (d) Apprentice embalming; or
 - (e) Apprentice funeral directing.

(4) An individual who is granted automatic licensure under this subsection shall meet all other occupational licensure requirements for a resident of this state and all renewal requirements of licensure by the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services, including without limitation the successful completion of a criminal background check and continuing education hours.

(5) Notwithstanding subdivisions (h)(3) and (h)(4) of this subsection, the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services may require an applicant to pass the Arkansas Laws, Rules, and Regulations Exam.

(6) The State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services may waive the requirement that the applicant pass the Arkansas Laws, Rules, and Regulations Exam if the State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services finds that:

- (A) The combination of the applicant's education, training, and experience is a sufficient substitute for the requirement; and
- (B) A waiver of the requirement will not harm public health, safety, or welfare.