

INSPECTIONS AND APPEALS DEPARTMENT[481]

Notice of Intended Action

**Proposing rulemaking related to continuing education for funeral directors
and providing an opportunity for public comment**

The Mortuary Science Board hereby proposes to amend Chapter 902, “Continuing Education for Funeral Directors,” Iowa Administrative Code.

Legal Authority for Rulemaking

This rulemaking is proposed under the authority provided in Iowa Code chapters 156 and 272C.

State or Federal Law Implemented

This rulemaking implements, in whole or in part, Iowa Code chapters 156 and 272C.

Purpose and Summary

This proposed rulemaking implements Iowa Code chapter 156 and section 272C.2 as amended by 2024 Iowa Acts, House File 2686. The subrule sets continuing education and training requirements for funeral directors and others employed by the funeral home. The intended benefit of this subrule is to ensure that licensees maintain up-to-date practice standards and, as a result, provide high-quality services to Iowans. The Board reviewed the continuing education requirements in the fall of 2023 pursuant to Executive Order 10. The subrule is being amended to comply with the statutory changes from 2024 Iowa Acts, House File 2686, allowing a licensee to carry over up to 50 percent of excess completed continuing education hours from the previous renewal cycle. This rulemaking would allow funeral directors the ability to carry over up to 12 hours of continuing education earned in excess of the 24 hours required every two years.

Regulatory Analysis

A Regulatory Analysis for this rulemaking was published in the Iowa Administrative Bulletin on October 30, 2024. A public hearing was held on the following date(s):

- November 19, 2024

Fiscal Impact

This rulemaking has no fiscal impact to the State of Iowa.

Jobs Impact

After analysis and review of this rulemaking, no impact on jobs has been found.

Waivers

Any person who believes that the application of the discretionary provisions of this rulemaking would result in hardship or injustice to that person may petition the Board for a waiver of the discretionary provisions, if any, pursuant to Chapter 6.

Public Comment

Any interested person may submit written or oral comments concerning this proposed rulemaking, which must be received by the Board no later than 4:30 p.m. on January 28, 2025. Comments should be directed to:

Michele Royer
Iowa Department of Inspections, Appeals, and Licensing

6200 Park Avenue
Des Moines, Iowa 50321
Phone: 515.229.3939
Fax: 515.281.7969
Email: michele.royer@dia.iowa.gov

Public Hearing

No public hearing is scheduled at this time. As provided in Iowa Code section 17A.4(1)“b,” an oral presentation regarding this rulemaking may be demanded by 25 interested persons, a governmental subdivision, the Administrative Rules Review Committee, an agency, or an association having 25 or more members.

Review by Administrative Rules Review Committee

The Administrative Rules Review Committee, a bipartisan legislative committee which oversees rulemaking by executive branch agencies, may, on its own motion or on written request by any individual or group, review this rulemaking at its [regular monthly meeting](#) or at a special meeting. The Committee’s meetings are open to the public, and interested persons may be heard as provided in Iowa Code section 17A.8(6).

The following rulemaking action is proposed:

ITEM 1. Rescind subrule 902.2(4) and adopt the following **new** subrule in lieu thereof:

902.2(4) Up to 50 percent of continuing education (a maximum of 12 hours) can be carried over into the next biennium if there was an amount of continuing education completed during the prior period that exceeded the minimum requirement. A licensee whose license was reactivated during the current renewal compliance period may use continuing education earned during the compliance period for the first renewal following reactivation.