

INSPECTIONS, APPEALS, AND LICENSING DEPARTMENT[481]

Regulatory Analysis

Notice of Intended Action to be published: 481—Chapter 902
“Continuing Education for Funeral Directors and Crematory Operators”

Iowa Code section(s) or chapter(s) authorizing rulemaking: 17A; 147; 156 as amended by 2026 Iowa Acts, Senate File 563; and 272C

State or federal law(s) implemented by the rulemaking: Iowa Code chapters 17A; 147; 156 as amended by 2026 Iowa Acts, Senate File 563; and 272C

Public Hearing

A public hearing at which persons may present their views orally or in writing will be held as follows:

November 3, 2026
9 a.m.

6200 Park Avenue
Des Moines, Iowa

Virtual participation information will be available on the Department of Inspections, Appeals, and Licensing’s website prior to the hearing.

Public Comment

Any interested person may submit written comments concerning this Regulatory Analysis, which must be received by the Department no later than 4:30 p.m. on the date of the public hearing. Comments should be directed to:

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Purpose and Summary

These proposed amendments set minimum standards for continuing education as a funeral director, a crematory operator or an establishment in Iowa. The purpose of this proposed rulemaking is to add guidelines for a crematory operator, which is a newly created licensing type through 2026 Iowa Acts, Senate File 563.

Analysis of Impact

1. Persons affected by the proposed rulemaking:

• Classes of persons that will bear the costs of the proposed rulemaking:

Licensees bear the costs of application fees, including initial and renewal fees, as well as costs related to educational requirements and examination requirements.

• Classes of persons that will benefit from the proposed rulemaking:

The general public and licensees benefit from this proposed rulemaking because the proposed amendments provide standards of practice and continuing education for the licensees to ensure the public is receiving quality services. The public and licensees also benefit from these proposed amendments because they maximize the safety of the public by now regulating the crematory operator.

2. Impact of the proposed rulemaking, economic or otherwise, including the nature and amount of all the different kinds of costs that would be incurred:

- **Quantitative description of impact:**

Educational institutions provide the academic training for funeral directors to obtain their license in the State of Iowa. Additional private industries and educational institutions provide examinations and materials for preparation for the examination. Because the cost of education is so variable depending on the institution the person attends, the Board of Mortuary Science is unable to put an exact cost on the cost of education or examination preparation.

- **Qualitative description of impact:**

Establishing minimum requirements for continuing education ensures safety for the licensee and consumer. Inaction would increase the potential for injury to the public by a licensee who is not qualified to perform the work in the field.

3. Costs to the State:

- **Implementation and enforcement costs borne by the agency or any other agency:**

Costs to the agency are for the staff time needed to manage Board activities, which include managing applications for initial licenses, renewals, and reinstatements. Staff salaries to support the work of the Board are covered by the Licensing and Regulation Fund. Licensing fees go to the fund to cover the operations of the regulated professional licensing boards.

- **Anticipated effect on State revenues:**

Costs associated with implementing these proposed amendments are paid by the State to develop a new license type in the database. This license type will generate revenue through licensing costs paid by the licensee. Crematory operators that are not already funeral directors will now need to become licensed and will pay licensing fees to the State.

Staff salaries to support the work of the Board are covered by the fund. Licensing fees go to the fund to cover the operations of the regulated professional licensing boards.

4. Comparison of the costs and benefits of the proposed rulemaking to the costs and benefits of inaction:

Establishing minimum licensing and continuing education requirements ensures that practitioners are competent to practice. Almost every person at some point will purchase or consume a funeral-related product or service. Without having an established threshold for entry into the profession, individuals who are not appropriately trained could have adverse effects on consumers who are making expensive decisions in stressful circumstances. The Board believes the benefits achieved justify the costs because it ensures Iowa consumers are protected.

5. Determination whether less costly methods or less intrusive methods exist for achieving the purpose of the proposed rulemaking:

On a national level, there is a wide variety of alternatives to licensure. Colorado previously only registered the establishment as opposed to the individual, and Colorado had several instances of bad behavior by individuals. Arkansas does not require a funeral director to obtain college credits as long as the funeral director completes an apprenticeship and passes the national examination. The Board believes that licensure of funeral directors, crematory operators and establishments is required to ensure a minimum competency of care is provided to Iowans. Licensure requirements could be reduced or eliminated for the purpose of lowering the bar of entry into the profession; however, the Board would be concerned about the public safety of Iowans in that scenario.

6. Alternative methods considered by the agency:

- **Description of any alternative methods that were seriously considered by the agency:**

The Board believes all current requirements ensure public safety and ensure a minimum competency of care is provided to Iowans. The crematory operator is an additional license type that will help ensure public safety. Licensure requirements could be reduced or eliminated for the purpose

of lowering the bar of entry into the profession; however, the Board would be concerned about the public safety of Iowans in that scenario.

- **Reasons why alternative methods were rejected in favor of the proposed rulemaking:**

The Board believes all current requirements ensure public safety and ensure a minimum competency of care is provided to Iowans. The crematory operator is an additional license type that will help ensure public safety. Licensure requirements could be reduced or eliminated for the purpose of lowering the bar of entry into the profession; however, the Board would be concerned about the public safety of Iowans in that scenario.

Small Business Impact

If the rulemaking will have a substantial impact on small business, include a discussion of whether it would be feasible and practicable to do any of the following to reduce the impact of the rulemaking on small business:

- Establish less stringent compliance or reporting requirements in the rulemaking for small business.
- Establish less stringent schedules or deadlines in the rulemaking for compliance or reporting requirements for small business.
- Consolidate or simplify the rulemaking's compliance or reporting requirements for small business.
- Establish performance standards to replace design or operational standards in the rulemaking for small business.
- Exempt small business from any or all requirements of the rulemaking.

If legal and feasible, how does the rulemaking use a method discussed above to reduce the substantial impact on small business?

This proposed rulemaking relates to high-stakes public safety concerns that are present whether the business is a small business or a large organization. This proposed rulemaking is meant to ensure public safety in terms of ongoing educational requirements for funeral directors and establishments. While some funeral directors may be operating a funeral or cremation establishment of their own, others will be working for a firm that owns multiple establishments. To exempt a small business from adhering to this proposed rulemaking would jeopardize any member of the public who sought services from that small business. The risk to the public is greater than the potential harm or cost to the small business.

Text of Proposed Rulemaking

ITEM 1. Amend **481—Chapter 902**, title, as follows:
CONTINUING EDUCATION FOR FUNERAL DIRECTORS AND CREMATORY OPERATORS

ITEM 2. Amend rule **481—902.1(272C)**, definition of “Licensee,” as follows:
“*Licensee*” means any person licensed to practice as a funeral director or crematory operator in the state of Iowa.

ITEM 3. Amend rule 481—902.2(272C) as follows:

481—902.2(272C) Continuing education requirements.

902.2(1) The biennial continuing education compliance period for funeral directors will extend for a two-year period beginning on the fifteenth day of the licensee’s birth month and ending on the fifteenth day of the licensee’s birth month. Each biennium, a person who holds an active funeral director license will be required to complete a minimum of 24 hours of continuing education activity. Two of the 24 hours of continuing education will be in current Iowa law and rules covering mortuary science content areas, including but not limited to Iowa law and rules governing the practice of mortuary science, cremation, vital statistics, cemeteries and preneed. A minimum of 12 hours of the

24 hours of continuing education required for renewal will be earned by completing a program in which an instructor conducts the class employing either in-person or live, real-time interactive media.

902.2(2) The continuing education compliance period for crematory operators will extend for a three-year period beginning on the fifteenth day of the licensee's birth month and ending on the fifteenth day of the licensee's birth month. Each licensing period, a person who holds an active crematory operator license will be required to complete a board-approved crematory operator refresher course that includes Iowa laws and rules.

902.2(2) **902.2(3)** Requirements of new licensees. Continuing education is not required in the first renewal period. Continuing education hours acquired any time from the initial licensing until the second license renewal may be used. The new funeral director licensee will be required to complete a minimum of 24 hours of continuing education per biennium for each subsequent license renewal.

902.2(3) **902.2(4)** Hours of continuing education credit may be obtained by attending and participating in a continuing education activity as stipulated in rule.

902.2(4) **902.2(5)** Up to 50 percent of continuing education for funeral directors (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.

902.2(5) **902.2(6)** It is the responsibility of each licensee to finance the cost of continuing education.

ITEM 4. Amend paragraph **902.3(2)“a”** as follows:

a. The following categories of continuing education for funeral directors are accepted:

(1) to (4) No change.

ITEM 5. Adopt the following **new** subrule 902.3(4):

902.3(4) *Crematory operator criteria.* A crematory operator must provide evidence of successful completion of the crematory operator's certification provided by the continuing education course sponsor.