

SENATE BILL REPORT

HB 2271

AS PASSED SENATE, MARCH 2, 1994

Brief Description: Providing for funeral director and embalmer disciplinary procedures.

SPONSORS: Representatives Springer and Chandler; by request of Department of Licensing

HOUSE COMMITTEE ON HEALTH CARE

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Majority Report: Do pass.

Signed by Senators Haugen, Chairman; Drew, Vice Chairman; Loveland, Oke, Owen and Winsley.

Staff: Diane Smith (786-7410)

Hearing Dates: February 18, 1994

BACKGROUND:

When the Department of Health was created in 1989, it received the transfer of health-related programs from the Department of Licensing. The funeral profession was not considered a health-related profession so was not transferred to the Department of Health. The Board of Funeral Directors and Embalmers has the responsibility of conducting disciplinary proceedings under the Uniform Disciplinary Act. This act, however, governs health professionals.

The funeral directors and embalmers regulatory statutes contain reference to certain prohibited acts which are to be subject to disciplinary proceedings under the Uniform Disciplinary Act. These prohibited acts are in addition to those prohibited by the Uniform Act.

SUMMARY:

The funeral directors and embalmers profession is removed from the purview of the Uniform Disciplinary Act. Disciplinary procedures and sanctions for unprofessional conduct are provided for funeral directors and embalmers that combine the prohibited acts in the licensing statute with provisions which parallel the disciplinary provisions of the Uniform Disciplinary Act, with several exceptions.

The new provisions remove references to health-related practices and do not include the voluntary substance abuse monitoring program. The requirement of the disciplinary authority to notify the media when a statement of charges is issued against a health professional is deferred until after

an order has been issued by the board finding that unprofessional conduct has occurred.

Appropriation: none

Revenue: none

Fiscal Note: requested January 14, 1994

TESTIMONY FOR:

Disciplinary procedures are important to the profession and the public. This bill combines the applicable sections of the Uniform Disciplinary Act with the types of unprofessional conduct historically prohibited under the licensing statutes and places the laws in one place in the Department of Licensing statutes.

TESTIMONY AGAINST: None

TESTIFIED: PRO: T. K. Bentler, Lola Franklin, WA State Funeral Directors; Jon Donnellan, Dept. of Licensing Business and Professions