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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2023

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A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- FUNERAL DIRECTOR/EMBALMER
AND FUNERAL SERVICE ESTABLISHMENTS

Introduced By: Representatives McGaw, Ajello, Speakman, Kislak, Cotter, Craven,
Kazarian, Carson, and Henries

Date Introduced: April 28, 2023

Referred To: House Corporations

It is enacted by the General Assembly as follows:

1 SECTION 1. Sections 5-33.2-1, 5-33.2-13, 5-33.2-13.1, 5-33.2-13.2, 5-33.2-15, 5-33.2-17
2 and 5-33.2-24 of the General Laws in Chapter 5-33.2 entitled "Funeral Director/Embalmer and
3 Funeral Service Establishments" are hereby amended to read as follows:

4 **5-33.2-1. Definitions.**

5 As used in this chapter:

6 (1) "Board" means the state board of funeral directors/embalmers.

7 (2) "Cremation" means a two-part (2) procedure where a dead human body or body parts
8 are reduced by direct flames to residue that includes bone fragments and the pulverization of the
9 bone fragments to a coarse powdery consistency.

10 (3) "Department" means the Rhode Island department of health.

11 (4) "[Disposition facility](#)" means a building or structure utilized for the reducing of human
12 remains by means of cremation or natural organic reduction.

13 ~~(4)~~(5) "Division" means the division of professional regulation created under chapter 26 of
14 this title.

15 ~~(5)~~(6) "Embalmer" means any person who has completed an internship; full course of study
16 at an accredited mortuary science school; has passed the national board examination; and is
17 engaged in the practice or profession of embalming, as defined in this section.

18 ~~(6)~~(7) "Embalming" means the practice, science, or profession of preserving, disinfecting,

1 and preparing in any manner dead human bodies for burial, cremation, or transportation.

2 ~~(7)~~(8) “Funeral” means a period following death in which there are religious services or
3 other rites or ceremonies with the body of the deceased present.

4 ~~(8)~~(9)(i) “Funeral directing” means:

5 (A) Conducting funeral services; or

6 (B) The arrangement for disposition of dead human bodies, except in the case of any
7 religion where the preparation of the body or the provision of funeral services should be done
8 according to religious custom or belief.

9 (ii) Only funeral directors/embalmers working for a licensed funeral establishment are
10 allowed to meet with families for the purpose of arranging funerals. Provided, that any person who
11 assumed an ownership interest from his or her spouse or any widow or widower of a licensed
12 funeral director who at the time of November 1, 1995, has been meeting with families to arrange
13 for the conducting of funeral services is allowed to continue this practice.

14 ~~(9)~~(10) “Funeral director/embalmer” means any person engaged, or holding himself or
15 herself out as engaged, in the practice or profession of funeral directing, and the science, practice,
16 or profession of embalming as previously defined, including a funeral director of record, who may
17 be a funeral director at more than one establishment or any other word or title intending to imply
18 or designate him or her as a funeral director/embalmer, undertaker, or mortician. The holder of this
19 license must be the holder of an embalmer’s license.

20 ~~(10)~~(11) “Funeral director/embalmer intern” means any person engaged in learning the
21 practice or profession of funeral directing and the science, practice, or profession of embalming
22 under the instruction and supervision of a funeral director/embalmer licensed and registered under
23 the provisions of this chapter and actively engaged in the practice or profession of funeral directing
24 and embalming in this state.

25 ~~(11)~~(12) “Funeral establishment” means a fixed place, establishment, or premises, licensed
26 by the department, devoted to the activities that are incident, convenient, or related to the care and
27 preparation, arrangement, financial and otherwise, for the funeral, transportation, burial, or other
28 disposition of human dead bodies and including, but not limited to, a suitable room with all
29 instruments and supplies used for the storage or preparation of dead human bodies for burial or
30 other disposition.

31 ~~(12)~~(13) “Funeral merchandise” means those items that are normally presented for sale as
32 part of the funeral home operation on a for-profit basis. These items include caskets, sealed,
33 warranted outer-burial containers, and burial clothing. Not included are urns, grave markers, and
34 non-sealed outer-burial containers. All persons engaged in the sale of funeral merchandise must

1 comply with the provisions of chapter 33.1 of this title.

2 (14) "Natural organic reduction (NOR)" means the contained, accelerated conversion of
3 human remains to soil.

4 (15) "Natural organic reduction facility" means a structure, room or other space in a
5 building or real property where natural organic reduction of a human body occurs.

6 ~~(13)~~(16) "Person" includes individuals, partnerships, corporations, limited-liability
7 companies, associations, and organizations of all kinds.

8 ~~(14)~~(17) "Practice of funeral service" means a person engaging in providing shelter, care,
9 and custody of human dead remains; in the practice of preparing of the human dead remains by
10 embalming or other methods for burial or other disposition; in entering into a funeral service
11 contract; engaging in the functions of funeral directing and/or embalming as presently known,
12 including those stipulated within this chapter and as defined in the Federal Trade Commission
13 "Funeral Rule." The practice of conducting funeral services shall be conducted in the presence of
14 a licensed funeral director/embalmer.

15 ~~5-33.2-13. Funeral establishment and branch officer — Crematories — Inspections~~
16 ~~— Denial of access. Funeral establishment and branch officer — Disposition facilities —~~
17 Inspections — Denial of access.

18 (a) Any licensed funeral director/embalmer employed, authorized, and empowered by the
19 division of professional regulation may enter any funeral establishment, funeral-establishment
20 branch office, or ~~crematory~~ disposition facility licensed under the provisions of this chapter, during
21 the hours the funeral establishment, funeral-establishment branch office, or ~~crematory~~ disposition
22 facility is open for business, for the purpose of inspecting the sanitary conditions, complaint
23 investigations, and ascertaining if the provisions of this chapter and the rules and regulations are
24 being observed in the operation of the funeral establishment, funeral-establishment branch office,
25 or ~~crematory~~ disposition facility. The inspector may request permission from the department to be
26 accompanied by another employee of the department of health prior to an inspection. Failure or
27 refusal of the person in charge of that funeral establishment, funeral-establishment branch office,
28 or ~~crematory~~ disposition facility to permit the inspection at all reasonable times shall be deemed
29 sufficient cause for the revocation of any license issued to the funeral establishment, funeral-
30 establishment branch office, or ~~crematory~~ disposition facility and any certificate of approval issued
31 by the division.

32 (b) Funeral establishments and branch offices and ~~crematories~~ disposition facilities
33 licensed under the provisions of this chapter shall be inspected at least twice each year. Inspections
34 shall include all areas of sanitation and public health, complaint investigations, as well as

1 conformity with applicable section of this chapter and the rules and regulations.

2 **5-33.2-13.1. Crematories—License and inspection. Disposition facilities — License**
3 **and inspection.**

4 No ~~crematory~~ disposition facility owned or operated by or located on property licensed as
5 a funeral establishment or at another location or by a cemetery shall conduct cremations or natural
6 organic reduction without first having applied for and obtained a license from the department.
7 Applications for the ~~crematory~~ disposition facility license shall be made on forms furnished by the
8 division accompanied by the application fee as set forth in § 23-1-54. Upon receipt of a completed
9 application, the department shall issue a license. A license shall be issued to a specific licensee for
10 a specific location and is not transferable. The facility and licensee shall meet all requirements as
11 prescribed by the rules and regulations established by the department, not inconsistent with this
12 chapter.

13 **5-33.2-13.2. Cremation of human remains. Disposition of human remains.**

14 (a)(1) ~~Cremation~~ Disposition shall not take place until the necessary permits and consents
15 are issued pursuant to § 23-3-18.

16 (2) A ~~crematory~~ disposition facility shall not take custody of unidentified human remains.

17 (3) ~~Human remains designated for cremation shall be cremated without unreasonable~~
18 ~~delay.~~ Disposition of human remains shall occur without unreasonable delay.

19 (4) When the ~~crematory~~ disposition facility is unable to ~~cremate~~ initiate the disposition
20 process of the human remains immediately upon taking custody, the ~~crematory~~ disposition facility
21 shall provide a holding facility that complies with any applicable public health law and that
22 preserves the dignity of the human remains.

23 (5) Holding facilities must be secure from access by all unauthorized persons.

24 (6) A ~~crematory~~ disposition facility shall not simultaneously ~~cremate~~ conduct the process
25 of reduction of human remains of more than one human remain within the same ~~cremation~~
26 disposition chamber. The processing, packaging, storage, and disposition of ~~cremated~~ remains
27 following cremation or natural organic reduction shall be as prescribed in the rules and regulations
28 promulgated by the department of health division of professional regulation.

29 (7) A ~~crematory~~ disposition facility or funeral home shall be authorized to dispose of the
30 ~~cremated~~ remains following cremation or natural organic reduction that have been abandoned at
31 the ~~crematory~~ disposition facility or funeral home for more than six (6) months. All reasonable
32 attempts must be made and diligence exercised to contact the person in charge who authorized the
33 cremation.

34 (b) This section does not apply to the cremation of various body parts from different human

1 bodies.

2 **5-33.2-15. Annual renewal of licenses.**

3 All licenses issued under the provisions of this chapter must be renewed annually by their
4 holders, who shall pay to the division a yearly renewal fee for the renewal of a funeral
5 director/embalmer's license, and additional fees for each funeral-establishment branch office
6 license and for the ~~crematory~~ [disposition facility](#) license. These fees are as set forth in § 23-1-54.
7 On or before the fifteenth day of November in each year, the division shall mail to each licensed
8 funeral director/embalmer and to each licensed funeral establishment, funeral-establishment branch
9 office, and ~~crematory~~ [disposition facility](#) an application for the renewal. Applications, accompanied
10 by the fee for renewal, shall be filed with the division on or before the thirty-first day of December
11 in each year. Applications filed after the thirty-first of December and on or before the fifteenth of
12 January must be accompanied by a fee as set forth in § 23-1-54 for funeral director/embalmers and
13 funeral establishments in addition to the previously established renewal fees. Any funeral
14 director/embalmer who acts or holds himself or herself out as a funeral director/embalmer after his
15 or her certificate has been lapsed shall be punished as provided in this chapter. Any funeral
16 establishment, funeral-establishment branch office, or ~~crematory~~ [disposition facility](#) that acts or
17 holds itself out as a funeral establishment after its license has lapsed shall be punished as provided
18 in this chapter.

19 **5-33.2-17. Revocation or suspension of license.**

20 (a) The division has the power to refuse to issue or may revoke or suspend any license
21 issued by it under this chapter, after written notification and a hearing before the board for gross
22 incompetency, for unprofessional conduct, which is defined to include:

23 (1) Conviction of a felony;

24 (2) Misrepresentations made of services, goods, or of funeral prices or fraud committed as
25 a holder of a license for the practice of embalming, funeral directing, or the holder of a license as a
26 funeral establishment, funeral-establishment branch, or ~~crematory~~ [disposition facility](#);

27 (3) False or misleading advertising as the holder of a license for the practice of embalming,
28 funeral directing, or the holder of a license as a funeral establishment, funeral-establishment branch,
29 or ~~crematory~~ [disposition facility](#); violating any regulations relating to "truth in advertising"; or
30 failure to do the following:

31 (i) List only full-time employees or those having an ownership interest in the
32 advertisements including his or her title, which clearly identifies one's duties;

33 (ii) List the name of the funeral director of record for the establishment in all advertising;

34 (iii) A deceased founder may be listed in advertisements with the notation "founder"

1 following the name;

2 (4) Solicitation of dead human bodies by any licensed embalmer, funeral director, funeral
3 attendant, or the holder of license as a funeral establishment, funeral-establishment branch or
4 ~~crematory~~ [disposition facility](#), its agents, assistants, or employees, whether the solicitation occurs
5 after death or while death is impending; provided, that this does not prohibit general advertising;

6 (5) Employment directly or indirectly of any intern, agent, assistant, employee, or other
7 person, on part or full-time, or on commission, for the purpose of calling upon individuals or
8 institutions by whose influence dead human bodies may be turned over to a particular funeral
9 establishment;

10 (6) The direct or indirect payment or offer of payment of a commission by any funeral
11 establishment, funeral-establishment branch, or ~~crematory~~ [disposition facility](#), its agents, assistants,
12 or employees for the purpose of securing business;

13 (7) Solicitation or acceptance by a licensed funeral director/embalmer, or the holder of a
14 license as a funeral establishment, funeral-establishment branch, or ~~crematory~~ [disposition facility](#),
15 of any commission or bonus or rebate in consideration of recommending or causing a dead human
16 body to be disposed of in any ~~crematory~~ [disposition facility](#), mausoleum, or cemetery;

17 (8) Using any funeral merchandise previously used in whole or in part without prior written
18 permission of the person selecting and/or paying for the use of the merchandise;

19 (9) Violation of any of the provisions of this chapter;

20 (10) Violation of any state law or rule and regulation affecting the handling, custody, care,
21 transportation, or final disposition of dead human bodies;

22 (11) Fraud or misrepresentation in obtaining or renewing a license;

23 (12) Refusing to properly release a dead human body to the custody of the person or entity
24 who has the legal right to effect the release and authorized cost has been paid;

25 (13) Aiding or abetting an unlicensed person to practice funeral directing and embalming
26 or holding oneself out as a licensed funeral director/embalmer;

27 (14) Failure to secure any required permit for removal or burial of dead human remains
28 prior to interment or final disposition;

29 (15) Knowingly making any false statement on a certificate of death;

30 (16) Violation of chapter 33.1 of this title entitled "Funeral Service Contracts";

31 (17) Discriminating in services because of race, creed, color, or national origin;

32 (18) Permitting non-funeral service licensees to make arrangements for a funeral prior to,
33 or at, need unless exempted under chapter 33.1 of this title or a registered intern under the
34 supervision of a licensee;

1 (19) Substantial or repeated violations of the rules and regulations of the Federal Trade
2 Commission and/or the Occupational Safety and Health Administration, or for other violations
3 deemed sufficient; provided, that before any license is revoked or suspended, the license holder
4 shall have notice, in writing, of the charge or charges against him or her and shall have reasonable
5 opportunity to be heard in his or her defense.

6 (b) Any person whose certificate has been revoked or suspended may apply to have the
7 certificate reissued, and the certificate shall be reissued to him or her upon a satisfactory showing
8 that disqualification has ceased.

9 **5-33.2-24. Proper authority for funeral arrangements and disposition of human**
10 **remains.**

11 Every licensed funeral director/embalmer, licensed funeral establishment, licensed
12 ~~crematory~~ [disposition facility](#), and cemetery shall comply with the following rules with respect to
13 proper authority for funeral arrangements and disposition of human remains:

14 (1) If a licensed funeral establishment is a party to a funeral service contract, as defined in
15 § 5-33.1-2, for the benefit of a deceased person, only when executed by the principal, him or herself,
16 and the contract is still in effect at the time of that person's death, the terms of that contract shall
17 control the nature of the funeral goods and services to be provided; the manner in which funeral
18 services are to be conducted for the deceased; and the final disposition of the deceased person's
19 remains to the full extent provided in that contract. When the contract is executed by the principal,
20 him or herself, and specifies cremation [or natural organic reduction](#) as the chosen disposition, the
21 contract is considered sufficient legal authorization for cremation [or natural organic reduction](#). No
22 licensed funeral establishment, licensed ~~crematory~~ [disposition facility](#), or cemetery, nor any of its
23 agents or employees, may cancel or materially alter any of the arrangements specified in that
24 contract, even if requested to do so by a member of the deceased person's family or a funeral
25 planning agent designated pursuant to chapter 33.3 of this title unless compliance with the terms of
26 the original contract would result in a violation of any applicable federal, state, or local law or
27 regulation, notwithstanding the provisions of this chapter.

28 (2) To the extent that there is no funeral service contract in effect at the time of death for
29 the benefit of the deceased person, indicating the wishes of the deceased person with respect to the
30 nature of the funeral goods and services to be provided, the manner in which funeral services are
31 to be conducted, or the final disposition of the deceased person's remains, then the funeral
32 establishment and its agents or employees shall follow the directions of the deceased person's
33 survivors in the following order of priority:

34 (i) An agent designated pursuant to chapter 33.3 of this title, if any;

- 1 (ii) The surviving spouse or domestic partner of the deceased;
- 2 (iii) The surviving adult children of the deceased;
- 3 (iv) The surviving parent(s) of the deceased over the age of eighteen (18), or, if the
4 deceased is a minor, and there is a custody order relative to that child, the custodial parent, after he
5 or she signs an affidavit attesting that he or she does not know the whereabouts of the other parent;
- 6 (v) The surviving brother(s) or sister(s) of the deceased;
- 7 (vi) The surviving adult grandchildren of the deceased;
- 8 (vii) The surviving adult niece(s) or nephew(s) of the deceased;
- 9 (viii) The guardian of the person of the deceased at the time of his or her death.
- 10 (3) All licensed funeral directors/embalmers, licensed funeral establishments, licensed
11 ~~crematories~~ disposition facilities, cemeteries, and all their agents and employees shall be held
12 harmless, and shall not be subject to civil suit, either as individual(s), partnership(s), or
13 corporation(s), for complying with the provisions of this chapter.
- 14 (4) For the purpose of this chapter, “domestic partner” shall be defined as a person who,
15 prior to the decedent’s death, was in an exclusive, intimate, and committed relationship with the
16 decedent and who certifies by affidavit that their relationship met the following qualifications:
- 17 (i) Both partners were at least eighteen (18) years of age and were mentally competent to
18 contract;
- 19 (ii) Neither partner is married to anyone else;
- 20 (iii) Partners were not related by blood to a degree that would prohibit marriage in the state
21 of Rhode Island;
- 22 (iv) Partners resided together and had resided together for at least one year at the time of
23 death; and
- 24 (v) Partners were financially interdependent as evidenced by at least two (2) of the
25 following:
- 26 (A) Domestic partnership agreement or relationship contract;
- 27 (B) Joint mortgage or joint ownership of primary residence;
- 28 (C) Two (2) of the following:
- 29 (I) Joint ownership of motor vehicle;
- 30 (II) Joint checking account;
- 31 (III) Joint credit account;
- 32 (IV) Joint lease; and/or
- 33 (D) The domestic partner had been designated as a beneficiary for the decedent’s will,
34 retirement contract, or life insurance.

1 SECTION 3. Section 23-1-54 of the General Laws in Chapter 23-1 entitled "Department
2 of Health" is hereby amended to read as follows:

3 **23-1-54. Fees payable to the department of health.**

4 Fees payable to the department shall be as follows:

5	PROFESSION	RIGL Section	Description of Fee	FEE
6	Barbers/hairdressers	5-10-10(a)	Renewal application	\$25.00
7	Barbers/hairdressers	5-10-10(a)	Renewal application:	
8	Manicuring		Instructors and mani-	\$25.00
9			curists	
10	Barbers/hairdressers	5-10-10(b)	Minimum late renewal	\$25.00
11			fee	
12	Barbers/hairdressers	5-10-10(b)	Maximum late renewal	\$100.00
13			fee	
14	Barbers/hairdressers	5-10-11[c]	Application fee	\$25.00
15	Barbers/hairdressers	5-10-11[c]	Application fee: mani-	
16			curing	
17			Instructors and mani-	\$25.00
18			curists	
19	Barbers/hairdressers	5-10-13	Demonstrator's permit	\$90.00
20	Barbers/hairdressers	5-10-15	Shop license: initial	\$170.00
21	Barbers/hairdressers	5-10-15	Shop license: renewal	\$170.00
22	Veterinarians	5-25-10	Application fee	\$40.00
23	Veterinarians	5-25-11	Examination fee	\$540.00
24	Veterinarians	5-25-12(a)	Renewal fee	\$580.00
25	Veterinarians	5-25-12[c]	Late renewal fee	\$120.00
26	Podiatrists	5-29-7	Application fee	\$240.00
27	Podiatrists	5-29-11	Renewal fee: minimum	\$240.00
28	Podiatrists	5-29-11	Renewal fee: maximum	\$540.00
29	Podiatrists	5-29-13	Limited registration	\$65.00
30	Podiatrists	5-29-14	Limited registration:	
31			Academic faculty	\$240.00
32	Podiatrists	5-29-14	Application fee:	
33			Renewal minimum	\$240.00
34	Podiatrists	5-29-14	Application fee:	

1			Renewal maximum	\$440.00
2	Chiropractors	5-30-6	Examination fee:	\$210.00
3	Chiropractors	5-30-7	Examination exemp-	\$210.00
4			tion fee:	
5	Chiropractors	5-30-8(b)	Exam Physiotherapy	\$210.00
6	Chiropractors	5-30-8(b)	Exam chiro and	\$210.00
7			physiotherapy	
8	Chiropractors	5-30-12	Renewal fee	\$210.00
9	Dentists/dental hygien-	5-31.1-6(d)	Dentist: application fee	\$965.00
10	ists			
11	Dentists/dental hygien-	5-31.1-6(d)	Dental hygienist:	
12	ists		application fee	\$65.00
13	Dentists/dental hygien-	5-31.1-6(d)	Reexamination: dentist	\$965.00
14	ists			
15	Dentists/dental hygien-	5-31.1-6(d)	Reexamination:	
16	ists		hygienist	\$65.00
17	Dentists/dental hygien-	5-31.1-21(b)	Reinstatement fee	\$90.00
18	ists		dentist	
19	Dentists/dental hygien-	5-31.1-21(b)	Reinstatement fee	\$90.00
20	ists		hygienist	
21	Dentists/dental hygien-	5-31.1-21(c)	Inactive status: dentist	\$220.00
22	ists			
23	Dentists/dental hygien-	5-31.1-21(c)	Inactive status:	
24	ists		hygienist	\$40.00
25	Dentists/dental hygien-	5-31.1-22	Limited registration	\$65.00
26	ists			
27	Dentists/dental hygien-	5-31.1-23[c]	Limited reg:	
28	ists			
29			Academic faculty	\$965.00
30	Dentists/dental hygien-	5-31.1-23[c]	Limited reg:	
31	ists			
32			Academic faculty	\$500.00
33			renewal	
34	Electrolysis	5-32-3	Application fee	\$25.00

1	Electrolysis	5-32-6(b)	Renewal fee	\$25.00
2	Electrolysis	5-32-7	Reciprocal license fee	\$25.00
3	Electrolysis	5-32-17	Teaching license	\$25.00
4	Funeral directors/em-	5-33.2-12	Funeral establishment	\$120.00
5	balmers		license	
6	Funeral services estab-			
7	lishments			
8	Funeral directors/em-	5-33.2-15	Renewal: funeral/direc-	\$90.00
9	balmers		tor	
10	Funeral services estab-		embalmer	\$30.00
11	lishments			
12	Funeral directors/em-	5-33.2-12	Funeral branch ofc	\$90.00
13	balmers		license	
14	Funeral directors/em-	5-33.2-13.1	Crematories Disposition	
15	balmers		Facilities : applica-	\$120.00
16			tion fee	
17	Funeral services estab-			
18	lishments			
19	Funeral directors/em-	5-33.2-15	Renewal: funeral/direc-	
20	balmers		tor	
21	Funeral Svcs establish-		establishment	\$120.00
22	ments			
23	Funeral directors/em-	5-33.2-15	Additional branch	
24	balmers		office	
25	Funeral services Estab-		licenses	\$120.00
26	lishments			
27	Funeral directors/em-	5-33.2-15	Crematory Disposition facility renewal fee	
28	balmers			
29	Funeral svcs establish-			\$120.00
30	ments			
31	Funeral directors/em-	5-33.2-15	Late renewal fee	
32	balmers			
33	Funeral svcs establish-		(All license types)	\$25.00
34	ments			

1	Funeral directors/em-	5-33.2-16(a)	Intern registration fee	
2	balmers			
3	Funeral Services estab-			\$25.00
4	lishments			
5	Nurses	5-34-12	RN Application fee	\$135.00
6	Nurses	5-34-16	LPN Application fee	\$45.00
7	Nurses	5-34-19	Renewal fee: RN	\$135.00
8	Nurses	5-34-19	Renewal fee: LPN	\$45.00
9	Nurses	5-34-37	RNP application fee	\$80.00
10	Nurses	5-34-37	RNP renewal fee	\$80.00
11	Nurses	5-34-37	RNP prescriptive privi-	\$65.00
12			leges	
13	Nurses	5-34-40.3	Clin nurse spec appli-	\$80.00
14			cation	
15	Nurses	5-34-40.3	Clin nurse spec	\$80.00
16			renewal	
17	Nurses	5-34-40.3	Clin nurse spec Rx	\$65.00
18			privilege	
19	Nurse anesthetists	5-34.2-4(a)	CRNA application fee	\$80.00
20	Nurse anesthetists	5-34.2-4(b)	CRNA renewal fee	\$80.00
21	Optometrists	5-35.1-4	Application fee	\$280.00
22	Optometrists	5-35.1-7	Renewal fee	\$280.00
23	Optometrists	5-35.1-7	Late fee	\$90.00
24	Optometrists	5-35.1-7	Reactivation of license	\$65.00
25			fee	
26	Optometrists	5-35.1-19(b)	Violations of section	\$650.00
27	Optometrists	5-35.1-20	Violations of chapter	\$260.00
28	Opticians	5-35.2-3	Application fee	\$30.00
29	Physicians	5-37-2	Application fee	\$1,090.00
30	Physicians	5-37-2	Re-examination fee	\$1,090.00
31	Physicians	5-37-10(b)	Late renewal fee	\$170.00
32	Physicians	5-37-16	Limited registration	\$65.00
33			fee	
34	Physicians	5-37-16.1	Ltd reg: academic	\$600.00

1			faculty	
2	Physicians	5-37-16.1	Ltd reg: academic	
3			Faculty renewal	\$170.00
4	Acupuncture	5-37.2-10	Application fee	\$310.00
5	Acupuncture	5-37.2-13(4)	Acupuncture assistant	\$310.00
6			Licensure fee	\$170.00
7	Social workers	5-39.1-9	Application fee	\$70.00
8	Social workers	5-39.1-9	Renewal fee	\$70.00
9	Physical therapists	5-40-8	Application fee	\$155.00
10	Physical therapists	5-40-8.1	Application: physical	\$50.00
11			therapy assistants	
12	Physical therapists	5-40-10(a)	Renewal fee:	
13			Physical therapists	\$155.00
14	Physical therapists	5-40-10(a)	Renewal fee: Physical	
15			therapy	
16			assistants	\$50.00
17	Physical therapists	5-40-10[c]	Late renewals	\$50.00
18	Occupational thera-	5-40.1-12(2)	Renewal fee	\$140.00
19	pists			
20	Occupational thera-	5-40.1-12(5)	Late renewal fee	\$50.00
21	pists			
22	Occupational thera-	5-40.1-12(b)	Reactivation fee	\$140.00
23	pists			
24	Occupational thera-	5-40.1-13	Application fee	\$140.00
25	pists			
26	Psychologists	5-44-12	Application fee	\$230.00
27	Psychologists	5-44-13	Temporary permit	\$120.00
28	Psychologists	5-44-15[c]	Renewal fee	\$230.00
29	Psychologists	5-44-15(e)	Late renewal fee	\$50.00
30	Nursing home adminis-	5-45-10	Renewal fee	\$160.00
31	trators			
32	Speech pathologist/au-	5-48-1(14)	Speech lang support	
33	diologists		personnel:	
34			late filing	\$90.00

1	Speech pathologist/au-	5-48-9(a)	Application fee: Audiol-	\$65.00
2	diologists		ogist	
3	Speech pathologist/au-	5-48-9(a)	Application fee:	
4	diologists			
5			Speech Pathologist	\$145.00
6	Speech pathologist/au-	5-48-9(a)	Renewal fee: Audiolo-	\$65.00
7	diologists		gist	
8	Speech pathologist/au-	5-48-9(a)	Renewal fee: Speech	\$145.00
9	diologists		Pathologist	
10	Speech pathologist/au-	5-48-9(a)	Provisional license:	
11	diologists		renewal fee	\$65.00
12	Speech pathologist/au-	5-48-9(b)	Late renewal fee	\$50.00
13	diologists			
14	Speech pathologist/au-	5-48-9(d)(1)	Reinstatement fee:	
15	diologists		audiologist	\$65.00
16	Speech pathologist/au-	5-48-9(d)(1)	Reinstatement fee:	
17	diologists		audiologist	\$65.00
18			speech pathologists	\$145.00
19			personnel: late filing	\$65.00
20	Hearing aid dealers/	5-49-6(a)	License endorsement	
21	fitters			
22			Examination fee	\$25.00
23	Hearing aid dealers/	5-49-8(b)	Temporary permit fee	\$25.00
24	fitters			
25	Hearing aid dealers/	5-49-8(d)	Temporary permit	\$35.00
26	fitters		renewal fee	
27	Hearing aid dealers/	5-49-11(a)(1)	License fee	\$25.00
28	fitters			
29	Hearing aid dealers/	5-49-11(b)	License renewal fee	\$25.00
30	fitters			
31	Hearing aid dealers/	5-49-11[c]	License renewal late	\$25.00
32	fitters		fee	
33	Physician assistants	5-54-9(4)	Application fee	\$110.00
34	Physician assistants	5-54-11(b)	Renewal fee	\$110.00

1	Orthotics/prosthetic practice	5-59.1-5	Application fee	\$120.00
2				
3	Orthotics/prosthetic practice	5-59.1-12	Renewal fee	\$120.00
4				
5	Athletic trainers	5-60-11	Application fee	\$60.00
6	Athletic trainers	5-60-11	Renewal fee	\$60.00
7	Athletic trainers	5-60-11	Late renewal fee	\$25.00
8	Mental health counselors/	5-63.2-16	Application fee: Marriage/	
9			riage/	
10	Marriage and family therapists		Family therapist	\$130.00
11				
12	Mental health counselors/	5-63.2-16	Application fee: Mental	
13				
14	Marriage and family therapists		Health counselors	\$70.00
15				
16	Mental health counselors/	5-63.2-16	Reexamination fee:	
17				
18	Marriage and family therapists		Marriage/family therapist	\$130.00
19				
20	Mental health counselors/	5-63.2-16	Reexamination fee:	
21				
22	Marriage and family therapists		Mental health counselors	\$70.00
23				
24	Mental health counselors/	5-63.2-17(a)	Renewal fee: Marriage/	
25				
26	Marriage and Family therapists		Family therapist	\$130.00
27				
28	Mental health counselors/	5-63.2-17(a)	Renewal fee:	
29				
30	Marriage and Family therapist		Mental health counselor	\$50.00
31				
32	Mental health counselors/	5-63.2-17(b)	Late renewal fee:	
33				
34	Marriage and Family		Marriage and family	\$90.00

1	therapist		therapist	
2	Dieticians/nutritionists	5-64-6(b)	Application fee	\$75.00
3	Dieticians/nutritionists	5-64-7	Graduate status:	
4			Application fee:	\$75.00
5	Dieticians/nutritionists	5-64-8	Renewal fee	\$75.00
6	Dieticians/nutritionists	5-64-8	Reinstatement fee	\$75.00
7	Radiologic technolo-	5-68.1-10	Application fee maxi-	\$190.00
8	gists		mum	
9	Licensed chemical de-	5-69-9	Application fee	\$75.00
10	pendency professionals			
11	Licensed chemical de-	5-69-9	Renewal fee	\$75.00
12	pendency professionals			
13	Licensed chemical	5-69-9	Application fee	\$75.00
14	Licensed chemical	5-69-9	Application fee	\$75.00
15	dependency clinical su-			
16	pervisor			
17	Licensed chemical	5-69-9	Renewal fee	\$75.00
18	dependency clinical su-			
19	pervisor			
20	Deaf interpreters	5-71-8(a)(3)	License fee maximum	\$25.00
21	Deaf interpreters	5-71-8(a)(3)	License renewal fee	\$25.00
22	Milk producers	21-2-7(g)(1)	In-state milk processor	\$160.00
23	Milk producers	21-2-7(g)(2)	Out-of-state milk pro-	\$160.00
24			cessor	
25	Milk producers	21-2-7(g)(3)	Milk distributors	\$160.00
26	Frozen desserts	21-9-3(1)	In-state wholesale	\$550.00
27	Frozen desserts	21-9-3(2)	Out-of-state wholesale	\$160.00
28	Frozen desserts	21-9-3(3)	Retail frozen dess pro-	\$160.00
29			cessors	
30	Meats	21-11-4	Wholesale	\$160.00
31	Meats	21-11-4	Retail	\$40.00
32	Shellfish packing	21-14-2	License fee:	
33	houses			
34			Shipper/reshipper	\$320.00

1	Shellfish packing	21-14-2	License fee:	
2	houses			
3			Shucker packer/	\$390.00
4			repacker	
5	Non-alcoholic bottled	21-23-2	Bottler permit	
6	beverages, drinks &			\$550.00
7	juices			
8	Non-alcoholic bottled	21-23-2	Bottle apple cider fee	
9	beverages, drinks and			\$60.00
10	juices			
11	Farm home food manu-	21-27-6.1(4)	Registration fee	\$65.00
12	facturers			
13	Cottage Food Manu-	21-27-6.2(4)	Registration fee	\$65.00
14	facturers			
15	Food businesses	21-27-10(e)(1)	Food processors whole-	\$300.00
16			sale	
17	Food businesses	21-27-10(e)(2)	Food processors retail	\$120.00
18	Food businesses	21-27-10(e)(3)	Food service establish-	
19			ments	
20			50 seats or less	\$160.00
21	Food businesses	21-27-10(e)(3)	Food service establish-	
22			ments	
23			more than 50 seats	\$240.00
24	Food businesses	21-27-10(e)(3)	Mobile food service	\$100.00
25			units	
26	Food businesses	21-27-10(e)(3)	Industrial caterer or	
27			food vending	
28			Machine commissary	\$280.00
29	Food businesses	21-27-10(e)(3)	Cultural heritage	
30			educational	
31			Facility	\$80.00
32	Food businesses	21-27-10(e)(4)	Vending Machine	
33			Location	
34			3 units or less	\$50.00

1	Food businesses	21-27-10(e)(4)	Vending Machine	
2			Location 4-10 units	\$100.00
3	Food businesses	21-27-10(e)(4)	Vending Machine	
4			Location = 11 units	\$120.00
5	Food businesses	21-27-10(e)(5)	Retail Mkt	
6			1-2 cash registers	\$120.00
7	Food businesses	21-27-10(e)(5)	Retail Market	
8			3-5 cash registers	\$240.00
9	Food businesses	21-27-10(e)(5)	Retail Market = 6	
10			Cash registers	\$510.00
11	Food businesses	21-27-10(e)(6)	Retail food peddler	\$100.00
12	Food businesses	21-27-10(e)(7)	Food warehouses	\$190.00
13	Food businesses	21-27-11.2	Certified food safety	\$50.00
14			mgr	
15	License verification fee	23-1-16.1	All license types	\$50.00
16	Tattoo and body pierc-	23-1-39	Annual registration	
17	ing		fee:	
18			Person	\$90.00
19	Tattoo and body pierc-	23-1-39	Annual registration	
20	ing		fee:	
21			establishment	\$90.00
22	Vital records	23-3-25(a)(1)	Certificate of birth,	
23			fetal death,	
24			death, marriage, birth,	
25			or	
26			Certification that such	
27			record	
28			Cannot be found	\$20.00
29	Vital records	23-3-25(a)(1)	Each duplicate of	
30			certificate	
31			of birth, fetal death,	
32			death, marriage,	
33			birth, or certification	
34			that such record	

1			cannot be found	\$15.00
2	Vital records	23-3-25(a)(2)	Each additional	
3			calendar year	
4			Search, if within 3	
5			months of	
6			original search and if	
7			receipt of original	
8			search presented	\$2.00
9	Vital records	23-3-25(a)(3)	Expedited service	\$7.00
10	Vital records	23-3-25(a)(4)	Adoptions, legitima-	
11			tions, or	
12			Paternity determina-	\$15.00
13			tions	
14	Vital records	23-3-25(a)(5)	Authorized corrections,	
15			Alterations, and addi-	\$10.00
16			tions	
17	Vital records	23-3-25(a)(6)	Filing of delayed record	
18			and	
19			Examination of docu-	
20			mentary	
21			Proof	\$20.00
22	Vital records	23-3-25(a)(6)	Issuance of certified	
23			copy	
24			of a delayed record	\$20.00
25	Medical Examiner	23-4-13	Autopsy reports	\$40.00
26	Medical Examiner	23-4-13	Cremation or natural organic reduction	
27			certificates and statistics	\$30.00
28	Medical Examiner	23-4-13	Testimony in civil	
29			suits:	
30			Minimum/day	\$650.00
31	Medical Examiner	23-4-13	Testimony in civil	
32			suits:	
33			Maximum/day	\$3,250.00
34	Emergency medical	23-4.1-10[c]	Annual fee: ambulance	

1	technicians			
2			service maximum	\$540.00
3	Emergency medical	23-4.1-10[c]	Annual fee: vehicle	
4	technicians		license	
5			maximum	\$275.00
6	Emergency medical	23-4.1-10[c]	Triennial fee: EMT	
7	technicians		license	
8			maximum	\$120.00
9	Emergency medical	23-4.1-10(c)(2)	Exam fee maximum:	\$120.00
10	technicians		EMT	
11	Emergency medical	23-4.1-10(c)(2)	Vehicle inspection	
12	technicians			
13			Maximum	\$190.00
14	Clinical laboratories	23-16.2-4(a)	Clinical laboratory	
15			license	
16			per specialty	\$650.00
17	Clinical laboratories	23-16.2-4(a)	Laboratory station	\$650.00
18			license	
19	Clinical laboratories	23-16.2-4(b)	Permit fee	\$70.00
20	Health care facilities	23-17-38	Hospital: base fee	
21		\$16,900.00		
22			annual	
23	Health care facilities	23-17-38	Hospital: annual per	\$120.00
24			bed fee	
25	Health care facilities	23-17-38	ESRD: annual fee	\$3,900.00
26	Health care facilities	23-17-38	Home nursing-care/	
27			home-	
28			care providers	\$650.00
29	Health care facilities	23-17-38	OACF: annual fee	\$650.00
30	Assisted living resi-	23-17.4-15.2(d)	License application fee:	\$220.00
31	dences/			
32	administrators			
33	Assisted living resi-	23-17.4-15.2(d)	License renewal fee:	\$220.00
34	dences/			

1	administrators			
2	Assisted living resi-	23-17.4-31	Annual facility fee: base	\$330.00
3	dences			
4	Assisted living resi-	23-17.4-31	Annual facility per bed	\$70.00
5	dences			
6	Nursing assistant reg-	23-17.9-3	Application:	
7	istration		competency	
8			evaluation training	
9			program maximum	\$325.00
10	Nursing assistant reg-	23-17.9-5	Application fee	\$35.00
11	istration			
12	Nursing assistant reg-	23-17.9-5	Exam fee: skills profi-	\$170.00
13	istration		ciency	
14	Nursing assistant reg-	23-17.9-6	Registration fee	\$35.00
15	istration			
16	Nursing assistant reg-	23-17.9-7	Renewal fee	\$35.00
17	istration			
18	Sanitarians	23-19.3-5(a)	Registration fee	\$25.00
19	Sanitarians	23-19.3-5(b)	Registration renewal	\$25.00
20	Massage therapy	23-20.8-3(e)	Massage therapist appl	\$65.00
21			fee	
22	Massage therapy	23-20.8-3(e)	Massage therapist	\$65.00
23			renewal fee	
24	Recreational facilities	23-21-2	Application fee	\$160.00
25	Swimming pools	23-22-6	Application license:	
26			first pool	\$250.00
27	Swimming pools	23-22-6	Additional pool	
28			fee at same location	\$75.00
29	Swimming pools	23-22-6	Seasonal application	
30			license:	
31			first pool	\$150.00
32	Swimming pools	23-22-6	Seasonal additional	
33			pool	
34			fee at same location	\$75.00

1	Swimming pools	23-22-6	Year-round license	
2			for non-profit	\$25.00
3	Swimming pools	23-22-10	Duplicate license	\$2.00
4	Swimming pools	23-22-12	Penalty for violations	\$50.00
5	Respiratory care prac-	23-39-11	Application fee	\$60.00
6	titioners			
7	Respiratory care prac-	23-39-11	Renewal fee	\$60.00
8	titioners			

9 SECTION 2. Section 23-3-18 of the General Laws in Chapter 23-3 entitled "Vital Records"
10 is hereby amended to read as follows:

11 **23-3-18. Permits.**

12 (a) The funeral director, his or her duly authorized agent, or another person acting as a duly
13 authorized agent, who first assumes custody of a dead body or fetus shall prepare a burial-transit
14 permit prior to final disposition or removal from the state of the body or fetus and within seven (7)
15 calendar days after death.

16 (b) The burial-transit permit shall be signed by the funeral director and by the certifying
17 physician as designated in § 23-3-16(c).

18 (c) A burial-transit permit issued under the law of another state which accompanies a dead
19 body or fetus brought into this state shall be authority for final disposition of the body or fetus in
20 this state.

21 (d) A permit for disinterment and re-interment shall be required prior to disinterment of a
22 dead body or fetus except as authorized by regulation or otherwise provided by law. The permit
23 shall be issued by the local registrar of vital records at the place of disinterment to a licensed funeral
24 director, embalmer, his or her duly authorized agent, or another person acting as a duly authorized
25 agent, upon proper application.

26 (e)(1) ~~The body of a deceased person shall not be cremated within~~ An operator of a
27 disposition facility shall not cremate or process by means of natural organic reduction or allow the
28 cremation or processing by means of natural organic reduction of a dead human body until the
29 passage of at least twenty-four (24) hours after his or her death unless he or she dies of a contagious
30 or infectious disease. The body shall not be received or cremated or processed by means of natural
31 organic reduction by any corporation authorized to cremate or conduct the process of natural
32 organic reduction of the bodies of the dead until its officers have received the burial permit required
33 by law before burial, and a cremation certificate or natural organic reduction certificate issued by
34 the Rhode Island office of state medical examiners. A cremation certificate or natural organic

1 [reduction certificate](#) shall be issued only if the office of state medical examiners determines that
2 the cause and manner of death is such that no further examination or judicial inquiry concerning
3 the cause and manner of death is necessary.

4 (2) The cremation certificate [or natural organic reduction certificate](#) issued to the funeral
5 director by the medical examiner, in duplicate, shall accompany the body to the ~~crematory~~
6 [disposition facility](#). The ~~crematory~~ [disposition facility](#) shall retain the duplicate copy and mail the
7 original copy to the state division of vital records.

8 SECTION 3. This act shall take effect upon passage.

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LC002754
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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF

A N A C T

RELATING TO BUSINESSES AND PROFESSIONS -- FUNERAL DIRECTOR/EMBALMER
AND FUNERAL SERVICE ESTABLISHMENTS

1 This act would provide for the operation and duties of natural organic reduction for the
2 contained, accelerated conversion of human remains to soil. A disposition facility would be used
3 for either cremation or natural organic reduction.

4 This act would take effect upon passage.

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