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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2024

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A N A C T

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

Introduced By: Senators Mack, DiMario, Bissaillon, F. Lombardi, and Gu

Date Introduced: March 22, 2024

Referred To: Senate Health & Human Services

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 2. 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 manicurists	\$25.00
9	Barbers/hairdressers	5-10-10(b)	Minimum late renewal fee	\$25.00
10	Barbers/hairdressers	5-10-10(b)	Maximum late renewal fee	\$100.00
11	Barbers/hairdressers	5-10-11[c]	Application fee	\$25.00
12	Barbers/hairdressers	5-10-11[c]	Application fee: manicuring	
13			Instructors and manicurists	\$25.00
14	Barbers/hairdressers	5-10-13	Demonstrator's permit	\$90.00
15	Barbers/hairdressers	5-10-15	Shop license: initial	\$170.00
16	Barbers/hairdressers	5-10-15	Shop license: renewal	\$170.00
17	Veterinarians	5-25-10	Application fee	\$40.00
18	Veterinarians	5-25-11	Examination fee	\$540.00
19	Veterinarians	5-25-12(a)	Renewal fee	\$580.00
20	Veterinarians	5-25-12[c]	Late renewal fee	\$120.00
21	Podiatrists	5-29-7	Application fee	\$240.00
22	Podiatrists	5-29-11	Renewal fee: minimum	\$240.00
23	Podiatrists	5-29-11	Renewal fee: maximum	\$540.00
24	Podiatrists	5-29-13	Limited registration	\$65.00
25	Podiatrists	5-29-14	Limited registration:	
26			Academic faculty	\$240.00
27	Podiatrists	5-29-14	Application fee:	
28			Renewal minimum	\$240.00
29	Podiatrists	5-29-14	Application fee:	
30			Renewal maximum	\$440.00
31	Chiropractors	5-30-6	Examination fee:	\$210.00
32	Chiropractors	5-30-7	Examination exemption fee	\$210.00
33	Chiropractors	5-30-8(b)	Exam Physiotherapy	\$210.00
34	Chiropractors	5-30-8(b)	Exam chiro and	\$210.00

1			physiotherapy	
2	Chiropractors	5-30-12	Renewal fee	\$210.00
3	Dentists/dental hygienists	5-31.1-6(d)	Dentist: application fee	\$965.00
4	Dentists/dental hygienists	5-31.1-6(d)	Dental hygienist:	
5			application fee	\$65.00
6	Dentists/dental hygienists	5-31.1-6(d)	Reexamination: dentist	\$965.00
7	Dentists/dental hygienist	5-31.1-6(d)	Reexamination:	
8			hygienist	\$65.00
9	Dentists/dental hygienists	5-31.1-21(b)	Reinstatement fee	\$90.00
10			dentist	
11	Dentists/dental hygienists	5-31.1-21(b)	Reinstatement fee	\$90.00
12			hygienist	
13	Dentists/dental hygienists	5-31.1-21(c)	Inactive status: dentist	\$220.00
14	Dentists/dental hygienists	5-31.1-21(c)	Inactive status: hygienist	\$40.00
15	Dentists/dental hygienists	5-31.1-22	Limited registration	\$65.00
16	Dentists/dental hygienists	5-31.1-23[c]	Limited reg:	
17			Academic faculty	\$965.00
18	Dentists/dental hygienists	5-31.1-23[c]	Limited reg:	
19			Academic faculty	\$500.00
20			renewal	
21	Electrolysis	5-32-3	Application fee	\$25.00
22	Electrolysis	5-32-6(b)	Renewal fee	\$25.00
23	Electrolysis	5-32-7	Reciprocal license fee	\$25.00
24	Electrolysis	5-32-17	Teaching license	\$25.00
25	Funeral directors/em-	5-33.2-12	Funeral establishment	\$120.00
26	balmers		license	
27	Funeral services estab-			
28	lishments			
29	Funeral directors/em-	5-33.2-15	Renewal: funeral/direc-	\$90.00
30	balmers		tor	
31	Funeral services estab-		embalmer	\$30.00
32	lishments			
33	Funeral directors/em-	5-33.2-12	Funeral branch ofc	\$90.00
34	balmers		license	

1	Funeral directors/em-	5-33.2-13.1	Crematories <u>Disposition</u>	
2	balmers		<u>Facilities:</u> application fee	\$120.00
3	Funeral services estab-			
4	lishments			
5	Funeral directors/em-	5-33.2-15	Renewal: funeral/direc-	
6	balmers		tor	
7	Funeral Svcs establish-		establishment	\$120.00
8	ments			
9	Funeral directors/em-	5-33.2-15	Additional branch	
10	balmers		office	
11	Funeral services Estab-		licenses	\$120.00
12	lishments			
13	Funeral directors/em-	5-33.2-15	Crematory <u>Disposition facility</u>	
14	balmers		renewal fee	
15	Funeral svcs establishments			\$120.00
16	Funeral directors/em-	5-33.2-15	Late renewal fee	
17	balmers			
18	Funeral svcs establishments		(All license types)	\$25.00
19	Funeral directors/em-	5-33.2-16(a)	Intern registration fee	
20	balmers			
21	Funeral Services estab-			\$25.00
22	lishments			
23	Nurses	5-34-12	RN Application fee	\$135.00
24	Nurses	5-34-16	LPN Application fee	\$45.00
25	Nurses	5-34-19	Renewal fee: RN	\$135.00
26	Nurses	5-34-19	Renewal fee: LPN	\$45.00
27	Nurses	5-34-37	RNP application fee	\$80.00
28	Nurses	5-34-37	RNP renewal fee	\$80.00
29	Nurses	5-34-37	RNP prescriptive privileges	\$65.00
30	Nurses	5-34-40.3	Clin nurse spec application	\$80.00
31	Nurses	5-34-40.3	Clin nurse spec renewal	\$80.00
32	Nurses	5-34-40.3	Clin nurse spec Rx	\$65.00
33			privilege	
34	Nurse anesthetists	5-34.2-4(a)	CRNA application fee	\$80.00

1	Nurse anesthetists	5-34.2-4(b)	CRNA renewal fee	\$80.00
2	Optometrists	5-35.1-4	Application fee	\$280.00
3	Optometrists	5-35.1-7	Renewal fee	\$280.00
4	Optometrists	5-35.1-7	Late fee	\$90.00
5	Optometrists	5-35.1-7	Reactivation of license fee	\$65.00
6	Optometrists	5-35.1-19(b)	Violations of section	\$650.00
7	Optometrists	5-35.1-20	Violations of chapter	\$260.00
8	Opticians	5-35.2-3	Application fee	\$30.00
9	Physicians	5-37-2	Application fee	\$1,090.00
10	Physicians	5-37-2	Re-examination fee	\$1,090.00
11	Physicians	5-37-10(b)	Late renewal fee	\$170.00
12	Physicians	5-37-16	Limited registration fee	\$65.00
13	Physicians	5-37-16.1	Ltd reg: academic faculty	\$600.00
14	Physicians	5-37-16.1	Ltd reg: academic	
15			Faculty renewal	\$170.00
16	Acupuncture	5-37.2-10	Application fee	\$310.00
17	Acupuncture	5-37.2-13(4)	Acupuncture assistant	\$310.00
18			Licensure fee	\$170.00
19	Social workers	5-39.1-9	Application fee	\$70.00
20	Social workers	5-39.1-9	Renewal fee	\$70.00
21	Physical therapists	5-40-8	Application fee	\$155.00
22	Physical therapists	5-40-8.1	Application: physical	\$50.00
23			therapy assistants	
24	Physical therapists	5-40-10(a)	Renewal fee:	
25			Physical therapists	\$155.00
26	Physical therapists	5-40-10(a)	Renewal fee: Physical	
27			therapy assistants	\$50.00
28	Physical therapists	5-40-10[c]	Late renewals	\$50.00
29	Occupational thera-	5-40.1-12(2)	Renewal fee	\$140.00
30	pists			
31	Occupational thera-	5-40.1-12(5)	Late renewal fee	\$50.00
32	pists			
33	Occupational thera-	5-40.1-12(b)	Reactivation fee	\$140.00
34	pists			

1	Occupational thera-	5-40.1-13	Application fee	\$140.00
2	pists			
3	Psychologists	5-44-12	Application fee	\$230.00
4	Psychologists	5-44-13	Temporary permit	\$120.00
5	Psychologists	5-44-15[c]	Renewal fee	\$230.00
6	Psychologists	5-44-15(e)	Late renewal fee	\$50.00
7	Nursing home adminis-	5-45-10	Renewal fee	\$160.00
8	trators			
9	Speech pathologist/au-	5-48-1(14)	Speech lang support	
10	diologists		personnel: late filing	\$90.00
11	Speech pathologist/au-	5-48-9(a)	Application fee: Audiol-	\$65.00
12	diologists		ogist	
13	Speech pathologist/au-	5-48-9(a)	Application fee:	
14	diologists		Speech Pathologist	\$145.00
15	Speech pathologist/au-	5-48-9(a)	Renewal fee: Audiolo-	\$65.00
16	diologists		gist	
17	Speech pathologist/au-	5-48-9(a)	Renewal fee: Speech	\$145.00
18	diologists		Pathologist	
19	Speech pathologist/au-	5-48-9(a)	Provisional license:	
20	diologists		renewal fee	\$65.00
21	Speech pathologist/au-	5-48-9(b)	Late renewal fee	\$50.00
22	diologists			
23	Speech pathologist/au-	5-48-9(d)(1)	Reinstatement fee:	
24	diologists		audiologist	\$65.00
25	Speech pathologist/au-	5-48-9(d)(1)	Reinstatement fee:	
26	diologists		audiologist	\$65.00
27			speech pathologists	\$145.00
28			personnel: late filing	\$65.00
29	Hearing aid dealers/	5-49-6(a)	License endorsement	
30	fitters		Examination fee	\$25.00
31	Hearing aid dealers/	5-49-8(b)	Temporary permit fee	\$25.00
32	fitters			
33	Hearing aid dealers/	5-49-8(d)	Temporary permit	\$35.00
34	fitters		renewal fee	

1	Hearing aid dealers/ 2 fitters	5-49-11(a)(1)	License fee	\$25.00
3	Hearing aid dealers/ 4 fitters	5-49-11(b)	License renewal fee	\$25.00
5	Hearing aid dealers/ 6 fitters	5-49-11[c]	License renewal late fee	\$25.00
7	Physician assistants	5-54-9(4)	Application fee	\$110.00
8	Physician assistants	5-54-11(b)	Renewal fee	\$110.00
9	Orthotics/prosthetic 10 practice	5-59.1-5	Application fee	\$120.00
11	Orthotics/prosthetic 12 practice	5-59.1-12	Renewal fee	\$120.00
13	Athletic trainers	5-60-11	Application fee	\$60.00
14	Athletic trainers	5-60-11	Renewal fee	\$60.00
15	Athletic trainers	5-60-11	Late renewal fee	\$25.00
16	Mental health counsel- 17 ors/ 18 Marriage and family 19 therapists	5-63.2-16	Application fee: Mar- riage/ Family therapist	\$130.00
20	Mental health counsel- 21 ors/ 22 Marriage and family 23 therapists	5-63.2-16	Application fee: Mental Health counselors	\$70.00
24	Mental health counsel- 25 ors/ 26 Marriage and family 27 therapists	5-63.2-16	Reexamination fee: Marriage/family thera- pist	\$130.00
28	Mental health counsel- 29 ors/ 30 Marriage and family 31 therapists	5-63.2-16	Reexamination fee: Mental health counsel- ors	\$70.00
32	Mental health counselors/ 33 Marriage and Family 34 therapists	5-63.2-17(a)	Renewal fee: Marriage/ Family therapist	\$130.00

1	Mental health counselors/ Marriage and Family therapist	5-63.2-17(a)	Renewal fee: Mental health coun- selor	\$50.00
2				
3				
4	Mental health counselors/ Marriage and Family therapist	5-63.2-17(b)	Late renewal fee: Marriage and family therapist	\$90.00
5				
6				
7	Dieticians/nutritionists	5-64-6(b)	Application fee	\$75.00
8	Dieticians/nutritionists	5-64-7	Graduate status: Application fee:	\$75.00
9				
10	Dieticians/nutritionists	5-64-8	Renewal fee	\$75.00
11	Dieticians/nutritionists	5-64-8	Reinstatement fee	\$75.00
12	Radiologic technologists	5-68.1-10	Application fee maximum	\$190.00
13	Licensed chemical de- pendency professionals	5-69-9	Application fee	\$75.00
14				
15	Licensed chemical de- pendency professionals	5-69-9	Renewal fee	\$75.00
16				
17	Licensed chemical	5-69-9	Application fee	\$75.00
18	Licensed chemical	5-69-9	Application fee	\$75.00
19	dependency clinical su- pervisor			
20				
21	Licensed chemical	5-69-9	Renewal fee	\$75.00
22	dependency clinical su- pervisor			
23				
24	Deaf interpreters	5-71-8(a)(3)	License fee maximum	\$25.00
25	Deaf interpreters	5-71-8(a)(3)	License renewal fee	\$25.00
26	Milk producers	21-2-7(g)(1)	In-state milk processor	\$160.00
27	Milk producers	21-2-7(g)(2)	Out-of-state milk pro- cessor	\$160.00
28				
29	Milk producers	21-2-7(g)(3)	Milk distributors	\$160.00
30	Frozen desserts	21-9-3(1)	In-state wholesale	\$550.00
31	Frozen desserts	21-9-3(2)	Out-of-state wholesale	\$160.00
32	Frozen desserts	21-9-3(3)	Retail frozen dess pro- cessors	\$160.00
33				
34	Meats	21-11-4	Wholesale	\$160.00

1	Meats	21-11-4	Retail	\$40.00
2	Shellfish packing houses	21-14-2	License fee:	
3			Shipper/reshipper	\$320.00
4	Shellfish packing houses	21-14-2	License fee:	
5			Shucker packer/repacker	\$390.00
6	Non-alcoholic bottled	21-23-2	Bottler permit	
7	beverages, drinks & juices			\$550.00
8	Non-alcoholic bottled	21-23-2	Bottle apple cider fee	
9	beverages, drinks and juices			\$60.00
10	Farm home food manu-	21-27-6.1(4)	Registration fee	\$65.00
11	facturers			
12	Cottage Food Manu-	21-27-6.2(4)	Registration fee	\$65.00
13	facturers			
14	Food businesses	21-27-10(e)(1)	Food processors whole-	\$300.00
15			sale	
16	Food businesses	21-27-10(e)(2)	Food processors retail	\$120.00
17	Food businesses	21-27-10(e)(3)	Food service establishments	
18			50 seats or less	\$160.00
19	Food businesses	21-27-10(e)(3)	Food service establishments	
20			more than 50 seats	\$240.00
21	Food businesses	21-27-10(e)(3)	Mobile food service units	\$100.00
22	Food businesses	21-27-10(e)(3)	Industrial caterer or	
23			food vending	
24			Machine commissary	\$280.00
25	Food businesses	21-27-10(e)(3)	Cultural heritage	
26			educational Facility	\$80.00
27	Food businesses	21-27-10(e)(4)	Vending Machine	
28			Location 3 units or less	\$50.00
29	Food businesses	21-27-10(e)(4)	Vending Machine	
30			Location 4-10 units	\$100.00
31	Food businesses	21-27-10(e)(4)	Vending Machine	
32			Location = 11 units	\$120.00
33	Food businesses	21-27-10(e)(5)	Retail Mkt	
34			1-2 cash registers	\$120.00

1	Food businesses	21-27-10(e)(5)	Retail Market	
2			3-5 cash registers	\$240.00
3	Food businesses	21-27-10(e)(5)	Retail Market = 6	
4			Cash registers	\$510.00
5	Food businesses	21-27-10(e)(6)	Retail food peddler	\$100.00
6	Food businesses	21-27-10(e)(7)	Food warehouses	\$190.00
7	Food businesses	21-27-11.2	Certified food safety mgr	\$50.00
8	License verification fee	23-1-16.1	All license types	\$50.00
9	Tattoo and body pierc-	23-1-39	Annual registration	
10	ing		fee: Person	\$90.00
11	Tattoo and body pierc-	23-1-39	Annual registration fee:	
12	ing		establishment	\$90.00
13	Vital records	23-3-25(a)(1)	Certificate of birth, fetal	
14			death, death, marriage, birth,	
15			or Certification that such	
16			record Cannot be found	\$20.00
17	Vital records	23-3-25(a)(1)	Each duplicate of	
18			certificate of birth,	
19			fetal death, death, marriage,	
20			birth, or certification that	
21			such record cannot be found	\$15.00
22	Vital records	23-3-25(a)(2)	Each additional calendar	
23			year Search, if within 3	
24			months of original	
25			search and if receipt of	
26			original search presented	\$2.00
27	Vital records	23-3-25(a)(3)	Expedited service	\$7.00
28	Vital records	23-3-25(a)(4)	Adoptions, legitimations,	
29			or Paternity determinations	\$15.00
30	Vital records	23-3-25(a)(5)	Authorized corrections,	
31			Alterations, and additions	\$10.00
32	Vital records	23-3-25(a)(6)	Filing of delayed record	
33			and Examination of docu-	
34			mentary Proof	\$20.00

1	Vital records	23-3-25(a)(6)	Issuance of certified copy	
2			of a delayed record	\$20.00
3	Medical Examiner	23-4-13	Autopsy reports	\$40.00
4	Medical Examiner	23-4-13	Cremation and natural	
5			organic reduction disposition	
6			certificates and statistics	\$30.00
7	Medical Examiner	23-4-13	Testimony in civil suits:	
8			Minimum/day	\$650.00
9	Medical Examiner	23-4-13	Testimony in civil suits:	
10			Maximum/day	\$3,250.00
11	Emergency medical	23-4.1-10[c]	Annual fee: ambulance	
12	technicians		service maximum	\$540.00
13	Emergency medical	23-4.1-10[c]	Annual fee: vehicle	
14	technicians		license maximum	\$275.00
15	Emergency medical	23-4.1-10[c]	Triennial fee: EMT	
16	technicians		license maximum	\$120.00
17	Emergency medical	23-4.1-10(c)(2)	Exam fee maximum:	\$120.00
18	technicians		EMT	
19	Emergency medical	23-4.1-10(c)(2)	Vehicle inspection	
20	technicians		Maximum	\$190.00
21	Clinical laboratories	23-16.2-4(a)	Clinical laboratory	
22			license	
23			per specialty	\$650.00
24	Clinical laboratories	23-16.2-4(a)	Laboratory station	\$650.00
25			license	
26	Clinical laboratories	23-16.2-4(b)	Permit fee	\$70.00
27	Health care facilities	23-17-38	Hospital: base fee	\$16,900.00
28			annual	
29	Health care facilities	23-17-38	Hospital: annual per	\$120.00
30			bed fee	
31	Health care facilities	23-17-38	ESRD: annual fee	\$3,900.00
32	Health care facilities	23-17-38	Home nursing-care/	
33			home-	
34			care providers	\$650.00

1	Health care facilities	23-17-38	OACF: annual fee	\$650.00
2	Assisted living resi-	23-17.4-15.2(d)	License application fee:	\$220.00
3	dences/administrators			
4	Assisted living resi-	23-17.4-15.2(d)	License renewal fee:	\$220.00
5	dences/administrators			
6	Assisted living resi-	23-17.4-31	Annual facility fee: base	\$330.00
7	dences			
8	Assisted living resi-	23-17.4-31	Annual facility per bed	\$70.00
9	dences			
10	Nursing assistant reg-	23-17.9-3	Application: competency	
11	istration		evaluation training	
12			program maximum	\$325.00
13	Nursing assistant reg-	23-17.9-5	Application fee	\$35.00
14	istration			
15	Nursing assistant reg-	23-17.9-5	Exam fee: skills profi-	\$170.00
16	istration		ciency	
17	Nursing assistant reg-	23-17.9-6	Registration fee	\$35.00
18	istration			
19	Nursing assistant reg-	23-17.9-7	Renewal fee	\$35.00
20	istration			
21	Sanitarians	23-19.3-5(a)	Registration fee	\$25.00
22	Sanitarians	23-19.3-5(b)	Registration renewal	\$25.00
23	Massage therapy	23-20.8-3(e)	Massage therapist appl	\$65.00
24			fee	
25	Massage therapy	23-20.8-3(e)	Massage therapist	\$65.00
26			renewal fee	
27	Recreational facilities	23-21-2	Application fee	\$160.00
28	Swimming pools	23-22-6	Application license:	
29			first pool	\$250.00
30	Swimming pools	23-22-6	Additional pool	
31			fee at same location	\$75.00
32	Swimming pools	23-22-6	Seasonal application	
33			license: first pool	\$150.00
34	Swimming pools	23-22-6	Seasonal additional pool	

1			fee at same location	\$75.00
2	Swimming pools	23-22-6	Year-round license	
3			for non-profit	\$25.00
4	Swimming pools	23-22-10	Duplicate license	\$2.00
5	Swimming pools	23-22-12	Penalty for violations	\$50.00
6	Respiratory care prac-	23-39-11	Application fee	\$60.00
7	titioners			
8	Respiratory care prac-	23-39-11	Renewal fee	\$60.00
9	titioners			

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

12 **23-3-18. Permits.**

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

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

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

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

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

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

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

9 SECTION 4. This act shall take effect upon passage.

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LC005707
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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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LC005707
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