

**53 N.J.R. 1740(c)**

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**PUBLIC NOTICES**

**Reporter**

53 N.J.R. 1740(c)

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**Agency**

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LAW AND PUBLIC SAFETY > DIVISION OF CONSUMER AFFAIRS > STATE BOARD OF MORTUARY SCIENCE

**Administrative Code Citation**

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**N.J.A.C. 13:36-10.3 and 10.8**

**Text**

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**Notice of Receipt of Petition for Rulemaking**

**State Board of Mortuary Science Rules**

Authority: N.J.S.A. 45:7-38.

Petitioner: George R. Kelder, CFSP, CEO/Executive Director of the New Jersey State Funeral Directors Association.

**Take notice** that the State Board of Mortuary Science (Board) received a petition for rulemaking from George R. Kelder, CEO/Executive Director of the New Jersey State Funeral Directors Association (petitioner) on August 17, 2021. The petitioner requested that the Board amend N.J.A.C. 13:36-10.3(b)1 and 2, to remove the "in-person" requirement for the mandated continuing education (CE) topics of New Jersey Laws and Rules, Preneed, and Ethics. The petitioner also requested that N.J.A.C. 13:36-10.8(a)3 be amended, likewise, to include online courses, in the list of the Board's presumptive approval for various types of courses.

The petitioner noted that during the COVID-19 Public Health Emergency the Division of Consumer Affairs temporarily waived the "in-person"

requirement (pursuant to DCA-W-2020-04). The petitioner believes that these courses were successfully provided and completed online by the licensees. The petitioner also believes that the Board's previously specified concerns about ensuring that the CE mandated courses are rigorous can be addressed by assessing the course content and curriculum. The petitioner notes that the Board has mechanisms in place, through the Board's Credentials Committee to assess the rigor of a course, conduct audits, and the option to require providers, as a condition of approval, to disclose how attendance will be monitored and how the provider will ensure completion of a program regardless of the method of delivery.

The petitioner recommended that the Board amend N.J.A.C. 13:36-10.3(b)1 and 2 to include "online" attendance, at paragraphs (b)1 and 2; and add reference to "online" courses under the presumptive approval and list of approved courses at N.J.A.C. 13:36-10.8(a)3. In addition, and as an [page=1741] alternative, the petitioner requested that the Board consider amending the regulations to allow exceptions to the "in-person" requirement upon special application to the Board by a continuing education provider.

A copy of this notice has been mailed to the petitioner pursuant to N.J.A.C. 1:30-4.2.

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