

“Committee” means the Credentials Committee established by the Board pursuant to N.J.A.C. 13:36-10.6.

“Person” means any person as defined in N.J.S.A. 56:8-1.

“United States Armed Forces” means the United States Army, United States Navy, United States Air Force, United States Marine Corps, and United States Coast Guard.

Amended by R.1999 d.355, effective October 18, 1999.

See: 31 N.J.R. 2133(a), 31 N.J.R. 3126(a).

In “Committee”, changed N.J.A.C. reference.

Amended by R.2005 d.100, effective April 4, 2005.

See: 36 N.J.R. 4651(a), 37 N.J.R. 1036(b).

Deleted “Board”.

13:36-10.3 Minimum credit hours for biennial license renewal

(a) Each applicant for biennial license renewal shall complete a minimum of 10 credit hours of continuing education during every biennial licensing period, consistent with the requirements of (b) and (c) below.

(b) A licensee shall obtain 10 credit hours of continuing education in courses or programs approved by the Board, consistent with the following requirements:

1. A licensee shall obtain at least two credit hours in each biennial licensing period in preneed funeral arrangements. The two credit hours shall require in-person attendance and shall include a post-course or program examination;

2. A licensee shall obtain at least three credit hours in each biennial licensing period in funeral directing ethics and in New Jersey law and rules relating to the practice of mortuary science. The three credit hours shall require in-person attendance and shall include a post-course or program examination;

3. A licensee may obtain no more than three credit hours in each biennial licensing period in courses or programs dealing with funeral merchandizing, such as caskets, outer burial containers and clothing. A licensee shall not receive any continuing education credit for viewing exhibits at professional and/or technical meetings and conferences;

4. A licensee shall complete a course or program in applicable Occupational Safety and Health Administration (OSHA) laws and regulations in each biennial licensing period, but may not obtain more than three credit hours in such courses or programs in each biennial licensing period; and

5. A licensee may receive continuing education credit for a course or program one time only per biennial licensing period.

(c) Licensees shall not be permitted to carry over continuing education credit hours into a succeeding biennial licensing period.

Amended by R.1999 d.119 effective April 5, 1999.

See: 31 N.J.R. 26(a), 31 N.J.R. 882(a).

In (b), added a second sentence.

Amended by R.2005 d.100, effective April 4, 2005.

See: 36 N.J.R. 4651(a), 37 N.J.R. 1036(b).

Rewrote (a) and (b).

Petition for Rulemaking.

See: 41 N.J.R. 1529(b), 2150(a), 2987(b).

Amended by R.2011 d.298, effective December 19, 2011.

See: 42 N.J.R. 2732(a), 43 N.J.R. 3367(c).

Rewrote the section.

13:36-10.4 Exemptions

(a) A person employed on a full-time basis by the Federal, State, county or municipal government who is not permitted by law or rule to actively engage in the practice of mortuary science shall be exempt from complying with the continuing education requirements of N.J.A.C. 13:36-10.3.

(b) A licensee who elects to be inactive pursuant to N.J.A.C. 13:36-4.14 shall be exempt from compliance with the continuing education requirements of N.J.A.C. 13:36-10.3 for any biennial period, or portion thereof, during which a licensee is inactive.

Amended by R.1997 d.514, effective December 1, 1997.

See: 29 N.J.R. 4072(a), 29 N.J.R. 5071(a).

Denoted the existing paragraph as (a); and added (b) and (c).

Amended by R.1999 d.355, effective October 18, 1999.

See: 31 N.J.R. 2133(a), 31 N.J.R. 3126(a).

In (b), inserted a reference to N.J.A.C. 13:36-4.14.

Amended by R.2005 d.100, effective April 4, 2005.

See: 36 N.J.R. 4651(a), 37 N.J.R. 1036(b).

Deleted former (b) and recodified former (c) as (b).

13:36-10.5 Waiver of continuing competency requirement

(a) The Board may, in its discretion, waive continuing education requirements on an individual basis for reasons of hardship, such as illness or disability, or other good cause shown.

(b) Any licensee seeking a waiver of the continuing education requirement must apply to the Board, in writing, no later than three months prior to the expiration of the biennial licensing period then in effect, and set forth with specificity the reasons for requesting the waiver. The licensee shall also provide the Board with such additional information as it may reasonably request in support of the waiver request.

(c) A person licensed for the first time by the Board shall have all continuing education requirements waived solely for the remainder of that biennial licensing period.

(d) A licensee serving on active duty in the United States Armed Forces for a period of time exceeding 200 consecutive days in a biennial period shall have all continuing education requirements waived for that biennial period.

Amended by R.2005 d.100, effective April 4, 2005.

See: 36 N.J.R. 4615(a), 37 N.J.R. 1036(b).

Substituted “education” for “competency” throughout.

13:36-10.6 Credentials Committee

(a) The Board shall appoint a Credentials Committee to assist it in establishing guidelines and criteria for the approval of continuing education courses and seminars.

(b) The Credentials Committee's responsibilities shall include:

1. Making recommendations to the Board regarding the approval of continuing education courses and seminars and the number of credit hours to be assigned to courses or seminars in satisfaction of the requirements of N.J.A.C. 13:36-10.3;
2. Developing procedures for the internal operation of the Committee; and
3. Maintaining substantive criteria for continuing education courses or seminars, which courses or seminars may include topics which:
 - i. Concern professional competency, ethics and legal developments relating to the practice of mortuary science;
 - ii. Examine and train licensees in the utilization and application of new techniques and scientific and clinical advances relating to mortuary science; and
 - iii. Deal with business management concepts as they relate to the delivery of efficient professional services to consumers.

Amended by R.2005 d.100, effective April 4, 2005.

See: 36 N.J.R. 4651(a), 37 N.J.R. 1036(b).

Rewrote (a).

Petition for Rulemaking.

See: 41 N.J.R. 1529(b), 2150(a), 2987(b).

13:36-10.7 Criteria for continuing competency programs

(a) A course of acceptable subject matter shall directly and materially relate to the practice of mortuary science and shall be:

1. A formal course of learning which contributes directly to the maintenance of professional competence of a licensee;
2. At least one instructional hour in duration; and
3. Conducted by a qualified instructor or workshop leader.

(b) A program provider or a licensee seeking Board approval for a course of acceptable subject matter shall submit the following to the Board:

1. Information to document the elements of (a) above, in writing, and on a form provided by the Board, including, but not limited to:
 - i. A detailed description of course content and estimated hours of instruction; and

- ii. The curriculum vitae of the lecturer, including specific background which qualifies the individual as a lecturer of repute in the area of instruction.

Petition for Rulemaking.

See: 41 N.J.R. 1529(b), 2150(a), 2987(b).

13:36-10.8 Presumptive approval and list of approved courses

(a) The Board shall grant credit for successful completion of the following, provided that the course or program meets the criteria of N.J.A.C. 13:36-10.7 and that any other source of credit directly and materially relates to the practice of mortuary science:

1. College courses;
2. Continuing education courses;
3. Correspondence, televised, videotaped and other short courses/tutorials;
4. Seminars, in-house courses, workshops and technical programs at professional meetings and conferences;
5. Teaching or instruction of a new course or program as set forth in (a)1, 2 and 4 above. For purposes of this section, "new" means a course or program that the licensee has never taught before in an educational or practical setting. A licensee may obtain no more than three credits per biennial licensing period for teaching or instruction activities; and
6. Published papers, articles or books authored by the licensee.

(b) The Board may presumptively approve continuing education courses or programs that are accredited by any nationally-recognized association or entity whose primary function is to accredit continuing education courses or seminars regarding the practice of mortuary science anywhere in the United States.

(c) The Board shall maintain a list of courses currently approved pursuant to N.J.A.C. 13:36-10.6 and 10.7 and (b) above. This list shall be made available by the Executive Director to any licensee upon request.

Petition for Rulemaking.

See: 41 N.J.R. 1529(b), 2150(a), 2987(b).

Amended by R.2011 d.298, effective December 19, 2011.

See: 42 N.J.R. 2732(a), 43 N.J.R. 3367(c).

Section was "Presumptive accreditation and list of accredited courses". Rewrote (a)5; in (b), substituted "programs that" for "seminars which"; and in (c), substituted "10.7 and (b) above" for "13:36-10.7".

13:36-10.9 Approval of course offerings; provider responsibilities

(a) A continuing education provider may receive approval for a continuing education course or program pursuant to the provisions of N.J.A.C. 13:36-10.7. For purposes of this section, the "continuing education provider" means the person or entity that determines the time, date, location and