

Rules of
Department of Economic
Development
Division 120—State Board of Embalmers
and Funeral Directors
Chapter 1—Organization and Description of Board

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Title 4—DEPARTMENT OF ECONOMIC DEVELOPMENT

Division 120—State Board of Embalmers and Funeral Directors Chapter 1—Organization and Description of Board

4 CSR 120-1.010 General Organization

PURPOSE: This rule describes the board's operation and the methods and procedures where the public may obtain information and make submissions or requests.

(1) Whenever used in this division, the word board means the State Board of Embalmers and Funeral Directors.

(2) The board is a unit of the Division of Professional Registration in the Department of Economic Development.

(3) The board consists of five (5) licensed embalmers or funeral directors and one (1) public member. The governor appoints the members of the board, with the advice and consent of the senate, from nominees submitted to the director of the Division of Professional Registration by the current president of the Missouri Funeral Directors Association. Each member's term of office is five (5) years.

(4) The board is authorized by section 333.111.1., RSMo to adopt rules necessary for the transaction of its business and for the standards of service and practice to be followed in the professions of embalming and funeral directing.

(5) The board has at least two (2) regularly scheduled business meetings each year and such other meetings as determined by the board. The board has at least two (2) regularly scheduled examination meetings each year and such other examination meetings as determined by the board. The time and location for all board meetings and examinations may be obtained by contacting the board's executive secretary at P.O. Box 423, Jefferson City, MO 65102-0423.

(6) All board meetings will be governed by Roberts' Rules of Order.

(7) All board meetings will be open to the public except as provided by law.

(8) Members of the public may obtain information from the board, or make submissions to the board, by writing the board's executive

secretary at P.O. Box 423, Jefferson City, MO 65102-0423.

AUTHORITY: sections 333.III.1, 333.151.1 and 536.023.3., RSMo 2000.* *Original rule filed Oct. 17, 1975, effective Oct. 28, 1975. Emergency rule filed Nov. 9, 1978, effective Nov. 20, 1978, expired Feb. 11, 1979. Rescinded and readopted: Filed Nov. 8, 1978, effective Feb. 11, 1979. Rescinded and readopted: Filed Jan. 13, 1982, effective April 11, 1982. Amended: Filed June 9, 1982, effective Sept. 12, 1982. Amended: Filed Nov. 1, 2001, effective April 30, 2002.*

**Original authority:* 333.III, RSMo 1965, amended 1981, 1993, 1995; 333.151, RSMo 1965, amended 1981, 1999; and 536.023, RSMo 1975, amended 1976, 1997.

4 CSR 120-1.020 Board Member Compensation

PURPOSE: This rule fixes the compensation for the members of the State Board of Embalmers and Funeral Directors in compliance with the mandates of section 333.221.1., RSMo.

(1) Each member of the State Board of Embalmers and Funeral Directors whose term of office began before September 28, 1981, shall receive the sum of twenty-five dollars (\$25) as compensation for each day that member devotes to the affairs of the board.

(2) Each member of the State Board of Embalmers and Funeral Directors whose term of office begins on or after September 28, 1981, shall receive the sum of fifty dollars (\$50) as compensation for each day that member devotes to the affairs of the board.

(3) In addition to the compensation fixed in this rule, each member is entitled to reimbursement of his/her expenses necessarily incurred in the discharge of his/her official duties.

(4) No request for compensation provided in this rule shall be processed for payment unless sufficient funds are available for that purpose within the appropriations for this board.

AUTHORITY: sections 333.III.1, RSMo Supp. 1993 and 333.221, RSMo 1986.* *Emergency rule filed Sept. 17, 1981, effective Sept. 28, 1981, expired Dec. 28, 1981. Original rule filed Sept. 17, 1981, effective Feb. 11, 1982.*

**Original authority:* 333.III.1, RSMo 1965, amended 1981, 1993 and 333.221, RSMo 1965, amended 1980, 1981.

4 CSR 120-1.030 Election and Removal of Officers

PURPOSE: This rule sets out the term of office and outlines the duties of the officers of the board and establishes a procedure for removal of a board member from serving as an officer of the board.

(1) Prior to April 1 of each year at a regularly scheduled meeting, the board shall elect a chairman, vice-chairman and secretary to serve as its officers.

(2) Any board member duly nominated and receiving a majority vote of the members serving on the board shall be considered elected as an officer.

(3) The terms of the officers elected shall commence on April 1 and expire on March 31 of the succeeding year.

(4) The officers elected by the board shall have the following duties:

(A) Chairman—shall chair the board meetings; advise the board's staff on the handling of complaints; call special board meetings; appoint committees of the board; may order, as s/he deems necessary, investigation of any complaint; may act on matters requiring immediate and necessary attention; make board member assignments; and any other duty which from time-to-time may be delegated by consent of the board;

(B) Vice-chairman—shall serve as chairman in the absence of the chairman; review all licensees' compliance with the terms of any disciplinary order or agreement; and any other duty which may from time-to-time be delegated by consent of the board; and

(C) Secretary—shall perform any duties that may from time-to-time be delegated by consent of the board.

(5) Any officer may be removed from office at any time upon a vote of a majority of the members of the board.

(6) The board, in its discretion, may have a special election to fill any office which for any reason becomes vacant.

(7) Each board member, whether or not an officer of the board, may participate in any vote relating to the election or removal of officers.



*AUTHORITY: sections 333.111.1, RSMo Supp. 1999 and 333.181, RSMo 1994. * Original rule filed Dec. 2, 1993, effective July 30, 1994. Amended: Filed March 10, 2000, effective Sept. 30, 2000.*

**Original authority: 333.111.1., RSMo 1965, amended 1981, 1993, 1995 and 333.181, RSMo 1965.*