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**Rules of**  
**Department of Commerce and**  
**Insurance**  
**Division 2120—State Board of Embalmers**  
**and Funeral Directors**  
**Chapter 1—Organization and Description of Board**

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**Title 20—DEPARTMENT OF  
COMMERCE AND INSURANCE  
Division 2120—State Board of  
Embalmers and Funeral Directors  
Chapter 1—Organization and  
Description of Board**

**20 CSR 2120-1.010 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) The board is a unit of the Division of Professional Registration.

(2) The board is authorized 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 embalmer, funeral director, preneed seller, preneed provider, and preneed agent.

(3) The board has at least two (2) regularly scheduled business meetings each year and such other meetings as determined by the board. The time and location for all board meetings may be obtained by contacting the board office at PO Box 423, Jefferson City, MO 65102-0423.

(4) The meetings of the board are conducted in accordance with Robert's Rules of Order, as last revised so far as it is compatible with the laws of Missouri governing this board or the board's own resolutions as to its conduct.

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

(6) Members of the public may obtain information from the board, or make submissions to the board, by writing the board at PO Box 423, Jefferson City, MO 65102-0423 or by visiting <http://pr.mo.gov/embalmers.asp>.

(7) The rules in this division are declared severable. If any rule, or section of a rule, is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions shall remain in full force and effect unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

*AUTHORITY:* sections 333.111 and 333.151.1, RSMo 2016, and sections 436.400–436.525, RSMo 2016 and Supp. 2019. \* This rule originally filed as 4 CSR 120-1.010. 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 Rescinded and readopted: Filed Nov. 8, 1978, effective Feb. 11, 1979.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. Amended: Filed Dec. 31, 2003, effective July 30, 2004. Moved to 20 CSR 2120-1.010, effective Aug. 28, 2006. Amended: Filed Jan. 30, 2007, effective July 30, 2007. Amended: Filed June 12, 2019, effective Dec. 30, 2019.*

*\*Original authority: 333.111, RSMo 1965, amended 1981, 1993, 1995; 333.151, RSMo 1965, amended 1981, 1999, 2009, 2011; and 436.400–436.525, please refer to the Revised Statutes of Missouri.*

**20 CSR 2120-1.020 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 shall receive the sum of fifty dollars (\$50) as compensation for each day that member devotes to the affairs of the board.

(2) 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.

(3) 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.

(4) The rules in this division are declared severable. If any rule, or section of a rule, is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions shall remain in full force and effect unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

*AUTHORITY:* sections 333.111 and 333.221, RSMo 2000. \* This rule originally filed as 4 CSR 120-1.020. Emergency rule filed Sept. 17, 1981, effective Sept. 28, 1981, expired Dec. 28, 1981. Original rule filed Sept. 17, 1981, effective Feb. 11, 1982. Amended: Filed

Dec. 31, 2003, effective July 30, 2004. Moved to 20 CSR 2120-1.020, effective Aug. 28, 2006

*\*Original authority: 333.111, RSMo 1965, amended 1981, 1993 and 333.221, RSMo 1965, amended 1980, 1981.*

**20 CSR 2120-1.030 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.\* This rule originally filed as 4 CSR 120-1.030. Original rule filed Dec. 2, 1993, effective July 30, 1994. Amended: Filed March 10, 2000, effective Sept. 30, 2000. Moved to 20 CSR 2120-1.030, effective Aug. 28, 2006.

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

20 CSR 2120-1.040 Definitions

PURPOSE: This rule defines terms used throughout the board's regulations consistent with the practice act.

(1) Apprentice embalmer—an individual who is being trained as an embalmer under the immediate direction and personal supervision of a Missouri licensed embalmer for the "practice of embalming," the work of preserving, disinfecting, and preparing by arterial embalming, or otherwise, of dead human bodies or the holding of oneself out as being engaged in such work and has met the requirements for registration pursuant to sections 333.041 and 333.042, RSMo, and 20 CSR 2120-2.010.

(2) Apprentice funeral director—an individual who is being trained as a funeral director in a Missouri licensed funeral establishment under the supervision of a Missouri licensed funeral director in the "practice of funeral directing," the business of preparing, otherwise than by embalming, for the burial, disposal, or transportation out of this state of, and the directing and supervising of the burial or disposal of, dead human bodies or engaging in the general control, supervision, or management of the operations of a Missouri licensed funeral establishment and has met the requirements for registration pursuant to 20 CSR 2120-2.060.

(3) Authorized external investment advisor—any federal or Missouri registered investment advisor qualified to advise a trustee of a preneed trust and retained by the preneed trustee.

(4) Board—Missouri State Board of Embalmers and Funeral Directors created by the provisions of Chapter 333, RSMo.

(5) Corporation—a business entity incorporated under the laws of Missouri or any other

state with authority to do business in the state of Missouri.

(6) Cremated remains—the bone fragments which remain after the cremation process is completed.

(7) Cremation—a final disposition of dead human remains; the mechanical process which reduces remains to bone fragments through heat, evaporation, and/or an alkaline hydrolysis chemical process.

(8) Cremation box—a container into which cremated remains are placed.

(9) Cremation chamber—the total functioning mechanical unit for the actual cremation process.

(10) Cremation container—the container in which the human remains are delivered to the crematory area for cremation.

(11) Cremation log—a written record or log kept in the cremation area available at all times in full view for a board inspector.

(12) Crematory area—the portion of a building which houses the cremation chamber and includes the room where a cremation chamber is located.

(13) Disinterment—removal of dead human remains from the ground, grave, tomb, mausoleum, or other place where dead human remains are interred.

(14) Embalmer—an individual holding an embalmer's license issued by the board.

(15) Embalmer examination—an examination consisting of the following:

(A) National Board Funeral Service Arts examination developed and furnished by the International Conference of Funeral Service Examining Boards, Inc., or designee of the board;

(B) In lieu of the National Board Funeral Service Arts examination, successful completion of the Missouri Funeral Service Arts examination will be accepted, or the board may accept successful completion of an examination administered by another state, territory, or province of the United States that is substantially equivalent or more stringent than the Missouri Funeral Service Arts examination;

(C) National Board Funeral Service Science examination developed and furnished by the International Conference of Funeral Service Examining Boards, Inc., or designee of

the board; and

(D) Missouri Law examination.

(16) Entombment—the placing of a dead body in a tomb.

(17) Executive director—executive secretary of the board.

(18) Function—the purpose for which a funeral establishment may be used as set forth in these rules.

(19) Funeral ceremony—a religious service or other rite or memorial ceremony for a decedent.

(20) Funeral director—an individual holding a funeral director license issued by the board.

(21) Funeral director examination—an examination consisting of the following:

(A) National Board Funeral Service Arts examination developed and furnished by the International Conference of Funeral Service Examining Boards, Inc., or designee of the board;

(B) In lieu of the National Board Funeral Service Arts examination, successful completion of the Missouri Funeral Service Arts examination will be accepted, or the board may accept successful completion of an examination administered by another state, District of Columbia, territory, or province of the United States that is substantially equivalent or more stringent than the Missouri Funeral Service Arts examination; and

(C) Missouri Law examination.

(22) Funeral director-in-charge—an individual licensed as a funeral director by the board responsible for the general management and supervision of a Missouri licensed funeral establishment in the state of Missouri. Each Missouri licensed funeral establishment shall have a Missouri licensed funeral director designated as the funeral director-in-charge. A funeral director limited may serve as funeral director-in-charge of a funeral establishment which is licensed for only cremation including transportation of dead human bodies to and from the funeral establishment.

(23) Funeral Director Limited—allows a person to work only in a funeral establishment which is licensed for only cremation including transportation of dead human bodies to and from the funeral establishment.

(24) Funeral establishment—a building, place, or premises licensed by the board devoted to or used in the care and preparation



for burial, cremation, or transportation of the human dead and includes every building, place, or premises maintained for that purpose or held out to the public by advertising or otherwise to be used for that purpose.

*\*Original authority: 333.011, RSMo 1965, amended 2007, 2008, 2009 and 333.111, RSMo 1965, amended 1981, 1993, 1995.*

(25) Funeral service—any service performed in connection with the care of a dead human body from the time of death until final disposition including, but not limited to:

- (A) Removal;
- (B) Entering into contractual agreements for the provision of funeral services;
- (C) Arranging, planning, conducting, and/or supervising visitations and funeral ceremonies;
- (D) Interment;
- (E) Cremation;
- (F) Disinterment;
- (G) Burial; and
- (H) Entombment.

(26) Independent Financial Advisor—an investment advisor retained pursuant to section 436.440.6, RSMo.

(27) Interment—burial of dead human remains in the ground, a tomb, a mausoleum, or other place where dead human remains are interred.

(28) Person—any individual, partnership, corporation, cooperative, association, or other entity.

(29) Preparation room—refers to the room in a Missouri licensed funeral establishment where dead human bodies are embalmed, bathed, and/or prepared for final disposition.

(30) Reciprocity examination—consists of the Missouri Law Examination.

(31) Register log—a written record or log maintained in a Missouri licensed funeral establishment available at all times in full view for a board inspector.

(32) Urn—any receptacle into which the cremated remains are placed for other than transportation or short-term storage.

*AUTHORITY: sections 333.011 and 333.111, RSMo 2016.\* This rule originally filed as 4 CSR 120-1.040. Original rule filed Dec. 31, 2003, effective July 30, 2004. Moved to 20 CSR 2120-1.040, effective Aug. 28, 2006. Amended: Filed Jan. 30, 2007, effective July 30, 2007. Amended: Filed July 22, 2009, effective Jan. 30, 2010. Amended: Filed March 9, 2020, effective Sept. 30, 2020.*