

## HOUSE BILL No. 2083

By Committee on Health and Human Services

1-25

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1 AN ACT relating to mortuary arts; concerning the notification of  
2 individuals with prefinanced funeral agreements; amending K.S.A.  
3 65-1713a and repealing the existing section.  
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5 *Be it enacted by the Legislature of the State of Kansas:*

6 Section 1. K.S.A. 65-1713a is hereby amended to read as follows:  
7 65-1713a. (a) A "funeral establishment," as the term is used herein, is a  
8 business premises where a funeral service, visitation or lying in-state of a  
9 dead human body is arranged and conducted, or dead human bodies are  
10 embalmed or otherwise prepared for a funeral service, visitation, lying in-  
11 state, burial, cremation or transportation. A funeral establishment shall be  
12 maintained at a fixed and specific street address or location and shall  
13 contain a preparation room equipped with a sanitary floor, walls and  
14 ceiling, with adequate sanitary drainage and disposal facilities, good  
15 ventilation and light, and the necessary instruments, equipment and  
16 supplies for the preparation and embalming of dead human bodies for  
17 burial or transportation. The preparation room shall be clearly identified  
18 by signs on all preparation room entrance doors, shall be separate from  
19 any funeral merchandise display room and chapel or visitation rooms; and  
20 shall not be a part of the living quarters. Each funeral establishment shall  
21 have available or employ a Kansas licensed embalmer for all embalming  
22 work, if the funeral director in charge of the establishment is not a Kansas  
23 licensed embalmer. Each funeral establishment shall be under the  
24 personal supervision of a Kansas licensed funeral director.

25 (b) The provisions and requirements herein contained shall apply to  
26 all branch establishments as well as principal establishments, except that:

27 (1) Only the funeral director in charge of the funeral establishment  
28 who holds the funeral establishment license shall be eligible to apply for a  
29 branch establishment license;

30 (2) a branch establishment is not required to contain a funeral  
31 merchandise display room or a preparation room or to be a place where  
32 dead bodies are prepared for burial, cremation or transportation;

33 (3) a branch establishment ownership shall be identical to the  
34 ownership of the funeral establishment which owns the branch;

35 (4) the funeral director in charge of the funeral establishment also  
36 shall be responsible for the supervision of all branches of that funeral

- 1 establishment; and
- 2 (5) a branch establishment is not required to be under the personal
- 3 supervision and charge of a licensed funeral director.
- 4 (c) *The funeral director in charge of any principal or branch*
- 5 *establishment whose facility closes is responsible for notifying all*
- 6 *individuals with prefinanced funeral agreements of the need to transfer*
- 7 *their agreements to another facility. Such notification shall be provided*
- 8 *prior to the closing of the facility with a copy of all letters provided to the*
- 9 *state board of mortuary arts.*
- 10 Sec. 2. K.S.A. 65-1713a is hereby repealed.
- 11 Sec. 3. This act shall take effect and be in force from and after its
- 12 publication in the statute book.
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