

# UTAH STATE BULLETIN

OFFICIAL NOTICES OF UTAH STATE GOVERNMENT  
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Nancy L. Lancaster, Managing Editor

The *Utah State Bulletin (Bulletin)* is an official noticing publication of the executive branch of Utah state government. The Office of Administrative Rules, part of the Department of Government Operations, produces the *Bulletin* under authority of Section 63G-3-402.

The Portable Document Format (PDF) version of the *Bulletin* is the official version. The PDF version of this issue is available at <https://rules.utah.gov/>. Any discrepancy between the PDF version and other versions will be resolved in favor of the PDF version.

Inquiries concerning the substance or applicability of an administrative rule that appears in the *Bulletin* should be addressed to the contact person for the rule. Questions about the *Bulletin* or the rulemaking process may be addressed to: Office of Administrative Rules, PO Box 141007, Salt Lake City, Utah 84114-1007, telephone 801-957-7110. Additional rulemaking information and electronic versions of all administrative rule publications are available at <https://rules.utah.gov/>.

The information in this *Bulletin* is summarized in the *Utah State Digest (Digest)* of the same volume and issue number. The *Digest* is available by e-mail subscription or online. Visit <https://rules.utah.gov/> for additional information.

**NOTICE OF SUBSTANTIVE CHANGE****TYPE OF FILING:** Amendment**Rule or Section Number:****R156-9****Filing ID: 57115****Agency Information**

<b>1. Title catchline:</b>	Commerce, Professional Licensing	
<b>Building:</b>	Heber M Wells Building	
<b>Street address:</b>	160 E 300 S	
<b>City, state:</b>	Salt Lake City UT 84111	
<b>Mailing address:</b>	PO Box 146741	
<b>City, state and zip:</b>	Salt Lake City UT 84114-6741	
<b>Contact persons:</b>		
<b>Name:</b>	<b>Phone:</b>	<b>Email:</b>
Matt Johnson	801-530-6701	mmjohnson@utah.gov
Tracy Taylor	801-530-6621	trtaylor@utah.gov
<b>Please address questions regarding information on this notice to the persons listed above.</b>		

**General Information**

<b>2. Rule or section catchline:</b>
R156-9. Funeral Service Licensing Act Rule
<b>3. Purpose of the new rule or reason for the change:</b>
The proposed amendment will bring this rule into compliance with recently passed legislation and make other nonsubstantive changes conforming with current Division of Professional Licensing (Division) style and formatting guidelines.
<b>4. Summary of the new rule or change:</b>
In addition to nonsubstantive changes, the proposed amendment removes requirements in Subsection R156-9-402(5) that all training requirements for people applying to become funeral service directors must be completed in a minimum of one year. This minimum time requirement was removed from the statute as part of HB 216 (passed in the 2024 General Session).

**Fiscal Information**

<b>5. Provide an estimate and written explanation of the aggregate anticipated cost or savings to:</b>
<b>A) State budget:</b>
The Division does not anticipate additional costs or savings to the state budget. Any costs associated with bringing this rule into conformity with HB 216 (2024) have been included in that legislation's fiscal notes.

**B) Local governments:**

The Division does not anticipate additional costs or savings to any local government's budget. Any costs associated with bringing the rule into conformity with HB 216 (2024) have been included in that legislation's fiscal notes.

**C) Small businesses** ("small business" means a business employing 1-49 persons):

The Division does not anticipate additional costs or savings to small businesses. Costs associated with bringing the rule into conformity with HB 216 (2024) have been included in that legislation's fiscal notes.

**D) Non-small businesses** ("non-small business" means a business employing 50 or more persons):

The Division does not anticipate additional costs or savings to any non-small businesses. Costs associated with bringing the rule into conformity with HB 216 (2024) have been included in that legislation's fiscal notes.

**E) Persons other than small businesses, non-small businesses, state, or local government entities** ("person" means any individual, partnership, corporation, association, governmental entity, or public or private organization of any character other than an **agency**):

The Division does not anticipate additional costs or savings to any persons other than small businesses, non-small businesses, state, or local government entities. Costs associated with bringing the rule into conformity with HB 216 (2024) have been included in that legislation's fiscal notes.

**F) Compliance costs for affected persons** (How much will it cost an impacted entity to adhere to this rule or its changes?):

By updating the rule to reflect the changes made by HB 216 (2024), individuals who have fulfilled their training requirements in less than 12 months will no longer need to wait to apply for full licensure as funeral service directors. The Division believes this reduction in waiting periods may reduce, but will not increase, costs to affected persons.

**G) Regulatory Impact Summary Table** (This table only includes fiscal impacts that could be measured. If there are inestimable fiscal impacts, they will not be included in this table. Inestimable impacts will be included in narratives above.)

Regulatory Impact Table			
Fiscal Cost	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Cost</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
Fiscal Benefits	FY2025	FY2026	FY2027
State Government	\$0	\$0	\$0
Local Governments	\$0	\$0	\$0
Small Businesses	\$0	\$0	\$0
Non-Small Businesses	\$0	\$0	\$0
Other Persons	\$0	\$0	\$0
<b>Total Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>
<b>Net Fiscal Benefits</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

**H) Department head comments on fiscal impact and approval of regulatory impact analysis:**

The Executive Director of the Department of Commerce, Margaret W. Busse, has reviewed and approved this regulatory impact analysis.

**Citation Information**

**6. Provide citations to the statutory authority for the rule. If there is also a federal requirement for the rule, provide a citation to that requirement:**

Subsection 58-1-106(1)(a)

Subsection 58-1-202(1)(a)

Section 58-9-504

**Public Notice Information**

**8. The public may submit written or oral comments to the agency identified in box 1.** (The public may also request a hearing by submitting a written request to the agency. See Section 63G-3-302 and Rule R15-1 for more information.)

**A) Comments will be accepted until:**

07/01/2025

**B) A public hearing (optional) will be held:****Date:**

06/27/2025

**Time:**

02:00 PM

**Place (physical address or URL):**

Anchor Meeting:  
Heber M. Wells Building  
Room 402  
160 East 300 South  
Salt Lake City UT 84111

Google Meet:  
meet.google.com/pss-tkwz-rtf

**9. This rule change MAY become effective on:**

07/08/2025

NOTE: The date above is the date the agency anticipates making the rule or its changes effective. It is NOT the effective date.

**Agency Authorization Information****Agency head or designee and title:**

Mark B. Steinagel, Division Director

**Date:**

10/19/2024

**R156. Commerce, ~~Occupational and~~ Professional Licensing.**

**R156-9. Funeral Service Licensing Act Rule.**

**R156-9-101. Short ~~4~~ Title - Authority -- Relationship to Rule R156-1.**

(1) This rule shall be known as the "Funeral Service Licensing Act Rule."<sup>[7]</sup>

(2) This rule is adopted by the Division under the authority of Subsection 58-1-106(1)(a) to enable the Division to administer Title 58, Chapter 9, the Funeral Service Licensing Act.

(3) The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-107.

~~**R156-9-103. Authority - Purpose.**~~

~~This rule is adopted by the Division under the authority of Subsection 58-1-106(1)(a) to enable the Division to administer Title 58, Chapter 9.~~

~~**R156-9-104. Organization - Relationship to Rule R156-1.**~~

~~The organization of this rule and its relationship to Rule R156-1 is as described in Section R156-1-107.~~

**R156-9-402. Duties and Responsibilities of a Funeral Service Director in Supervision of Funeral Service Interns, Preneed Funeral Arrangement Sales Agents and Unlicensed Staff.**

The duties and responsibilities of a supervising funeral service director include:

(1) being professionally responsible for the acts and practices of the supervisee;

(2) being engaged in a relationship with the supervisee in which the supervisor is independent from control by the supervisee and in which the ability of the supervisor to supervise and direct the practice of the supervisee is not compromised;

(3) being available for advice, consultation, and direction consistent with the standards and ethics of the profession and the requirements suggested by the total circumstances including the supervisee's level of training;

(4) monitoring the performance of the supervisee for compliance with laws, standards, and ethics applicable to the funeral service profession, including the ~~[Utah Vital Statistics Rules]~~ Data, Systems and Evaluation, Vital Records and Statistics rules of the Utah Department of Health and Human Services (Title R436);

(5) (a) submitting appropriate documentation to the Division with respect to ~~[all]~~ any work completed by the funeral service intern evidencing the performance of the supervisee during the period of supervised training, including the supervisor's evaluation of the supervisee's competence in the practice of the funeral service profession<sup>[7]</sup>; and

(b) submitting this report~~[- This report shall be submitted]~~ to the Division;

(i) within 30 days after the supervisor-supervisee relationship is terminated; or

NOTICES OF PROPOSED RULES

- ~~\_\_\_\_\_~~ (ii) within 30 days after the supervisee has;
- ~~\_\_\_\_\_~~ (A) completed 2,000 hours of supervised experience~~[-in a period exceeding one year-];~~
- ~~\_\_\_\_\_~~ (B) performed 50 embalmings;~~[-]~~ and
- ~~\_\_\_\_\_~~ (C) has satisfactorily completed ~~[all-]~~ the duties and functions of an intern throughout the entire internship period;
- (6) supervising not more than one funeral service intern at any given time unless approved by the Board and Division;
- (7) being physically present and directly supervising, or ensuring that another funeral director directly supervises ~~[all-]~~ the duties and functions completed by a funeral service intern throughout the entire internship period;
- (8) being responsible for and signing ~~[all-]~~ any preneed and at need funeral contracts sold by persons under supervision;
- (9) assuring each supervisee is appropriately licensed as a funeral service intern or preneed funeral arrangement sales agent ~~before[prior to]~~ beginning the supervision;
- (10)(a) notifying the Division ~~[of-]~~ if beginning or ending ~~[of-]~~ an association or employment of a preneed sales agent with the funeral service establishment;
- ~~\_\_\_\_\_~~ (b) within ten days of beginning or ending the association or employment; and[-]
- ~~\_\_\_\_\_~~ (c) using the notification~~[-Notification shall be made on-]~~ forms provided by the Division; and
- (11) assuring that the supervision requirements ~~[are met as required-]~~ are met.

**KEY: funeral industries, licensing, funeral service directors, preneed funeral arrangements**

**Date of Last Change:** ~~[November 21, 2019]~~ 2025

**Notice of Continuation:** November 5, 2020

**Authorizing, and Implemented or Interpreted Law:** 58-1-106(1)(a); 58-1-202(1)(a); 58-9-504