IDAPA 24 – DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSES

STATE BOARD OF MORTICIANS

24.08.01 – Rules of the State Board Morticians

Who does this rule apply to?
This rule applies to applicants, certificate holders, and license holders for:

- Crematory Establishments;
- Funeral Establishments;
- Funeral Directors;
- Morticians; and
- Certificates of Authority

What is the purpose of this rule?
This rule governs the practice of Morticians, Funeral Directors, and Funeral Establishments in Idaho to protect the public health, safety, and welfare. This rule establishes:

- Minimum standards of competency and qualifications for applicants;
- Fees related to licensure;
- Continuing education for licensure;
- Requirements for a resident trainee; and
- Standards of practice

What is the legal authority for the agency to promulgate this rule?
This rule implements the following statute passed by the Idaho Legislature:

Professions, Vocations, and Businesses -
- 54-1101 through 54-1144, Idaho Code – Morticians, Funeral Directors, and Embalmers

Who do I contact for more information on this rule?

State Board of Morticians
Division of Occupational and Professional Licenses
8 a.m. to 5 p.m., Mountain Time, Monday through Friday, except state holidays
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This rule chapter will be reviewed in compliance with Section 67-5292, Idaho Code, and in accordance with the 8-year rule review schedule linked here.

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000. LEGAL AUTHORITY.
The following rules are promulgated pursuant to Section 54-1106 and 54-1107, Idaho Code. (3-28-23)

001. SCOPE.
These rules govern the practice of morticians, funeral directors, and funeral establishments in Idaho. (3-28-23)

002. -- 099. (RESERVED)

100. LICENSURE.

01. Resident Trainee. To be licensed as a Resident Trainee, as defined in Section 54-1112, Idaho Code, an applicant must meet the following requirements. (7-1-25)

a. To meet the twelve (12) month requirement set forth in Idaho Code 54-1109(2)(b), a Resident Trainee be employed for at least thirty-six (36) hours per week within an Idaho mortuary where the Resident Trainee's sponsoring mortician is practicing for the entirety of any twelve (12) months within the three-year trainee period set forth in Idaho Code 54-1112(4). (7-1-25)

b. Personal supervision as required in Chapter 11, Title 54, Idaho Code, shall be defined as the sponsoring mortician, or a licensed appointee, being available in person or remotely to consult with the Resident Trainee. (7-1-25)

c. All training must occur within Idaho. (3-28-23)

d. A Resident Trainee shall not sign a death certificate. (3-28-23)

02. Sponsoring Mortician. A sponsoring mortician must: (3-28-23)

a. Be an Idaho-licensed mortician who practices in Idaho. (3-28-23)

b. Not serve as the sponsoring mortician for more than two (2) Resident Trainees at any given time. (7-1-25)

c. Supervise and instruct the Resident Trainee, and provide demonstrations for and consultations to the Resident Trainee. (7-1-25)

d. Complete and co-sign, with the Resident Trainee, quarterly and final reports. These reports must be completed on forms approved by the Board. The sponsoring mortician must submit a report within thirty (30) days after the period of time covered by the report. (7-1-25)

e. Promptly notify the Board in writing if a Resident Trainee's training is terminated and submit a final report documenting training up to the termination date. (7-1-25)

03. Eligibility to Be Licensed. For purposes of accounting for total cumulative training as a Resident Trainee, the sponsoring mortician must notify the Division at the beginning and termination of the training period. (7-1-25)

04. Inactive Licenses. Licensees may apply for inactive status by making written application and paying the established fee. (7-1-25)

a. All continuing education requirements will be waived for any year or portion thereof that a licensee maintains an inactive license and is not actively practicing or supervising in Idaho. (7-1-25)

b. An inactive license holder may convert from inactive to active license status by: (7-1-25)

i. Providing documentation to the Board showing successful completion within the previous twelve (12) months of the continuing education requirements for renewal of an active license; and (7-1-25)

ii. Paying a fee equivalent to the difference between the current inactive fee and the active renewal fee. (7-1-25)

05. Continuing Education. Each Idaho licensed mortician and funeral director must successfully complete a minimum of ten (10) hours of continuing education biennially for license renewal, such hours must be verified by a certificate of attendance which may be audited by the Board. A licensee shall not be required to complete continuing education in their first renewal period after initial licensure. The continuing education must be germane to the profession and approved by the Board. The Board has discretion to exempt a licensee from this requirement for reasons of individual hardship, including health, or other good cause. Applicants seeking reinstatement must provide proof of attendance of ten (10) hours of continuing education for the previous twenty-four (24) months. (7-1-25)

06. Funeral Establishment and Crematory Establishment. Applicants shall submit a Board approved application form. A walk-through inspection of the establishment must be arranged and completed before the board will issue an establishment license. (7-1-25)

a. Change in Ownership or Location. Any change in the ownership or location of a funeral establishment shall constitute a new funeral establishment for the purposes of licensure. (7-1-25)

b. Funeral Establishment. All funeral establishments shall be required to provide each of the following: (7-1-25)

i. An operating room and necessary equipment for embalming; (7-1-25)

ii. A selection room for caskets and merchandise which may include video, catalogs, and electronic depiction of caskets and merchandise; (7-1-25)

iii. A chapel where funeral or other religious ceremonies may be held; and (7-1-25)

iv. A room for viewing and visitation. (7-1-25)

c. Crematory Establishment. All crematory establishments shall be required to provide each of the following: (7-1-25)

i. Detailed information regarding each retort, specifically documenting that each retort and accompanying equipment is listed by an approved testing agency as listed in the Uniform Fire Code or in the case of alkaline hydrolysis, an appropriate purpose-built vessel with documented validation for sterilization; and (7-1-25)

ii. One (1) set of plans approved by the local building department for the proposed new construction or remodeling where the retort is to be located. (7-1-25)

d. Minimum Standards. (7-1-25)

i. Reasonable Sanitation and Safety Required. No license will be issued to operate a funeral establishment or crematory unless it is apparent that the establishment or crematory can and will be operated in a reasonably sanitary and safe manner and that all pertinent federal, state, and local permits have been obtained, including when operating an alkaline hydrolysis retort. (7-1-25)

ii. Delay Before Cremation. No dead human body, regardless of cause of death, is to be cremated, unless the county coroner in the county in which the death occurred gives written authorization to cremate the body. (7-1-25)

iii. Embalming. If a dead human body is to be held longer than twenty-four (24) hours prior to burial, cremation, or other disposition, the body must be either embalmed or refrigerated at thirty-six degrees Fahrenheit (36F) or less until buried, cremated, or otherwise disposed of. (7-1-25)

iv. Casket Not Necessary. While caskets may be used in cremation, a crematorium may develop internal requirements allowing other containers for aesthetic or sanitary reasons. (7-1-25)

v. Funeral Rule. Licensees are required to comply with Federal Funeral Industry Practices, 16 CFR

Part 453, commonly known as the Funeral Rule. (7-1-25)

101. -- 149. (RESERVED)

150. APPROVED EXAMINATION.
Applicants for licensure shall successfully pass the examinations set forth below. (3-28-23)

01. Mortician Examination. The Mortician examination shall consist of all sections of the International Conference of Funeral Service Examining Board's National Board Examination. (7-1-25)

02. Funeral Director. The funeral director examination shall consist of the Arts section conducted by the International Conference of Funeral Service Examination Board. (7-1-25)

151. -- 199. (RESERVED)

200. PRACTICE STANDARDS.

01. Maintenance or Pre-Need Trust Account Services. Pursuant to Section 54-1134(4), Idaho Code, a fee not to exceed ten percent (10%) of the annual earned interest income may be charged for maintenance of pre-need trust accounts. (7-1-25)

02. Receipt for Bodies to be Cremated. The following must be performed by the operator of a crematory upon receipt of a human body for cremation. (7-1-25)

a. A receipt must be delivered to the licensed mortician or funeral director, his agent, or another person who delivers such body to the crematory. (7-1-25)

b. The receipt must show: (7-1-25)

i. The name of the decedent whose body was received; and (3-28-23)

ii. The date on which that body was received; and (3-28-23)

iii. The place where that body was received; and (3-28-23)

iv. The name and address of the funeral establishment from whom that body was received; and (3-28-23)

v. The name and address of the person, or the names and addresses of the persons, if more than one (1), who actually delivers the body. (3-28-23)

03. Records of Bodies. Each funeral establishment and crematory must maintain a record of each burial, cremation, or other disposition of human remains, disclosing: (7-1-25)

a. The name of the decedent; (7-1-25)

b. The name and address of the person, or names and addresses of the persons if more than one (1), authorizing the burial, cremation, or other disposition of that body; (7-1-25)

c. An embalming report or refrigeration log which shows the date(s) and time(s) a body was placed into or removed from refrigeration. (7-1-25)

d. The date of the burial, cremation, or other disposition of that body; and (3-28-23)

e. The custodial transfer of any cremated remains, including the name and signature of the recipient and date of transfer. (7-1-25)

04. Responsibility for Record. Records regarding the burial, cremation, and other disposition of human bodies must be made as soon as reasonably possible after the burial, cremation, or other disposition and must be dated and signed by the licensed mortician or funeral director who supervised or was otherwise directly responsible for the burial, cremation, or other disposition. (3-28-23)

05. Inspection of Records. Records regarding the receipt, burial, cremation, and other disposition of human bodies must be maintained at the funeral establishment and crematory and be open for inspection at any reasonable time by the Board or its designated representatives. (3-28-23)

201. -- 299. (RESERVED)

300. DISCIPLINE.
The Board may impose a civil fine not to exceed one thousand dollars ($1,000) upon a licensee for each violation of Section 54-1116, Idaho Code. (7-1-25)

301. -- 399. (RESERVED)

400. FEES.

FEE TYPE	AMOUNT (Not to Exceed)
Funeral Director	$200
Funeral Establishment	$300
Crematory Establishment	$480
Mortician	$200
Inactive License	$90
Resident Trainee	$120
Application Fee	$120
Certificate of Authority	$120

(7-1-25)

401. -- 999. (RESERVED)