

Which occupational license is right for you?

Licensure information relating to death care services.

Oregon has several occupational licenses for individuals working in the death care industry. These licenses are based on specific scope of practice. Which license is required for you, if any, is based on the type of work you wish to perform and the services you intend to offer – not necessarily on the location where services are provided or which business title you wish to use. This document is intended to help you understand the licenses in basic terms. For a full explanation of the requirements and responsibilities for each license, please refer to the laws and rules available at: <http://www.oregon.gov/mortcem>

OREGON INDIVIDUAL PRACTITIONER LICENSES

- An Embalmer license relates specifically to the hands-on preparation of human remains.
- A Funeral Service Practitioner (FSP) license is required when the practitioner is engaged directly or indirectly in offering funeral services for payment, or supervising or otherwise controlling the transportation, care, preparation, processing and handling of dead human bodies before final disposition.
- A Preneed Salesperson Registration is required when the individual ONLY meets with families to make pre-need arrangements and no other services or activities are performed. A person holding an FSP or Embalmer license is already registered to do this and does not require a separate registration.
- A Death Care Consultant license would be required when the individual is ONLY providing consultations directly relating to funeral or final disposition services. The Board's assumption is that a person holding an FSP license is already registered to do this and does not require a separate registration.
- A Combo license allows the practitioner to work as both an FSP and an Embalmer.

Q. Do I need a license to make funeral arrangements in Oregon?

A. Only if you receive payment. In the State of Oregon, a person may “act as a funeral service practitioner” (FSP) without a license if they do not receive payment for their services. If you wish to act as an FSP for a friend or family member, you may do so. You are, however, required to complete all required paperwork, secure proper permits, and comply with all Oregon and Federal laws related to funeral and final disposition.

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Q. Which license do I need to help families make funeral arrangements for payment?

A. If you wish to provide, for payment, the service of making the funeral arrangements—meaning you will be directly or indirectly supervising or otherwise controlling the funeral or the transportation and care of the body between the time of death and final disposition—then you need to have a funeral service practitioner license.

A. If you intend to provide individual consultations for payment on how families can act as their own funeral service practitioner in Oregon, then you need a death care consultant license. In this case you are providing advice or coaching services only, and are not supervising or otherwise controlling the arrangements, preparation of remains, completion of forms, or other related activities.

A. If you intend to meet with families to make, or market, trust-funded pre-arrangements for funeral services, you need, at a minimum, a preneed salesperson registration certificate, and must be employed by a Certified Provider who is registered with the Department of Consumer & Business Services. (Licensed funeral service practitioners and embalmers do not need a preneed certificate to sell pre-arrangements, but they must also be employed by a Certified Provider.)

Q. I want to be an embalmer. Which license do I need?

A. In Oregon, we have separated out the responsibilities for the care and preparation of remains between two primary practitioner licenses. If you wish to be able to make arrangements or direct the care and preparation of the deceased, for payment, then you must have a funeral service practitioner license. If you wish to be in the practice of performing the necessary hands on preparation and care of the deceased, whether for payment or not, then you must hold an embalmer's license.

Q. I don't ever want to perform an arterial embalming. I just want to minimally prepare the deceased for viewing (or oversee others in doing so). Do I still need an embalmer's license?

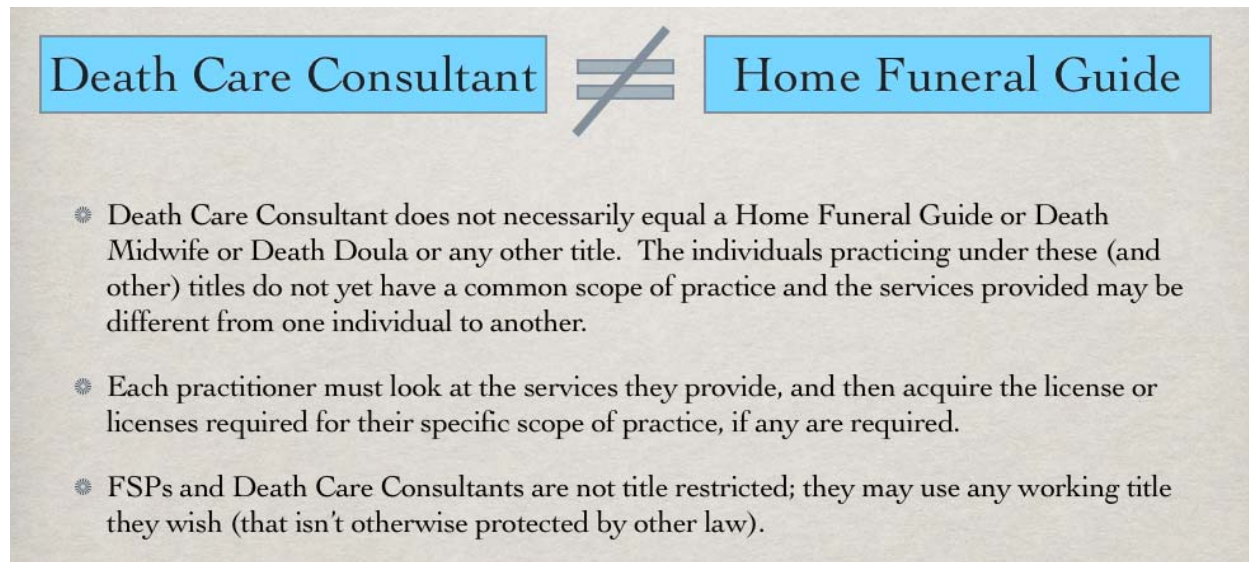
A. Yes. In Oregon, you are considered an embalmer if you are in the practice of "disinfecting or preserving from decay dead human remains..." which covers much more than arterial embalming. Generally, you can think of an embalmer as the person trained in funerary science, or the direct, hands on care of the deceased. Embalmers are educated and trained in anatomy, preservation and disinfection, universal precautions and handling of contaminated waste, as well as post mortem repair, cosmetology, dressing and transport of the deceased.

Q. I want to be a "home funeral guide." Do I need a license to practice in Oregon?

A. Death care industry individual licenses relate to *what* you do, not *where* you do it. As noted in the prior set of answers, if you are providing funeral services for payment, then you need a funeral service practitioner license. If you are only advising families on how to be their own FSP, then you need, at a minimum, a death care consultant license. If your scope of practice doesn't involve offering services

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for funeral or final disposition arrangements, or coaching families how to act as their own FSP, then you probably don't need a license.



- Death Care Consultant does not necessarily equal a Home Funeral Guide or Death Midwife or Death Doula or any other title. The individuals practicing under these (and other) titles do not yet have a common scope of practice and the services provided may be different from one individual to another.
- Each practitioner must look at the services they provide, and then acquire the license or licenses required for their specific scope of practice, if any are required.
- FSPs and Death Care Consultants are not title restricted; they may use any working title they wish (that isn't otherwise protected by other law).

For example, if you are a celebrant leading a ceremony for the family, or helping the family or individual who is dying deal with the transition, a license is not required. You may need other licensure in Oregon and should check based on your specific services.

Q. I want to open a funeral establishment, but I want to specialize in mostly home wakes and funerals, or I intend to have another licensed funeral establishment hold and care for the remains. What do I need to do?

A. There are specific facility licensing requirements for Funeral Establishments in Oregon and you should reference these rules. Even if you do not intend to hold human remains at your funeral establishment, you must, at a minimum, have a suitable holding room for remains. You will also need a funeral service practitioner license to manage a funeral establishment.

Q. What can happen to me if I practice as a funeral service practitioner for payment without a license?

A. Persons who practice as a funeral service practitioner **for payment** without a license or persons practicing as an embalmer without a license are violating Oregon law and are subject to civil penalties. Acting as a funeral service practitioner for payment without a license is also a misdemeanor crime.

Q. I still have other questions. What can I do?

A. Please give us a call or send us an email. We are here to help you understand regulation in Oregon, and help you determine which occupational license you may need. We will continue to update this document with additional questions as they are raised.