

TITLE 16 OCCUPATIONAL AND PROFESSIONAL LICENSING
CHAPTER 64 FUNERAL HOMES AND DISPOSERS
PART 8 FUNERAL SERVICE INTERN PRACTICES

16.64.8.1 ISSUING AGENCY: New Mexico board of funeral services.
[6/15/1996; 1/22/1999; 16.64.8.1 NMAC - Rn & A, 16 NMAC 64.8.1, 9/15/2001; A, 8/8/2012]

16.64.8.2 SCOPE: 16.64.8 NMAC applies to funeral service intern licensees.
[6/15/1996; 16.64.8.2 NMAC - Rn, 16 NMAC 64.8.2, 9/15/2001]

16.64.8.3 STATUTORY AUTHORITY: 16.64.8 NMAC is adopted pursuant to the Funeral Services Act, Sections 61-32-2, 61-32-6, 61-32-7 and 61-32-14 NMSA 1978.
[6/15/1996; 16.64.8.3 NMAC - Rn, 16 NMAC 64.8.3, 9/15/2001; A, 8/8/2012]

16.64.8.4 DURATION: Permanent.
[6/15/1996; 16.64.8.4 NMAC - Rn, 16 NMAC 64.8.4, 9/15/2001]

16.64.8.5 EFFECTIVE DATE: September 26, 1993, unless a different date is cited at the end of a section.
[6/15/1996; 16.64.8.5 NMAC - Rn & A, 16 NMAC 64.8.5, 9/15/2001]

16.64.8.6 OBJECTIVE: 16.64.8 NMAC is to establish the scope of practice for funeral service interns.
[6/15/1996; 16.64.8.6 NMAC - Rn, 16 NMAC 64.8.6, 9/15/2001]

16.64.8.7 DEFINITIONS: [RESERVED]
[6/15/1996; 16.64.8.7 NMAC - Rn, 16 NMAC 64.8.7, 9/15/2001]

16.64.8.8 GENERAL PROVISIONS:

A. Each funeral service intern shall inform the board, on quarterly reports prescribed by the board, of the work completed by the funeral service intern, and the name(s) of the funeral service practitioner(s) who supervised each activity, and shall be for the periods as follows, until such time as the minimum requirements are met, as determined by the board:

- (1) July 1 thru September 30, inclusive;
- (2) October 1 thru December 31, inclusive;
- (3) January 1 thru March 31, inclusive;
- (4) April 1 thru June 30, inclusive.

B. Original quarterly reports shall be due at the office of the board within 30 days of the close of the quarter (faxed reports will not be accepted). Any quarter for which a report is not received by the date due shall not count as time toward the internship.

C. A funeral service intern may be employed by, or receive training at, more than one funeral or commercial establishment concurrently provided that:

- (1) the establishments are part of the same company;
- (2) the establishments are within 50 miles by road travel of each other; and
- (3) application is made, together with the application fee for each license held, 30 days prior to employment or training.

D. A funeral service intern shall make it known that he or she is a funeral service intern under the supervision of a funeral service practitioner, and that he or she is not licensed as a funeral service practitioner nor the licensee in charge.

E. A funeral service intern shall not use the title funeral director and shall use the title funeral service intern. The titles funeral practitioner, funeral director or mortician are reserved for fully licensed practitioners and licensed arrangers in order to prevent the general public from misunderstanding the terms.

F. A funeral service intern shall practice funeral service only under the supervision of a funeral service practitioner, provided:

(1) when a funeral service intern has made arrangements for 50 funerals under direct supervision, he or she may request approval from the board to make arrangements under general supervision; the request shall be made on an application form prescribed by the board, accompanied by the required fees, provided that if the fees were previously paid for a request in accordance with Paragraph (3) of Subsection F of 16.64.8.8

NMAC, the fees shall not be required; and

(2) when a funeral service intern has assisted in embalming of 50 bodies under direct supervision, he or she may request approval from the board to embalm under general supervision; the request shall be made on an application form prescribed by the board, accompanied by the required fees; and

(3) when a funeral service intern has assisted in the directing of 50 funerals, committal services, grave side services or memorial services under direct supervision, he or she may request approval from the board to direct such services under general supervision; the request shall be made on an application form prescribed by the board, accompanied by the required fees, provided that if the fees were previously paid for a request in accordance with Paragraph (1) of Subsection F of 16.64.8.8 NMAC, the fees shall not be required.

G. A funeral service intern shall not practice funeral service in any category under general supervision until application is made, together with the required fees, and approval has been granted by the board.

H. A funeral service intern shall be required to make arrangements during his or her internship in order to qualify for a license as a funeral service practitioner.

I. A funeral service intern shall not be required to practice funeral service under general supervision in any category regardless of the amount of time served or work completed as a funeral service intern.

J. A funeral service intern who is practicing funeral service under general supervision in any category shall be subject to the continuing education requirements of 16.64.6 NMAC.

K. A funeral service intern may receive training under more than one licensed funeral service practitioner, provided the board is notified, in writing, of any changes within 30 days following a change.

L. Any time served, and properly reported to the board, as a resident trainee under prior law will be considered the same as time served as a funeral service intern.

M. A funeral service intern who is practicing funeral service under direct supervision in any category is required to have the licensed funeral service practitioner review and co-sign all contracts prepared by the funeral service intern.

N. A funeral service intern who has a change of employment shall:

(1) return the old license; and

(2) make application for each license held, together with the application fee for each license held as outlined in Subsection D or E of 16.64.2.8 NMAC, within 30 days of the change.

[9/14/1988..9/26/1993, 6/15/1996, 1/22/1999; 16.64.8.8 NMAC - Rn & A, 16 NMAC 64.8.8, 9/15/2001; A, 4/2/2010; A, 8/8/2012; A, 11/1/2019]

HISTORY OF 16.64.8 NMAC:

Pre-NMAC History: The material in this part was derived from that previously filed with the State Records Center and Archives:

Regulation No. 4, Resident Trainees, 8/15/1988.

Regulation 4, Resident Trainees, 4/15/1991.

Reg. 16, Funeral Service Interns, 8/27/1993.

History of Repealed Material: [RESERVED]