

**Title 20-DEPARTMENT OF
COMMERCE AND INSURANCE
Division 2120-State Board of Embalmers
and Funeral Directors
Chapter 3 – Preneed**

PROPOSED RULE

20 CSR 2120-3.405 Preneed Agents

PURPOSE: This rule outlines the provisions for the practice of preneed agent.

- (1) Any individual who desires to be registered as a preneed agent shall:
 - (A) Make application with the board on the forms provided by the board and pay applicable fees;
 - (B) Provide the name, address, and license number of each preneed seller who has authorized the applicant to sell, negotiate, or solicit preneed contracts on their behalf; and
 - (C) Achieve a score of seventy-five (75) or greater on the Missouri Law examination.

- (2) Any individual that is currently licensed by the board as a funeral director and desires to be registered as a preneed agent shall:
 - (A) Make application with the board on the forms provided by the board and
 - (B) Provide the name, address, and license number of each preneed seller who has authorized the applicant to sell, negotiate, or solicit preneed contracts on their behalf;
 - (C) Any funeral director shall also identify himself or herself as acting as a preneed agent on his or her biennial report form to the board by checking the appropriate box on the form prescribed by the board

- (3) An applicant that does not meet the requirements of the board for registration within one (1) year after the application is filed with the board and still desires to seek licensure shall file a new application and pay applicable fees.

- (4) If there is a change in a preneed seller that an agent is authorized to sell, negotiate, or solicit preneed contracts, the agent shall notify the board in writing and include the name, address, and license number of the new seller prior to the agent beginning to work on behalf of the seller.

- (5) Any preneed agent registered by the board to sell a preneed contract for or on behalf of a seller must be the agent of a seller who is licensed to sell preneed contracts by the State Board of Embalmers and Funeral Directors.

AUTHORITY: sections 333.011(9), 333.320, 333.325.5 and 333.340, and 436.520, RSMo 2016. Emergency rule filed Sept. 24, 2009, effective Oct. 4, 2009, terminated Nov. 2, 2009.*

Emergency rule filed Oct. 23, 2009, effective Nov. 2, 2009, expired April 1, 2010. Original rule filed Sept. 24, 2009, effective April 30, 2010. Rescinded and readopted: filed April 13, 2021.

PUBLIC COST: This proposed amendment will not cost state agencies or political subdivisions more than five hundred dollars (\$500) in the aggregate.

PRIVATE COST: This proposed rule will cost private entities eighteen thousand two hundred twenty dollars (\$18,220) annually for the life of the rule. It is anticipated that the costs will recur for the life of the rule, may vary with inflation, and are expected to increase at the rate projected by the Legislative Oversight Committee.

*NOTICE TO SUBMIT COMMENTS: Anyone may file a statement in support of or in opposition to this proposed amendment with the State Board of Embalmers and Funeral Directors, Lori Hayes, Executive Director, 3605 Missouri Boulevard, PO Box 423, Jefferson City, MO 65102-0423, by facsimile at (573) 751-1155 or via email to embalm@pr.mo.gov. To be considered, comments must be received within thirty (30) days after publication of this notice in the **Missouri Register**. No public hearing is scheduled.*