

April 11, 2007

To All Licensees:

This letter is to inform you the Texas Funeral Service Commission adopted Texas Administrative Code 203.38, Reinstatement of Funeral Director and/or Embalmer Licenses, which became effective March 28, 2007. This rule will have a direct impact on those currently enrolled in the provisional programs, and those that will be submitting applications for registration as a provisional licensee.

Texas Administrative Code 203.38, (a), states a person whose license to practice funeral directing and/or embalming has been cancelled or revoked, whether by voluntary action or by disciplinary action of a civil court, commission or board, **may after five (5) years from the effective date of such cancellation** or revocation, petition the Board for reinstatement of the license, unless another time is provided in the cancellation or revocation order, or unless no provision was made in the order for reinstatement. This rule does not apply to licensees who let their licenses lapse for non-payment of renewal fees or licensees against whom a cancellation or revocation proceeding is not pending before the Commission or Board or in any other jurisdiction.

There are at least one hundred provisional licenses, sometimes more, canceled each year because the licensee fails to meet the requirements of the provisional program. Some do not meet the examination requirements, fail to submit reports for months at a time, fail to get their casework, and the excuses just go on and on. In accordance with Texas Administrative Code 203.38 if a provisional license is canceled it will be five years before that licensee can reapply for a provisional license. It is imperative that each future/current provisional licensee understand the importance of complying with the laws and rules that govern the provisional program in the state of Texas.

If you have any questions please do not hesitate to contact my Executive Assistant, Martha Gussoni, at 512-936-2468 or via email at mgus@tfsc.state.tx.us.

Yours truly,

O. C. Robbins
Executive Director