

REVISOR'S NOTE: This section is new language derived without substantive change from Art. 43, § 359(a) -- except for the penalty provisions and the last sentence of that subsection.

Subsection (a) of this section is rephrased in the standard language used throughout this article to state affirmatively that an individual must be licensed to practice a health occupation in this State. See also § 6-501 of this title.

Subsection (a) of this section must be read in conjunction with the definition of "practice mortuary science" in § 6-101(m) of this title. A person must be licensed by the Board to practice any of the elements of mortuary science, but only a licensed mortician may practice all of the elements.

In subsection (b)(1) of this section, new language is added to clarify that the enumerated schools are exempted from the licensing requirements only with respect to certain activities.

Subsection (b)(2) of this section is added to clarify that there are individuals and agencies who are authorized to handle and dispose of dead human bodies without a license from the Board. See, for example, Art. 43, §§ 159 and 160 of the Code and the General Revisor's Note to this title.

Subsection (b)(4) of this section is new language added to clarify that an individual is not required to obtain a license to make funeral arrangements in the course of duties as an attorney or a personal representative.

As to subsection (b)(3) of this section, the intent of the General Assembly in exempting employees of the District of Columbia from the license requirement is not clear. The question is called to the attention of the General Assembly.

The exception as to funeral directors in the first sentence of present Art. 43, § 359(a) is deleted as unnecessary since the exception from the licensing requirement applies only to funeral directors licensed under present Art. 43, § 362. See § 6-307 of this subtitle.

The second sentence of present Art. 43, § 359(a), which states that the subsection does not apply to apprentices, is deleted in light of § 6-306 of this subtitle, which requires an apprentice to be