



D.C. POLICY
CENTER

PUBLIC HEARING ON

**BILL 25-0050, “Funeral Directors Licensing Reform Amendment
Act of 2023”**

Before the Committee on Business & Economic Development

Chairman Kenyan McDuffie

Wednesday January 24, 2024, 10 AM

Virtual Hearing via Zoom

Testimony of Emilia Calma

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Good morning, Chairman McDuffie, and members of the Committee. My name is Emilia Calma, and I am the Director of Research and Policy of the D.C. Policy Center—an independent non-partisan think tank advancing policies for a strong, competitive, and vibrant economy in the District of Columbia. Thank you for the opportunity to testify on Bill 25-0050.

Unfortunately, while there was once great demand for regulation in the funeral industry, heavy regulations have made funeral services more expensive and the industry less competitive. Excess regulation does not necessarily correlate to increases in quality of services, and regulations often increase barriers to entry to the market.ⁱ These barriers then protect the market power of the existing industry at the detriment of both the workforce and people seeking services for their deceased loved ones.

The Funeral Directors Licensing Reform Amendment Act of 2023 creates an additional license for embalmers, a practice that is already covered by the funeral director's license. Currently, to receive a funeral director's license, a person must have embalmed at least 25 human remains and have served as an apprentice in a funeral home.ⁱⁱ In fact, as stated by the bill, any person currently holding a funeral director's license will automatically receive an embalming license. As such, creating an additional embalmer's license splits the funeral director's license into two required licenses, creating additional licensing barriers for future funeral directors who offer embalming services in the District.

Additionally, this legislation in some cases increases the requirements needed to get a funeral director's license. Previously, a person could acquire a license after graduating with a 2-year mortuary science associate's degree and serving as an apprentice for one year, the new legislation requires 2000 internship hours, or at least 2 years of work.

A recent White House report suggested that combining licenses for embalmers and funeral directors has created barriers to entry for female funeral directors,ⁱⁱⁱ excluding them from a well-paid occupation.^{iv} Others argue there could be funeral homes which only provide cremation or other preparations of deceased persons, making embalming requirements unnecessary.^v Making an additional license category will not solve these

issues. If the District wishes to make it easier to obtain a funeral director license by removing embalming requirements, it would do better to create a dual license where persons could get a funeral director license, an embalmer license, or both within the same licensing body and board.

The funeral industry is very small, making licensure exceptionally niche. Across the United States, there are only 13,680 funeral home managers, 32,950 funeral attendants, and 23,940 morticians, undertakers, and funeral arrangers.^{vi} If D.C. has the same rates of funeral employees per population, we are looking at fewer than 150 workers in the District. Additional licensing requirements would create an undue burden on our city's resources, and would at best provide a modest benefit and at worst increase costs and barriers to entry into an already small industry.

While it is important that District residents receive competent services for their loved ones after death, creating additional occupational licenses only increases barriers to employment and additional bureaucracy, while exacerbating the end-of-life costs particularly burdensome for families who have lost a loved one.

Thank you for the opportunity to testify and I welcome any questions you may have.

ⁱ Gale B. Robinson Jr. Regulating Death: Occupational Licensing and Efficiency in the Deathcare Industry, 29 Loy. Consumer L. Rev. 343 (2017). Available at: <https://lawecommons.luc.edu/lclr/vol29/iss3/3>

ⁱⁱ Board of Funeral directors. DC Department of Licensing and Consumer Protection. <https://dlcp.dc.gov/page/board-funeral-directors>

ⁱⁱⁱ Occupational licensing: A framework for policymakers. (2015, July). Department of the Treasury Office of Economic Policy, the Council of Economic Advisers, and the Department of Labor. https://obamawhitehouse.archives.gov/sites/default/files/docs/licensing_report_final_nonembargo.pdf

^{iv} According to the BLS, the median wage for funeral directors in the Washington metropolitan area received a median wage of \$119,400 in 2022. There are not enough embalmers in the region to reliably estimate their wages, but across the country, the median wage for embalmers, morticians, and undertakers was \$52,570 the same year. May 2022 National Occupational Employment and Wage Estimates. U.S. Bureau of Labor Statistics. (2023, April 25). https://www.bls.gov/oes/current/oes_nat.htm

^v Gale B. Robinson Jr. Regulating Death: Occupational Licensing and Efficiency in the Deathcare Industry, 29 Loy. Consumer L. Rev. 343 (2017). Available at: <https://lawecommons.luc.edu/lclr/vol29/iss3/3>

^{vi} May 2022 National Occupational Employment and Wage Estimates. U.S. Bureau of Labor Statistics. (2023, April 25). https://www.bls.gov/oes/current/oes_nat.htm