

**Chapter FDE 3****UNPROFESSIONAL CONDUCT****FDE 3.01 Unprofessional conduct**

**FDE 3.01 Unprofessional conduct.** Any occurrence of the following shall constitute unprofessional conduct by a licensed funeral director, embalmer or registered apprentice funeral director or embalmer or owner of a funeral establishment.

(1) Giving misleading deceptive information to family or persons involved in the arranging of a funeral or final disposition including, but not limited to, funeral costs, burial arrangements, legal requirements and religious propriety.

(2) Acting in an offensive or obnoxious manner in the presence of family or persons attending to a part of funeral arrangements or a funeral service or other matters relating to final disposition.

(3) Performance of any funeral or embalming duty during the planning or conducting of services while under the influence of alcohol or controlled substance. (Controlled substances are listed in chapter 161, Wis. Stats.)

(4) Refusal to comply with a duly authorized request for information by the board or falsifying records of any kind which are made public or requested by the board.

(5) Gross negligence in properly providing and performing the services of funeral directing or embalming for which the individual is duly licensed.

(6) Disclosing confidential information gained in performance of official duties outside of family members or official persons performing duly authorized duties.

(7) Knowingly performing services or providing merchandise not authorized for which additional charges are made; or charges for services or merchandise not authorized after objection thereto for which additional charges are made.

(8) Misrepresentation or fraud in the conduct of business or the profession of any licensee.

(9) Outrageous conduct in the practice of the profession exceeding all bounds usually tolerated by decent society.

(10) Charging for removal or preparation of remains not authorized after objection to the charges by the person (s) authorized to arrange a funeral or final disposition unless the authorization was not obtained because next of kin authorized to make funeral arrangements could not be located within a reasonable time.

**History:** Cr. Register, June, 1978, No. 270, eff. 7-1-78.