

REVENUE: No revenue impact

FISCAL: Fiscal statement issued

Action: Do Pass as Amended and Be Printed Engrossed

Vote: 3 - 2 - 0

Yeas: Bates, Morrisette, Monnes Anderson

Nays: Kruse, Morse

Exc.: 0

Prepared By: Robert Shook, Administrator

Meeting Dates: 4/7, 4/16, 4/23, 4/28

WHAT THE MEASURE DOES: Requires death care consultants to be licensed by State Mortuary and Cemetery Board, and requires facilities for final disposition of human remains, other than cemeteries and crematoriums, to obtain certificate of authority from the Board. Expands definition of “cemetery” to include scattering gardens and cenotaphs, and imposes requirements relating to burials on private lands. Directs the Board to establish rules promoting environmentally sound death care practices, and requires funeral service practitioners to dispose of unclaimed remains of indigent deceased persons in environmentally sound manner.

ISSUES DISCUSSED:

- Definition of death care consultants
- Licensure requirements for death care consultants
- Ownership of property to operate a cemetery or crematorium
- Process of burial for indigent person or unclaimed body
- Definition of “final disposition” to include scattering gardens and cenotaphs

EFFECT OF COMMITTEE AMENDMENT: Clarifies the licensure requirements needed to practice as a funeral service practitioner, embalmer, or death care consultant, and further clarifies the certificate of authority requirements to operate a cemetery or crematorium. Expands on the rules of burial for indigent person and/or unclaimed body. Clarifies the process and financial responsibility of the Department of Human Services in the final disposition arrangements. Clarifies the role of property ownership, and the requirement of maintaining records of human remains on the property.

BACKGROUND: The Oregon Mortuary and Cemetery Board licenses individual death care professionals and the facilities where they work. The mission of the Board is to protect public health, safety and welfare by fairly and efficiently performing its licensing, inspection and enforcement duties by promoting professional behavior and standards in all facets of the Oregon death care industry. The Board’s programs affect those who have suffered a loss, those who make final arrangements and those who provide death care goods and services. It is the Board’s responsibility to license and regulate the practice of individuals and facilities engaged in the care, preparation, processing, transportation and final disposition of human remains.

Senate Bill 796 A would require death care consultants to be licensed by the Board, and require facilities for final disposition to obtain certificate of authority from the Board. It also expands the definition of “cemetery” to include scattering gardens and cenotaphs. It further directs the Board to establish rules promoting environmentally sound death care practices, especially the dispose of unclaimed remains of indigent deceased persons.