

Oregon Mortuary & Cemetery Board

FY 13-15

Governor's Balanced Budget

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CERTIFICATION

I hereby certify that the accompanying summary and detailed statements are true and correct to the best of my knowledge and belief and that the accuracy of all numerical information has been verified.

Mortuary and Cemetery Board

800 NE Oregon Street, Suite 430 / Portland OR 97232

AGENCY NAME

AGENCY ADDRESS



SIGNATURE OF DWIGHT A TERRY

BOARD PRESIDENT

Requests of those agencies headed by a board must be approved by those bodies of official action and signed by the board president.

Agency Request

Governor's Recommended

Legislatively Adopted

Budget Page _____

Enrolled House Bill 5028

Introduced and printed pursuant to House Rule 12.00. Pre-session filed (at the request of Budget and Management Division, Oregon Department of Administrative Services)

CHAPTER

AN ACT

Relating to the financial administration of specified boards; limiting expenditures; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. Notwithstanding any other law limiting expenditures, the amount of \$1,310,960 is established for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the State Mortuary and Cemetery Board.

SECTION 2. Notwithstanding any other law limiting expenditures, the amount of \$587,097 is established for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon Board of Naturopathic Medicine.

SECTION 3. Notwithstanding any other law limiting expenditures, the amount of \$364,166 is established for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Occupational Therapy Licensing Board.

SECTION 4. Notwithstanding any other law limiting expenditures, the amount of \$754,416 is established for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Board of Medical Imaging.

SECTION 5. Notwithstanding any other law limiting expenditures, the amount of \$403,043 is established for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the State Board of Examiners for Speech-Language Pathology and Audiology.

SECTION 6. Notwithstanding any other law limiting expenditures, the amount of \$696,996 is established for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds, collected or received by the Oregon State Veterinary Medical Examining Board.

SECTION 7. This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect July 1, 2011.

Passed by House June 30, 2011

.....
Ramona Kenady Line, Chief Clerk of House

.....
Bruce Hanna, Speaker of House

.....
Arnie Roblan, Speaker of House

Passed by Senate June 30, 2011

.....
Peter Courtney, President of Senate

Received by Governor:

.....M.,....., 2011

Approved:

.....M.,....., 2011

.....
John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2011

.....
Kate Brown, Secretary of State

**76th OREGON LEGISLATIVE ASSEMBLY – 2011 Regular Session
BUDGET REPORT AND MEASURE SUMMARY**

MEASURE: HB 5028-A

**Carrier – House: Rep. Garrard
Carrier – Senate: Sen. Monroe**

JOINT COMMITTEE ON WAYS AND MEANS

Action: Do Pass as Amended and as Printed A-Engrossed

Vote: 22 – 1 – 2

House – Yeas: Beyer, Buckley, Cowan, Garrard, Komp, Kotek, McLane, Nathanson, Nolan, Richardson, G. Smith, Thatcher, Whisnant
– Nays: Freeman
– Exc:

Senate – Yeas: Devlin, Edwards, Girod, Johnson, Monroe, Nelson, Thomsen, Whitsett, Winters
– Nays:
– Exc: Bates, Verger

Prepared By: Tamara Brickman, Department of Administrative Services

Reviewed By: John Terpening, Legislative Fiscal Office

Meeting Date: June 29, 2011

Agency
Health Related Licensing Boards

Budget Page

LFO Analysis Page

Biennium
2011-13

Budget Summary*

	2009-11		2011-13		2011-13		Committee Change from 2009-11 Leg Approved		
	Legislatively Approved Budget (1)		Current Service Level		Governor's Budget		Committee Recommendation	\$ Change	% Change
Other Funds	\$ 3,858,227	\$	4,259,493	\$	4,473,098	\$	4,116,678	\$ 258,451	+6.7%

Position Summary

• Authorized Positions	20	18	20	19	-1
Full-time Equivalent (FTE) Positions	17.26	16.41	18.26	16.86	-0.40

(1) Includes adjustments through March 2011.

Summary of Revenue Changes

The budgets for the Health Related Licensing Boards are supported by Other Fund revenues generated by examination, application and license fees.

The Board of Examiners for Speech-Language Pathology and Audiology

The Subcommittee did not ratify the fee increases in House Bill 5029 and adjusted the fee schedule for the Board to the 2009 level. The Board's fees were administratively increased in 2009 under the assumption that the Legislature would approve increases for existing FTE and the establishment of an investigator position; however these changes were not approved. The subcommittee approved the following budget note:

Budget Note

The Subcommittee on Capital Construction determined that the ratification of the fee increases requested by the agency should not be approved. The agency is directed to report to the Emergency Board before the 2013 regular session on its current ending balance forecast and any new proposed fee changes. The report should include proposals for fee increases that will sustain the existing budgeted resources and maintain an appropriate ending balance.

Oregon Board of Naturopathic Medicine

The Subcommittee approved a fee increase of no more than \$50,000 in accordance with the Co-Chair's budget, which will provide the Board with adequate ending balance.

Occupational Therapy Licensing Board

The Board has administratively decreased the biennial license renewal fees for Occupational Therapists (\$170 to \$150) and Occupational Therapist Assistants (\$120 to \$100). The reduction is expected to reduce Other Fund revenues by \$28,600. By statute, only fee increases and establishments are required in a fee bill to be ratified by the Legislature.

Summary of Capital Construction Subcommittee Action

Board of Examiners of Licensed Dietitians

The Board of Examiners of Licensed Dietitians oversees a voluntary licensing program for dietitians who want to use the title of "Licensed Dietitian". The Subcommittee approved the transfer of the Board to the Oregon Health Licensing Agency (OHLA), including beginning balance, revenues and expenditure limitation necessary to support the Board. The Board had one position (0.30 FTE); however the transfer does not include any positions or FTE. SB 939 will provide the legal mechanism for the transfer to occur and the necessary expenditure limitation has been included in the OHLA budget bill (HB 5026).

Oregon Mortuary and Cemetery Board

The Oregon Mortuary and Cemetery Board regulates the individuals and facilities engaged in the care, preparation, processing, transportation and final disposition of human remains through licensing, inspection, and disciplinary programs. The Subcommittee approved a budget of \$1,310,960 Other Funds and six positions (5.71 FTE). The budget reflects a 4.4 percent increase from the 2009-11 Legislatively Approved budget and provides the Board with an ending balance of \$291,968, which is approximately five months of operating reserves.

The Subcommittee approved statewide personal services reductions and the elimination of inflationary adjustments that were included in the Governor's budget.

Oregon Board of Naturopathic Medicine

The Oregon Board of Naturopathic Medicine regulates naturopathic physicians through licensing and disciplinary programs. The Subcommittee approved a budget of \$587,097 Other Funds and three positions (2.50 FTE), which is an 8.0 percent increase from the 2009-11 Legislatively Approved budget. The budget provides the Board with an ending balance of \$139,672, which is approximately six months of operating reserves.

The Subcommittee approved the following packages:

- Package 180 – Fee Increase: this is a revenue only package, which includes an approved Other Funds fee increase of \$50,000 to allow the Board to maintain an adequate ending balance.
- Package 181 – Continue 0.50 FTE Investigator: this package continues the part-time investigator position that was approved by the Legislature in February 2010 as limited duration.

- Package 810 – LFO Analyst Adjustments: this package reduces Other Funds by \$32,511 in Services and Supplies to achieve the Co-Chairs’ target of holding the Board’s budget level to no more than an 8.0 percent increase from the 2009-11 Legislatively Approved Budget.

In addition to the packages mentioned above, the Subcommittee approved statewide personal services reductions and the elimination of inflationary adjustments that were included in the Governor’s budget.

Occupational Therapy Licensing Board

The Occupational Therapy Licensing Board regulates the practice of occupational therapy through licensing and disciplinary programs. The Subcommittee approved a budget of \$364,166 Other Funds and one position (1.25 FTE), which is an 8.0 percent increase from the 2009-11 Legislatively Approved Budget. The budget provides the Board with an ending balance of \$253,629, which is approximately sixteen months of operating reserves. The Board needs to maintain at least nine months of operating reserves due to its licensing renewal cycle, which occurs once a biennium.

The Subcommittee approved the following packages:

- Package 810 – LFO Analyst Adjustments: this package reduces Other Funds by \$6,301 in Services and Supplies to achieve the Co-Chairs’ target of holding the Board’s budget level to no more than an 8.0 percent increase from the 2009-11 Legislatively Approved Budget.

In addition to the packages mentioned above, the Subcommittee approved statewide personal services reductions and the elimination of inflationary adjustments that were included in the Governor’s budget.

Oregon Board of Medical Imaging

The Oregon Board of Medical Imaging licenses and regulates radiographers, radiation therapists, limited x-ray machine operators, nuclear medicine technologists, sonographers, and MRI technologists. The Subcommittee approved a budget of \$754,416 Other Funds and four positions (3.25 FTE), which a 23.1 percent increase from the 2009-11 Legislatively Approved Budget and provides the Board with an ending balance of \$138,902, which is approximately four months of operating reserves.

The Subcommittee approved the following packages:

- Package 150 – Enhanced Oversight: this package provides \$34,670 Other Funds and one limited duration position (0.25 FTE) to assist the Board with an increase in investigative workload as a result of the passage of House Bill 2245 (2009) requiring the licensure and regulation of three new license types.
- Package 151 – Vendor Exam Costs: this package adds \$56,000 Other Funds limitation used for pass through payments associated with national examination costs for licensees.

In addition to the packages mentioned above, the Subcommittee approved statewide personal services reductions and the elimination of inflationary adjustments that were included in the Governor's budget.

The Board of Examiners for Speech-Language Pathology and Audiology

The Board of Examiners for Speech-Language Pathology and Audiology regulates speech-language pathologists and audiologists through licensing and disciplinary programs. The Subcommittee approved a budget of \$403,043 Other Funds and two positions (1.40 FTE), which is an 8.0 percent increase from the 2009-11 Legislatively Approved Budget and provides the Board with an ending balance of \$240,754, which is approximately fourteen months of operating reserves. The Board needs to maintain at least nine months of operating reserves due to its licensing renewal cycle, which occurs once a biennium.

The Subcommittee approved the following packages:

- Package 084 – December E-Board: this package adds \$11,973 Other Funds to continue funding for certain items (\$3,006 for Attorney General, \$1,967 for the Office of Administrative Hearings, and \$7,000 for Merchant Fees) approved by the December 2010 Emergency Board.
- Package 810 – LFO Analyst Adjustments: this package increases Other Funds by \$22,866 in Services and Supplies to address the agency's investigation, administration and information technology needs. This limitation achieves the Co-Chairs' target of holding the Board's budget level to no more than an 8.0 percent increase from the 2009-11 Legislatively Approved Budget.

In addition to the packages mentioned above, the Subcommittee approved statewide personal services reductions and the elimination of inflationary adjustments that were included in the Governor's budget.

The Subcommittee added the following budget note:

Budget Note

The Subcommittee on Capital Construction expressed its concerns with the potential duplication of background checks on licensees working in schools that have already been subject to a background check for employment. The Board is directed to work with the Teacher Standards and Practices Commission to avoid duplication of background checks on licensees.

Oregon Veterinary Medical Examining Board

The Oregon Veterinary Medical Examining Board regulates the veterinary professions in Oregon through enforcement of the Veterinary Practice Act. The Subcommittee approved a budget of \$696,996 Other Funds and three positions (2.75 FTE), which is a 5.8 percent increase from the 2009-11 Legislatively Approved Budget and provides the Board with an ending balance of \$241,501, which is approximately eight months of operating reserves. The Board needs to maintain at least six months of operating reserves due to its licensing renewal cycle, which occurs once a biennium.

The Subcommittee approved statewide personal services reductions and the elimination of inflationary adjustments that were included in the Governor's budget.

Summary of Performance Measure Action

See attached Legislatively Adopted 2011-13 Key Performance Measures form.

Legislatively Approved 2011-2013 Key Performance Measures

Agency: MORTUARY & CEMETERY BOARD

Mission: The mission of the Oregon Mortuary and Cemetery 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; and, by maintaining constructive relationships with licensees, those they serve and others with an interest in the Board's activities.

Legislatively Proposed KPMs	Customer Service Category	Agency Request	Most Current Result	Target 2012	Target 2013
1 - Facility Inspection - Percent of licensed facilities inspected not less than once per biennium.		Approved KPM	36.00	100.00	100.00
2 - Complaint Investigation - Percent of investigative reports completed within six months of a complaint from any person against a licensee.		Approved KPM	44.00	80.00	80.00
3 - Customer Service - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Accuracy	Approved KPM	89.00	96.00	96.00
3 - Customer Service - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Availability of Information	Approved KPM	82.00	96.00	96.00
3 - Customer Service - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Expertise	Approved KPM	90.00	96.00	96.00
3 - Customer Service - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Helpfulness	Approved KPM	88.00	96.00	96.00
3 - Customer Service - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Overall	Approved KPM	92.00	96.00	96.00
3 - Customer Service - Percent of customers rating their satisfaction with the agency's customer service as "good" or "excellent": overall, timeliness, accuracy, helpfulness, expertise, availability of information.	Timeliness	Approved KPM	89.00	96.00	96.00
4 - Best Practices - Percent of total best practices met by the Board.		Approved KPM	0.00	100.00	100.00

LFO Recommendation:

Approve the requested Key Performance Measures and associated targets.

Sub-Committee Action:

Sub-Committee approved the LFO recommendation.

Enrolled Senate Bill 5508

Printed pursuant to Senate Interim Rule 213.28 by order of the President of the Senate in conformance with pre-session filing rules, indicating neither advocacy nor opposition on the part of the President (at the request of Budget and Management Division, Oregon Department of Administrative Services)

CHAPTER

AN ACT

Relating to state financial administration; creating new provisions; amending section 1, chapter _____, Oregon Laws 2011 (Enrolled Senate Bill 5549), and section 5, chapter 20, Oregon Laws 2011 (Enrolled Senate Bill 5552); appropriating money; limiting expenditures; and declaring an emergency.

Be It Enacted by the People of the State of Oregon:

SECTION 1. In addition to and not in lieu of any other appropriation, there is appropriated to the Emergency Board, for the biennium beginning July 1, 2011, out of the General Fund, the amount of \$25,000,000 for the purposes for which the Emergency Board lawfully may allocate funds.

SECTION 2. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 12, chapter 687, Oregon Laws 2009, for the biennium beginning July 1, 2009, as the maximum limit for payment of expenses from federal funds collected or received by the Oregon Watershed Enhancement Board, is increased by \$800,000 for agency operations related to Oregon Plan activities.

SECTION 3. Notwithstanding any other law limiting expenditures, the amount of \$726,928 is established for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses for debt service payments from fees, moneys or other revenues, including Miscellaneous Receipts, but excluding lottery funds and federal funds not described in this section, collected or received by the State Department of Fish and Wildlife.

SECTION 4. Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 3, chapter 409, Oregon Laws 2011 (Enrolled House Bill 5002), for the biennium beginning July 1, 2011, as the maximum limit for payment of expenses from lottery moneys allocated from the Parks and Natural Resources Fund to the State Department of Agriculture for the Oregon Plan, to be used for fish and watershed activities, is increased by \$543,000.

SECTION 5. (1) Notwithstanding any other provision of law, the General Fund appropriation made to the Oregon University System by section 1 (1), chapter _____, Oregon Laws 2011 (Enrolled Senate Bill 5532), for the biennium beginning July 1, 2011, is decreased by \$9,624,046 for education and general services of higher education.

(2) Notwithstanding any other law limiting expenditures, the limitation on expenditures established by section 2 (1), chapter _____, Oregon Laws 2011 (Enrolled Senate Bill 5532),

Commission:		
Administrative expenses		
Other funds	SB 5522 1(1)	+6,755
Department of Revenue:		
General Fund	HB 5040 1	-259,006
Other funds	HB 5040 2	-56,229
Employment Relations Board:		
Other funds	SB 5510 3	-1,811
Office of Governor:		
General Fund	HB 5025 1	-8,746
Other funds	HB 5025 4	-862
Lottery funds	HB 5025 3	-943
Oregon Government		
Ethics Commission:		
Other funds	HB 5024 1	-1,354
State Library:		
General Fund	SB 5521 1	-1,859
Other funds		
- Assessments	SB 5521 3	-2,711
- Non-Assessment	SB 5521 2	-71
Federal funds	SB 5521 4	-1,776

(2) CONSUMER AND BUSINESS SERVICES.

2011		
Oregon Laws		
Agency/Program/Funds	Chapter/ Section	Adjustment
Oregon Board of Accountancy:		
Other funds	SB 5501 1	-\$9,129
State Board of Tax Practitioners:		
Other funds	HB 5044 1	-3,095
Construction Contractors Board:		
Other funds	HB 5012 1	-10,154
Oregon Board of Licensed Professional Counselors and Therapists:		
Other funds	HB 5015 1	+1,195
State Board of Psychologist Examiners:		
Other funds	HB 5038 1	-42,775
State Board of Chiropractic Examiners:		
Other funds	HB 5007 1	+3,255
State Board of Clinical Social Workers:		

Other funds	HB 5008 1	-441
Oregon Board Of Dentistry:		
Other funds	HB 5017 1	-7,473
State Mortuary and Cemetery Board:		
Other funds	HB 5028 2	+10,034
Board of Naturopathic Examiners:		
Other funds	HB 5028 3	+11,026
Occupational Therapy Licensing Board:		
Other funds	HB 5028 4	-207
Board of Medical Imaging:		
Other funds	HB 5028 5	-4,822
State Board of Examiners for Speech-Language Pathology and Audiology:		
Other funds	HB 5028 6	+1,452
Oregon State Veterinary Medical Examining Board:		
Other funds	HB 5028 7	+4,633
Oregon Health Licensing Agency:		
Other funds	HB 5026 1	-19,614
Bureau of Labor and Industries:		
General Fund	SB 5519 1	-10,650
Other funds	SB 5519 2	-3,637
Federal funds	SB 5519 4	-819
Public Utility Commission of Oregon:		
Utility program:		
Other funds	SB 5542 1(1)	-5,168
Residential Service Protection Fund:		
Other funds	SB 5542 1(2)	-286
Administration:		
Other funds	SB 5542 1(3)	-17,065
Board of Maritime Pilots:		
Other funds	SB 5542 1(4)	-71
Federal funds	SB 5542 2	-36
Department of Consumer and Business Services:		
Other funds	HB 5013 1	-506,788
Federal funds	HB 5013 2	-2,438
Real Estate Agency:		
Other funds	SB 5544 1	-33,430
Oregon State Board of Nursing:		
Other funds	SB 5527 1	-55,413
Oregon Medical Board:		

Federal funds	HB 5046 3(4)	-5,164
Rail		
Other funds	HB 5046 2(14)	-11,201
Transportation safety		
Other funds	HB 5046 2(15)	-14,980
Federal funds	HB 5046 3(6)	-21,148
Central services		
Other funds	HB 5046 2(16)	-1,903,041
Debt service		
Other funds	HB 5046 2(17)	-17,906,875
Oregon Department of Aviation:		
Operations		
Other funds	HB 5004 1(1)	-2,668

SECTION 62. This 2011 Act being necessary for the immediate preservation of the public peace, health and safety, an emergency is declared to exist, and this 2011 Act takes effect on its passage.

Passed by Senate June 29, 2011

.....
Robert Taylor, Secretary of Senate

.....
Peter Courtney, President of Senate

Passed by House June 30, 2011

.....
Bruce Hanna, Speaker of House

.....
Arnie Roblan, Speaker of House

Received by Governor:

.....M.,....., 2011

Approved:

.....M.,....., 2011

.....
John Kitzhaber, Governor

Filed in Office of Secretary of State:

.....M.,....., 2011

.....
Kate Brown, Secretary of State

**76th OREGON LEGISLATIVE ASSEMBLY – 2011 Regular Session
BUDGET REPORT AND MEASURE SUMMARY**

JOINT COMMITTEE ON WAYS AND MEANS

MEASURE: SB 5508-A

Carrier – House: Rep. Richardson

Carrier – Senate: Sen. Devlin

Action: Do Pass as Amended and as Printed A-Engrossed

Vote: 24 – 0 – 1

House – Yeas: Beyer, Buckley, Cowan, Freeman, Garrard, Komp, Kotek, McLane, Nathanson, Nolan, Richardson, G. Smith, Thatcher, Whisnant

– Nays:

– Exc:

Senate – Yeas: Bates, Devlin, Edwards, Girod, Johnson, Monroe, Nelson, Thomsen, Whitsett, Winters

– Nays:

– Exc: Verger

Prepared By: Sheila Baker, Legislative Fiscal Office

Reviewed By: Daron Hill, Legislative Fiscal Office

Meeting Date: June 29, 2011

<u>Agency</u>	<u>Budget Page</u>	<u>LFO Analysis Page</u>	<u>Biennium</u>
Emergency Board	L-1	263	2011-13
Various Agencies			2009-11

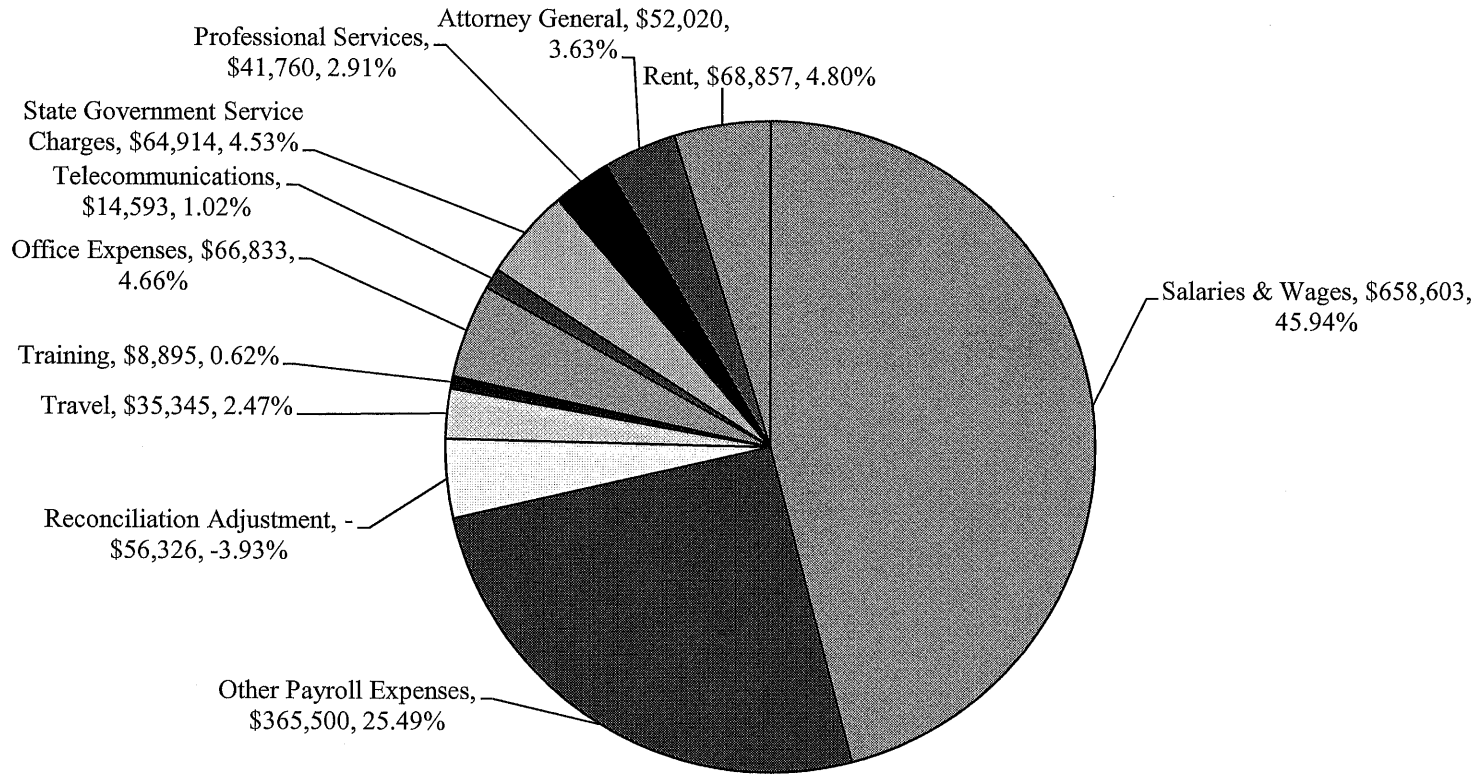
SENATE BILL 5508-A
ATTACHMENT A: 2011-13 Agency Adjustments

Agency Name	Appropriation Description	Bill Number	Section/ Sub	Fund	General Fund	Lottery Funds	Other Funds	Federal Funds
ADMINISTRATION								
ADVOCACY COMMISSIONS OFFICE	Operating Expenses	HB 5001	01	GF	(229)	-	-	-
DEPT OF ADMIN SERVICES	Mill Creek Debt Service	SB 5502	01-02	GF	(114,267)	-	-	-
DEPT OF ADMIN SERVICES	Operating Expenses	SB 5502	02-01	OF	-	-	(1,039,691)	-
DEPT OF ADMIN SERVICES	Debt Service (Other)	SB 5502	02-05	OF	-	-	(625,330)	-
DEPT OF ADMIN SERVICES	Debt Service - OPB	SB 5502	03-01	LF	-	(311,063)	-	-
DEPT OF ADMIN SERVICES	Debt Service - Tillamook FEMA Match	SB 5502	03-06	LF	-	(559,068)	-	-
DEPT OF ADMIN SERVICES	Debt Service - Lane Transit District EmX	SB 5502	03-07	LF	-	238,158	-	-
OREGON STATE TREASURY	Administrative Expenses - Operations	HB 5048	01-01	OF	-	-	(92,844)	-
OREGON STATE TREASURY	Administrative Expenses - College Savings	HB 5048	01-02	OF	-	-	(3,362)	-
RACING COMMISSION	Operating Expenses	SB 5543	01	OF	-	-	(48,788)	-
PUB EMPLOYEES RETIREMNT SYSTEM	Administrative and operating expenses	HB 5039	01-01	OF	-	-	(34,511)	-
SECRETARY OF STATE	Executive Office, BSD, ISD, HRD	HB 5041	01-01	GF	(249)	-	-	-
SECRETARY OF STATE	Elections Division	HB 5041	01-02	GF	(6,360)	-	-	-
SECRETARY OF STATE	Archives Division	HB 5041	01-03	GF	(404)	-	-	-
SECRETARY OF STATE	Executive Office, BSD, ISD, HRD	HB 5041	02-01	OF	-	-	(2,390)	-
SECRETARY OF STATE	Audits Division	HB 5041	02-03	OF	-	-	(4,419)	-
SECRETARY OF STATE	Archives Division	HB 5041	02-04	OF	-	-	(122)	-
SECRETARY OF STATE	Corporation Division	HB 5041	02-05	OF	-	-	10,191	-
SECRETARY OF STATE	Help America Vote Act	HB 5041	03	FF	-	-	-	(45)
LIQUOR CONTROL COMMISSION	Administrative expenses	SB 5522	01-01	OF	-	-	6,755	-
DEPT OF REVENUE	Administrative Expenses	HB 5040	01	GF	(259,006)	-	-	-
DEPT OF REVENUE	Operating Expenses	HB 5040	02	OF	-	-	(56,229)	-
EMPLOYMENT RELATIONS BOARD	Assessments of agencies transferred to DAS	SB 5510	03	OF	-	-	(1,811)	-
OFFICE OF THE GOVERNOR	Operating Expenses	HB 5025	01	GF	(8,746)	-	-	-
OFFICE OF THE GOVERNOR	Economic Revitalization Team	HB 5025	03	LF	-	(943)	-	-
OFFICE OF THE GOVERNOR	Operating Expenses	HB 5025	04	OF	-	-	(862)	-
GOVERNMENT ETHICS COMMISSION	Other Funds	HB 5024	01	OF	-	-	(1,354)	-
OREGON STATE LIBRARY	Operating Expenses	SB 5521	01	GF	(1,859)	-	-	-
OREGON STATE LIBRARY	Operating Expenses - Assessments	SB 5521	03	OF	-	-	(2,711)	-
OREGON STATE LIBRARY	Operating Expenses - Non-Assessment	SB 5521	02	OF	-	-	(71)	-
OREGON STATE LIBRARY	Operating Expenses	SB 5521	04	FF	-	-	-	(1,776)
CONSUMER AND BUSINESS SERVICES								
STATE BOARD OF ACCOUNTANCY	Operating Expenses	SB 5501	01	OF	-	-	(9,129)	-
TAX PRACTITIONERS BOARD	Operating Expenses	HB 5044	01	OF	-	-	(3,095)	-
CONSTRUCTION CONTRACTOR BOARD	Operating Expenses	HB 5012	01	OF	-	-	(10,154)	-
COUNSELORS AND THERAPISTS BRD	Operating Expenses	HB 5015	01	OF	-	-	1,195	-
PSYCHOLOGISTS EXAMINERS BOARD	Operating Expenses	HB 5038	01	OF	-	-	(42,775)	-
CHIROPRACTIC EXAMINERS BOARD	Operating Expenses	HB 5007	01	OF	-	-	3,255	-
CLINICAL SOCIAL WORKERS BOARD	Operating Expenses	HB 5008	01	OF	-	-	(441)	-
OREGON BOARD OF DENTISTRY	Operating Expenses	HB 5017	01	OF	-	-	(7,473)	-
HEALTH RELATED LICENSING BRDS	State Mortuary and Cemetary Board	HB 5028	02	OF	-	-	10,034	-
HEALTH RELATED LICENSING BRDS	Board of Naturopathic Examiners	HB 5028	03	OF	-	-	11,026	-
HEALTH RELATED LICENSING BRDS	Occupational Therapy Licensing Board	HB 5028	04	OF	-	-	(207)	-
HEALTH RELATED LICENSING BRDS	Board of Medical Imaging	HB 5028	05	OF	-	-	(4,822)	-
HEALTH RELATED LICENSING BRDS	State Board of Examiners for Speech-Language Pathology and Audiology	HB 5028	06	OF	-	-	1,452	-

SENATE BILL 5508-A
ATTACHMENT A: 2011-13 Agency Adjustments

Agency Name	Appropriation Description	Bill Number	Section/ Sub	Fund	General Fund	Lottery Funds	Other Funds	Federal Funds
DEPT OF MILITARY	Emergency Management	HB 5037	03-02	FF	-	-	-	(2,475)
DEPT OF MILITARY	Community Support	HB 5037	03-03	FF	-	-	-	(1,647)
PUBLIC SAFETY/STDS/TRAINING	Operations	SB 5541	02	OF	-	-	(40,497)	-
OREGON YOUTH AUTHORITY	Operations	SB 5549	01-01	GF	(156,486)	-	-	-
OREGON YOUTH AUTHORITY	Debt Service	SB 5549	01-02	GF	(159,158)	-	-	-
OREGON YOUTH AUTHORITY	Operations	SB 5549	03	FF	-	-	-	(4,584)
TRANSPORTATION								
AVIATION DEPARTMENT	Operations	HB 5004	01-01	OF	-	-	(2,668)	-
OREGON DEPT OF TRANSPORTATION	Maintenance and emergency relief program	HB 5046	02-02	OF	-	-	(562,909)	-
OREGON DEPT OF TRANSPORTATION	Preservation program	HB 5046	02-03	OF	-	-	(6,613)	-
OREGON DEPT OF TRANSPORTATION	Bridge program	HB 5046	02-04	OF	-	-	(21,791)	-
OREGON DEPT OF TRANSPORTATION	Operations program	HB 5046	02-05	OF	-	-	(76,146)	-
OREGON DEPT OF TRANSPORTATION	Modernization program	HB 5046	02-06	OF	-	-	(3,562)	-
OREGON DEPT OF TRANSPORTATION	Special programs	HB 5046	02-07	OF	-	-	(625,605)	-
OREGON DEPT OF TRANSPORTATION	Local government program	HB 5046	02-08	OF	-	-	(7,778)	-
OREGON DEPT OF TRANSPORTATION	Driver and motor vehicle services	HB 5046	02-09	OF	-	-	(1,862,141)	-
OREGON DEPT OF TRANSPORTATION	Motor carrier transportation	HB 5046	02-10	OF	-	-	(92,287)	-
OREGON DEPT OF TRANSPORTATION	Transportation program development	HB 5046	02-11	OF	-	-	(103,298)	-
OREGON DEPT OF TRANSPORTATION	Public transit	HB 5046	02-13	OF	-	-	(3,625)	-
OREGON DEPT OF TRANSPORTATION	Rail	HB 5046	02-14	OF	-	-	(11,201)	-
OREGON DEPT OF TRANSPORTATION	Transportation safety	HB 5046	02-15	OF	-	-	(14,980)	-
OREGON DEPT OF TRANSPORTATION	Central services	HB 5046	02-16	OF	-	-	(1,903,041)	-
OREGON DEPT OF TRANSPORTATION	Debt Service	HB 5046	02-17	OF	-	-	(17,906,875)	-
OREGON DEPT OF TRANSPORTATION	Motor carrier transportation	HB 5046	03-02	FF	-	-	-	(1,123)
OREGON DEPT OF TRANSPORTATION	Transportation program development	HB 5046	03-03	FF	-	-	-	(2,272)
OREGON DEPT OF TRANSPORTATION	Public transit	HB 5046	03-04	FF	-	-	-	(5,164)
OREGON DEPT OF TRANSPORTATION	Transportation safety	HB 5046	03-06	FF	-	-	-	(21,148)
OREGON DEPT OF TRANSPORTATION	Debt service on lottery bonds	HB 5046	04-01	LF	-	(11,276,491)	-	-
TOTAL					(21,137,899)	(24,477,825)	(33,909,520)	(2,633,061)

OREGON MORTUARY & CEMETERY BOARD
2013 - 2015 AGENCY SUMMARY NARRATIVE



2011 - 2013 Legislatively Adopted Budget Expenditures:

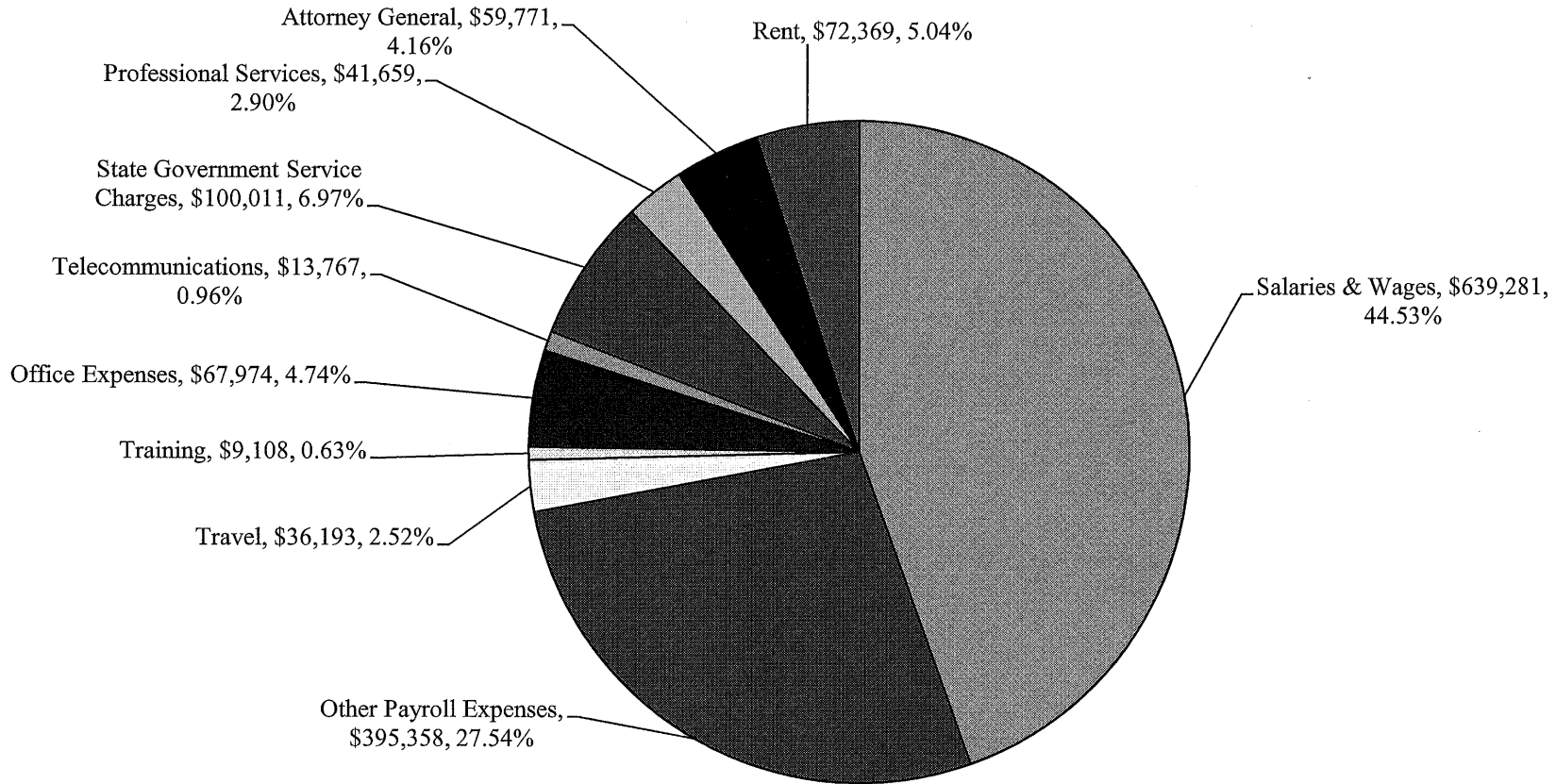
\$1,320,994 Other Funds

Cash Balance: \$281,934 (5 months reserves)

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OREGON MORTUARY & CEMETERY BOARD

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2013 - 2015 Governor's Balanced Budget Expenditures: \$1,412,605 Other Funds

Cash Balance: \$535,674 (9.9 months reserves)

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OREGON MORTUARY & CEMETERY BOARD

2013 - 2015 AGENCY SUMMARY NARRATIVE

II. MISSION STATEMENT AND STATUTORY AUTHORITY

The mission of the Oregon Mortuary and Cemetery Board (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; and, by maintaining constructive relationships with licensees, those they serve and others with an interest in the Board's activities.

The powers and duties of the Board are set forth in ORS chapter 692, ORS 97.931 and OAR chapter 830.

III. AGENCY PLANS

A. Long-Range Plans

The Board has no primary links to Oregon Benchmarks. As a high-level outcome, the Board looks to its statutory mission statement. In order to advance its mission, the Board has identified three long-term strategic outcomes.

- 1: **Fairly and efficiently perform licensing, inspection and enforcement duties.**
- 2: **Promote access to quality care via professional standards, education and outreach.**
- 3: **Maintain constructive relationships.**

Within this context, the Board has established a long-range strategic framework addressing both external and internal objectives that support achieving these core outcomes, As follows:

External

- Death Perception in Oregon
 - The Board will focus on improving the public visibility and understanding of the death care industry, and the current and emerging trends and issues for consumers and licensees.
 - The Board will provide leadership on these issues at the State level.
 - The Board will establish focused services on the education of consumers and practitioners.
- Supporting Population and Cultural Change
 - The Board will address current and emerging considerations in support of demographic changes within the State.

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OREGON MORTUARY & CEMETERY BOARD

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- The Board will support efforts to ensure the availability of skilled practitioners in the death care industry who can meet the needs of a changing population.
- The Board will provide sufficient regulation to ensure consumer protection and safety while honoring cultural or personal preferences or practices.

- Economic, Technological and Environmental Considerations and Impacts
 - The Board will address the overall economic impact on social services within the State of Oregon and the resultant impacts on the care of the dead.
 - The board will provide leadership in ensuring consumer choice and protection with regard to the pre-arrangements of death care goods and services (pre-need arrangements).
 - The Board will ensure the proper regulation and utilization of new disposition technologies and practices.
 - The Board will provide a leadership role in ensuring the environmental sustainability of death care services, technologies, practices and products.
 - The Board will provide a leadership role in the regulation and adoption of new disposition technologies.
 - The Board will provide expertise and policy relating to the disposition of indigent remains.

- Disaster Preparedness and Role of Death Care Practitioners
 - The Board will support State-wide regional planning and preparedness operations through promotion of the critical role of the participation of death care industry practitioners.

- Other Areas
 - The board will participate in discussions on land use, planning and zoning with regard to cemeteries, memorials, funeral homes, and all other facilities used in the care and final location of the dead.
 - The Board will ensure through partnership the proper regulation of the overall transportation and logistics chain for dead human remains.

Internal

- Board Practice Maturity
 - The Board has established management practices, sufficient staff support, and regularly reviews strategic and policy questions establishing clear direction.

- Statute and Rule review; regulatory streamlining and plain language

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OREGON MORTUARY & CEMETERY BOARD

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- The Board will review all Rules and Statutes to insure relevance; to make sure that language is outcome oriented and easy to understand; that consumer protection and professional excellence are maintained in all aspects of the death care industry.
- Agency staff will regularly review processes and forms with an eye toward regulatory streamlining and improved service to the consumer and licensees.

- Operations; Meeting Statutory requirements for inspections, investigations; reporting.
 - The Board will meet all statutory requirements for investigations, inspections and reporting.
 - The Board will improve mechanisms to track issues and policy decisions, improve forms, and establish industry standards (such as required reporting forms) where appropriate.

- Budget allocation and revenue source sufficiency
 - The Board will focus on creating greater stability of revenue sources for long term viability of program outcomes.

- Staffing; standards, practices and stability
 - The Board will have a sufficient staff to support the operations of the Board.
 - The Board will ensure consistency of practice, and will address current issues of high staff turnover.

- Interagency partnership
 - The Board will effectively partner with other State agencies in order to meet the mission of the Board, as well as to improve consumer protection and to streamline regulations where possible both under the Board's direct oversight and when there is overlap with other agencies.

B. 2013-2015 TWO-YEAR PLAN

Goal: Develop operational and revenue model that provides long-term stability for the provision of Board statutory mission.

Goal: Promote access to a broad selection of quality services through licensing and regulatory requirements, partnership and outreach/education.

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OREGON MORTUARY & CEMETERY BOARD

2013 - 2015 AGENCY SUMMARY NARRATIVE

IV. AGENCY PROGRAMS

Program Description

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. The Board's licensees include funeral service practitioners, embalmers, apprentices, interns, preneed sales people, death care consultants, funeral establishments, immediate disposition companies, cemeteries and crematories. The Board is composed of eleven members appointed by the Governor: two funeral service practitioners, one embalmer, three cemetery representatives, one crematory operator and four public members. Approximately 63,000 deaths will occur in Oregon during the 2013-2015 biennium. Death care services are provided by approximately 2400 practitioners and facilities throughout the state.

The Board protects the public and the industry by promoting and enforcing compliance with statutes and rules established for that purpose, which are predominantly administrative law. Engaging in certain death care activities without a license is the only crime within the Board's jurisdiction.

For budget purposes, the Board is considered a single program unit. For practical purposes, the Board's principal activities are organized in three sections: 1) licensing and examination; 2) compliance; and, 3) administration. Each of these components has some responsibility for education.

Licensing & Examination

The Board licenses individual death care professionals and the facilities where they work. This includes individual funeral service practitioners, embalmers, apprentices, interns, preneed sales people, death care consultants, as well as the funeral establishments, immediate disposition companies, cemeteries and crematories within Oregon. The Board also administers a funeral service practitioner (FSP) and death care consultant (DCC) exams at least twice each year.

Compliance-Inspection

The Board inspects all death care facilities at least once each biennium. The Board takes a preventive approach to investigations, preferring to educate licensees when in the field in order to prevent violations. With the exception of egregious or continuing violations, deficiencies noted during routine inspections rarely lead to formal disciplinary action.

Compliance-Complaint & Background Investigation

ORS 676.165 requires the Board to conduct an investigation upon receipt of a complaint by any person against a licensee or applicant. The Board may also initiate an investigation upon its own motion. Though complaint investigations are mandatory, the Board's sanctioning authority is discretionary.

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OREGON MORTUARY & CEMETERY BOARD
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Board conducts criminal background checks on a variety of individual license applicants and on the principals of licensed facilities. The Board may deny a license application for conviction of a crime bearing a demonstrable relationship to funeral service practice, embalming practice, or the operation of funeral establishments, immediate disposition facilities, cemeteries and crematories. The Board may also deny an application for any misrepresentation in obtaining a license.

Administration

The Board's administrative functions are carried out by the Executive Director with the assistance from staff. Principal functions include program and project planning, development, management and evaluation; budget preparation and presentation; performance measurement; legislative coordination; rulemaking; personnel recruitment, management and retention; contracting and purchasing; receipt and expenditure control; accounting oversight; information systems and data base management; meeting planning and facilitation; public relations; and, developing and maintaining critical partnerships and collaborative relationships.

Education

The Board serves as an information resource on death care options and resources for the public, other agencies, organizations and the media as well as for licensees. Education is also one of the principal aims of the Board's inspection process. Inspectors invite questions and provide on-site technical assistance, as well as explaining the regulatory basis for any deficiencies noted. Finally the Board administers an apprenticeship program for prospective funeral service practitioners and embalmers, and also provides the examinations for licensure for funeral service practitioners and death care consultants.

V. ENVIRONMENTAL FACTORS

Background

Little more than a generation ago, funeral service was virtually the exclusive province of small, locally-owned businesses. At the time, funeral homes offered what have since become known as "traditional" goods and services often sold in a package tied to the cost of the casket. Earth burial or entombment was the norm. Although it was not uncommon to buy a cemetery plot in advance or put something aside for funeral expenses, funeral arrangements were, more often than not, made at or near the time of death.

Since then, five somewhat simultaneous developments have altered the character of what is now called the death care industry.

1. Consolidation

In the 1970's, a few growing corporations (known as consolidators) began acquiring thousands of funeral establishments, cemeteries, crematories and related businesses. Oregon was no exception. As of April 2002, the three largest consolidators were: Service Corporation International (SCI), 3,128

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OREGON MORTUARY & CEMETERY BOARD

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facilities; The Alderwoods Group (formerly the Loewen Group), 1,166 facilities; and, Stewart Enterprises, 462 facilities. As of July 2002, these three corporations owned 107 (40 %) of Oregon's 268 licensed funeral establishments, immediate disposition companies and crematories. They also owned a similarly high percentage of the large for-profit cemeteries serving Oregon's metropolitan areas.

2. Preneed Sales

Along with consolidation came the aggressive marketing of prearranged (prepaid) funeral and cemetery plans. As the large corporations intensified their efforts to capture the market for the future, many independently-owned establishments, accustomed to reliance on "at need" business, were compelled to follow suit or fade away. Between 1993 and 2006, the amount of Oregon preneed trust funds on deposit more than doubled from \$47.8 million to \$96.4 million, despite continual trust fund distributions for services rendered. These figures do not include prearrangements funded through insurance policies. Although the amount paid for preneed insurance in Oregon is unknown, it is guesstimated that more than 50% of all prearrangements are funded through insurance.

3. Cremation Rate

The cremation rate, nationwide, has been rising steadily for some time. According to Cremation Association of North America (CANA) estimates there were 778,025 cremations in 2005 out of 2,433,000 deaths, nearly 32%. Oregon's cremation rate is about twice the national ratio. It has more than quadrupled since 1975 when it was 15.4%. In 1997, cremation exceeded 50% for the first time. According to the Oregon Center for Health Statistics, the cremation rate was 62% in 2004, the most recent year for which actual data are available. Oregon's cremation rate is expected to be about 65% or higher by the end of the current biennium.

4. Alternative Providers

One of the hallmarks of the consolidation era was higher prices. Along with higher prices came the increasing preference for cremation and growing demand for a low-cost alternative to the cremation services offered by traditional funeral establishments. Direct cremation is a form of final disposition without embalming, formal viewing, visitation or ceremony with the body present. It is typically performed using a simple cremation container, rather than an expensive casket. Though cremated remains (ashes) can be inurned and buried or entombed in a cemetery, families may also chose from a variety of other options at little or no cost. Immediate disposition companies and funeral establishments that specialize in low-cost direct cremation, do not need the extensive equipment, facilities or staff required to conduct a traditional funeral. Free of such major overhead expenses, alternative providers can profitably offer much lower prices than full service funeral homes.

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OREGON MORTUARY & CEMETERY BOARD

2013 - 2015 AGENCY SUMMARY NARRATIVE

5. Government Regulation

Omsberg Reforms

In 1984, Lincoln City police discovered fifteen decomposing bodies in funeral director Dale Omsberg's garage. Twice as many were later found in mass graves at Omsberg's nearby cemetery. Most had been entrusted to Omsberg for cremation. As news of the atrocity emerged, survivors who had already received ashes back from Omsberg demanded to know what actually became of their loved one's remains. Unfortunately, there was no paper trail for law enforcement officials to follow. Some remains were never identified; others were never found.

The families who trusted Omsberg suffered enormous heartache. In response to the tragedy, a task force composed of victims, industry leaders and government officials proposed major reforms that were passed during the 1985 legislative session (1985 SB 876). Still unique today, those reforms called for a combined regulatory scheme at a time when other states were regulating the various segments of the industry separately, if at all. In addition to funeral directors, embalmers and funeral homes, the new Oregon Mortuary and Cemetery Board was assigned responsibility for licensing and regulating the activities of cemeteries, mausoleums, crematories and immediate disposition companies. The Board was also given a statutory mandate to conduct random inspections of all licensed facilities. Above and beyond consumer protection, the Legislature's intent was to insure that human remains are treated with dignity. All licensed facilities are now required to maintain detailed, accurate and permanent records documenting the handling of human remains at every step from the place of death to the place of final disposition.

In order to carry out its new duties, the Board received additional compliance staff, additional investigative powers and the authority to conduct criminal background checks on license applicants. For revenue to support such wide ranging funeral, cemetery and crematory reforms, the Legislature established a \$5 death certificate filing fee. Although the filing fee was raised by \$2 in 1993 to provide revenue for the indigent burial fund administered by the Department of Human Services, the \$5 portion that supports Board programs had not been increased until the overall fee was raised to \$20 during the 2009 legislative session, with \$14 going to fund Board programs and the remaining \$6 funding the indigent burial program.

There is no reliable way to measure the effect of the Omsberg reforms in preventing problems. What can be said is that while other states have confronted some rather dreadful episodes related to the handling of human remains, Oregon has not had another incident like the one in Lincoln City since 1985.

The Funeral Rule

Effective April 30, 1984, the Federal Trade Commission imposed consumer protection regulations known as the Funeral Rule. The Board has since adopted those regulations. A summary of the Rule and the Board's efforts to promote compliance is included in the description of the Board's inspection program, above.

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OREGON MORTUARY & CEMETERY BOARD

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Kern Reforms

Under Oregon law, a consumer who pays for final arrangements in advance by means of a trust contract may cancel and obtain a refund of principal and interest at any time before death. The funeral home or cemetery that sold the contract is not entitled to claim the trust money until after the beneficiary dies and the goods and services called for in the contract have been provided.

The Kern case is the financial equivalent of the Omsberg incident in 1984. In 1996, SCI sold a number of Medford death care facilities to a new Oregon corporation formed by the Kern family from California. At the time of the sale, SCI improperly transferred preneed trust funds in the amount of \$4.3 million to an account under David Kern's control at U.S. Bank in Medford. U.S. Bank later allowed Mr. Kern to withdraw those trust funds. Mr. Kern also failed to deposit more than \$1 million in trust payments received after he began operating the Medford facilities. In 1998, the Board learned that the \$5.3 million within Mr. Kern's control was not deposited in trust and that he spent the money for a variety of unlawful purposes. The Board later learned that SCI improperly retained additional trust funds estimated at \$1 million. This failure to properly trust a total of about \$6.3 million affected more than 4000 families in the Medford area. In September of 2000, after two years in bankruptcy court, a complex settlement agreement designed to replenish trust funds and otherwise protect consumers was executed. The Board was the driving force in this major consumer protection effort. In May 2002, the parties to the settlement agreement entered into an amendment for the principal purpose of resolving disputes concerning a number of trust contracts not accounted for in the initial settlement agreement. The Board also played a pivotal role in criminal proceedings against Mr. Kern who was sentenced to 18 months in prison in December of 2002.

Like Omsberg, it was apparent from the Kern case that major regulatory reforms were needed. In June of 2000, the Board took the lead in promoting reform by obtaining a \$4,000 Public Policy Dispute Resolution grant leading to the formation of a taskforce composed of preneed trust stakeholders. The ultimate product of that collaborative effort was HB 2809 which passed during the 2001 legislative session and became effective on January 1, 2002. In addition to transferring responsibility for preneed trust regulation from the Secretary of State to the Department of Consumer and Business Services, the new law contains comprehensive reforms designed to enhance consumer protection without dramatic fee increases.

Death Care Sales

The death care industry controls resources essential for the final disposition of human remains. Like any other commercial enterprise, success depends upon the sale of goods and services for a profit. However, unlike ordinary customers, death care consumers are often compelled to make an array of unusual, emotional and costly purchase decisions in the midst of coping with the confusing and painful loss of a loved one. Because the means, motive and opportunity for exploitation are inherent in the nature of many death care transactions, providers have a special duty to observe strict standards of professional conduct. Vulnerable consumers are natural prey for the unscrupulous and opportunistic.

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OREGON MORTUARY & CEMETERY BOARD

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In order to promote professional standards, those entering funeral service in Oregon must have an associate degree, must successfully complete a one-year apprenticeship and must pass a written examination demonstrating sufficient knowledge of death care regulations to begin practice. Though not required for licensure, about 70% of Oregon's funeral service practitioners graduated from an accredited program of funeral service education. The best do not think of themselves as ordinary retailers or consider the families they serve as ordinary consumers. They believe it is their duty not just to bury the dead, but to help families tailor meaningful services that celebrate life, honor the deceased and alleviate grief.

Funeral arrangements can be made either at need (at the time of death) or preneed (before death). Consumers are most vulnerable after a recent loss. In recognition of the pressing need and distress of the bereaved, only licensed funeral service practitioners and supervised apprentices may conduct at need funeral arrangements. The Board issues a preneed salesperson registration to those who intend to engage in preneed trust sales, alone. Funeral service practitioners, embalmers and apprentices are not required to obtain a separate registration in order to engage in preneed trust sales.

Consumers are generally thought to be more discerning and selective when making arrangements in advance because their judgment is not clouded by grief and there is no urgent need to make decisions about the final disposition of a loved one's remains. That is not to say that making arrangements in advance eliminates the potential for exploitation. Unlike funeral service practitioners, preneed sales people usually receive compensation in the form of sales commissions. Additionally, preneed sales people are not subject to any education, apprenticeship or examination requirements. Under current law, anyone who passes a criminal background check can obtain a preneed sales registration. Whether actively or passively, commission sales programs tend to encourage high pressure sales tactics. The more you sell, the more you make. In combination with a lack of funeral service training, commission sales generate a strong incentive to engage in deceptive practices. Furthermore, since arrangements are often made well in advance of need, the potential for theft or misappropriation of preneed trust payments is ever present and may go unnoticed for years.

VI. AGENCY INITIATIVES & ACHEIVEMENTS

The Board needs to create financial stability in order to meet its statutory mission. The Board is also interested in shifting from a reactionary stance to a proactive stance in anticipation of higher volume in the death care industry projected in the 2015-2040 timeframe, given the aging of the overall population. Education and inspection will become essential tools in protecting the public. This is core to our mission and strategic goals, and will be assessed through improved ratings on customer satisfaction ratings, feedback from our industry partners, as well as net reductions in documented compliance issues.

The Board will also be focused on improving relationships with stakeholders and developing partnerships with industry associations, private business and other agencies in order to appropriately prepare for longer term issues facing the state as far as land use, air quality and natural resources, emergency response, and cultural diversity. The agency is key in bringing consideration of the death care industry to these State-wide conversations and planning efforts. . This will be evaluated through existing measures from these programs, through assessment of the inclusion of the needs of effective death care in upcoming debate on the identified key issues.

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OREGON MORTUARY & CEMETERY BOARD

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Licensing

The number of licenses issued typically exceeds the number of licensees as a result of changes in facility ownership, apprentices who become fully licensed, individuals who do not renew, etc.

LICENSES ISSUED	Actual 1995 - 1997	Actual 1997 - 1999	Actual 1999 - 2001	Actual 2001 - 2003	Actual 2003 - 2005	Actual 2005 - 2007	Actual 2007 - 2009	Actual 2009 - 2011	Estimated 2011 - 2013	Projected 2013 - 2015
Initial Individual Licenses: Preneed, FSP, Embalmer, DCC, Apprentice	468	809	730	424	457	384	432	417	525	525
Initial Facility Licenses: Funeral Home, Cemetery, Crematorium, Immediate Disposition Company, Removal Registration	119	87	64	118	82	168	112	216	200	200
Individual Renewals: Preneed, FSP, Embalmer, Combo*, DCC Apprentice	1168 converted *	1443 converted *	1226	1426	1384	1340	1352	1264	1290	1290
Facility Renewals: Funeral Home, Cemetery, Crematorium, Immediate Disposition Company	620	631	659	637	677	675	707	717	733	733
TOTAL LICENSES ISSUED:	2375	2970	2679	2605	2600	2567	2603	2614	2614	2748

* A combo includes both a funeral service practitioner license and an embalmer license. Prior to 1999-2001, combos were incorrectly counted as one license. In order to allow historic comparison, individual license renewal figures for the period prior to 1999-2001 were converted to terms in common with current data. The conversion was based upon the assumption that about 50% of individual license renewals are combos.

Examination

The Board typically administers 50-65 exams per biennium. The Board anticipates administering a similar number during the 2013-2015 biennium.

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OREGON MORTUARY & CEMETERY BOARD

2013 - 2015 AGENCY SUMMARY NARRATIVE

Inspections

	Actual 2001 - 2003		Actual 2003 - 2005		Actual 2005-2007		Actual 2007-2009		Actual 2009-2011		Estimated 2011-2013		Projected 2013-2015	
	Actual	Av/Mo	Actual	Av/Mo	Actual	Av/Mo	Actual	Av/Mo	Actual	Av/Mo	Actual	Av/Mo	Actual	Av/Mo
*FE	157	6.5	105	4.4	178	7.5	127	5.3	133	5.54	145	6.40	180	7.50
*CRE	53	2.2	33	1.4	38	1.6	44	1.8	45	1.87	45	1.87	60	2.50
*IDC	7	0.3	6	0.25	8	0.33	8	0.33	7	0.29	10	0.41	9	0.38
*CEM	164	6.8	41	1.7	132	5.5	193	8.04	87	3.62	220	9.16	180	7.50
Totals	381	15.8	185	7.75	356	14.8	372	15.5	272	11.33	420	17.50	429	17.88

* FE - funeral establishment; CRE - crematory; IDC - immediate disposition company; CEM – cemetery

Investigations

	Actual 2001 - 2003	Actual 2003 - 2005	Actual 2005 - 2007	Actual 2007 - 2009	Actual 2009 - 2011	Estimated 2011 - 2013	Projected 2013 - 2015
Opened	197	229	227	345	237	226	235
Closed	115	150	393	262	323	210	250
Discipline	25	44	79	71	70	60	50
Warning		29	61	61	58	16	45
No action		77	253	130	195	132	155

OREGON MORTUARY & CEMETERY BOARD

2013 - 2015 AGENCY SUMMARY NARRATIVE

VII. CRITERIA FOR 2013-2015 BUDGET DEVELOPMENT

In developing the 2013-2015 Budget Request, the Board considered the anticipated revenues and projected expenditures necessary to fulfill the Board's mission and achieve its strategic goals given the environmental factors affecting the Board. Then, the Board applied all the requisite criteria and assumptions provided by DAS related to the Board's programming.

The following value criteria were used in developing the budget request:

- Does the requested budget item serve to fulfill the Board's mission?
- Does it advance the Board's strategic goals?
- Can the objective be achieved with existing staff and funding?

Agency Request	X Governor's Balanced	Legislatively Adopted	Budget Page 31
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Summary of 2013-15 Biennium Budget

**Health Related Licensing Boards
Mortuary Board
2013-15 Biennium**

**Governor's Budget
Cross Reference Number: 83300-017-00-00-00000**

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
2011-13 Leg Adopted Budget	6	5.71	1,320,994	-	-	1,320,994	-	-	-
2011-13 Emergency Boards	-	-	-	-	-	-	-	-	-
2011-13 Leg Approved Budget	6	5.71	1,320,994	-	-	1,320,994	-	-	-
2013-15 Base Budget Adjustments									
Net Cost of Position Actions									
Administrative Biennialized E-Board, Phase-Out	-	-	64,149	-	-	64,149	-	-	-
Estimated Cost of Merit Increase	-	-	-	-	-	-	-	-	-
Base Debt Service Adjustment	-	-	-	-	-	-	-	-	-
Base Nonlimited Adjustment	-	-	-	-	-	-	-	-	-
Capital Construction	-	-	-	-	-	-	-	-	-
Subtotal 2013-15 Base Budget	6	5.71	1,385,143	-	-	1,385,143	-	-	-
Essential Packages									
010 - Non-PICS Pers Svc/Vacancy Factor									
Non-PICS Personal Service Increase/(Decrease)	-	-	2,414	-	-	2,414	-	-	-
Subtotal	-	-	2,414	-	-	2,414	-	-	-
020 - Phase In / Out Pgm & One-time Cost									
021 - Phase-in	-	-	-	-	-	-	-	-	-
022 - Phase-out Pgm & One-time Costs	-	-	-	-	-	-	-	-	-
Subtotal	-	-	-	-	-	-	-	-	-
030 - Inflation & Price List Adjustments									
Cost of Goods & Services Increase/(Decrease)	-	-	13,001	-	-	13,001	-	-	-
State Gov't & Services Charges Increase/(Decrease)	-	-	35,097	-	-	35,097	-	-	-
Subtotal	-	-	48,098	-	-	48,098	-	-	-

Summary of 2013-15 Biennium Budget

**Health Related Licensing Boards
Mortuary Board
2013-15 Biennium**

**Governor's Budget
Cross Reference Number: 83300-017-00-00-00000**

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
040 - Mandated Caseload									
040 - Mandated Caseload	-	-	-	-	-	-	-	-	-
050 - Fundshifts and Revenue Reductions									
050 - Fundshifts	-	-	-	-	-	-	-	-	-
060 - Technical Adjustments									
060 - Technical Adjustments	-	-	-	-	-	-	-	-	-
Subtotal: 2013-15 Current Service Level	6	5.71	1,435,655	-	-	1,435,655	-	-	-

Summary of 2013-15 Biennium Budget

**Health Related Licensing Boards
Mortuary Board
2013-15 Biennium**

**Governor's Budget
Cross Reference Number: 83300-017-00-00-00000**

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
Subtotal: 2013-15 Current Service Level	6	5.71	1,435,655	-	-	1,435,655	-	-	-
070 - Revenue Reductions/Shortfall									
070 - Revenue Shortfalls	-	-	-	-	-	-	-	-	-
Modified 2013-15 Current Service Level	6	5.71	1,435,655	-	-	1,435,655	-	-	-
080 - E-Boards									
081 - May 2012 E-Board	-	-	-	-	-	-	-	-	-
082 - September 2012 E-Board	-	-	-	-	-	-	-	-	-
083 - December 2012 E-Board	-	-	-	-	-	-	-	-	-
Subtotal Emergency Board Packages	-	-	-	-	-	-	-	-	-
Policy Packages									
090 - Analyst Adjustments	-	-	-	-	-	-	-	-	-
091 - Statewide Administrative Savings	-	-	(463)	-	-	(463)	-	-	-
092 - PERS Taxation Policy	-	-	(2,512)	-	-	(2,512)	-	-	-
093 - Other PERS Adjustments	-	-	(20,075)	-	-	(20,075)	-	-	-
150 - Continue .50 FTE investigator	-	-	-	-	-	-	-	-	-
160 - Scanner Support	-	-	-	-	-	-	-	-	-
161 - Shift investigator costs to prof serv	-	-	-	-	-	-	-	-	-
180 - Increased Administrative/Compliance Workload	-	-	-	-	-	-	-	-	-
181 - Criminal Background Check Fees	-	-	-	-	-	-	-	-	-
182 - Enhanced Investigation/Background Checks	-	-	-	-	-	-	-	-	-
183 - Fee Increase	-	-	-	-	-	-	-	-	-
190 - Fee Increase	-	-	-	-	-	-	-	-	-
Subtotal Policy Packages	-	-	(23,050)	-	-	(23,050)	-	-	-

Summary of 2013-15 Biennium Budget

Health Related Licensing Boards
Mortuary Board
2013-15 Biennium

Governor's Budget
Cross Reference Number: 83300-017-00-00-00000

<i>Description</i>	<i>Positions</i>	<i>Full-Time Equivalent (FTE)</i>	<i>ALL FUNDS</i>	<i>General Fund</i>	<i>Lottery Funds</i>	<i>Other Funds</i>	<i>Federal Funds</i>	<i>Nonlimited Other Funds</i>	<i>Nonlimited Federal Funds</i>
Total 2013-15 Governor's Budget	6	5.71	1,412,605	-	-	1,412,605	-	-	-

Percentage Change From 2011-13 Leg Approved Budget	-	-	6.90%	-	-	6.90%	-	-	-
Percentage Change From 2013-15 Current Service Level	-	-	-1.60%	-	-	-1.60%	-	-	-

PROGRAM PRIORITIZATION FOR 2013-15

Agency Name:																											
2013-15 Biennium																			Agency Number: 83300								
Agency-Wide Priorities for 2013-15 Biennium																											
1	2	3	4	5	6	7	8	9	10	11	12	13	14	15	16	17	18	19	20	21	22						
Priority (ranked with highest priority first)	Agency Initials	Program or Activity Initials	Program Unit/Activity Description	Identify Key Performance Measure(s)	Primary Purpose Program- Activity Code	GF	LF	OF	NL-OF	FF	NL-FF	TOTAL FUNDS	Pos.	FTE	New or Enhanced Program (Y/N)	Included as Reduction Option (Y/N)	Legal Req. Code (C, D, FM, FO, S)	Legal Citation	Explain What is Mandatory (for C, FM, and FO Only)	Comments on Proposed Changes to CSL included in Agency Request							
Agcy	Prgm/ Div																										
	OMCB		Board Operations	1,2,3,4	10, 3							\$ 1,412,605	6	5.71	N	N	S	ORS692, 97									
												\$ -															
												\$ -															
												\$ -															
												\$ -															
												\$ -															
												\$ -															
												\$ -															
												\$ 1,412,605	6	5.71													

7. Primary Purpose Program/Activity Exists

- 1 Civil Justice
- 2 Community Development
- 3 Consumer Protection
- 4 Administrative Function
- 5 Criminal Justice
- 6 Economic Development
- 7 Education & Skill Development
- 8 Emergency Services
- 9 Environmental Protection
- 10 Public Health
- 11 Recreation, Heritage, or Cultural
- 12 Social Support

19. Legal Requirement Code

- C Constitutional
- D Debt Service
- FM Federal - Mandatory
- FO Federal - Optional (once you choose to participate, certain requirements exist)
- S Statutory

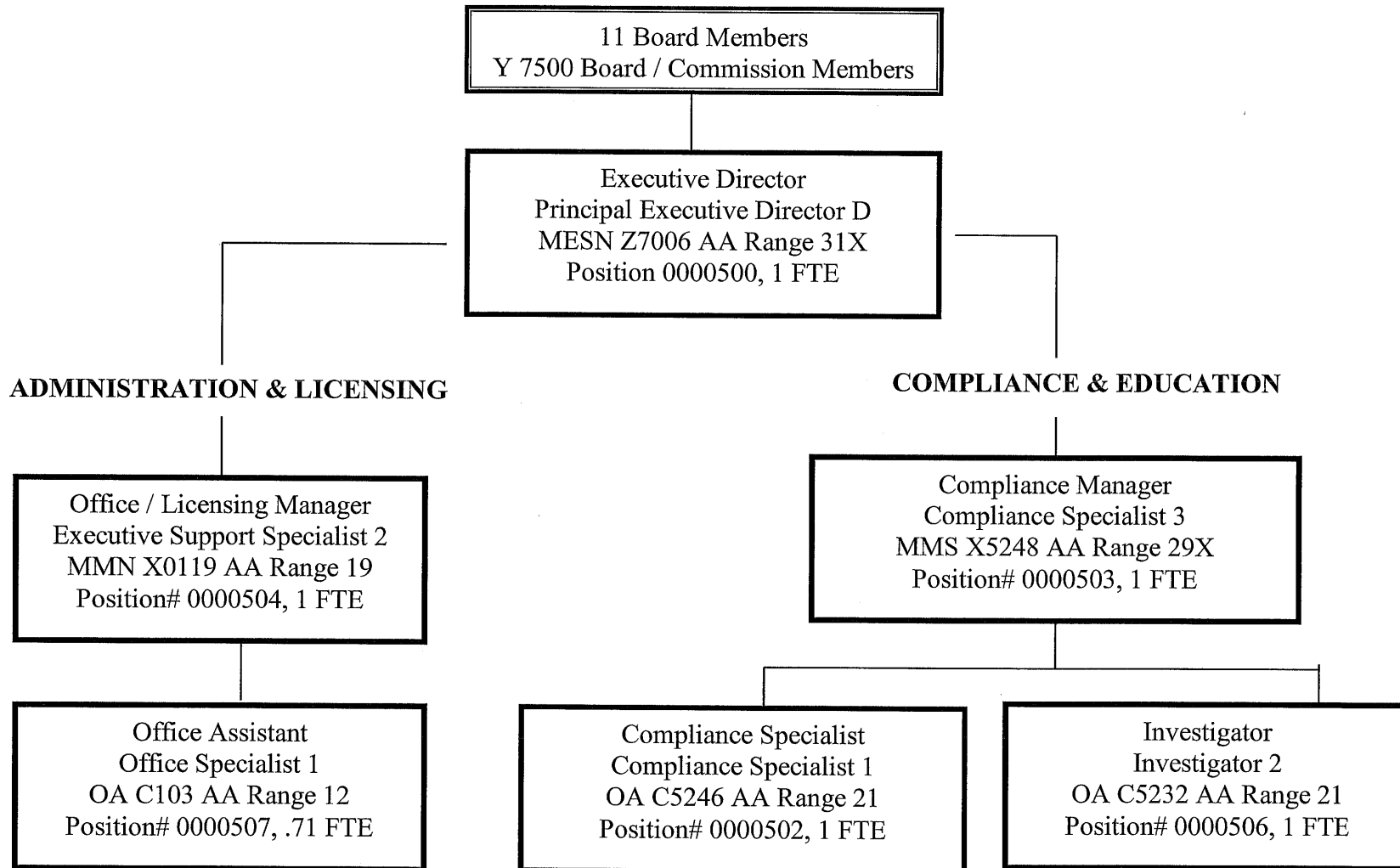
Prioritize each program activity for the Agency as a whole

Document criteria used to prioritize activities:

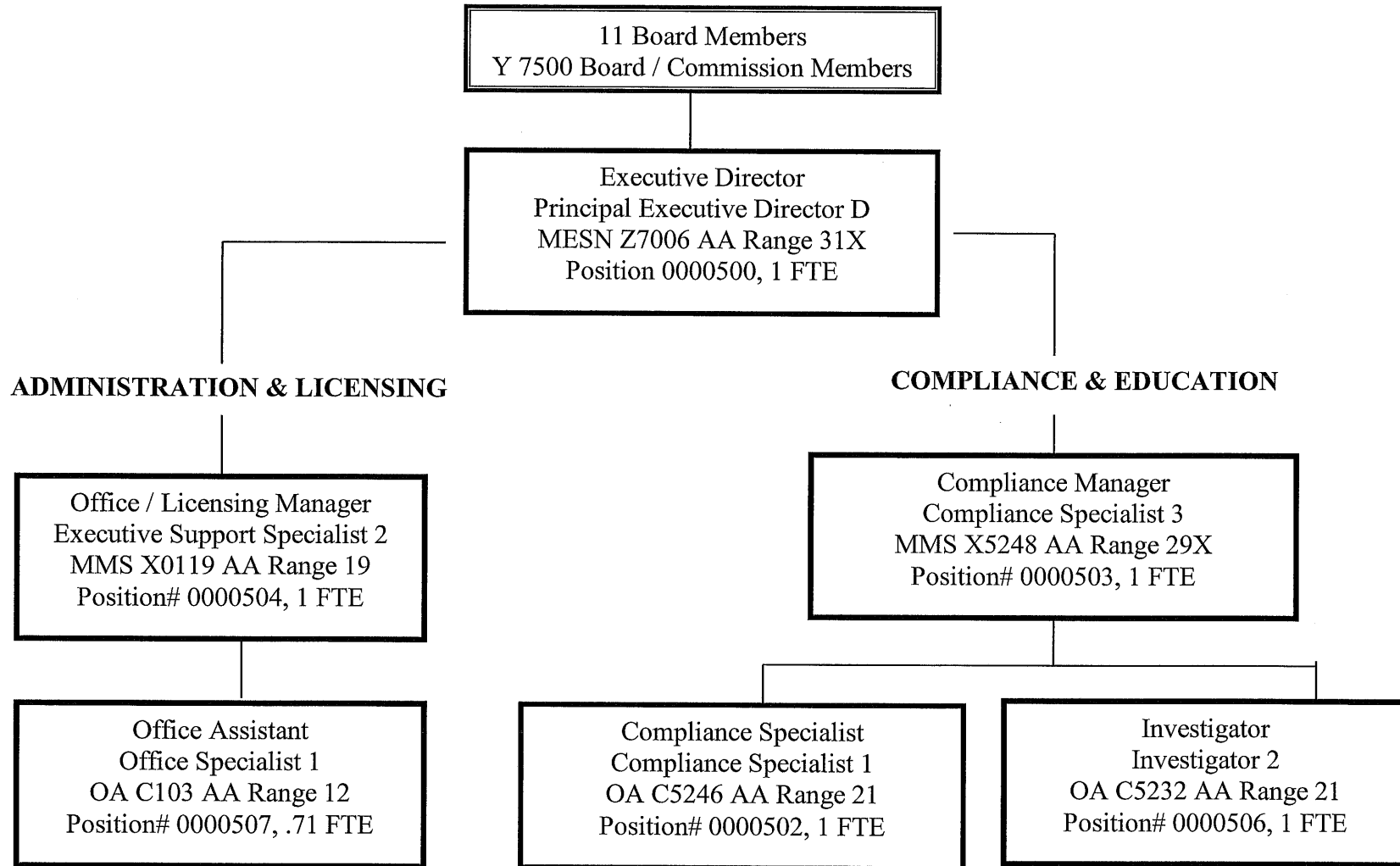
10/25% REDUCTIONS OPTIONS (ORS 291.216)

ACTIVITY OR PROGRAM (WHICH PROGRAM OR ACTIVITY WILL NOT BE UNDERTAKEN)	DESCRIBE REDUCTION (DESCRIBE THE EFFECTS OF THIS REDUCTION. INCLUDE POSITIONS AND FTE IN 2013-15 AND 2015-17)	AMOUNT AND FUND TYPE (GF, LF, OF, FF. IDENTIFY REVENUE SOURCE FOR OF, FF)	RANK AND JUSTIFICATION (RANK THE ACTIVITIES OR PROGRAMS NOT UNDERTAKEN IN ORDER OF LOWEST COST FOR BENEFIT OBTAINED)																																																																				
<p>1. General reductions:</p> <table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;">Office Expenses:</td> <td style="width: 15%; text-align: right;">26874</td> <td style="width: 15%; text-align: right;">20000</td> <td style="width: 15%; text-align: right;">6874</td> </tr> <tr> <td>IT Services:</td> <td style="text-align: right;">10794</td> <td style="text-align: right;">5000</td> <td style="text-align: right;">5794</td> </tr> <tr> <td>AG Expenses:</td> <td style="text-align: right;">52020</td> <td style="text-align: right;">35000</td> <td style="text-align: right;">17020</td> </tr> <tr> <td>IT Expendable Property:</td> <td style="text-align: right;">9600</td> <td style="text-align: right;">0</td> <td style="text-align: right;">9600</td> </tr> <tr> <td>Out of State Travel:</td> <td style="text-align: right;">2800</td> <td style="text-align: right;">0</td> <td style="text-align: right;">2800</td> </tr> <tr> <td>In State Travel:</td> <td style="text-align: right;">33326</td> <td style="text-align: right;">30000</td> <td style="text-align: right;">3326</td> </tr> <tr> <td>Eliminate Office Specialist Position:</td> <td style="text-align: right;">86117</td> <td style="text-align: right;">0</td> <td style="text-align: right;">86117</td> </tr> </table> <p style="text-align: center;">REDUCTION OF .71 FTE, 1 POSITION</p>	Office Expenses:	26874	20000	6874	IT Services:	10794	5000	5794	AG Expenses:	52020	35000	17020	IT Expendable Property:	9600	0	9600	Out of State Travel:	2800	0	2800	In State Travel:	33326	30000	3326	Eliminate Office Specialist Position:	86117	0	86117	<table style="width: 100%; border-collapse: collapse;"> <tr> <td style="width: 20%;"></td> <td style="width: 15%; text-align: right;">Budget</td> <td style="width: 15%; text-align: right;">Reduced to:</td> <td style="width: 15%;"></td> </tr> <tr> <td></td> <td style="text-align: right;">26874</td> <td style="text-align: right;">20000</td> <td style="text-align: right;">Savings</td> </tr> <tr> <td></td> <td style="text-align: right;">10794</td> <td style="text-align: right;">5000</td> <td style="text-align: right;">6874</td> </tr> <tr> <td></td> <td style="text-align: right;">52020</td> <td style="text-align: right;">35000</td> <td style="text-align: right;">5794</td> </tr> <tr> <td></td> <td style="text-align: right;">9600</td> <td style="text-align: right;">0</td> <td style="text-align: right;">17020</td> </tr> <tr> <td></td> <td style="text-align: right;">2800</td> <td style="text-align: right;">0</td> <td style="text-align: right;">9600</td> </tr> <tr> <td></td> <td style="text-align: right;">33326</td> <td style="text-align: right;">30000</td> <td style="text-align: right;">2800</td> </tr> <tr> <td></td> <td style="text-align: right;">86117</td> <td style="text-align: right;">0</td> <td style="text-align: right;">3326</td> </tr> <tr> <td></td> <td></td> <td></td> <td style="text-align: right;">86117</td> </tr> <tr> <td></td> <td></td> <td></td> <td style="text-align: right;">Total Savings: OF \$131,531</td> </tr> </table>		Budget	Reduced to:			26874	20000	Savings		10794	5000	6874		52020	35000	5794		9600	0	17020		2800	0	9600		33326	30000	2800		86117	0	3326				86117				Total Savings: OF \$131,531	<p style="text-align: center;">Total Savings: OF \$131,531</p>	<p>RANK: 1.</p> <p>THIS REDUCTION PLAN SPREADS OUT THE IMPACT AND ALLOWS MOST OF THE POSITIONS AND OPERATIONS TO CONTINUE. THE REDUCTIONS IN AG COSTS COULD BE THE GREATEST RISK; ALSO THE REDUCTION IN PROCESSING TIMES OF APPLICATIONS AND OTHER LICENSING ACTIVITIES WITH POSITION REDUCTION.</p>
Office Expenses:	26874	20000	6874																																																																				
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	52020	35000	5794																																																																				
	9600	0	17020																																																																				
	2800	0	9600																																																																				
	33326	30000	2800																																																																				
	86117	0	3326																																																																				
			86117																																																																				
			Total Savings: OF \$131,531																																																																				
<p>2. Eliminate regular facility inspections.</p>	<p>THE BOARD WOULD NO LONGER INSPECT FACILITIES DIRECTLY, BUT WOULD MAKE USE OF EITHER A SELF INSPECTION OR INSPECTIONS MADE BY OTHER STAFF ON AN AS NEEDED OR HIGH RISK BASIS. THIS MAY REQUIRE STATUTORY CHANGE.</p> <p>REDUCTION OF 1 FTE AS WELL AS SOME RELATED EXPENSES FOR TRAVEL.</p>	<p>OF \$117,964.32 PERSONAL SERVICES</p> <p>OF \$21,000 EXPENSES</p> <p>TOTAL SAVINGS : OF \$ 138,964.32</p>	<p>RANK: 2</p> <p>CREATES MORE RISK IN NEAR TERM.</p> <p>THIS WOULD INCREASE CONSUMER RISK, ESPECIALLY IN OTHER AREAS OF THE STATE, OUTSIDE THE PORTLAND METRO AREA.</p>																																																																				

Oregon Mortuary and Cemetery Board Organizational Chart 2011-13



Oregon Mortuary and Cemetery Board Organizational Chart 2013 - 2015

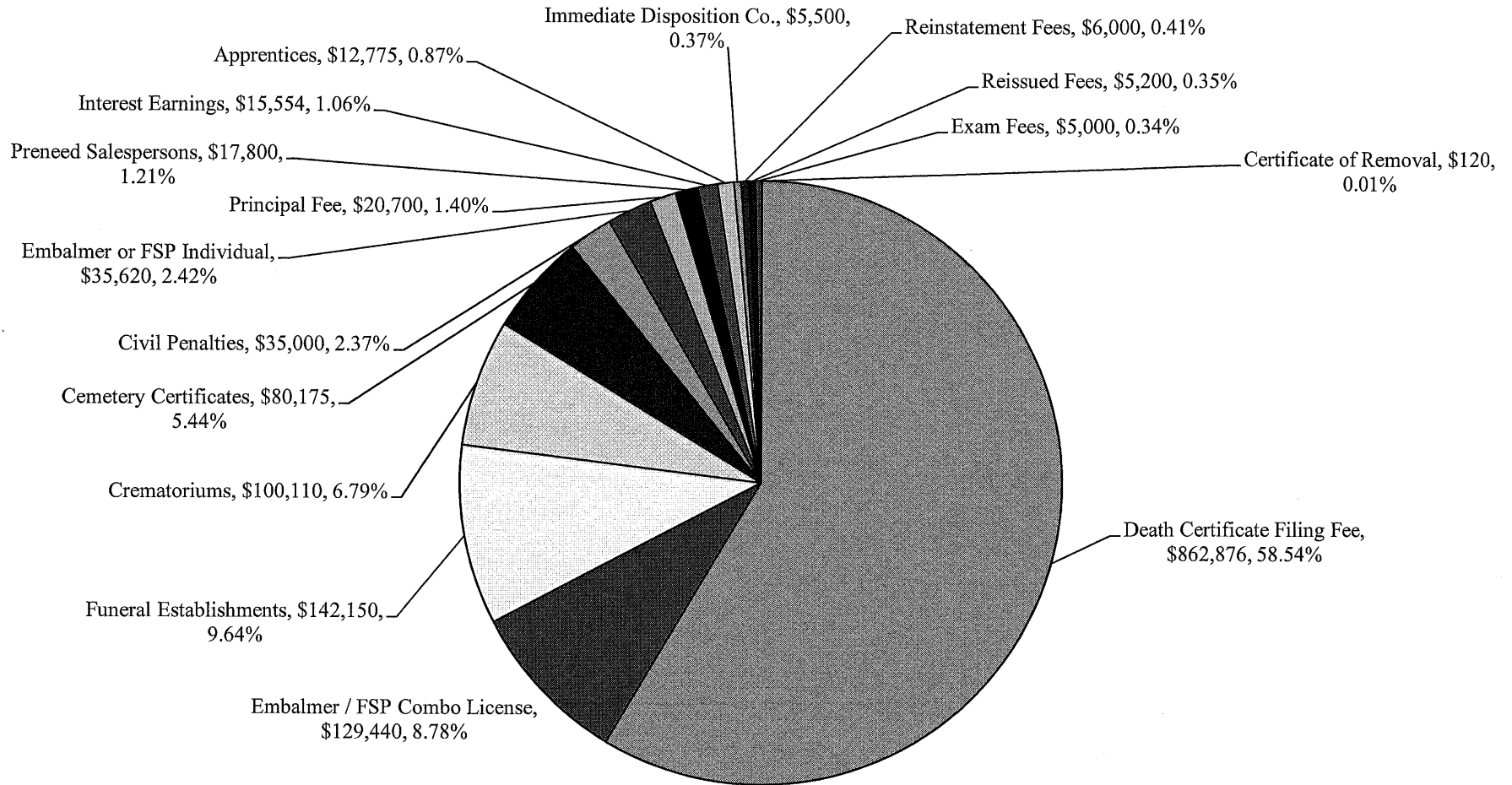


OREGON MORTUARY & CEMETERY BOARD

2013 - 2015 AGENCY SUMMARY NARRATIVE

Oregon Mortuary and Cemetery Board

Revenue



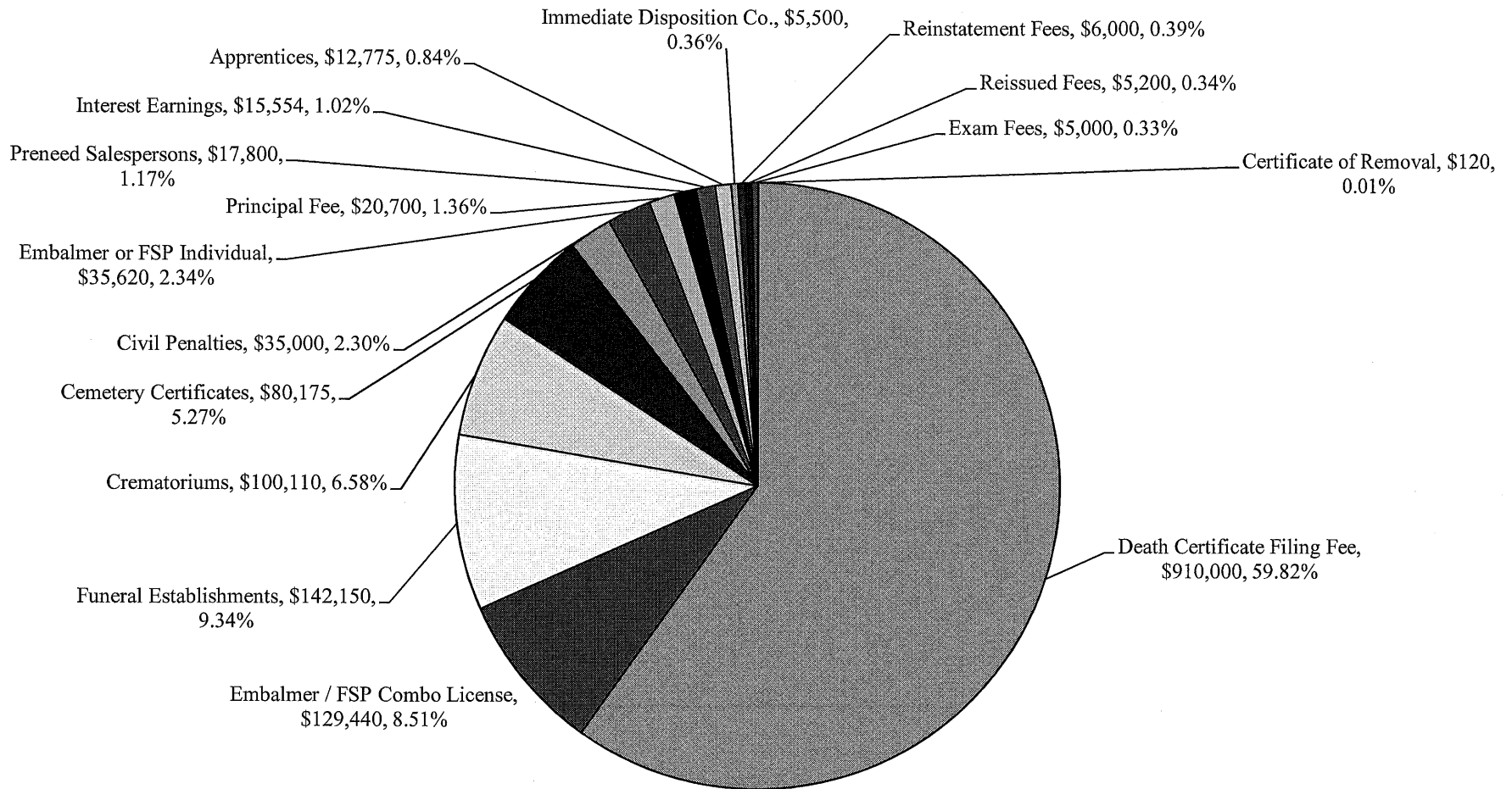
2011 - 2013 Legislatively Adopted Budget, Estimated Revenue: \$1,474,120

Other Funds

Agency Request	X Governor's Balanced	Legislatively Adopted	Budget Page 40
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OREGON MORTUARY & CEMETERY BOARD
2013 - 2015 AGENCY SUMMARY NARRATIVE
Oregon Mortuary and Cemetery Board

Revenue



2013 - 2015 Governor's Balanced Budget, Estimated Revenue: \$1,521,244
Other Funds

Agency Request	X Governor's Balanced	Legislatively Adopted	Budget Page 41
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DETAIL OF LOTTERY FUNDS, OTHER FUNDS, AND FEDERAL FUNDS REVENUE

Health Related Licensing Boards
2013-15 Biennium

Agency Number: 83300
Cross Reference Number: 83300-017-00-00-00000

<i>Source</i>	2009-11 Actuals	2011-13 Leg Adopted Budget	2011-13 Leg Approved Budget	2013-15 Agency Request Budget	2013-15 Governor's Budget	2013-15 Leg Adopted Budget
Other Funds						
Business Lic and Fees	580,817	560,590	560,590	560,590	560,590	-
Non-business Lic. and Fees	803,876	-	-	-	-	-
Charges for Services	550	100	100	100	100	-
Fines and Forfeitures	24,930	35,000	35,000	35,000	35,000	-
Interest Income	2,036	15,554	15,554	15,554	15,554	-
Other Revenues	5	-	-	-	-	-
Tsfr From Oregon Health Authority	-	862,876	862,876	910,000	910,000	-
Total Other Funds	\$1,412,214	\$1,474,120	\$1,474,120	\$1,521,244	\$1,521,244	-

DETAIL OF LOTTERY FUNDS, OTHER FUNDS, AND FEDERAL FUNDS REVENUE

Source	Fund	ORBITS Revenue Acct	2009-2011 Actual	2011-13 Legislatively Adopted	2011-13 Estimated	2013-15		
						Agency Request	Governor's Recommended	Legislatively Adopted
0600 Board Packet Copies	Other	0205	0	0	0	0	0	
0601 Cemetery Change of Ownership	Other	0205	5,350	2,000	2,000	2,000	2,000	
0602 Cemetery Initial Application	Other	0205	1,800	1,500	1,500	1,500	1,500	
0603 Cemetery Renewal	Other	0205	72,555	76,675	76,675	76,675	76,675	
0604 Certificate of Removal Registration	Other	0205	390	120	120	120	120	
0605 Embalmer & Funeral Service Practitioner (FSP) Licenses Pursuant to OAR	Other	0205	0	0	0	0	0	
0606 Embalmer and FSP Combo Renewal	Other	0205	129,840	128,960	128,960	128,960	128,960	
0607 Crematorium Change of Ownership	Other	0205	3,150	1,050	1,050	1,050	1,050	
0608 Crematorium Initial Application	Other	0205	450	600	600	600	600	
0609 Crematorium Renewal	Other	0205	104,602	98,460	98,460	98,460	98,460	
0610 Death Certificate Filing Fee		0210	803,876.25	862,876	862,876	910,000	910,000	

Agency Request	X Governor's Balanced	Legislatively Adopted	Budget Page 43
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DETAIL OF LOTTERY FUNDS, OTHER FUNDS, AND FEDERAL FUNDS REVENUE

Source	Fund	ORBITS Revenue Acct	2009-2011 Actual	2011-13 Legislatively Adopted	2011-13 Estimated	2013-15		
						Agency Request	Governor's Recommended	Legislatively Adopted
0613 Embalmer License Pursuant to OAR	Other	0205	0	50	50	50	50	
0614 Embalmer Apprenticeship Application	Other	0205	2,600	2,600	2,600	2,600	2,600	
0615 Embalmer Apprenticeship Renewal	Other	0205	1,675	2,500	2,500	2,500	2,500	
0617 Embalmer Initial Application	Other	0205	1,520	640	640	640	640	
0618 Embalmer License by Reciprocity	Other	0205	960	640	640	640	640	
0619 Embalmer Renewal	Other	0205	4,480	3,840	3,840	3,840	3,840	
0620 Facility License Reissued	Other	0205	2,565	1,700	1,700	1,700	1,700	
0621 Funeral Establishment Change of Ownership	Other	0205	6,600	6,150	6,150	6,150	6,150	
0622 Funeral Establishment Initial Application	Other	0205	1,500	900	900	900	900	
0623 Funeral Establishment Renewal	Other	0205	135,600	135,100	135,100	135,100	135,100	
0624 FSP Apprenticeship Application	Other	0205	3,825	3,700	3,700	3,700	3,700	

Agency Request	X Governor's Balanced	Legislatively Adopted	Budget Page 44
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DETAIL OF LOTTERY FUNDS, OTHER FUNDS, AND FEDERAL FUNDS REVENUE

Source	Fund	ORBITS Revenue Acct	2009-2011 Actual	2011-13 Legislatively Adopted	2011-13 Estimated	2013-15		
						Agency Request	Governor's Recommended	Legislatively Adopted
0625 FSP Apprenticeship Renewal	Other	0205	2,500	3,150	3,150	3,150	3,150	
0626 FSP Apprenticeship Transfer	Other	0205	700	450	450	450	450	
0627 FSP Exam Fee	Other	0205	5,060	5,000	5,000	5,000	5,000	
0628 FSP Initial Application	Other	0205	3,280	3,200	3,200	3,200	3,200	
0629 FSP License by Reciprocity	Other	0205	1,240	320	320	320	320	
0630 FSP License Pursuant to OAR	Other	0205	50	50	50	50	50	
0631 FSP Renewal	Other	0205	24,640	26,880	26,880	26,880	26,880	
0632 IDC Change of Ownership	Other	0205	150	300	300	300	300	
0633 IDC Initial Application	Other	0205	0	300	300	300	300	
0634 IDC Renewal	Other	0205	2,800	4,900	4,900	4,900	4,900	
0635 Individual Reissued License	Other	0205	275	150	150	150	150	
0636 Intern Permit Application	Other	0205	1,225	825	825	825	825	
0637 Facility Location Change	Other	0205	3,000	2,500	2,500	2,500	2,500	

Agency Request	X Governor's Balanced	Legislatively Adopted	Budget Page 45
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DETAIL OF LOTTERY FUNDS, OTHER FUNDS, AND FEDERAL FUNDS REVENUE

Source	Fund	ORBITS Revenue Acct	2009-2011 Actual	2011-13 Legislatively Adopted	2011-13 Estimated	2013-15		
						Agency Request	Governor's Recommended	Legislatively Adopted
0638 Miscellaneous	Other	0410	550.25	100	100	100	100	
0639 Preneed Initial Application	Other	0205	23,850	10,800	10,800	10,800	10,800	
0640 Preneed Renewal	Other	0205	7,550	7,000	7,000	7,000	7,000	
0641 Principal Fee	Other	0205	16,975	20,700	20,700	20,700	20,700	
0642 Reinstatement Fee	Other	0205	5,800	6,000	6,000	6,000	6,000	
0643 Embalmer Apprenticeship Transfer	Other	0205	375	400	400	400	400	
0645 Embalmer and FSP Initial Application	Other	0205	1,170	480	480	480	480	
0646 Overpayment	Other	0212	455	0	0	0	0	
0650 Death Care Consultant Exam Application	Other	0205	100	0	0	0	0	
0651 Death Care Consultant Application	Other	0205	160	0	0	0	0	
1108 Over / Short	Other	0975	(.25)	0	0	0	0	
1200 Overpayments	Other	0975	5	0	0	0	0	
1772 Interest Income	Other	0605	2,036.76	15,554	15,554	15,554	15,554	
1811 Civil Penalties	Other	0505	24,930	35,000	35,000	35,000	35,000	
TOTALS:	100% OF		1,412,214	1,474,120	1,474,120	1,521,244	1,521,244	

Agency Request	X Governor's Balanced	Legislatively Adopted	Budget Page 46
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ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Health Related Licensing Boards
 Pkg: 010 - Non-PICS Psnl Svc / Vacancy Factor

Cross Reference Name: Mortuary Board
 Cross Reference Number: 83300-017-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Personal Services							
Temporary Appointments	-	-	94	-	-	-	94
Pension Obligation Bond	-	-	2,429	-	-	-	2,429
Social Security Taxes	-	-	7	-	-	-	7
Mass Transit Tax	-	-	(116)	-	-	-	(116)
Total Personal Services	-	-	\$2,414	-	-	-	\$2,414
Total Expenditures							
Total Expenditures	-	-	2,414	-	-	-	2,414
Total Expenditures	-	-	\$2,414	-	-	-	\$2,414
Ending Balance							
Ending Balance	-	-	(2,414)	-	-	-	(2,414)
Total Ending Balance	-	-	(\$2,414)	-	-	-	(\$2,414)

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Health Related Licensing Boards
Pkg: 031 - Standard Inflation

Cross Reference Name: Mortuary Board
Cross Reference Number: 83300-017-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Instate Travel	-	-	781	-	-	-	781
Out of State Travel	-	-	67	-	-	-	67
Employee Training	-	-	172	-	-	-	172
Office Expenses	-	-	645	-	-	-	645
Telecommunications	-	-	(826)	-	-	-	(826)
State Gov. Service Charges	-	-	35,097	-	-	-	35,097
Data Processing	-	-	7	-	-	-	7
Publicity and Publications	-	-	25	-	-	-	25
Professional Services	-	-	(402)	-	-	-	(402)
IT Professional Services	-	-	301	-	-	-	301
Attorney General	-	-	7,751	-	-	-	7,751
Employee Recruitment and Develop	-	-	41	-	-	-	41
Dues and Subscriptions	-	-	72	-	-	-	72
Facilities Rental and Taxes	-	-	3,512	-	-	-	3,512
Agency Program Related S and S	-	-	73	-	-	-	73
Other Services and Supplies	-	-	316	-	-	-	316
Expendable Prop 250 - 5000	-	-	236	-	-	-	236
IT Expendable Property	-	-	230	-	-	-	230
Total Services & Supplies	-	-	\$48,098	-	-	-	\$48,098
Total Expenditures							
Total Expenditures	-	-	48,098	-	-	-	48,098
Total Expenditures	-	-	\$48,098	-	-	-	\$48,098

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Health Related Licensing Boards
 Pkg: 031 - Standard Inflation

Cross Reference Name: Mortuary Board
 Cross Reference Number: 83300-017-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Ending Balance							
Ending Balance	-	-	(48,098)	-	-	-	(48,098)
Total Ending Balance	-	-	(\$48,098)	-	-	-	(\$48,098)

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Health Related Licensing Boards

Cross Reference Name: Mortuary Board

Pkg: 091 - Statewide Administrative Savings

Cross Reference Number: 83300-017-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Services & Supplies							
Undistributed (S.S.)	-	-	(463)	-	-	-	(463)
Total Services & Supplies	-	-	(\$463)	-	-	-	(\$463)
Total Expenditures							
Total Expenditures	-	-	(463)	-	-	-	(463)
Total Expenditures	-	-	(\$463)	-	-	-	(\$463)
Ending Balance							
Ending Balance	-	-	463	-	-	-	463
Total Ending Balance	-	-	\$463	-	-	-	\$463

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Health Related Licensing Boards
Pkg: 092 - PERS Taxation Policy

Cross Reference Name: Mortuary Board
Cross Reference Number: 83300-017-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Personal Services							
PERS Policy Adjustment	-	-	(2,512)	-	-	-	(2,512)
Total Personal Services	-	-	(\$2,512)	-	-	-	(\$2,512)
Total Expenditures							
Total Expenditures	-	-	(2,512)	-	-	-	(2,512)
Total Expenditures	-	-	(\$2,512)	-	-	-	(\$2,512)
Ending Balance							
Ending Balance	-	-	2,512	-	-	-	2,512
Total Ending Balance	-	-	\$2,512	-	-	-	\$2,512

ESSENTIAL AND POLICY PACKAGE FISCAL IMPACT SUMMARY

Health Related Licensing Boards
 Pkg: 093 - Other PERS Adjustments

Cross Reference Name: Mortuary Board
 Cross Reference Number: 83300-017-00-00-00000

<i>Description</i>	General Fund	Lottery Funds	Other Funds	Federal Funds	Nonlimited Other Funds	Nonlimited Federal Funds	All Funds
Personal Services							
PERS Policy Adjustment	-	-	(20,075)	-	-	-	(20,075)
Total Personal Services	-	-	(\$20,075)	-	-	-	(\$20,075)
Total Expenditures							
Total Expenditures	-	-	(20,075)	-	-	-	(20,075)
Total Expenditures	-	-	(\$20,075)	-	-	-	(\$20,075)
Ending Balance							
Ending Balance	-	-	20,075	-	-	-	20,075
Total Ending Balance	-	-	\$20,075	-	-	-	\$20,075

Health Related Licensing Boards

Agency Number: 83300

**Program Unit Appropriated Fund Group and Category Summary
2013-15 Biennium
Mortuary Board**

**Version: Y - 01 - Governor's Budget
Cross Reference Number: 83300-017-00-00-00000**

Description	2009-11 Actuals	2011-13 Leg Adopted Budget	2011-13 Leg Approved Budget	2013-15 Agency Request Budget	2013-15 Governor's Budget	2013-15 Leg Adopted Budget
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LIMITED BUDGET (Excluding Packages)

PERSONAL SERVICES

Other Funds 834,388 967,777 967,777 1,036,067 1,031,926 -

SERVICES & SUPPLIES

Other Funds 325,174 353,217 353,217 353,217 353,217 -

CAPITAL OUTLAY

Other Funds 736 - - - - -

TOTAL LIMITED BUDGET (Excluding Packages)

Other Funds 1,160,298 1,320,994 1,320,994 1,389,284 1,385,143 -

AUTHORIZED POSITIONS

7 6 6 6 6 -

AUTHORIZED FTE

6.34 5.71 5.71 5.71 5.71 -

LIMITED BUDGET (Essential Packages)

010 NON-PICS PSNL SVC / VACANCY FACTOR

PERSONAL SERVICES

Other Funds - - - 2,414 2,414 -

031 STANDARD INFLATION

SERVICES & SUPPLIES

Other Funds - - - 68,046 48,098 -

TOTAL LIMITED BUDGET (Essential Packages)

Other Funds - - - 70,460 50,512 -

LIMITED BUDGET (Current Service Level)

Health Related Licensing Boards

Agency Number: 83300

**Program Unit Appropriated Fund Group and Category Summary
2013-15 Biennium
Mortuary Board**

**Version: Y - 01 - Governor's Budget
Cross Reference Number: 83300-017-00-00-00000**

Description	2009-11 Actuals	2011-13 Leg Adopted Budget	2011-13 Leg Approved Budget	2013-15 Agency Request Budget	2013-15 Governor's Budget	2013-15 Leg Adopted Budget
Other Funds	1,160,298	1,320,994	1,320,994	1,459,744	1,435,655	-
AUTHORIZED POSITIONS	7	6	6	6	6	-
AUTHORIZED FTE	6.34	5.71	5.71	5.71	5.71	-
LIMITED BUDGET (Policy Packages)						
PRIORITY 0						
091 STATEWIDE ADMINISTRATIVE SAVINGS						
SERVICES & SUPPLIES						
Other Funds	-	-	-	-	(463)	-
092 PERS TAXATION POLICY						
PERSONAL SERVICES						
Other Funds	-	-	-	-	(2,512)	-
093 OTHER PERS ADJUSTMENTS						
PERSONAL SERVICES						
Other Funds	-	-	-	-	(20,075)	-
TOTAL LIMITED BUDGET (Policy Packages)						
Other Funds	-	-	-	-	(23,050)	-
TOTAL LIMITED BUDGET (Including Packages)						
Other Funds	1,160,298	1,320,994	1,320,994	1,459,744	1,412,605	-
AUTHORIZED POSITIONS	7	6	6	6	6	-
AUTHORIZED FTE	6.34	5.71	5.71	5.71	5.71	-
OPERATING BUDGET						

Health Related Licensing Boards

Agency Number: 83300

Program Unit Appropriated Fund Group and Category Summary

Version: Y - 01 - Governor's Budget

2013-15 Biennium

Cross Reference Number: 83300-017-00-00-00000

Mortuary Board

Description	2009-11 Actuals	2011-13 Leg Adopted Budget	2011-13 Leg Approved Budget	2013-15 Agency Request Budget	2013-15 Governor's Budget	2013-15 Leg Adopted Budget
Other Funds	1,160,298	1,320,994	1,320,994	1,459,744	1,412,605	-
AUTHORIZED POSITIONS	7	6	6	6	6	-
AUTHORIZED FTE	6.34	5.71	5.71	5.71	5.71	-
TOTAL BUDGET						
Other Funds	1,160,298	1,320,994	1,320,994	1,459,744	1,412,605	-
AUTHORIZED POSITIONS	7	6	6	6	6	-
AUTHORIZED FTE	6.34	5.71	5.71	5.71	5.71	-

Oregon Mortuary and Cemetery Board

Michelle Gaines, Executive Director

State Office Building, Mail Box 19
800 NE Oregon Street Suite 430
Portland, Oregon 97232
971.673.1502

Affirmative Action Plan
July 1 2013 ó June 30 2015



Affirmative Action Plan, July 1 2013 to ó June 30 2015

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4. Genetic Information Discrimination Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)
5. National Origin Discrimination Title VII of the Civil Rights Act of 1964
6. Pregnancy Discrimination Title VII of the Civil Rights Act of 1964
7. Race/Color Discrimination Title VII of the Civil Rights Act of 1964
8. Religious Discrimination Title VII of the Civil Rights Act of 1964
9. Retaliation Title VII of the Civil Agency Affirmative Action Policy
10. Sex-Based Discrimination Title VII of the Civil Rights Act of 1964
11. Sexual Harassment Title VII of the Civil Rights Act of 1964

I. DESCRIPTION OF AGENCY

A. Mission and Objectives

The mission of the Oregon Mortuary and Cemetery Board (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; and, by maintaining constructive relationships with licensees, those they serve and others with an interest in the Board's activities.

The Board was created to carry out the purposes and enforce the provisions of Oregon Revised Statutes (ORS) Chapter 692 and is composed of eleven members appointed by the Governor: two funeral service practitioners, one embalmer, three cemetery representatives, one crematory representative and four public members.

The Board licenses individual death care professionals and the facilities where they work.

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. The Board's licensees include funeral service practitioners, embalmers, apprentices, interns, preneed sales people, death care consultants, funeral establishments, immediate disposition companies, cemeteries and crematories.

The Board is self-supporting and derives its financing from licensing, examination, and death certificate filing fees.

B. Name of Agency Director/Administrator

Michelle Gaines, Executive Director, 971.673.1502

C. Name of Governor's Policy Advisor

Michael J Bonetto, 503.378-3111

D. Name of Affirmative Action Representative

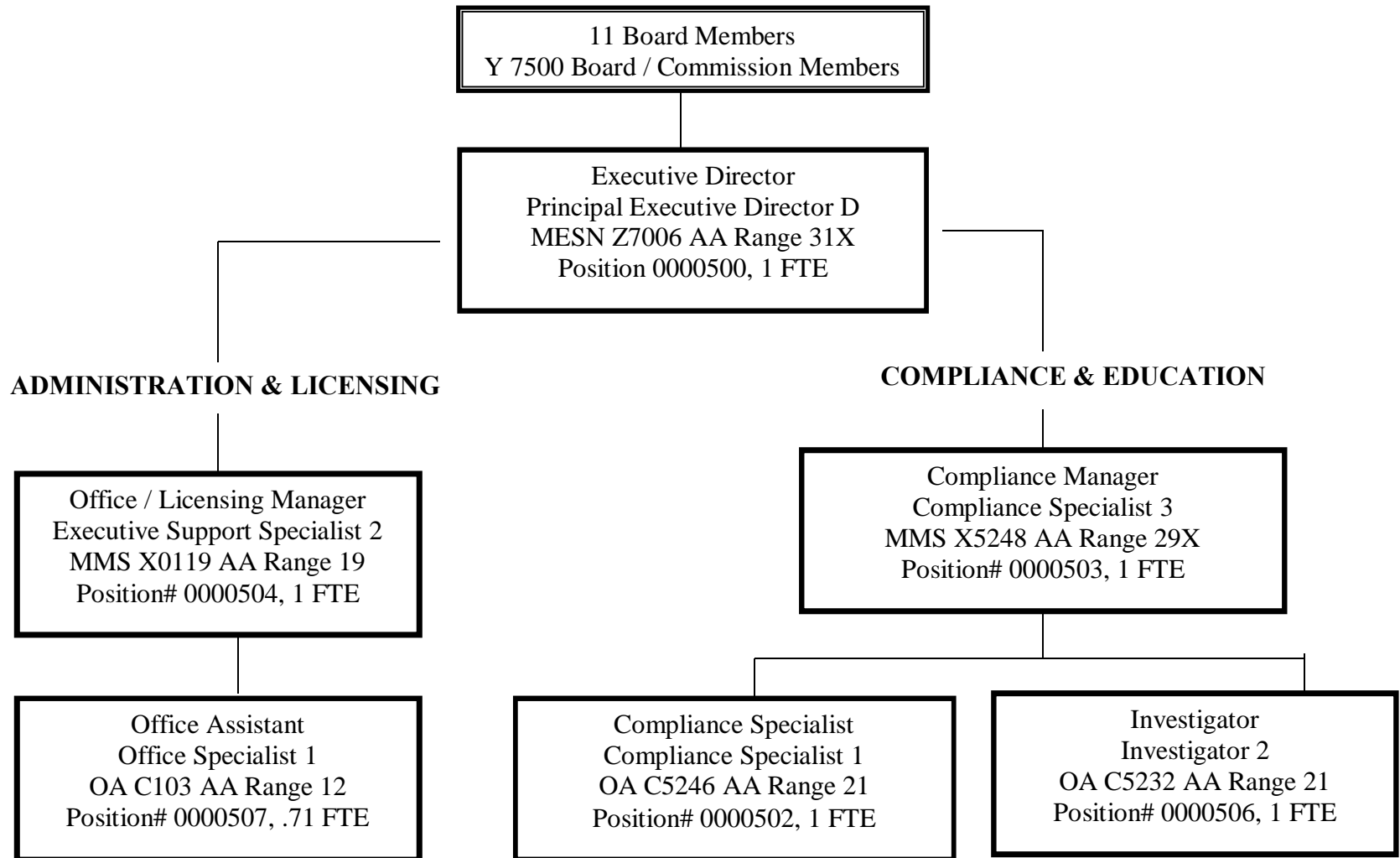
Michelle Gaines, Executive Director, 971.673.1502
Vicki Jorgensen, State HR Management Consultant, 503.378.2105

E. Name of FTE with specific designations in title

None.

F. Organizational Chart

Oregon Mortuary and Cemetery Board Organizational Chart 2013 - 2015



II. AFFIRMATIVE ACTION PLAN

It is the policy of the State of Oregon that employment without discrimination is recognized as and declared to be a civil right. The State of Oregon is committed to achieving a workforce that represents the diversity of Oregon community and is a leader in providing its citizens fair and equal employment opportunity.

Accordingly, the Board shall:

1. Maintain a policy of equal treatment and equality of opportunity in employment for all applicants and employees in its employment decisions, which include, but are not limited to: hiring, promotion, demotion, transfer, termination, layoff, training, compensation, benefits, and performance evaluations.
2. Apply all terms, conditions, benefits, and privileges of employment with the agency to all applicants and employees regardless of race, color, religion, age, sex, sexual orientation, marital status, national origin, political affiliation, disability, or any other reason prohibited by the law or policy of the state or federal government.
3. Adopt and disseminate the Board Affirmative Action Plan that describes the affirmative action being taken by the agency to ensure equity of employment in a work environment that is free from discrimination.

A. Agency Affirmative Action Policy Statement

The Board is committed to achieving a work force that represents the diversity of Oregon's population and to providing fair and equal employment opportunities. The Board is committed to an affirmative action program that provides equal opportunities for all persons regardless of race, color, religion, sex, sexual orientation, national origin, marital status, age or disability. The Board provides an environment for each applicant and employee that is free from sexual harassment, as well as harassment and intimidation on account of an individual's race, color, religion, gender, sexual orientation, national origin, age, marital status or disability. The Board employment practices are consistent with the State's Affirmative Action Plan Guidelines and with state and federal laws, which preclude discrimination.

1. **Agency Affirmative Action Policy Statement for Individuals with Disabilities**

The Board will not discriminate, nor tolerate discrimination, against any applicant or employee because of physical or mental disability in regard to any position for which the known applicant for employment is qualified.

The Board to take affirmative action to employ, advance in employment, and otherwise treat known qualified individuals with disabilities without regard to their physical or mental disabilities in all human resources selection and decision

practices, such as: advertising, benefits, compensation, discipline (including probation, suspension, and/or termination for cause or layoff), employee facilities, performance evaluation, recruitment, social/recreational programs, and training. The Board also continues to administer these practices without regard to race, color, religion, gender, sexual orientation, national origin, age, marital status or disability. Additionally, all applicants and employees are protected from coercion, intimidation, interference, or discrimination for filing a complaint or assisting in an investigation under this policy.

2. Agency Affirmative Action Policy Affirmative Action Policy for Members Uniform Services (ORS 659A.082)

The Board will not discriminate or tolerate discrimination, against any employee because they are a member of, apply to be a member of, perform, has performed, applied to perform or have an obligation to perform service in a uniformed service.

It is also the policy of the Board to provide an environment for each applicant and employee that is free from sexual harassment, as well as harassment and intimidation on account of individual's race, color, religion, gender, sex, sexual orientation, marital status, national origin, age, familial status or disability.

3. Dissemination of the Affirmative Action Policy and Affirmation Action Plan

The impact of the Affirmative Action Plan can be fully realized only to the extent that its provisions are known by those who must apply it and those who benefit from it. With this in mind, the following describes methods used to disseminate the information both internally and externally.

The responsibility for dissemination of the agency's Affirmative Action Policy Statement and Affirmative Action Plan has been delegated to the Affirmative Action Representative/Officer. Such communication is both internal and external, and will include, but is not limited to:

a. Internal Dissemination

A statement from the Director/Administrator to all employees communicating the existence of the plan in order to:

- i. Be aware of the plan and can avail themselves of its benefit; and
- ii. Be aware of individual responsibility for effective implementation of the plan.
- iii. Conduct special meetings with management and supervisory personnel in which the Director/Administrator shall explain the intent of the Affirmative Action Plan and clearly communicate the

Director's/Administrator's personal commitment to and support of equal employment opportunity;

- iv. Distribute the plan to all managerial and/or supervisory staff who have the authority to recruit, hire, train, and/or promote;
- v. Review with each manager and/or supervisor their responsibility for achieving the agency's affirmative action goals and objectives and provide other relevant affirmative action information throughout the year.
- vi. Include the Affirmative Action Policy Statement, Affirmative Action Plan and Grievance Procedure as part of each new employee's orientation;
- vii. Post the agency's Affirmative Action Policy Statement and Grievance Procedure on the employee's bulletin board; and
- viii. Post the agency's Affirmative Action Policy Statement, Affirmative Action Plan, and Grievance Procedure on agency's website.
- ix. Distribute the agency's Affirmative Action Policy Statement, Affirmative Action Plan and Grievance Procedure to any employee upon request.

b. External Dissemination

- i. All recruitment announcements, applications for employment, and newspaper will contain the phrase, "An Equal Opportunity Employer;"
- ii. The Board Affirmative Action Plan is posted on the agency's Internet site and made available to the public upon request.
- iii. Provide copies of the agency's Affirmative Action Policy Statement, Affirmative Action Plan and Grievance Procedure to any person, including job applicants, upon request;
- iv. Notify all bidders, contractors, subcontractors and suppliers of the agency's affirmative action policy. Notices shall include a statement that the agency will not knowingly do business with any bidder, contractor, subcontractor, or supplier of materials that discriminates against members of any protected class.

4. Monitoring and Reporting System

The Affirmative Action Representative will monitor the Affirmative Action Plan on a continual basis. Monitoring will include, but not be limited to:

- a. Monitoring the auditing and reporting system. Reporting and auditing includes:
 - i. The maintenance of accurate and up-to-date records on all applicants, hires, promotions, transfers, and terminations by sex, race, and EEO-4 categories;
 - ii. The review of all promotions, transfers, and terminations to be certain that all employees are treated fairly and equitably; and
 - iii. The review of all selection, promotional, and training procedures to ensure non-discriminations in practice
- b. Report annually to the Director/Administrator/Board on the effectiveness of the affirmative action program, progress and efforts made toward accomplishing affirmative action goals, and planned action and recommendations for improvement, if necessary.
- c. Review the effectiveness of managers and supervisor's efforts in achieving affirmative action goals and objectives as a key consideration in the performance appraisal system as required by ORS Ch. 240.
- d. Prepare updates and evaluations of the Affirmative Action Plan to be submitted to the Governor's Affirmative Action Office as required. An Affirmative Action progress report will also be prepared and submitted as part of the agency's budget submission.

5. Complaint Process regarding Discrimination or Harassment

The complaint procedure provides a method of resolving complaints involving violation of the Board nondiscrimination policy within the agency. Employees, applicants and eligibles are encouraged to use the complaint process. Retaliation, coercion, reprisal, or intimidation against a person who has filed a complaint either internally or through an outside enforcement agency or other legal channels or serving as a witness is prohibited.

a. Informal Complaint Process

An employee may notify the Affirmative Action Representative/Officer of an issue or concern regarding discrimination in order to raise awareness or put the agency on alert without filing a formal complaint. In these situations:

- i. The employee may ask the Affirmative Action Representative/Officer to keep the matter and identify of the employee confidential. (The agency will comply with the request, if possible.)
- ii. The employee will sign documentation stating that he/she wishes his/her identity to remain confidential.
- iii. The discussion will be documented.
- iv. The Affirmative Action Representative/Officer will review the information and notify management at the level sufficient to maintain confidentiality of the employee's identity when it is determined that action is necessary to correct the problem or to prevent a recurrence in similar situations.
- v. The Affirmative Action Representative/Officer will offer suggestions to management on preventable actions such as training and changes in environment.

b. Internal Complaint Process

- i. Any individual who believes he/she has been subjected to unlawful discriminatory actions may file a complaint within 30 calendar days of the alleged incident.
- ii. Represented employees may file a complaint either through the Collective Bargaining Agreement grievance procedure or by using the procedures provided by the agency.
- iii. An employee may submit a written complaint to Affirmative Action Representative/Officer that explains the basis for the complaint, identifies the alleged discriminating party or parties, the date the discriminatory action(s) occurred, and specifies the relief requested.
- iv. Affirmative Action Representative/Officer will review/investigate the complaint and provide the complaint written notification of the findings within 30 days or upon completion. If additional time is needed for investigating the allegations or to issue a report of the findings, the agency will notify the employee in writing of the need for additional time.
- v. If the investigation substantiates the complaint, appropriate corrective action will be initiated, include discipline if warranted.

c. External Complaint Process

If an employee is not satisfied with the complaint process within the agency and wishes to appeal to an agency decisions may contact one of the organization listed below. Nothing in this policy prevents any person from filing a grievance in accordance with the Collective Bargaining Agreement or a formal complaint with the Bureau of Labor and Industries (BOLI) or Equal Employment Opportunity Commission (EEOC). However, some collective bargaining agreements may require an employee to choose between the complaint procedure outline in the agency's guideline for filing a BOLI or EEOC complaint.

Oregon Bureau of Labor and Industries - Civil Rights Division

State Office Building
 800 NE Oregon Street, MS# 32, Suite 1070
 Portland, OR 97232
 Phone Number: 503.731.4874
 Fax Number: 503.731.4069

The Oregon Bureau of Labor and Industries - Civil Rights Division is the Oregon state equivalent of the federal EEOC. As a designated Fair Employment Practices Agency (FEPA), the Oregon Bureau of Labor and Industries - Civil Rights Division may coordinate operations with the EEOC under a work-share agreement. Furthermore, the Oregon Bureau of Labor and Industries - Civil Rights Division investigates state claims that are not covered by federal law or exceed the basic protections of federal law. Individuals filing a charge of discrimination with the EEOC should also file a copy of the charge with the Oregon Bureau of Labor and Industries - Civil Rights Division.

<p>Eugene Oregon Bureau of Labor and Industries 1400 Executive Parkway, Suite 200 Eugene, OR 97401 Phone Number: 541.686.7623</p>	<p>Portland Oregon Bureau of Labor and Industries 800 NE Oregon Street, Suite 1045 Portland, OR 97232 Phone Number: 971.673.0761</p>
<p>Pendleton Oregon Bureau of Labor and Industries 1327 SE 3rd Street Pendleton, OR 97801 Phone Number: 541.276.7884</p>	<p>Salem Oregon Bureau of Labor and Industries 3865 Wolverine Street NE; E-1 Salem, OR 97305 Phone Number: 503.378.3292</p>

Governor's Office of Diversity & Inclusion/Affirmative Action

255 Capitol Street NE, Suite 126

Salem OR 97301

503-986-6524 phone

Website: www.oregon.gov/gov/GovAA/Pages/index.aspx

U.S. Equal Employment Opportunity Commission

Seattle Field office EEOC Office/ Federal Office Building

909 First Avenue, Suite 400

Seattle WA 98104

Phone Number: 206.220.6883

Phone Number: 206.220.6882

(TDD)

The EEOC does not maintain an office in Oregon. The Seattle Field Office is open Monday 6

File a Charge of Discrimination: <http://www.eeocomplaint.com/>

Department of Labor, Office of Federal Contract Compliance (OFCC)

1315 SW Fifth Avenue, Suite 1030

Portland OR 97201

Phone Number: 503.326.4112

The U.S. Department of Labor

Pacific Regional Office 71 Stevenson Street, Suite 1700

San Francisco CA 94105

Phone Number: 503.848.6969

The Civil Rights Office of Health & Human Services

Office of Civil Rights, Region D

2201 Six Avenue, Mail Stop RX-11

Seattle WA 98121

Phone Number: 206.615.2290

Phone Number: 206.615.2296

(TDD)

The Board remains committed to its policy on Affirmative Action and Equal Opportunity and to a rigorous and active affirmative action program. My personal commitment to these ideas is represented in the Affirmative Action Plan. Likewise, the Plan represents the Board commitment to equal opportunity and affirmative action in employment and public service consistent with all applicable federal and state laws, including, but not limited to: Executive Order 11246; Title VII of the Civil Rights Act of 1964; Sections 503 and 504 of the Rehabilitation Act of 1974; the Vietnam Era Veterans Readjustment Assistance Act; and the Americans with Disabilities Act. This Affirmative Action Plan has my complete authorization and commitment.

Director Signature on file

Date

If you have any questions regarding the agency's Affirmative Action Plan please contact the Affirmative Action Representative listed below.

Michelle Gaines, Affirmative Action
Representative
Oregon Mortuary & Cemetery Board
971-673-1503
Michelle.gaines@state.or.us

B. Agency Diversity & Inclusion Statement

The Oregon Mortuary & Cemetery Board provides a leadership culture that fosters and embeds Diversity and Inclusion throughout its operations, both internally with staff and externally with public members, stakeholders and/or partners by increasing diverse and multi-cultural perspectives, improving business and service delivery outcomes, increasing certified firm contracting inclusion, improving individual and organizational cultural competences, improving organizational accountability, maximizing taxpayer dollars, and improving public confidence and community relations.

C. Training, Education, Developmental Plan (TEDP)

1. Employees

The Board recognizes that its employees are its greatest resources. Investing in employee development and enhancing employee knowledge, skills and abilities is one of the agency's highest priorities.

Continued professional development and training opportunities ensures that employees are provided with the skills needed to excel in their work, and therefore be retained in the agency. The Board uses a variety of approaches to establish a climate that supports continuous learning and development through the following:

- a. Establish clear paths for acquiring the skills, knowledge, and experience that employees need for their continuing learning and career development.
- b. Establish developmental opportunities for employees, such as detail assignments and leadership training, to give everyone interested in a chance to participate in assignments that prepare them for high-level positions.
- c. Use a variety of ways to provide training and developmental experience for employees such as:
 - i. Using webinars and other interactive and on-line training technologies,
 - ii. Using internal and external training course,
 - iii. Establishing individual needs and training requests during year evaluations, and
 - iv. Career development programs.

Provide training opportunities for all employees. Through investments in training, the Board reflects the value we place on our employees and support employee interest in keeping their skills updated in order to remain competitive.

- d. Mentoring Program ó The Board is encouraging managers and supervisors to become mentors. The Board is strongly encouraging senior managers to mentor employees especially those from different cultural, racial, or academic background.
- e. Job Rotation ó Provide the employee the opportunity to explore new assignments or jobs and to provide agencies the opportunity to enhance employee development to make more effective use of staff:
 - i. Developmental rotation provides the employee the opportunity to acquire new skills.
 - ii. Career enrichment rotation provides the employee the opportunity to use existing skills in a different setting.
- f. “Discrimination and Harassment-Free Workplace” and “Maintaining a Professional Workplace” Training ó Each biennium **all** staff attends a mandatory training on respectful workplace. This training focuses on statewide and agency policies regarding discrimination and harassment free workplace. It emphasizes the prohibited conduct, the complaint or reporting procedure, and where staff can readily access this information for future reference.
- g. New Employee Orientation ó Effectively orienting new employees to the agency and to their positions is critical to establishing successful, productive working relationship. The Board strives to ensure the employee’s first interaction with agency personnel is a positive experience. The Board provides the following information to the new employee:
 - i. Affirmative Action Policy and Affirmative Action Plan
 - ii. Agency’s expectation of employee
 - iii. Agency’s mission and objectives
 - iv. Discrimination and Harassment-Free Workplace Policy;
 - v. Employee Services
 - vi. Performance Evaluation Process
 - vii. Professional Workplace Policy;
 - viii. Roles and Responsibilities/Position Description
 - ix. Safety
 - x. Training, Educational, and Developmental Plan

- h. Leadership Oregon ó If financial resources allow The Board will support and provide an employee the opportunity to participate in Leadership Oregon program. This program enhances the professional development of the State of Oregon employees through an interactive and practical curriculum that expands an awareness of self, state government and local communities while promoting pride in public service.

No Cost Trainings

Due to limited financial resources available, the Board will be utilizing some of these training courses that are available through Department of Administrative Services' iLearnOregon system. These training courses from items 8K through 8O are available to state agencies and their employees free of charge. iLearnOregon Website:

<https://ilearn.oregon.gov/Kview/CustomCodeBehind/Base/Login/Login.aspx>

- i. OSHA Safety and Health Management Basics ó The Oregon OSHA online training discusses seven critical areas of a successful occupational safety and health program. The Board employees will learn to develop proactive program using methods that do work.
 - Subjects include: top management commitment, accountability, employee involvement, safety committees, hazard identification and control, accident investigation, and continuous safety improvement.
- j. SAIF ó Crisis Intervention: 8Managing Conflict in the Workplace8 ó Conflict exists in every organization. While it is not possible to avoid all employee conflicts, there are ways to effectively manage situations. During this training, discussion on prevention strategies, the crisis cycle, and appropriate interventions. (This is a classroom course)
- k. Sustainability in the Workplace ó The principle of sustainability is the heart of what makes and keeps Oregon such a special place to live. It is also an integral part of the Governor's efforts to revitalize Oregon's economy and improve state government. This training will take our knowledge of sustainability beyond an introduction. It provides an overview of the principles and concepts of sustainability and a framework for additional learning and decision-making.
- l. Information Security Training (DAS)

- Acceptable Use of Information Assets Policy: The purpose of the Acceptable Use Policy is to inform users of DAS technology assets of the appropriate and acceptable use of information, computer systems and devices, telecommunications devices, and other office technology.

Other Learning Opportunity

Diversity in the workplace education is quickly becoming more valuable to the Board. It is more than just "inclusion", a commitment to workplace diversity awareness helps the Board create a satisfactory, safe and meaningful work environment in which employees thrive. Through diversity awareness program inclusive of human characteristics such as race, spirituality, gender, sexual orientation or status as a person with disability, the Board demonstrate to its employees that they are seen, recognize and valued. By incorporating these types of strategies into our training and developmental curriculum it allows the Board to attract and retain skilled and talented workforce.

- a) "Addressing the Generational Differences in the Workplace" To heighten awareness and understanding of the generalized differences among generations, in order to decrease misunderstandings, conflicts, stress, discomfort, frustration, and miscommunication, and to increase effectiveness in the workplace without reinforcing stereotypes.
- b) "Conversation on Race Relations" The training topic will provide an opportunity for employees to discuss issues in the area of gender, race, socio economic, disability and others issues of diversity. The Board will be contacting the trainer (Mr. Johnny Lake) to discuss this training topic. Mr. Lake is a trainer in programs focused on leadership, diversity, community-building, and cultural competency. The Board will also be researching other resources to support and share with its employees.
- c) Cultural Competency Video "StirFry" video is so unique to its approach in how we value and observe each other's communication. The "mindfully listening" which means being attentive to the subtleties in each communication, such as intent and impact. The Board will facilitate the viewing of these video with a trained facilitator. Employees will have an opportunity to view the video, discuss the video and its impact to them and facilitate another discussion six months after the initial viewing to ensure that employees are not left with unanswered questions regarding communication and cultural issues.

- “Color of Fear,” by Lee Mun Wuh - is an insightful, groundbreaking film about the state of race relations in America as seen through the eyes of eight North American men of Asian, European, Latino and African descent. In a series of intelligent, emotional and dramatic confrontations the men reveal the pain and scars that racism has caused them. What emerges is a deeper sense of understanding and trust. This is the dialogue most of us fear, but hope will happen sometime in our lifetime. (1995, 90 minutes)
 - “Last Chance for Eden,” by Lee Mun Wuh - is a documentary about nine men and women discussing the issues of racism and sexism in the workplace. They examine the impact of society's stereotypes on their lives in the workplace, in their personal relationships and within their families and in their communities. In the course of their dialogue, they also explore the differences and similarities between racism and sexism - an area that has seldom been researched, but has heatedly become a very important issue needing to be understood and dealt with.
- d) “Preventing and Minimizing Exposure to Lawsuits”: training for key employees to minimize and avoid the actions that cause, and may even encourage, expensive employee lawsuits. Most lawsuits are caused by the unknowing or careless actions of managers and supervisors. This training will provide information in how to avoid and prevent lawsuits in the workplace.

Continuing Learning Opportunity

To continue learning about diversity and cultures within our workforce the following are some of the recommended books from several speakers that have participated in state government sponsored trainings.

1. Angelou, Maya. *I Know Why the Caged Bird Sings*. Bantam Books, 1983.
2. Dickerson, Debra. *An American Story*. New York, NY: Pantheon Books, 2000
3. Fanon, Frantz. *Black Skins, White Masks*. Grove Press, 1991.
4. Kochman, Thomas. *Black and White Styles in Conflict*. Chicago: University of Chicago Press, 1983.
5. McBride, James. *The Color of Water*. Riverhead Books, 1997.
6. McCall, Nathan. *Makes Me Wanna Holler: A Young Black Man in America*. Vintage Books, 1995.

7. Meeks, Kenneth. *Driving While Black*. Broadway Books, 2000.
8. Reed, Cecil and Donovan Priscilla. *Fly in the Buttermilk*. Iowa City, IA: University of Iowa Press, 1993.
9. Robinson, Randall N. *The Debt: What America Owes to Blacks*. Plume, 2001.
10. Santiago, Esmeralda. *When I Was Puerto Rican*. Vintage Books, 1994.
11. Tatum, Beverly D. *Why Are All the Black Kids Sitting Together in the Cafeteria?* Basic Books, 1999.
12. West, Cornell. *Race Matters*. Vintage Books, 1994.
13. Wilson, M. and Russel, K. *Divided Sisters: Bridging the Gap Between Black Women and White Women*. New York, NY: Anchor/Doubleday, 1996.
14. Amsterdam, Boston, *The Diversity Scorecard: Evaluating the Impact of Diversity on Organizational Performance*, Elsevier Science/Butterworth-Heinemann; 2003.
15. Rikleen, Lauren, *Ending the Gauntlet: Removing Barriers to Women's Success in the Law - by Managing Differently* – James O. Rodgers,
16. Aguilar, Leslie *Multicultural Customer Service: Providing Outstanding Service Across Cultures*, Linda Stokes McGraw-Hill, Inc, Times Mirror Press -
17. Phil Rubio, *A History of Affirmative Action, 1619-2000*
18. Poverty & Race Research Action Council: <http://www.prrac.org/>
19. Civil Rights Coalition for the 21st Century: <http://www.civilrights.org/>
20. Americans for a Fair Chance: <http://fairchance.civilrights.org/>
21. National Center for Fair and Open Testing: <http://www.fairtest.org/>
22. Journal of Blacks in Higher Education: <http://www.jbhe.com/>

2. Volunteers

The Board provides a copy of the agency's Affirmative Action Policy and Affirmative Action Plan to all Volunteers. Agency also reviews the statewide policies on "Discrimination and Harassment-Free Workplace" and "Maintaining a Professional Workplace" policies with Volunteers.

3. Contractors/Vendors

The Board provides a copy of the agency's Affirmative Action Policy and Affirmative Action Plan to all Contractors/Vendors. Agency also reviews the statewide policies on "Discrimination and Harassment-Free Workplace" and "Maintaining a Professional Workplace" policies with Contractors/Vendors.

D. Programs

The following activities play a major role in moving the agency towards its affirmative action goals and objectives as well as build a foundation for future efforts to diversity the workforce.

1. Internship Program

- a. **School-to-Work** ó It is the policy of the State of Oregon that we, as the an employer, recognize the importance of enhancing work-based learning opportunities through creating and maintaining relationships with public and private schools that promote an effective and efficient workforce in state government through a School-to-Work: Career-Related Learning Program. The Board will develop an agency plan which promotes participation in and support of work-based learning activities for students and educators. The plan may allow employees the flexibility to participate in associated activities offsite and not directly work-related.

The Board will update its Affirmative Action Plan in the current reporting period to provide information about its developments in this program. The Board will provide the following information:

- i. How many students participated in the program?
- ii. How many schools participated in the program?
- iii. Project information students have been involved in.

b. Willamette MBA Program

- i. Practical Application for Careers and Enterprises Consulting in Non-Profit and Public Organizations (PACE)
ó The **PACE** partnerships focus on three key frameworks: (1) provide Atkinson MBA candidates with experimental projects that apply discipline understandings, (2) add value to partnering organizations that consequential and needed, (3) provide volunteer service hours to the partnering organizations that adds value and gives relevance to the candidate.

- c. **Ready to Learn, Ready to Work** (A Salem Keizer School Districts Program: Oregon graduation requirements encompass skill sets (Career Related Learning Standards and Essential Skills) that provide a foundation for success following high school graduation. These skill sets include written and verbal

communication skills, problem solving, critical thinking, personal management and teamwork; skills that the working environment uses everyday. These requirements and skills apply across curriculum disciplines and can be demonstrated in a variety of settings.

Website: <http://workandlearnnow.com/web/employers/>

Today's students are the workforce of tomorrow. To prepare the next generation of well educated employees; connecting students to the business community is vital. Below are some of the opportunities the program provides for state agencies to participate:

- i. **Informational/Mock Interviews** ó Provide an opportunity to explore a particular occupation and gather information about the necessary preparation, required knowledge, and other interesting facts. Informational interviews help students broaden their vision of career fields, gain exposure to different adult role models and understand connection between school, work, and achieving goals. During interview, the employer provides the student with a glimpse of what their career is like, the necessary training and workplace requirements. The student will be prepared with a set of questions. The employer's role is to share information and insights about their career.
- ii. **Guest Speaker** ó Provide an opportunity for a classroom of students to hear firsthand about a particular occupation, the necessary preparation and required knowledge the occupation requires and other interesting information from current practitioner in the field.
- iii. **Job Shadow** ó Provide an opportunity for students to spend four or more hours with one or more employees at a job site. Employers introduce students to potential careers by allowing them to observe the jobs of individual workers while shadowing their daily routines and activities. They provide students with a look at the world of work and the range of career opportunities available to them. Employers should provide general information about their jobs, required skills, education and training requirements.
- iv. **Mentorship** ó Mentorship is a formal relationship between a student and a worksite role model who provides support and encouragement to the student. Mentorships may be academic, tutorial, or guidance based. Through this

relationship, a student can learn specific information about the rules and expectations of the workplace and develop useful work related and social skills. A mentorship reinforce the student's academic program at school. This kind of learning experience can vary in length of duration and frequency of contact.

- v. **Site Visit** ó Provide an opportunity for students to explore career and the world of work by visiting a business where they will observe and ask questions about careers, skills, and tasks performed by the company. The site visits introduce students to potential careers by allowing them to view an organization's daily routines and activities.
- vi. **Work Experience/Internship** ó Involves a formal training plan between the school and the agency that outlines the skills the students is expected to learn and demonstrate at the workplace. The hours to be worked, classroom goals, and worksite goals and objectives are determined by the teacher, worksite supervisor and student.

2. Community Outreach Programs

The Board greatest strength is the quality of and diversity of our employees who differ in age, gender, race, nationality, sexual orientation, and religious beliefs and operates across multiple cultures and languages. The Board encourages its employees to participate in various organizations with the community its serves. The Board is committed to fostering a collaborative working relationships with our local organizations to various initiatives, such as:

- a. Regular contact with local groups representing the protected classes.
- b. Affirmation to such groups that the agency is an equal employment opportunity employer.
- c. Sharing job opportunities with local ethnic organizations, local ethnic chambers, tribes, faith-based organizations, local ethnic newspapers, etc. in a timely manner.
- d. Ensure protected classes personnel are aware of promotional opportunities as they arise.

3. Diversity Awareness Program

To achieve workforce diversity, the Board is positioning itself with a strong commitment to its agency's affirmative action program. This includes strong leadership support from our top leadership and commitment to provide necessary resources, people and funding of new program initiatives.

- a. Continued support from leadership that creates an environment of inclusion, which values differences.
- b. Continued management involvement in planning and conducting affirmative action/equal employment opportunity activities.
- c. Ensure that employees are an integral part in the design of the Board efforts to plan and conduct affirmative action/equal employment opportunity and diversity activities.
- d. Widely disseminate the Board Affirmative Action Plan goals throughout the agency and encouraging managers to conduct targeted recruitment in support of these goals.
- e. Assign adequate resources to the affirmative action/equal employment opportunity activities. The Board will continue to revisit its budget to identify resources for its affirmative action/equal employment opportunity activities.
- f. Train managers and supervisors in their affirmative action/equal employment opportunity responsibilities as well as educating them with the existing personnel and administrative tools to help them carry out their responsibilities in these areas.
- g. Evaluate training resources in intercultural communication to address the communication style across cultures and generational differences within the Board.
- h. **Diversity Bulletin Board** ó To bring awareness to the agency's workforce, the Board provides a diversity bulletin board for employees share diversity and cultural information with one another. The Board also post the Governor's monthly diversity proclamations, diversity activities and projects, diversity calendar of events and other community activities, etc.
- i. **Art-on-Loan Program** - The Oregon Youth Authority (OYA) youth produce paintings, masks, woodwork, metalwork, sculpture, and other works. In their own way, they are hoping to give back to Oregonians by loaning these artworks out for display. They would like to share their culture and their personal message, even for just a week weeks.

This project is part of creating a welcoming environment by using artwork in various forms that project the diverse cultures in state government as well as project to the public it serves. Using these artwork will exhibit variation of media form other than the institutionalize posters.

The Art on Loan project will allow the Board to use the artwork from this project at no cost to the agency, however the agency will have the options to purchase these artwork for their own facility use after the artwork has completed its circulation through other state agencies.

E. Update: Executive Order 08.18

1. Cultural Competency Assessment and Implementation Services

Cultural Competency Assessment and Implementation Services is a proactive management strategy designed to identify best practices and reduce any discriminatory behaviors that may exist within the Commission. Through an assessment the Board will enable itself to address: the creation of a climate of increased awareness; appropriate identifying and responding to cultural and language barriers for the Board employees and the public; a common understanding of how all members of the organization should be valued and respected; a promotion of managerial skills among diverse employees; an understanding of the roles of the Board management and employees in creating a welcoming environment and the improve of the Board employee morale.

In lieu of funding resources the Board is implementing creative initiatives to ensure that is positioned itself with a strong commitment to its agency's affirmative action program. This includes strong leadership support from our top leadership and commitment to provide creative program initiatives.

2. Statewide Exit Interview Survey

In our goal to continue to make the Board the "Employer of Choice", the survey will allow the employee to share their honest opinions regarding their work experience with the agency. As employees change agencies or depart from state employment, the Board is interested in how employees view their tenure and what information and suggestions they can provide related to their experience. The survey covers issues such as: benefits; working conditions; opportunities for career advancement; the quality and quantity of the workload; and relationships with co-workers and supervisors.

The Board will run periodic reports to review the results collected and perform a data analysis. The data analysis will provide an understanding of how much of the voluntary turnover is preventable and how much is non-preventable. This data represents an essential piece of information that is fundamental in the data analysis. If the analysis identifies a negative opinion regarding the agency's workplace environment, the Board will use this information as an opportunity to make changes to improve the work environment for the current employees, and improve job satisfaction.

Data obtained from employees leaving the agency provides information critical to:

1. Assess workplace deficiencies;
2. Enhance the work place;
3. Improve employee retention;
4. Achieve a diverse workforce through workforce planning; and
5. Improve any negative feedback from the survey.

The result of the data analysis will be reviewed with the agency Director/Administrator for any corrective action and approve program strategies to implement that will help retention of skilled and valued employees.

3. Performance Evaluations of All Management Personnel

The Board has incorporated affirmative action objectives as a key consideration for the manager's or supervisor's performance evaluation. Specific examples of the managers and supervisors affirmative action objectives and diversity successes and achievement are described below. Management personnel will receive an annual performance evaluation to assess whether they are meeting its affirmative action objectives. Any goals or work plans for future performance will be outline in the evaluation.

Sample affirmative action duty descriptions:

- a. Understand Equal Employment Opportunity (EEO), Affirmative Action (AA), Diversity and Cultural Competency principles, and the agency's AA Plan goals and objectives. Develop and implement strategies to meet goals and objectives; and report annual efforts, successes and/or accomplishments during the period.
- b. Review hiring, transfers, promotional, developmental/rotational or training practices and procedures to identify and remove barriers in the attainment of the agency's affirmative action goals and objectives.

- c. Make hiring, transfer and promotional decisions in support of agency's affirmative action goals and objectives. Engage in appropriate recruitment efforts designed to reach agency's affirmative action goals and objectives.
- d. Promote and foster a positive work environment within the agency programs concerning EEO, AA, Diversity and Cultural Competencies by ensuring employees are aware and follow agency policies and procedures, and address work-related issues and/or concerns immediately and take appropriate action if necessary.
- e. Attend EEO, AA, and other diversity-related training to provide leadership to staff by being aware of diversity and cultural issues. This also includes supporting employees to attend such programs for further professional development.
- f. Ensure information regarding EEO, AA and Americans with Disabilities (ADA) information is properly displayed on the appropriate boards at the worksites(s).

Ref: 659A.012 State agencies to carry out policy against discrimination in employment; evaluation of supervisors; affirmative action reports. (1) To achieve the public policy of the State of Oregon for persons in the state to attain employment and advancement without discrimination because of race, religion, color, sex, marital status, national origin, disability or age, every state agency shall be required to include in the evaluation of all management personnel the manager's or supervisor's effectiveness in achieving affirmative action objectives as a key consideration of the manager's or supervisor's performance.

(2) To achieve the public policy of the State of Oregon for persons in the state to attain employment and advancement without discrimination because of race, religion, color, sex, marital status, national origin, age or disability, every state agency shall be required to present the affirmative action objectives and performance of that agency of the current biennium and those for the following biennium to the Governor of the State of Oregon and to the Legislative Assembly. These plans shall be reviewed as part of the budget review process.

F. Status of Contracts to Minority Businesses (ORS 659A.015)

The Board did not award any construction, service, or personal service contracts to minority businesses during the 2009-2011 biennium. The Board posts all competitive contracts on the state's ORPIN system to ensure that the pool of responders is as varied as possible and all qualified responders are given fair and equal consideration. The Board does not have any contracts that exceed \$5,000 with minority businesses.

III. ROLES FOR IMPLEMENTATION OF AFFIRMATIVE ACTION PLAN

A. Responsibilities and Accountabilities

The Board is committed to equal employment opportunity and maintains an active interest in the attainment of affirmative action goals and objectives. The Board strategy is to create a work environment and employment opportunities that attract and retain diverse and skilled workforce. The success of the affirmative action program depends upon the commitment and leadership of employees at all levels in the organization. As such, affirmative action goals and objectives are contained in all management position description.

The Board provides overall direction and resources to support the Affirmative Action Plan. The Board will foster-- and promote to employees-- the importance of a diverse workplace free from discrimination and harassment. The Board is committed to the use of Affirmative Action precepts in hiring employees and in making appointments to its membership. The Board will continue its implementation of the Affirmative Action Plan by exercising impartial and unbiased evaluations of future employment applications and interviews.

1. Director/Administrator

The Director/Administrator plays a leadership role in dedicating the agency to a policy of equal employment opportunity and conveying a sense of that commitment both within and outside of the organization. The Director/Administrator has overall responsibility for implementing and monitoring the Affirmative Action Plan and for ensuring compliance with all applicable federal and state laws, rules and regulations.

- a. Foster and promote the importance of a diverse and respectful workplace.
- b. Periodically review the Affirmative Action Plan and progress toward meeting the agency's affirmative action objectives; and
- c. Meet with the Affirmative Action Representative to review equal employment opportunity and affirmative action objectives. Provide guidance to the Affirmative Action Representative to ensure the agency's effectiveness in meeting its affirmative action program, and approve strategies for meeting objectives;
- d. Recognize policy needs and initiate necessary changes.
- e. Ensure managers and supervisors understand they are responsible for participating in and promoting affirmative action activities and for communicating this same responsibilities to their subordinates managers and supervisors. The effectiveness of managers and

supervisors in promoting affirmative action activities, goals, and objectives for the Board will be included in the annual performance appraisal.

2. Managers and Supervisors

öTo achieve the public policy of the State of Oregon for persons in the state to attain employment and advancement without discrimination because of race, religion, color, sex, marital status, national origin, disability or age, every state agency shall be required in the evaluation of all management personnel the managerø or supervisorø effectiveness in achieving affirmative action objectives as a key consideration of the managerø and supervisorø performance.ö

- a. Foster and promote to employees the importance of a diverse, and discrimination and harassment free workplace through day-to-day interaction with employees and through discussion with staff about the agencyø Affirmative Action Plan, activities, goals and objectives.
- b. Assure assigned managers and employees understand their rights and responsibilities in achieving a welcoming work environment free from discrimination and harassment.
- c. Promote the State of Oregon as an equal employment opportunity, affirmative action employer committed to a workforce diversity in speeches and conversations with businesses and communities regarding employment with the State.
- d. Review the Board affirmative action goals and objectives on a regularly basis to be aware of and consider ways to contribute toward achieving the goals and objectives. Review and consider the agencyø affirmative action hiring goals in filling job vacancies.
- e. Ensure that implementation of affirmative action activities are carried out as they apply to their unit, including the non-discriminatory administration of client services.
- f. Ensure that individuals involved in agency processes needing materials in alternate format (large print, computer disc, Braille, audio tape, and/or oral presentation) receive material in the appropriate format;
- g. Attend and encourage employees to attend diversity, cultural awareness, and affirmative action information session;

- h. Assure that all staff are aware of the Affirmative Action Policy Statement and Affirmative Action Plan, particularly as it applies to their unit, and maintain and maintain a copy of the Plan readily available for employees to review; and
- i. Ensure that all employees, including minorities, women, persons with disability, and other protected persons, are provided an opportunity to participate in agency-sponsored education, training, and social activities.

3. Affirmative Action Representative/Officer:

The Affirmative Action Representative/Officer is responsible for implementing and maintaining the agency's affirmative action program and is accountable to the Director/Administrator.

- i. Develop and disseminate the Affirmative Action Plan, including the agency's Affirmative Action Policy Statement, and monitor progress and prepare annual updates and modifications, as needed;
- ii. Develop and monitor internal and external communication of the agency's Affirmative Action Policy and Affirmative Action Plan to keep staff informed.
- iii. Develop and advise employees and job applicants of discrimination grievance procedures. Accept and investigate all sexual harassment and/or discrimination grievances or complaints filed either internally or externally and make recommendations for appropriate actions;
- iv. Serve as the agency's liaison with governmental agencies responsible for the enforcement of civil rights and fair employment laws and regulations;
- v. Assist in implementation and review of the internal monitoring and review system, using standardized reports and statistical data to measure the effectiveness of the agency's affirmative action program, and indicate the need for remedial action;
- vi. Contact community organizations and persons representing minorities, women and persons with disabilities and share information on available agency recruitments;
- vii. Identify the need for, assist in the development of, and in some instances, conduct affirmative action information session for managers, supervisors and employees;

- viii. Share information to management staff on the latest developments on affirmative action issues, including legal decision and their possible impact;
- ix. Report to the Director/Administrator/Board any policies or practices that have adverse impact on minorities, women and persons with disability, and any other protected or underrepresented group, or present barriers to equal employment opportunity;
- x. Periodically review personnel policies and procedures to ensure they reflect the agency's affirmative action commitment;
- xi. Periodically audit minimum job requirements, training programs, and promotion and transfer actions to assure non-discriminatory practices;
- xii. Conduct periodic reviews to assure EEO posters, the Affirmative Action Policy Statement, and Alternate Format poster are properly displayed; and
- xiii. Assist in conducting exit interviews of employees leaving the agency concerning work climate and affirmative action issues.

IV. July 1 2010 – June 30 2012

A. Accomplishment & Progress Made or Lost Since Previous Biennium

Category	2009 - 2011	2011 - 2013	Explanation
People of Color	0 lost 0 gained 2 retained	1 lost 1 gained 2 retained	Board Member term limits applied. Active support for keeping our diverse workforce and Board representation intact.
Women	1 lost 3 gained 8 retained	3 lost 1 gained 8 retained	
Disabled	0 lost 0 gained 0 retained	0 lost 0 gained 0 retained	

The Board continued to strive to create a culturally diverse staff through the employee recruitment process, and through celebration of existing employees via staff meetings and other office activities.

- All job announcements were posted on the Oregon.jobs page, through DAS Recruitment Services.
- The Board has established management practices, sufficient staff support, and regularly reviews strategic and policy questions establishing clear direction. Board staff will regularly review processes and forms with an eye toward regulatory streamlining and improved service to the consumer and licensees.
- Our staffing spans several generations, from the 1950s to the 1980s.

The Board's strategy for retaining our employees is simple:

- É Value our employees and urge them to participate in decisions that affect their work;
- É Treat our employees with respect and dignity;
- É Show our employees the benefits of working for the State of Oregon from pay to health insurance to location;
- É Support our employees in their learning and personal development plans;
- É Carefully maintain the Board's reputation for professionalism by making it a business people are proud to work for;
- É Keep our processes as lean as possible so work makes sense even to our youngest employees;
- É Communicate well and often. Let people know what is happening in the organization;
- É Make wise hiring decisions and continually evaluate our hiring practices; and
- É Hold people accountable for adhering to our respectful workplace and harassment-free policy.

1. Maintain the Board's commitment to affirmative action through the continued development and adherence to its Affirmative Action Plan.

Strategy

- Evaluate and revise policies and procedures as needed to promote the Board's commitment to affirmative action and equal employment opportunity.
- Assertively recruit qualified persons with disabilities, minorities, women, and other protected classes for position/volunteer vacancies.

Actions Taken

- *Agency staff and board members worked closely with the Governor's office to ensure consideration of affirmative action goals in review and selection of open board member appointments.*

2. Continue dialogue among staff and board members to foster understanding and support for the Board's commitment to affirmative action.

Strategy

- Increase staff and board member knowledge and awareness of affirmative action through review and discussion of the Affirmative Action Plan.

- Train and inform managers and employees as to their rights and responsibilities under the Board's Affirmative Action policy.
- Make the complete Affirmative Action Plan available and accessible to all board members, employees, and contractors.
- Increase the knowledge and skills of employees and managers to create a welcoming environment for, and work effectively with, coworkers and patrons with diverse backgrounds or disabilities through training and employee development activities.

Actions Taken

- *The affirmative action plan is available to all staff via a shared drive.*
- *The plan was included in board packets.*
- *Communications from the affirmative action office were forwarded to staff and discussed in staff meetings as appropriate.*

3. Support and promote diversity within the Board.

Strategy

- Increase awareness within the Board to promote affirmative action and equal employment opportunities.
- Engage in outreach efforts to recruit persons in protected classes.
- Promote celebration of events important to diverse cultures throughout the year.

Challenges

Our agency's strength lies in our employees and our customers. We are a very professional organization that lives with high expectations every day. The challenges we face are few, except for the budget process for other funds.

Actions Taken

- *Affirmative action was discussed in detail at the Board level.*

4. Improve recruitment methods in order to increase ethnic diversity among staff and Board members.

Strategy

- Apply recruitment methods that include outreach to sources representing a variety of backgrounds and protected and underrepresented classes.
- Insure that advertisements and employment/volunteer recruitment announcements contain the statement "Equal Opportunity/Affirmative Action Employer".
- Recommend qualified and diverse candidates to the Governor's Office for board member vacancies.
- Provide career development and training opportunities which support the career advancement and success of our diverse workforce through personal planning and mentoring.
- Will work with higher education and local ethnic groups.

- Send job announcements to the Governor's Affirmative Action Office for distribution.
- Continue to use job fairs and trade shows to promote job opportunities within our agency.

Actions Taken

- *As noted under above goals.*

5. Retention and Promotion

Strategy

- To provide resources for employees to encourage their career development in state services. The Board will provide opportunities for training to employees for developing proficiency, enhancing skills and encouraging development in areas for potential advancement. Staff shall be eligible for mandated and required training and these suggestions are frequently discussed during performance reviews to meet individual goals for upcoming year. Suggested training opportunities will be considered by management for approval.

Actions Taken

- *Although training and development plans are not used, opportunities were presented to all staff and discussed via staff meetings and individual review discussions. Managers will also utilize employee retention ideas that include offering flexible schedules, having open door policies, listening respectfully and responding quickly to problems. Managers will be evaluated on their compliance with the agency's AA objectives by rating them on their annual performance evaluation.*

6. Increase knowledge and skills of the Board's management staff in applying Affirmative Action and EEO principles and in promoting a diverse workforce environment.

Strategy

- Ensure that the Executive Director understands the Board's affirmative action goals and responsibilities and assert their role in achieving these goals.
- Support managers' attendance at equal opportunity, affirmative action, and other diversity-related activities or training activities.
- Maintain management performance appraisal reviews used to evaluate managers on their effectiveness in achieving affirmative action objectives.

Actions Taken

- *The Executive Director worked with the HR Consultant to discuss content of trainings attended by Consultant.*
- *Executive Director and Manager reviewed AA Plan during recruitments.*

V. July 1 2013 – June 30 2015

A. B. Goals for Affirmative Action Program & Strategies and Timelines for Achieving Goals

Note: Some goals may be completed before start of biennium.

1. Objective: Ensure relevancy, accuracy, availability, understanding of, and achievement of Oregon Mortuary and Cemetery Board Affirmative Action Plan by staff, board members, and agency stakeholders.

Specific Goals (to be completed by end of biennium)

- Ensure all staff members have reviewed and understand content and purpose of AA plan.
 - The ED will work with HR Consultant to review green bar report for the Board and develop specific targets given agency size and current composition.
 - The ED will report progress toward goals to the board as a discussion item in general session at least once per year.
 - At staff meetings, there will be an ongoing agenda item to discuss as a team any differences being perceived between plan and practice, and how any learning (workshops, etc) can be best applied to both plan and practice, as appropriate.
 - Work with any new hires to assess the physical work environment, standard equipment and practices for equal access. Identify potential barriers they might perceive, and develop strategies and objectives for addressing barriers.
 - The affirmative action plan or at least key components--will be made available on the Board website.
 - Actively engage in outreach efforts to recruit qualified persons from diverse backgrounds and from underrepresented classes.
2. Objective: Demonstrate the value of diversity in both action and communication.

Specific Goals (to be completed by end of biennium)

- Promote celebration of events important to diverse cultures throughout the year both at a staff operational level, as well as recognized in board meetings in general session.
- Schedule at least one training for board and staff members focused on identifying and valuing the many facets of diversity (eg, cultural, ethnic, learning style, etc).
- Schedule at least one meeting with board members and stakeholders that explores access and diversity within the industries and services regulated by the board, as well as in the overall population served by those industries.

VI. Appendix A

A. Agency's Policy Documentation

1. ADA and Reasonable Accommodation Policy
2. Discrimination and Harassment Free Workplace - (*Statewide Policy No. 50.010.01*)
3. Employee and Training Policy
4. Veterans Preference in Employment

VII. Appendix B

- A. Age Discrimination in Employment Act of 1967 (ADEA)
- B. Disability Discrimination Title I of the Americans with Disability Act of 1990
- C. Equal Pay and Compensation Discrimination Equal Pay Act of 1963, and Title VII of the Civil Rights Act of 1964
- D. Genetic Information Discrimination Title II of the Genetic Information Nondiscrimination Act of 2008 (GINA)
- E. National Origin Discrimination Title VII of the Civil Rights Act of 1964
- F. Pregnancy Discrimination Title VII of the Civil Rights Act of 1964
- G. Race/Color Discrimination Title VII of the Civil Rights Act of 1964
- H. Religious Discrimination Title VII of the Civil Rights Act of 1964
- I. Retaliation Title VII of the Civil Agency Affirmative Action Policy
- J. Sex-Based Discrimination Title VII of the Civil Rights Act of 1964
- K. Sexual Harassment Title VII of the Civil Rights Act of 1964