

PRELIMINARY STAFF MEASURE SUMMARY

CARRIER:

Senate Committee on Human Services and Early Childhood

REVENUE: No revenue impact**FISCAL: Fiscal statement issued****SUBSEQUENT REFERRAL TO: Was and Means****Action:****Vote:**

Yeas:

Nays:

Exc.:

Prepared By: Cheyenne Ross, Administrator**Meeting Dates:** 6/2

WHAT THE MEASURE DOES: Expands definition of deceased “indigent person” to include those for whom no one wishes to pay for or provide direction regarding funeral arrangements. Transfers duty to maintain list of institutions that accept bodies for educational or research purposes from Oregon Health and Science University to Oregon Mortuary and Cemetery Board (the Board). Describes duties funeral establishment must perform when taking custody of unclaimed body. Extends from five days to ten, the time a funeral establishment must wait before transferring body to education or research institution. Transfers responsibility for death certificate filing fee from Oregon Health Authority to the Board. Directs at least \$6 of \$20 filing fee be used to reimburse licensees for disposition of deceased indigent persons. Directs Board to adopt rules regarding funds for indigent disposition and to consider historical data related to reimbursements.

ISSUES DISCUSSED:**EFFECT OF COMMITTEE AMENDMENT:**

[-A5 amendment] Refines definition of “indigent person” consistent with ten-day time period that funeral establishment must wait to act. Refines duties of funeral establishment when taking custody of unclaimed body to include submission of death report and exhausting alternatives for payment of disposition. Limits cost to administer funds governing indigent disposition, to five percent of amount collected.

BACKGROUND: Under current law, for purposes of funeral arrangements, an indigent person is defined as someone who has no relative or other person to pay for disposition of the body, who also has the legal right to make the arrangements. A licensed funeral service practitioner that takes custody of the body must promptly verify whether attempts were made to notify relatives and interested persons, if any, and to arrange for payment. If no attempts were made, a funeral practitioner must make attempts within five days, and if no one is found or comes forward, the body may then be claimed for research or education purposes. If a body remains unclaimed, the funeral practitioner may then cremate or bury the deceased and seek reimbursement from the Public Health Account. The Public Health Account is funded through a \$20 death certificate filing fee that is collected by the Oregon Health Authority. Of the \$20 fee, \$6 goes to the indigent disposition fund and \$14 goes to the Oregon Mortuary and Cemetery Board.

House Bill 3243-A expands the definition of an indigent person for purposes of funeral arrangements to include those persons with relatives, and makes several changes to the process of disposing of the body designed to centralize responsibility for disposition, with licensed funeral service practitioners and the Oregon Mortuary and Cemetery Board (the Board). The measure transfers collection of death certificate filing fees and administration of the Public Health Account from the Oregon Health Authority to the Board, and the Board is authorized to make rules governing allocations.

House Committee: 11 – 0 – 0 • House Floor: 58 – 2 – 5

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This summary has not been adopted or officially endorsed by action of the committee.