

**Fiscal:** Fiscal impact issued

**Revenue:** No Revenue Impact

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**Action Date:** 04/17/15

**Action:** Do Pass As Amended And Be Printed Engrossed.

**Meeting Dates:** 03/20, 04/17

**Vote:**

Yeas: 11 - Barreto, Barton, Doherty, Esquivel, Evans, Fagan, Heard, Holvey, Kennemer, Nosse, Weidner

**Prepared By:** Jan Nordlund, Committee Administrator

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**WHAT THE MEASURE DOES:**

Expands definition of “indigent person” to include those whose relative, or other person with legal right to direct disposition of remains, refuses to pay for the disposition, and those for whom no other person wishes to direct and pay for the disposition. Transfer duties of maintaining list of institutions that may accept or process bodies for education or research purposes from Oregon Health and Science University to Oregon Mortuary and Cemetery Board. Provides duties funeral establishment must to perform when taking custody of unclaimed body. Extends from five days to ten days the time a funeral establishment must wait before transferring body to education or research institution. Transfers responsibility for collecting death certificate filing fee from Oregon Health Authority to Mortuary and Cemetery Board. Directs that at least \$6 of \$20 filing fee be used for reimbursing licensees for disposition of body of indigent deceased person. Directs Board to adopt rules regarding funds for indigent disposition and to consider historical data related to reimbursements.

**ISSUES DISCUSSED:**

- Reimbursement varies greatly month to month based on number of claims and amount collected through death certificate filing fee
- Length of time to receive reimbursement

**EFFECT OF COMMITTEE AMENDMENT:**

Replaces original measure.

**BACKGROUND:**

Under current law, an indigent person is defined as someone who has no relative or other person with both the legal right to direct the disposition of the deceased person and the means to pay for the disposition. A licensed funeral service practitioner that takes custody of the body must promptly verify that the medical examiner or health care facility attempted to locate relatives and interested parties. If the attempt was not made, the funeral practitioner must, within five days, attempt to notify relatives and interested persons and arrange for payment of disposition costs. If nobody claims the body in five days, the body may be used for research and education purposes. If the body is not used for education or research, the funeral practitioner may cremate or bury the body and be reimbursed from the Public Health Account. The Public Health Account is overseen by the Oregon Health Authority and is funded through the death certificate filing fee. Of the \$20 fee, \$6 goes to the indigent disposition fund and \$14 goes to the Mortuary and Cemetery Board.

House Bill 3243-A makes several changes to the process for disposing of a body of an indigent deceased person. The fund used to reimburse funeral establishments for disposing of such a body is transferred from the Oregon Health Authority to the Oregon Mortuary and Cemetery Board, and the Board is given rulemaking authority regarding the use of the death certificate filing fee.