

STAFF MEASURE SUMMARY**Senate Committee On Human Services and Early Childhood****Fiscal:** Fiscal impact issued**Revenue:** No Revenue Impact**Action Date:** 06/02/15**Action:** Do Pass With Amendments To The A-Eng. Refer To Ways And Means By
Prior Reference (Printed B-Eng).**Meeting Dates:** 06/02**Vote:**

Yeas: 3 - Dembrow, Gelser, Monnes Anderson

Exc: 2 - Kruse, Olsen

Prepared By: Chyenne Ross, Committee Administrator**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 (OMCB). Describes duties funeral establishment must perform when taking custody of unclaimed body. Extends to ten days, time funeral establishment must wait before transferring body to education or research institution. Transfers responsibility for death certificate filing fee to OMCB. Directs at least \$6 of \$20 filing fee be used to reimburse licensees for disposition of deceased indigent persons. Directs OMCB adopt rules regarding funds for indigent disposition. Limits costs of fund administration to five percent of amount collected

ISSUES DISCUSSED:

- Provisions of measure
- Future improvements to procedures for handling remains of indigent individuals

EFFECT OF COMMITTEE 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 (OHA). Of the \$20 fee, \$6 goes to the indigent disposition fund and \$14 goes to the Oregon Mortuary and Cemetery Board (OMCB).

House Bill 3243-B expands the definition of an “indigent person” for purposes of funeral arrangements to include those for whom another *is* able to pay and take responsibility, but who declines or refuses, 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

OMCB. The measure transfers collection of death certificate filing fees and administration of the Public Health Account to OMCB and authorizes OMCB to make rules governing the allocation of fees.