

HB 2120 STAFF MEASURE SUMMARY

Carrier: Rep. McLain

Joint Committee On Ways and Means**Action Date:** 05/28/21**Action:** Do Pass.**House Vote****Yeas:** 11 - Bynum, Drazan, Gomberg, Leif, McLain, Nosse, Rayfield, Sanchez, Smith G, Sollman, Stark**Senate Vote****Yeas:** 7 - Golden, Gorsek, Johnson, Lieber, Steiner Hayward, Taylor, Thomsen**Nays:** 4 - Anderson, Girod, Hansell, Knopp**Exc:** 1 - Frederick**Fiscal:** Fiscal impact issued**Revenue:** No revenue impact**Prepared By:** Kim To, Fiscal Analyst**Meeting Dates:** 5/19, 5/28**WHAT THE MEASURE DOES:**

Increases the death report filing fee from \$20 to \$30 for each report. The board must deposit the amount received into the State Mortuary and Cemetery Board Account, established under ORS 692.375. The amount of the fee increase shall be used to reimburse funeral establishments for the dispositions of unclaimed deceased indigent persons. The fee increase applies to any fee imposed on or after the measure takes effect on January 1, 2022.

ISSUES DISCUSSED:

- Revenue impact
- Fiscal impact

EFFECT OF AMENDMENT:

No amendment.

BACKGROUND:

A licensed funeral service practitioner who takes custody of the body of an indigent person 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 State Mortuary and Cemetery Board Account. This account is funded through a \$20 death report filing fee that is collected by the Board. Of the \$20 fee, \$6 must be used by the Board to reimburse funeral establishments for the reasonable costs for disposition of the body of any unclaimed deceased indigent person. The method of disposition must be in the least costly and most environmentally sound manner that complies with law. The death report filing fee was last increased in 2009 (House Bill 2244) when the fee was increased from \$7 to \$20, with the amount funding the indigent disposition program increasing from \$2 to \$6.

In 2015, House Bill 3243 expanded the definition of indigent persons, moved responsibility for collecting the death certificate filing fee from the Oregon Health Authority to the Mortuary and Cemetery Board, and moved responsibility for reimbursing funeral practitioners from the Department of Human Services to the Board. House Bill 3243 (2015) did not change the death filing fee or the portion of it that reimburses funeral practitioners. In early 2020, the Board determined that they lacked the funds to reimburse funeral practitioners the standard

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amount of \$500; for the month of June 2020, the Board dropped the reimbursement to \$20 but resumed reimbursing \$500 in subsequent months.