



Oregon

Tina Kotek, Governor

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DATE: April 19, 2023

TO: Senate Committee on Veterans, Emergency Management, Federal and World Affairs

FROM: Jay DeFillipo, Legislative Director, Oregon Department of Veterans' Affairs

SUBJECT: HB 2147A – Directs governing body of each county to designate person to ensure interment of unclaimed cremains of veteran or survivor of veteran.

Chair Manning, Vice-Chair Thatcher, and members of the committee,

Thank you for the opportunity to provide public comment on HB 2147A. ODVA does not have a position on HB 2147A. This testimony is to ensure the committee has the facts associated with this bill as it determines the bill's way ahead.

The honoring of our veterans in life and in death is a sacred responsibility of those that govern our nation, states, and communities. The Oregon Department of Veterans' Affairs (ODVA), while having no position on HB 2147A does recognize the importance of ensuring the proper, dignified interment of our veterans according to prescribed policies of the U.S. Department of Veterans Affairs (USDVA) and the National Cemetery Administration (NCA).

During the 1st Chamber reading of the bill, ODVA was asked to provide facts on the bill and to support open dialogue with stakeholders on USDVA processes for unclaimed remains. ODVA brought together stakeholders for a series of meetings to clarify the language of the bill, hear stakeholders' concerns and to ensure USDVA/NCA requirements remained intact. This workgroup consisted of the Oregon Mortuary and Cremains Board (OMCB), The Oregon Funeral Directors Association (OFDA) and the County VSO Association (CVSO Assn). Participants provided recommendations to the House Committee on Emergency Management, General Government, and Veterans staff and the bill's sponsor Rep Goodwin, that resulted in a -2 amendment.

After HB 2147 passed the House, ODVA was approached by the Association of Counties (AOC) with a request to clarify some of the language in the bill. In response we offer the following:

1. AOC asked for clarification on the use of a database for collecting information on decedents. AOC asked why ODVA couldn't run this process by using the ODVA-managed veterans claims processing tool known as

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VetraSpec, out of concern for protecting decedents' Personal Identifiable Information (PII).

The sections of HB 2147 that generate these concerns are Section 4, Page 2, Line 23-24 which states the Veterans Remains Coordinator (VRC) shall establish and maintain a record of information on reported unclaimed remains; and

Section 6, Page 3, Line 17 which states the VRC shall establish and maintain a list of eligible decedents that are reported.

ODVA's response to these concerns is that while the USDVA/NCA requires certain information be submitted to them to verify a decedent's eligibility; ODVA interprets this requirement to mean that the information can be collected on a basic spreadsheet, such as Excel, and that the information would be collected from the funeral homes for processing requests through USDVA. The information in the spreadsheet would not be considered Personal Identifiable Information (PII) according to FOIA and Privacy Act laws. This spreadsheet would be maintained by the VRCs according to the bill. VetraSpec is not capable of submitting the required information to the USDVA/NCA, as the system is specifically designed exclusively for electronic claims submissions for VA benefits. Additionally, VetraSpec does not have a process for isolating a group of individuals for a list-population process such as this. Therefore, ODVA believes the bill language is appropriate in that it requires a list (not within an electronic database) of information provided by funeral establishments to be maintained by the VRC for reporting to USDVA/NCA.

2. AOC requested that VSOs receive training on the cremains process.

ODVA's response is that, as the certifying authority for VSOs, ODVA has agreed to do the training program on how to process unclaimed remains. This training would be available to all VSOs virtually to ensure it is training at no cost to county offices. VSOs may elect to register a volunteer VRC to attend the training with the VSO, but the VSO has the responsibility to be trained. Additionally, it would not be appropriate for ODVA to run a centralized volunteer training program to handle unclaimed remains. Using the same decentralized model as we do with VSOs, who are the county "boots on the ground," we believe each county should have the flexibility to acquire and train their volunteer VRCs to meet the unique needs of the county. We recommend the specifics of an unclaimed cremains training program be addressed in the rulemaking process.

Again, ODVA does not have a position on HB 2147A. This testimony is to



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ensure the committee has the facts associated with this bill as it determines the bill's way ahead.

Thank you for your consideration, and your continued support of Oregon veterans.

*Serving Oregon
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1945*

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