

Submitter: Wally Ordeman

On Behalf  
Of:

Committee: Senate Committee On Veterans, Emergency Management, Federal  
and World Affairs

Measure: HB2147

Senate Committee on Veterans, Emergency Management, Federal & World Affairs  
April 18, 2023

Senator James Manning, Jr., Chair

Senator Kim Thatcher, Vice Chair

Re: HB 2147 opposition response from the Oregon Funeral Directors Assn. and  
Cemetery Association of Oregon, 2023 Legislative session.

Senator Manning, Senator Thatcher, and members of the committee:

The Oregon Funeral Directors Association (OFDA) and Cemetery Association of Oregon (CAO) will at all times be supportive of veterans' issues, but there are several areas of concern within HB 2147 and its amendments that make it unsupportable as written. In a general sense, the OFDA and CAO will resist any legislation that increases the burden placed on funeral directors with regard to time, expense, or storage capacities. The death care industry carries the responsibility for handling and documenting the custody of Oregon's deceased people, whether full body, or subsequently cremated remains. The death care industry has been at a point of "overwhelmed" and "exhausted" throughout the pandemic and any additional burdens placed on the industry will be met with great resistance.

Some other points more specific to HB2147:

1. In the definition of a Veterans' Remains Coordinator (Pg 1 of the amendment), the VRC is authorized to verify and inter the remains of a survivor of a veteran. This seems broad and not supported by VA rules regarding placement in a National Cemetery. Page 1, line 8 of the amendment and all other references to "survivor of a veteran" should be eliminated.
2. Page 2, lines 6-8 of the amendment mandates that the funeral home release eligibility information to the VRC. This should be the other way around, with the burden placed on the VRC to provide the proof of eligibility. Lines 21-26 support this.
3. Page 2, lines 29 and 30 of the amendment allow for the release of the eligible decedent to the VRC if the funeral home has had the decedent for 6 months. This blurs the line with ORS 97.150 which allows for the funeral home to dispose of the ashes at the 6 month mark.
4. Page 3, lines 41-43 of the amendment mandates that the funeral home apply for benefits within 10 days of taking custody of the body. Since this bill is addressing

unclaimed veterans, there is not a realistic scenario where a funeral home can confirm veteran status, obtain discharge information, and make application for benefits in that time frame. If the VRC is doing that due diligence, then we're not sure why this language needs to be in the bill at all.

5. Page 4, lines 3-5 of the amendment prohibits a funeral home from donating the body to a body donation institution. This is in direct conflict with the Indigent Disposition Program (ORS 97.170) administered by the Oregon Mortuary and Cemetery Board, in which the protocols mandate that funeral homes offer the body to these institutions.

6. Additionally, the "volunteer" option of the VRC county position creates an awkward leverage for oversight, consistency, or quality control.

Furthermore, HB 2147 doesn't address cemeteries that also might have stored cremated remains, nor does it address the fiscal impact that inquiries and redundant assistance to the VRC would place on funeral homes who would be asked to provide lengthy staff time to accommodate the VRC inquiries.

We feel that the language needs more clarity and less contradiction. We feel this bill needs more work in a future session and urge you to table this until all of the stakeholders can create a more functional resolution. We look forward to working with you to make sure our veterans are properly taken care of, and we look forward to your response or questions.

Respectfully,

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