

## ***Executive Director’s Report for January 2024***

### ADMINISTRATIVE

#### *2023-2025 Biennium Budget (July 1, 2023 through June 30, 2025)*

#### *Budget Summary through November 2023*

Revenue	Biennium to Date	2023-25 Total Biennial Budget	% Received
All Sources (including cash reserves & reimbursements)	635,136.75	3,314,235	19%
Expenditures	Biennium to Date	2023-25 Total Biennial Budget	% Spent
Personal Services	380,264.18	1,770,023	21%
Services and Supplies	215,334.23	1,302,704	17%
<b>Total Expenditures</b>	<b>595,598.41</b>	<b>3,072,727</b>	<b>19%</b>

*Licensing fee revenue is received once a year – even-numbered years for individual licensees & odd-numbered years for facility licensees – which results in a significant revenue increase at the end of each calendar year and is the main reason why our agency must maintain a higher than average ending balance at the end of each fiscal year and each biennium (typically the equivalent of 8-10 months). Our agency also self-insures against unknown expenses such as costs associated with administrative hearings. It is important to note that there is a difference between the agency’s approved limitation (authorization to spend) and its cash reserve. If our agency anticipates exceeding the approved limitation total for any expense category, we must request additional limitation authority from the Oregon Legislature via an Emergency Board (Ways & Means) proceeding, even if we have a sufficient cash reserve to cover expenses.*

#### ***Agency’s Biennial Budget Revenue***

The agency’s biennial budget revenue consists of a beginning cash balance of **\$1,722,128.73** (cash reserves carried over from the 21-23 biennium), which is the remaining amount collected for death filing fees – which supports both the agency’s operations/programs and the Indigent Disposition Program (IDP) Fund – licensing fees/renewals and estimates for miscellaneous revenue such as civil penalty payments and interest.

The death filing fee (\$30 for each report of death) is projected to equal approximately **\$1,092,106** in total revenue for the 23-25 biennium.

Based upon the allocation of the death filing fee, the following is projected to be received for the 23-25 biennium:

- The Indigent Disposition Program (IDP) Fund: **\$578,816.**
- The remaining balance to support agency operations/programs: **\$513,290.**

It is important to note that the actual amount received will depend upon the number of actual deaths registered and billed within the biennium. The revenue projection is based upon the population data provided by the [State Economist's Office](#), which is an anticipated 90,658 deaths within the 23-25 biennium.

## LICENSING

### *Licensing Transactions Executed Pursuant to Delegated Authority*

1. **Permanently Lapsed Individual Licenses:** None
2. **Permanently Lapsed Facility Licenses:** None
3. **Individual or Facility Licenses Suspended:** None
4. **Licenses Revoked:** None

**AD:** Alternative Disposition Facility; **AE:** Apprentice Embalmer; **AF:** Apprentice FSP; **CE:** Cemetery; **CM:** City owned Cemetery; **CO:** Combination Embalmer and FSP; **CR:** Crematory; **CS:** Special Tax District owned Cemetery; **CY:** County owned Cemetery; **DC:** Death Care Consultant; **EM:** Embalmer; **FE:** Funeral Establishment; **FS:** Funeral Service Practitioner; **IP:** Intern Permit; **PN:** Preneed Salesperson; **RR:** Removal Registration.

### *Licensing Statistics*

License Type	Oct 2, 2023	Jan 16, 2023	Change from July to Oct.	Trend
Death Care Consultants	0	0	0	-
EM Apprentices	75	86	11	▲
FSP Apprentices	112	127	15	▲
Interns	3	4	1	▲
Embalmer Only	11	13	2	▲
FSP Only	198	204	6	▲
Combination FSP/ Embalmer	379	384	5	▲



# MCB

**OREGON MORTUARY & CEMETERY BOARD**  
*Regulating Death Care Facilities & Practitioners in Oregon.*

<b>Military Combination FSP/ Embalmer</b>	0	0	0	-
<b>Preneed Salespeople</b>	173	190	17	▲
<b>Funeral Establishments</b>	194	194	0	-
<b>Immediate Disposition Companies</b>	6	6	0	-
<b>Crematoriums</b>	68	67	1	▼
<b>Cemeteries, Operating</b>	293	293	1	▲
<b>Cemeteries, Operating, Municipal</b>	36	36	0	-
<b>Cemeteries, Operating, County</b>	6	6	0	-
<b>Cemeteries, Operating, Special District</b>	121	121	0	-
<b>Cemeteries, Registered Non-Operating</b>	49	49	0	-
<b>Removal Registrations</b>	36	38	2	▲
<b>Alternative Disposition Facilities</b>	2	2	0	-
<b>Combined Total of all Licenses/Registrations</b>	1,764	1820	56	▲

## *License Examinations*

We are extremely pleased to announce that the Funeral Service Practitioner Law Exam has been transferred to **The International Conference of Funeral Service Examining Boards** (The Conference) and can now be taken nationwide anywhere a **Pearson VUE Testing Center** is located – there are four locations in Oregon.



# MCB

**OREGON MORTUARY & CEMETERY BOARD**

*Regulating Death Care Facilities & Practitioners in Oregon.*

Funeral Service Practitioner Law Exam					
Exam Date	Pass Rate			Score Range	
	Passed	Failed	Pass Percentage	Highest Score	Lowest Score
July 24, 2023	15	1	93.75%	92%	72%
March 15, 2023	10	1	91%	93%	72%
February 15, 2023	1	1	50%	90%	72%
January 25, 2023	0	1	0%	58%	58%
December 14, 2022	5	0	100%	92%	77%
November 16, 2022	1	0	100%	85%	85%
September 28, 2022	1	0	100%	82%	82%
September 1, 2022	2	1	66%	80%	73.3%
July 28, 2022	9	1	90%	91.6%	60%
April 21, 2022	4	0	100%	92%	77%
January 28, 2022	3	0	100%	87%	77%
October 27, 2021	7	1	87.5%	97%	68%
July 22, 2021	11	0	100%	93%	78%
March 16, 2021	12	1	92.3	98%	73%
December 1, 2020	3	0	100%	87%	82%
August 25, 2020	5	0	100%	97%	78%
June 23, 2020	8	1	88.8%	96%	70%
April 7, 2020	3	0	100%	93.3%	76.6%
March 23, 2020	6	0	100%	96.6%	80%
December 30, 2019	2	0	100%	90%	80%
December 20, 2019	2	0	100%	98.3%	95%
November 25, 2019	5	0	100%	98.3%	76.6%

Death Care Consultant Law Exam					
Exam Date	Pass Rate			Score Range	
	Passed	Failed	Pass Percentage	Highest Score	Lowest Score
November 16, 2022	0	1	0%	65%	65%
September 1, 2022	0	1	0%	60%	60%
April 21, 2022	0	1	0%	68%	68%
March 16, 2021	0	1	0%	66%	66%
December 1, 2020	0	1	0%	56%	56%
July 11, 2019	0	1	0%	68%	68%
June 18, 2019	0	1	0%	65%	65%
September 25, 2015	0	1	0%	60%	60%
September 15, 2014	0	2	0%	67%	57%
October 18, 2013	0	1	0%	53%	53%
January 25, 2013	0	1	0%	63%	63%
July 23, 2012	0	2	0%	54.5%	52%
*October 20, 2010	1	0	100%	76%	76%

\*First Death Care Consultant Exam offered.

## COMPLIANCE

### *Overview of Inspections Completed During FY 2023-2024*

OMCB’s Compliance Division has continued maintained the pace and quality of our inspections throughout the current reporting quarter to once again meet the goal of our agency’s Key Performance Measure #1: *Percent of licensed facilities inspected not less than once per biennium.*

Our agency reached 102% of the annual target at the close of the fourth quarter of FY 2021-2022. We continued this pace through FY 2022-2023. Compliance achieved 100% of licensed facilities inspected in the biennium – the first time in the modern era!

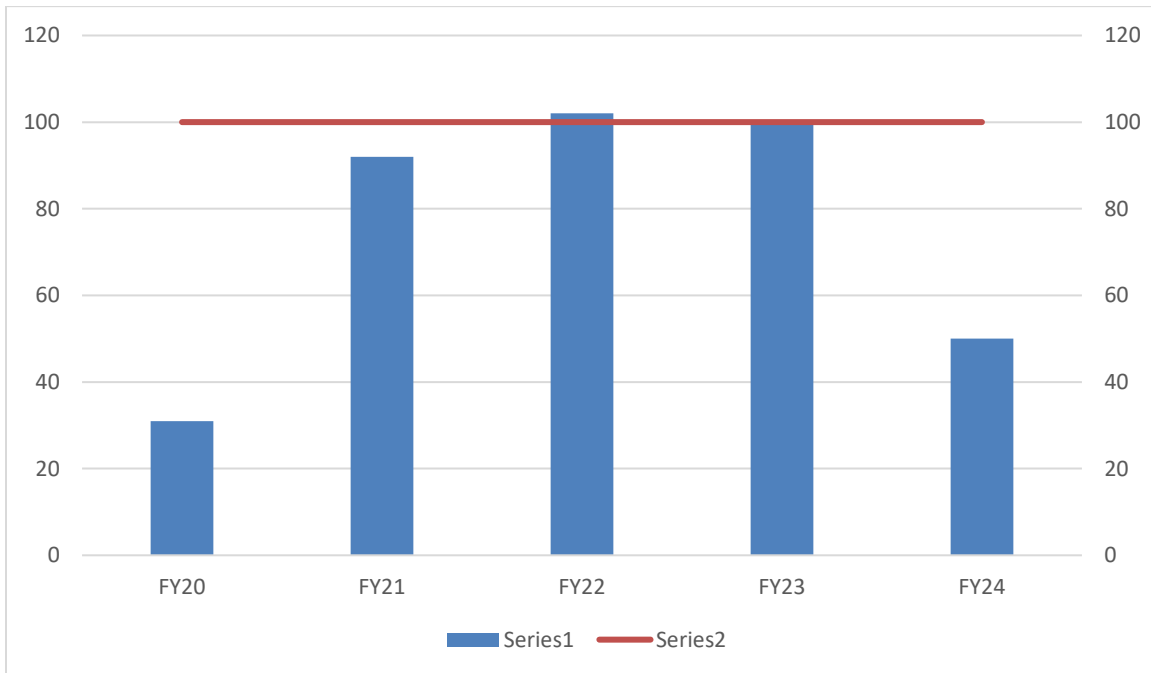
Our Inspectors returned to in-person, on-site inspections in June 2022 and have primarily continued conducting in-person inspections throughout FY 2022-2023 and now into FY 2023-2024. Additionally, we have continued utilizing virtual inspections as a tool when appropriate.

Our Inspectors are well-trained and experienced with the inspection process. They continue to meet or exceed their quarterly targets. We have streamlined our initial and follow-up communications with facilities, developed a long-term scheduling plan, and anticipate that our agency will continue to meet the inspection goals for FY 2023-2024.

### Inspection Key Performance Measure

#### **KPM #1: Facility Inspection – Percentage of licensed facilities inspected not less than once per biennium.**

Data Collection Period: Jul 01 – Jun 30



As of the beginning of the 2023-2025 biennium, OMCB regulates 725 licensed facilities located throughout the state.



# MCB

**OREGON MORTUARY & CEMETERY BOARD**

*Regulating Death Care Facilities & Practitioners in Oregon.*

Our agency’s statutory mandate is to inspect at least half of these (approximately 363) during each fiscal year. To achieve our inspection targets, our two Inspectors must complete approximately 91 inspections per quarter combined. For the past two years, Inspectors have met or exceeded those averages. Inspection details by quarter are in the chart below.

Total Inspections Completed During the Past Four Quarters				
FACILITY TYPE	January – March 2023 (Q3)	April – June 2023 (Q4)	July – September 2023 (Q1)	October – December 2023 (Q2)
Funeral Establishment	18	35	42	9
Cemetery Authority	73	38	34	85
Crematory Authority	4	4	19	2
Alternative Disposition Facility	0	0	2	0
Immediate Disposition Company	1	3	0	0
Biennial Inspections Completed per Quarter	96	80	97	96
Total Inspections Completed per Quarter	105	83	97	97
Total Biennial Inspections for FY	286 (75% complete)	366 (100% complete)	97 (26% complete)	193 (50% complete)

**Special Projects/Other Items:**

Inspectors are assisting with Licensing projects as needed. This includes ongoing licensing portal support, contact and communications with licensees and facilities, etc.

Additionally, Inspectors continue to work on investigations alongside the Investigator when appropriate.

## Investigations

The following table shows the total number of cases by phase to January 2024.

Please note that in order to be consistent with case counts, related cases are counted individually. For example, a case with multiple respondents – separated by individual investigations, like 22-0000ABC – will be counted individually (A, B and C) and tracked/reported as three different cases. These cases are often investigated together and are presented simultaneously to the Board. However, they often close at different stages, so it is more practical to count them as individual cases. We have applied that count change to the numbers below and the following illustrates the status of cases from quarter to quarter.

Case Status	April 2023	July 2023	October 2023	January 2024
Open	17	44	39	39
Hold	11	11	16	0
Post	3	9	7	6
Closed	18	4	15	3

### Case Phases:

**“Open”**: All cases not yet reported to the Board and are in various stages of review or investigation – such as intake, investigation, writing investigative report, or presenting to Board.

**“Hold”**: Cases that have been presented to the Board but require some other activity or action by another entity before the Board completes deliberation on a case. This may include cases awaiting determination by another agency, or findings in civil or criminal proceedings. In some cases, it can also mean additional investigation is required for clarification before returning to the Board for review/discussion.

**“Post”**: Cases that have been presented since the last Board meeting, but there is post-meeting activity still required before closure. This includes closing out cases resulting in no action, as well as all activity relating to cases where action is being taken, through the course of any negotiations, appeals, or related activity. This process has the potential of taking years before a case can be closed.

**“Closed”**: Cases that have been moved completely through the Post phase and have been closed out since the last board meeting. This may include closed cases requiring some form of monitoring or follow-up, such as in the case of a negotiated consent period, when there are

relevant consent order terms to be monitored.

### *Case Status from the October 10, 2023 Board Meeting*

There were 20 cases presented to the Board during the October 10, 2023 Board Meeting.

Two cases have been closed and 12 cases were tabled. No cases have requested hearings.

<b>Cases Presented During Last Board Meeting (October 2023)</b>			
<b>Case Number</b>	<b>Case Action/No Action</b>	<b>Current Case Status</b>	<b>Note/Comment</b>
<b>22-1023 Addendum</b>	Action	Pending NPDA	
<b>22-1043A Addendum</b>	Action	Pending NPDA	
<b>22-1043B Addendum</b>	Action	Pending NPDA	
<b>23-1023</b>	Ratify	Closed	
<b>23-1026</b>	Action	Pending NPDA	
<b>23-1032</b>	Ratify	Closed	
<b>23-1034A</b>	Action	Pending NPDA	
<b>23-1034B</b>	Action	Pending NPDA	
<b>23-1004</b>	Tabled	Presenting Jan Meeting	
<b>23-1008</b>	Tabled	Presenting Jan Meeting	
<b>23-1017</b>	Tabled	Presenting Jan Meeting	
<b>23-1018</b>	Tabled	Presenting Jan Meeting	
<b>23-1019</b>	Tabled	Presenting Jan Meeting	
<b>23-1020</b>	Tabled	Presenting Jan Meeting	
<b>23-1025</b>	Tabled	Presenting Jan Meeting	
<b>23-1028</b>	Tabled	Presenting Jan Meeting	
<b>23-1029</b>	Tabled	Presenting Jan Meeting	
<b>23-1031</b>	Tabled	Presenting Jan Meeting	
<b>23-1033</b>	Tabled	Presenting Jan Meeting	
<b>23-1035</b>	Tabled	Presenting Jan Meeting	



**Case Aging**

There is currently one case that has gone over 180 days (Case 23-1036 is at 186 as of January 22, 2024). The reason this case has gone over 180 days is due to the postponement of the January board meeting because of scheduling conflicts. Approval of the Executive Director’s Report authorizes up to an additional 60 days for case reporting to the Board under ORS 676.165 to cover any cases where aging will exceed the aging limits based on the date of the next available scheduled meeting. All aging will continue to accrue and any case reports exceeding aging limits will be reported both here as well as on legislative key performance measures.

**Indigent Disposition Program (IDP) Fund**

**Historical Background**

The purpose of the Indigent Disposition Program (IDP) is to provide licensed Oregon funeral establishments with reimbursement for costs incurred while providing services for the disposition of unclaimed indigent decedents. The Indigent Disposition Program has been in existence since the Oregon State Legislature originally assigned administrative responsibility for reimbursement to the Public Health Division of the Oregon Health Authority in 1993. Prior to that legislation, each county was responsible for covering all indigent disposition expenses. In 2015, the Oregon State Legislature revised certain elements of the program, transferred management to the Oregon Mortuary & Cemetery Board (OMCB) and amended the required process that a funeral establishment must complete prior to performing final disposition of an indigent decedent. These changes went into effect on January 1, 2016.

Not every state has established a program like Oregon’s Indigent Disposition Program. In the states surrounding Oregon, payment for the care of unclaimed decedents falls to the county – which may or may not have sufficient funds – and may or may not have requirements regarding the decedent’s residency in the county. Overall, fewer than half of all state governments have established funds similar to this one.

The Indigent Disposition Program’s maximum reimbursement rate is set annually by OMCB’s Board – the current rate is \$550 per approved claim. This rate is posted on OMCB’s website and notification of any rate changes are publicized.

In accordance with OAR 830-040-0090(1), only a licensed funeral establishment (including an immediate disposition company or persons acting as funeral service practitioners) may apply for indigent disposition reimbursement.

<b>Current Status of IDP Claims</b>	<b>Number of Claims Processed from October 1, 2023 to January 10, 2024</b>
<b>Under Review/Approved, Processing</b>	95
<b>Submitted for Payment</b>	148
<b>Waiting for Supplemental Information</b>	53



# MCB

**OREGON MORTUARY & CEMETERY BOARD**  
*Regulating Death Care Facilities & Practitioners in Oregon.*

<b>Denied</b>	16
<b>Grand Total</b>	<b>312</b>

Indigent Claims Received	CY 2021	CY 2022	CY 2023	YTD 2024 (as of Jan. 10th)
<b>Total Number of Claims Reviewed</b>	456	492	719	23
<b>Number of Claims paid</b>	351	349	539	-
<b>Under Review/Approved, Processing</b>	34	45	72	23
<b>Currently Open Claims (Waiting on additional information, researching, etc.)</b>	52	72	53	-
<b>Withdrawn/Denied</b>	19	26	55	-

*\*Totals have been adjusted and updated since the last report.*