

## Executive Director's Report for July 2024

### ADMINISTRATIVE

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

#### Budget Summary through April 2024

Revenue	Biennium to Date	2023-25 Total Biennial Budget	% Received
All Sources (including cash reserves & reimbursements)	1,587,616.51	3,314,235	48%
Expenditures	Biennium to Date	2023-25 Total Biennial Budget	% Spent
Personal Services	771,230.18	1,912,623	40%
Services and Supplies	399,598.85	1,302,704	31%
<b>Total Expenditures</b>	<b>1,170,820.03</b>	<b>3,215,327</b>	<b>36%</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:

- a. **Aiken**, Kenneth PN-9592
- b. **Albrecht**, Louise PN-9566
- c. **Amen**, Anissa PN-9524
- d. **Armstead**, Trinity PN-9559
- e. **Ashworth**, Roxanne PN-9590
- f. **BALL**, ANGIE PN-9174
- g. **Barbian**, Edward PN-9606
- h. **BARCLAY**, JENNIFER PN-9439
- i. **Barnett**, Heather PN-9548
- j. **Batista**, Janelle PN-9542
- k. **Behmer**, Kylie PN-9619
- l. **Best**, Iria PN-9500
- m. **Bishop**, Brian PN-9621
- n. **Boop**, Matthew PN-9589
- o. **BROWN**, MICHAEL PN-8330
- p. **Burdette**, Kyndra PN-9446
- q. **Colon**, Steven PN-9556
- r. **Conway**, James PN-9531
- s. **Crigler**, Emilie PN-9547
- t. **Curtis**, Moira PN-9579
- u. **Dahmen**, Corey PN-9574
- v. **Demchak**, Samantha PN-9620
- w. **Dunivan**, Jennie PN-9532
- x. **ESCOBAR**, CARLOS PN-9615
- y. **Essig**, Rachel PN-9581
- z. **Fowler**, Shawn PN-9584
- aa. **Frogel**, Bernard PN-9572
- bb. **Garcia**, Pilar PN-9528
- cc. **Garrison**, Zachary PN-9583
- dd. **Goldman**, Mitchell PN-9578
- ee. **Gomez**, Noris PN-9616
- ff. **GRAHAM**, KATHLEEN PN-9384
- gg. **Harshey**, Aaron PN-9580
- hh. **Henry**, Marie PN-9550
- ii. **Hergenhan**, Stacy PN-9568
- jj. **HOMER**, BRANDON PN-9483



# MCB

OREGON MORTUARY & CEMETERY BOARD

*Regulating Death Care Facilities & Practitioners in Oregon.*

**kk. Houghton** James PN-9507  
**ll. HUSBY, JULIE** PN-9398  
**mm. Keppinger,** Ravenjoy PN-9565  
**nn. Larson,** Brittney PN-9551  
**oo. Lee,** Tedd PN-9527  
**pp. Love,** Denay PN-9458  
**qq. MacIntosh,** Brittany PN-9510  
**rr. Mailman,** Seana PN-9582  
**ss. Mallow,** Tyler PN-9603  
**tt. Mayer,** Steven PN-9626  
**uu. McCarthy,** Nova PN-9517  
**vv. McDuffee,** Elena PN-9546  
**www. McPherson,** Kurtis PN-9597  
**xx. Melchiorre,** Kathryn PN-9577  
**yy. Miles,** Nicole PN-9545  
**zz. MORRISON-HILLE,** P PN-7985  
**aaa. MUELLER,** BRYAN PN-9364  
**bbb. Muniz,** Nicolas PN-9529  
**ccc. Murray,** Christen PN-9516  
**ddd. Nesbitt,** Marc PN-9570  
**eee. Nygard,** Karen PN-9567  
**fff. O'Donnell,** Brian PN-9563  
**ggg. OLSON,** GINA PN-9423  
**hhh. Padilla,** Anjelica PN-9504  
**iii. Park,** Shelley PN-9624  
**jjj. Petrie,** Lee PN-9534  
**kkk. Pier,** Lynzey PN-9561  
**mmm. Reinen,** Cydney PN-9552  
**nnn. Robinson,** Brandi PN-9564  
**ooo. Rollins,** Sarah PN-9544  
**ppp. Romero,** Emiley PN-9562  
**qqq. ROSS, F** PN-9144  
**rrr. Samuelson,** KATHRYN PN-6106  
**sss. Schmidt,** Mara PN-9560  
**ttt. Sisson,** Andrew PN-9594  
**uuu. SPEICHER,** SHANNAN PN-9391  
**vvv. Stolebarger,** Cheryl PN-9575  
**www. Sweet,** David PN-9555  
**xxx. Van Buren,** Geoffrey PN-9557  
**yyy. Waggle,** Judith PN-9571  
**zzz. Waters,** Pamela PN-9610  
**aaaa. Westmoreland,** Susan PN-9596  
**bbbb. White,** Michele PN-9522  
**cccc. Witt,** Lanita PN-9460  
**dddd. Woods,** Ashley PN-9525  
**eeee. Yee,** Christine PN-9593

- 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	April 1, 2024	June 26, 2024	Change from Apr. to June	Trend
Death Care Consultants	0	1	0	-
EM Apprentices	60	62	2	▲
FSP Apprentices	90	92	2	▲
Interns	5	3	2	▼
Embalmer Only	11	11	0	-
FSP Only	179	184	5	▲
Combination FSP/ Embalmer	348	354	6	▲
Military Combination FSP/ Embalmer	0	0	0	-
Preneed Salespeople	195	126	69	▼
Funeral Establishments	190	186	4	▼



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<b>Immediate Disposition Companies</b>	7	7	0	-
<b>Crematoriums</b>	67	67	0	-
<b>Cemeteries, Operating</b>	295	297	2	▲
<b>Cemeteries, Operating, Municipal</b>	36	36	0	-
<b>Cemeteries, Operating, County</b>	6	7	1	▲
<b>Cemeteries, Operating, Special District</b>	121	121	0	-
<b>Cemeteries, Registered Non-Operating</b>	49	49	0	-
<b>Removal Registrations</b>	39	39	1	▲
<b>Alternative Disposition Facilities</b>	2	3	1	▲
<b>Combined Total of all Licenses/Registrations</b>	1,700	1,645	57	▼

## *License Examinations*

The administration of our Funeral Service Practitioner Exam was transferred to **The International Conference of Funeral Service Examining Boards** (The Conference) in October 2023 and can now be taken nationwide anywhere a **Pearson VUE Testing Center** is located.

Between October 17, 2023 and June 5, 2024, there have been twenty-two exams taken with an average score of 86%.

Out of the twenty exams taken, there have been two instances of an exam being failed.

Staff continues to administer our Death Care Consultant Exam in person. The last Death Care Consultant Exam was held on April 5, 2024, and the first individual in over 13 years passed their exam. That individual has been issued licensure as the first Death Care Consultant in the Board's history.

Future Death Care Consultant Exams will be scheduled on an individual basis.

## COMPLIANCE

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

OMCB’s Compliance Division has continued to maintain 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!

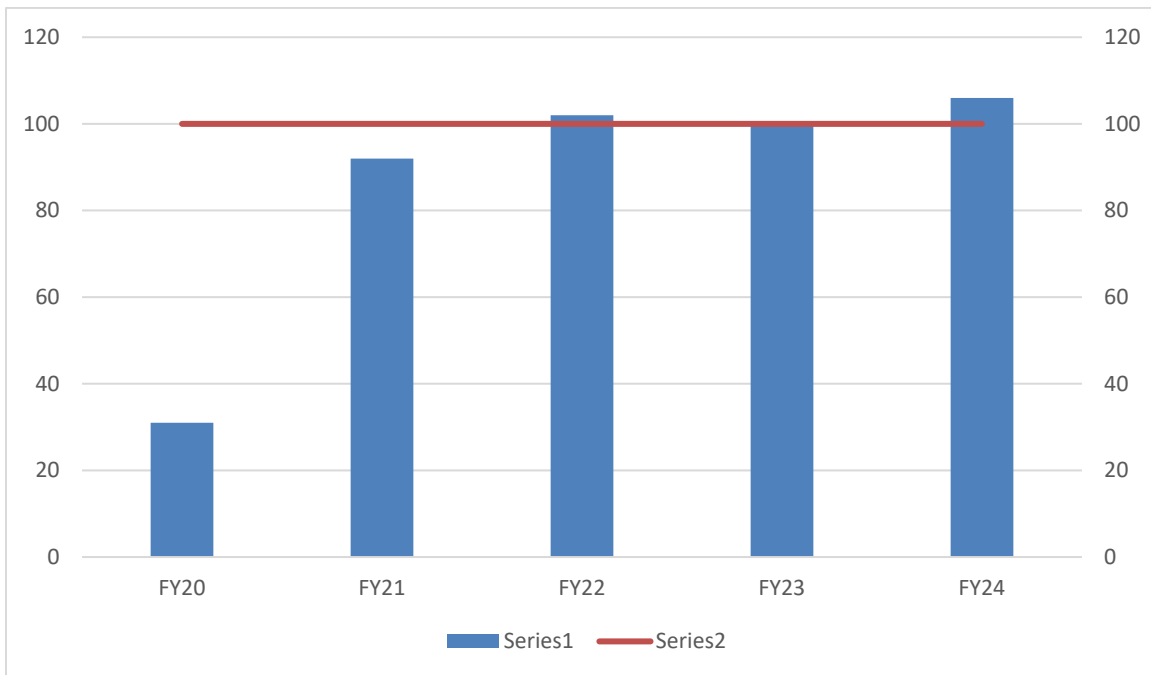
Our Inspectors returned to in-person, on-site inspections in June 2022 and have primarily continued conducting in-person inspections throughout FY 2022-2023 and now into FY 2023-2024. Additionally, we have continued utilizing virtual inspections as a tool when appropriate.

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, that have resulted in our agency meeting 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.

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.

<b>Total Inspections Completed During the Past Four Quarters</b>				
<b>FACILITY TYPE</b>	<b>July – September 2023 (Q1)</b>	<b>October – December 2023 (Q2)</b>	<b>January – March 2024 (Q3)</b>	<b>April – June 2024 (Q4)</b>
Funeral Establishment	42	9	27	21
Cemetery Authority	34	85	61	64
Crematory Authority	19	2	8	11
Alternative Disposition Facility	2	0	0	0
Immediate Disposition Company	0	0	0	0
Biennial Inspections Completed per Quarter	97	96	96	96
Total Inspections Completed per Quarter	97	97	98	100
Total Biennial Inspections for FY	97 (26% complete)	193 (53% complete)	289 (80% complete)	385 (106% complete)

**Special Projects/Other Items:**

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 June 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	October 2023	January 2024	March 2024	June 2024
Open	39	39	30	38
Hold	16	0	5	0
Post	7	6	37	19
Closed	15	3	15	35

**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 April 9th, 2024 Board Meeting*

There were 18 cases presented to the Board during the April 9th Board Meeting.

11 cases have been closed and 6 cases were tabled. No cases have requested hearings.

<b>Cases Presented During Last Board Meetings (April 2024)</b>			
<b>Case Number</b>	<b>Case Action/No Action</b>	<b>Current Case Status</b>	<b>Note/Comment</b>
<b>22-1025</b>	No Action	Closed	
<b>23-1021</b>	No Action	Closed	
<b>23-1027</b>	Tabled	Presenting at July BM	
<b>23-1036</b>	No Action	Closed	
<b>23-1038</b>	No Action	Closed	
<b>23-1039</b>	No Action	Closed	
<b>23-1046</b>	Action	Pending Request for Hearing	
<b>23-1047</b>	No Action	Closed	
<b>23-1055</b>	No Action	Closed	
<b>23-1056</b>	No Action	Closed	
<b>23-1057</b>	No Action	Closed	

<b>23-1060</b>	No Action	Closed	
<b>23-1061</b>	No Action	Closed	
<b>23-1049</b>	Tabled	Presenting at July BM	
<b>23-1050</b>	Tabled	Presenting at July BM	
<b>23-1051</b>	Tabled	Presenting at July BM	
<b>23-1058</b>	Tabled	Presenting at July BM	
<b>23-1059</b>	Tabled	Presenting at July BM	

***Case Aging***

There are currently no cases that have gone over 180 days. 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.

**How the IDP Fund is Currently Funded with the Implementation of HB 2120:**

With the implementation of HB 2120 that became effective on January 1, 2022 – now included in **ORS 692.415** – the \$30 death filing fee is allocated as follows:

- \$16 to be used to carry out the management/administration of the IDP Fund, and
- \$14 is to be used for OMCB’s agency budget account – still the primary source of our agency’s revenue.

**Current Reimbursement Rate:**

The current IDP reimbursement rate is \$550 per claim as of July 2023.

Current Status of IDP Claims	Number of Claims Processed from January 10, 2023 to May 31, 2024
Under Review/Approved, Processing	58
Submitted for Payment	232
Waiting for Supplemental Information	43
Withdrawn/Denied	35
Grand Total	368



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<b>Indigent Claims Received</b>	<b>CY 2021</b>	<b>CY 2022</b>	<b>CY 2023</b>	<b>YTD 2024</b> (as of May 31st)
<b>Total Number of Claims Reviewed</b>	456	492	719	368
<b>Number of Claims submitted for payment</b>	351	349	539	232
<b>Under Review/Approved, Processing</b>	34	45	72	58
<b>Currently Open Claims</b> (Waiting on additional information, researching, etc.)	52	72	53	43
<b>Withdrawn/Denied</b>	19	26	55	35