Change of Principal Fee: $90.00

An exempt operating cemetery is not required to pay the renewal fee or the fee for any change in principal other than the cemetery manager.

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

800 NE Oregon Street, Suite 430
Portland OR 97232-2195
www.oregon.gov/omcb
mortuary.board@omcb.oregon.gov
phone: 971-673-1507
fax: 971-673-1501

CHANGE OF PRINCIPAL

FACILITY INFORMATION:

Facility Name: _____ License: _____
name as registered with state board — license number

NEW PRINCIPAL INFORMATION:

Legal Name: _____ Title(s): _____

e-mail: _____

Is the new principal licensed with The Oregon Mortuary and Cemetery Board? ☐ Yes ☐ No

Will the new principal be the facility manager? ☐ Yes ☐ No

Does the new principal replace an existing principal? ☐ Yes ☐ No

If yes, provide the legal name and title(s) of the previous principal:

_____ _____
name — title

If previous principal is still active, provide legal name and new title(s):

_____ _____
name — title

FACILITY REPRESENTATIVE:

Legal Name: _____ Title(s): _____

I, _____, certify that I am a duly authorized officer or agent of the
(print name and title of duly authorized person)
above-named facility owner and that all information on this form and any attachments is true and correct. I understand that each Principal for the above facility owner must be recorded with the Oregon Mortuary and Cemetery Board. I understand that making false or misleading statements in applying to the Board for licensure is cause for disciplinary action under OAR 830-050-0050(2) and ORS 692.180(1)(a).

Sign: _____
Date: _____

This application must be submitted with the following or it will be returned as incomplete:

☐ Payment of Fees

Exempt operating cemeteries are not required to pay the change of principal fee unless it is for the cemetery manager.

☐ Completed Background Information Questionnaire

All new principals must complete a Background Information Questionnaire unless the proposed principal currently holds an individual license issued by the Board.

In accordance with

Oregon Revised Statutes & Oregon Administrative Rule:

PRINCIPAL DEFINATION

OAR 830-011-0000

(44) "Principal" means a person who has controlling authority over a licensed facility, including, but not limited to:

(a) Managers or other persons who have decision-making authority and whose primary duties include control over the operation of the licensed facility;
(b) Officers or directors who have some degree of responsibility for the operation of the licensed facility;
(c) General partners, limited and joint ventures;
(d) Sole proprietors;
(e) Stockholders holding a majority of outstanding shares of stock; and
(f) Members of a limited liability company.

BACKGROUND INVESTIGATION REQUIRED PRIOR TO OREGON LICENSURE:

830-011-0050

(1) All applicants for individual or facility licenses and principals of facilities seeking or holding a license must submit to a background investigation. The background investigation may include, but is not limited to, information solicited from the Law Enforcement Data Systems, other government agencies or courts, personal references, former employers, and credit checks. The Board may require the applicant or principal to furnish any information necessary to perform a background investigation.
(2) The Board may deny, suspend or refuse to issue or renew a license or certificate when a condition exists in relation to any principal of a licensed facility which constitutes grounds for refusing to issue or renew a license or certificate or for suspension of a license.

RESPONSIBILITIES OF LICENSED FACILITIES:

OAR 830-040-0000

(1) Every licensee is responsible for complying with the provisions of ORS Chapter 692 and rules adopted thereunder, and any other law pertaining to the duties and responsibilities of the funeral service practitioner or the operation or licensing of funeral establishments, immediate disposition companies, cemeteries, crematoriums and alternative disposition facilities.
(2) Alternative Disposition Facility Authorities must comply with the requirements in this division (Division 40) applicable to Crematory Authorities and cremated remains, as if alternative disposition remains are cremated remains, as if the Alternative Disposition Facility is a Crematory Authority, and as if dissolution and natural organic reduction are cremation.

(3) The Board may refuse to allow use of any facility name that is misleading as to the nature of the facility's purpose.
(4) When a person, firm, partnership or corporation applies to the Board for a facility license, the name on the application must identify the primary activity of the facility. This name must be the registered name with the Board and must also be used as the advertised name of the facility.
(5) Each licensed facility must provide the Board with its true corporate, firm or individual name. Applications for all licensed facilities must be made on the most current application and specify the names of all principals. If the principal is a corporation, the application must include the names of all principals of that corporation.
(6) When there is a change in any principal of the licensed facility, the licensee must provide the Board with the name of the new principal(s) on the most current form provided by the Board within 30 days of the change. If the new principal is a corporation, the licensee must provide the names of the principals of that corporation to the Board on the most current form provided by the Board.
(13) Facilities must post their facility license and certificates of apprenticeship in a conspicuous location for public viewing. Other individual licenses will be available for inspection upon request.
(14) Every Cemetery Authority, Crematory Authority and Alternative Disposition Facility Authority must keep the Board's office informed of the location of their permanent records. These records must be made available for random inspections by the Board at any reasonable time.

SCOPE OF PRACTICE:

OAR 830-030-0000

(13) It is the responsibility of each licensed facility to have an assigned manager for each facility at all times and to notify the Board in writing within 30 days of the assignment. In the case of funeral establishments and immediate disposition companies, the assigned manager must be an Oregon licensed funeral service practitioner.

(a) For funeral establishments, the assigned manager must reside within 200 miles of all facilities they are assigned to manage.

(b) For alternative disposition facilities, cemetery authorities, crematory authorities, and immediate disposition companies, the assigned manager must be able to arrive at all facilities they are assigned to manage within 12 hours.

(14) If it is necessary for an assigned manager to reside further than 200 miles from any funeral establishment they are assigned to manage, the assigned manager or a facility principal must submit a written request to the Board for an exception to the 200-mile residency requirement – such exception for a temporary absence shall be no longer than 60 days. The written request must include at a minimum the following information:

(a) The time period of the assigned manager's temporary absence;

(b) The reason for the assigned manager's temporary absence; and

(c) The steps taken to ensure that all facility operations will continue under supervision on a daily basis, which shall include at a minimum:

(A) All electronic communication with facility staff, including but not limited to emails, faxes, internet messaging, phone calls, text messages, and video conferencing; and

(B) Any additional means of supervision that will be utilized during the assigned manager's temporary absence.

(15) The Board will review the written request for an exception to the residency requirement and determine whether, in its discretion, an acceptable reason has been provided and whether appropriate steps have been taken to ensure that facility operations will continue under supervision on a daily basis during the assigned manager's temporary absence. If the written request includes all of the requirements and the reason is satisfactory, the Board may approve the request. If the written request fails to include all of the requirements and/or the reason is unsatisfactory, the Board may deny the request and require the facility to assign a new manager and submit a change of principal application for all impacted facilities.

(16) Upon submission of a written notification to the Board, a funeral service practitioner may be authorized to manage two funeral establishments or two immediate disposition companies, or one of each. A funeral service practitioner may be authorized by the Board to manage more than two funeral establishments or immediate disposition companies, or a combination of them, upon providing a written request to the Board that describes the basis and acceptable reason for the request. The Board may approve the written request after consideration of the provided information. Prior to making its decision, the Board may request additional information from the requesting funeral service practitioner.

EXEMPT CEMETERIES

ORS 692.275

(1c) An exempt operating cemetery is not required to pay the renewal fee or the fee for any change in principal other than the cemetery manager.