



# OREGON MORTUARY & CEMETERY BOARD NEWS

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## 2015 Legislation: Results

*Relevant to: All Licensees*

The 2015 legislative session was a busy one. The Board will be sending out more detail about impacts and changes to the law, as well as details about upcoming administrative rulemaking activities so we can get your input.

### OMCB Agency Bills:

**HB 2471** (addresses FSP and Embalmer apprenticeships, internships, testing & industry entry) was signed by the Governor on June 11, 2015 and becomes effective on January 1, 2016. OMCB will establish a rulemaking advisory group in the near future to determine the educational competency requirements and related rules. If you are interested in participating, please contact the Board office.

**HB 2472** (would allow for self-inspections and industry members to perform certain inspections) was signed by the Governor on June 22, 2015 and becomes effective on January 1, 2016.

**HB 5023** (OMCB's biennial budget) was signed by the Governor on May 28, 2015.

## Continuing Education vs Competency-Based Requirements

*Relevant to: All Licensees*

### **Continuing Education Requirements on Hold:**

In 2014, the Board issued a proposed administrative rulemaking process to establish continuing education for all licensees. Based on discussions with licensees and other interested parties, the Board took all comments into consideration and chose not to move forward at this time with the current proposed rules. This process has not progressed due to the recent legislative session. The Board anticipates there will be additional public hearings to comment on a potentially revised program in early 2016.

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### OFDA-Sponsored Bills:

**HB 3242** (grants OMCB authority to issue a permit to certain persons to facilitate an interment in an unlicensed cemetery when a pre-existing interment right exists and there is an imminent need) was signed by the Governor on June 16, 2015 and becomes effective on January 1, 2016.

**HB 3243** (makes improvements to Indigent Disposition Fund management and transfer management of the fund to OMCB) was signed by the Governor on July 6, 2015 and becomes effective on January 1, 2016.

### **Competency-Based Requirements: HB 2471B**

This House Bill brings a number of changes to ORS 692, which governs internships, apprenticeships & reciprocity for FSP & Embalmer licenses. The new law is effective January 2016, and the Board will work with licensees and other interested parties to develop specific requirements related to the changes. The first discussion opportunity will take place during our community planning day – we'd love for you to join us. Additionally, we will be establishing an advisory committee in the near future to address this topic and develop administrative rules, which will be made available to all interested parties for consideration and comment before Board adoption.

## Requirements for Disinterment

*Relevant to: All Licensees*

In order for **human remains** to be removed from a plot, the following consent must be given:

1. By the cemetery authority, and
2. Written consent from the person who has the authority to direct disposition of the deceased person's remains (in order of priority): (a) the spouse of the decedent, (b) a son or daughter of the decedent 18 years of age or older, or (c) either parent of the decedent.

(ORS 97.220[1][a])

In order for **cremated remains** to be removed from a plot, the following consent must be given:

1. By the cemetery authority, and
2. Written consent from the person

who had possession of the cremated remains and authorized the interment of the cremated remains.

(ORS 97.220[1][b])

If consent of a person described above or of the cemetery authority cannot be obtained, permission can be given by the county court of the county where the cemetery is located.

Additionally, notice of application to the court for permission shall be given at least 60 days prior, personally or by mail, to the cemetery authority, the person not consenting and to every other person or authority that the county court requires to receive notice.

(ORS 97.220[3])

## License Renewal

*Relevant to: All Licensees*

**Renewals:** On or before November 1, 2015, the Board will mail to each licensed **Funeral Service Practitioner (FSP)**, **Embalmer**, and registered **apprentice**, a form containing notice that the renewal fee is due and payable by December 31, 2015. All FSP and Embalmer licenses, and certificates of registrations for apprentices, will expire January 1, 2016, unless renewed by December 31, 2015. If the renewal is received after December 31, 2015, a reinstatement fee of \$50 per license will need to be added to the renewal fee.

Failure to renew and pay all fees within 90 days of December 31, 2015 will result in a permanently lapsed license.

All **Preneed Salesperson** certificates of registration will expire March 1, 2016 unless renewed by February 29, 2016. The notice that the renewal fee is due and payable will be mailed to the mailing address on file, on or before November 1, 2015. If the renewal is received after March 1, 2016, a reinstatement fee of \$50 per license will need to be added to the renewal fee. Failure to renew and pay all fees within 90 days of March 1, 2016 will result in a permanently lapsed license.

All renewals can be renewed and paid online.

If you haven't received your renewal by mid-November, please contact the Board.

### Board Mission

The Board's programs affect those who have suffered a loss, those who make final arrangements and those who provide death care goods and services. It is the Board's responsibility to license and regulate the practice of individuals and facilities engaged in the care, preparation, processing, transportation and final disposition of human remains, to educate the general public, and advise on relevant issues of public policy.

### 2015 Board Members

**Dwight Terry**  
**President**

Funeral Service  
Practitioner/Embalmer

**Jane Woodward**  
**Vice President**

Funeral Service Practitioner

**Laurie Goolsby**  
**Secretary/Treasurer**

Public Member

**Nancy Corr**  
Public Member

**Sirpa Duoos**  
Cemetery Operator, City/County

**Larry Gyure**  
Cemetery Operator, Special  
District

**Marie Henry**  
Cemetery Operator, For Profit

**Judy Juntunen**  
Public Member

**Kevin Loveland**  
Crematorium Operator

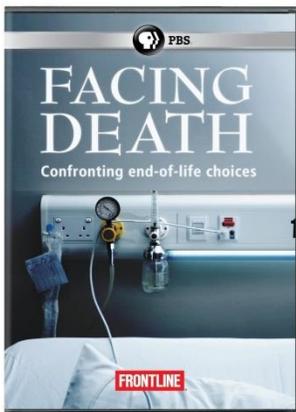
**RCA Moore**  
Public Member

**Morris Pearson**  
Embalmer

Members are volunteers serving 3 year terms. Members are appointed by the Governor & confirmed by the Senate.

## FRONTLINE Documentary: Facing Death

Relevant to: All Licensees



# FRONTLINE

How far would you go to sustain the life of someone you love, or your own? When the moment comes, and you're confronted with the prospect of "pulling the plug," do you know how you'll respond?

In *Facing Death*, FRONTLINE gains extraordinary access to The Mount Sinai Medical Center, one of New York's biggest hospitals, to take a closer measure of today's complicated end-of-life-decisions. In this intimate, groundbreaking film, doctors, patients and families speak with remarkable candor about the increasingly difficult choices people are making at the end of life: when to remove a breathing tube in the ICU; when to continue treatment for patients with aggressive blood cancers; when to perform a surgery; and when to call for hospice.

"What modern medicine is capable of doing is what 20 years ago was considered science fiction," Dr. David Muller, dean of medical education at Mount Sinai, tells FRONTLINE. "You can keep their lungs breathing and keep their heart beating and keep their blood pressure up and keep their blood flowing... That suspended animation [can go] on forever. [So] the decisions at the end of life have become much more complicated for everyone involved."

"Some physicians can keep giving treatment, and some find it unacceptable, and that, I think, is where the art of science and medicine mix," says Dr. Keren Osman of Mount Sinai's Bone Marrow Transplant Unit. "The lines are blurred, and they're also different for different physicians. Sometimes there are patients for whom... I wish we'd stopped earlier because I think they suffered unnecessarily... Sometimes there are forces outside of the patient and myself that are the patient's family, other physicians. Sorting that out can be very, very tricky in those moments."

Decisions about how aggressively to treat a patient can be complicated for doctors as well. "It's very difficult for me to say to a patient, 'I don't think you have any treatment opportunity.' I never said that to any patient, never," Dr. Celia Grosskreutz of Mount Sinai's Bone Marrow Transplant Unit tells FRONTLINE. "I can't humanely say that to a patient. I always say, 'Well, we can do this or the other,' even if it's in a palliative way. But I offer. I always say there is something to do."

Dr. Judith Nelson, an ICU doctor at Mount Sinai states, "Nobody wants to die. And at the same time, nobody wants to die badly. And that is my job. My job is to try to prevent people from dying if there's a possible way to do it that will preserve a quality of life that's acceptable to them, but if they can't go on, to try to make the death a good death."

(Quoted from <http://www.pbs.org/wgbh/pages/frontline/facing-death/etc/introduction.html>)

As of the publication date, *Facing Death* was viewable on the following website: <http://video.pbs.org/video/1639625115/>

*"The moments of hope...  
the will to fight...  
and the courage to let go."*

*"In a perfect world, the  
patient designates a  
health care proxy, and has  
a discussion about what  
their preferences would be  
at the end of life."*

*"And so, the decisions at  
the end of life have  
become much more  
complicated for everyone  
involved [because of  
medical technological  
advances]."*



## Spotlight on Oregon's Center for Health Statistics: A Great Resource for Information



*Relevant to: All Licensees*

The Center for Health Statistics (CHS) is Oregon's Vital Records Office. Oregon law requires all vital events that occur in Oregon, such as births, marriages, divorces, and deaths to be recorded, registered, and filed with the CHS office. The office is also responsible for certifying, amending, and issuing these vital event records.

CHS is responsible for issuing certified copies of vital records for events that occurred within the state of Oregon. Vital records are the legal records documenting a vital event, such as a birth, death, marriage, Oregon registered domestic partnership, divorce or fetal death. Birth certificates are the primary documents used to establish identity.

CHS has birth and death records dating from 1903, marriage records from 1906, and divorce certificates (not decrees) from 1925.

CHS' website (<https://public.health.oregon.gov/PHD/Directory/Pages/program.aspx?pid=8>) is a great resource and provides information on how to order vital records via walk-in, mail, telephone & the internet; how to amend vital records; how to register vital records; and presents vital records data that has been compiled and analyzed for births, deaths, marriages, divorces, domestic partnerships, dissolutions of domestic partnership, fetal deaths, induced abortions & teen pregnancies (including births and abortions).

CHS' staff contact information can be found on the following website:  
<https://public.health.oregon.gov/PHD/Directory/Pages/program.aspx?pid=8>

## *Matters of Record: An Oregon Vital Statistics Publication*

*Relevant to: All Licensees*

*Matters of Record*, an Oregon Vital Statistics publication, provides a wealth of information for those who prepare and register death certificates.

The first publication was issued in September 2004 under the name *Groundbreaking News* and contained topics including:

- Funeral service practitioners are required by law to send notice to the county registrar within 24 hours of receipt of a body,
- Requirements for reporting a fetal death,
- Procedures for amending death certificates, and
- Transporting human remains for disposition in another state.

The April 2005 issue was named *The Death Certificate and You* and contained topics including:

- Specific items on a death record such as decedent's age, place of death and facility name & time of death,
- When to contact the medical examiner,
- No disinterment permit required for cremains, and
- The life cycle of the Oregon Death Certificate.

The Winter 2006 issue was the first publication using the name *Matters of Record*, and contained topics including:

- The difference between a fetal death & an infant death,
- The prohibition of photocopying registered death certificates, and
- FAQs regarding the "new" death certificate.

Subsequent issues contained topics including:

- Final disposition Q&A,
- Timelines for submitting death certificates,
- Medical certifiers from bordering states,
- Informant on the death certificate,
- Funeral home billing process,
- Disposition and transit permits,
- Burial & cremation tags,
- Home burial packets,
- Online resources, and
- Submitting a death record with unknown information.

These publications can be found at:

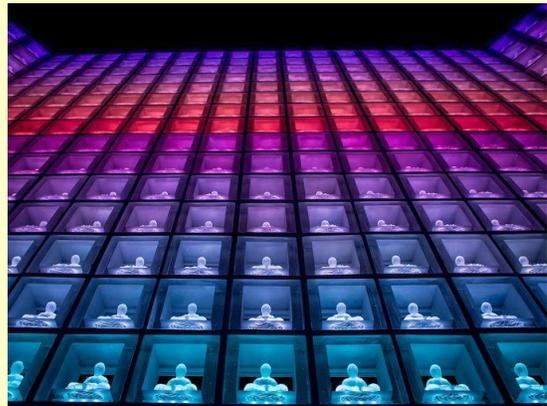
<https://public.health.oregon.gov/BirthDeathCertificates/RegisterVitalRecords/Pages/DeathNews.aspx>

## International Death Care News: The Ruriden Columbarium

*Relevant to: All Licenses*

The Ruriden columbarium, located in Tokyo, Japan and operated by the Koukokuji Buddhist temple, took two years to build and houses 2,046 glass Buddha statues. Each glass Buddha represents a drawer holding the ashes of the deceased. An identification card allows the alter owner to access the building and lights up the corresponding statue. The ashes are stored for 33 years before being buried below the Ruriden. Currently, 600 alters are in use and another 300 are reserved.

(Information and photos taken from <http://www.popularmechanics.com/culture/g1951/buddhist-temple-offers-high-tech-death-care-in-japan/> & <http://www.usatoday.com/picture-gallery/news/world/2015/04/06/a-look-at-the-futuristic-temple-of-the-glass-buddha/25351331/>)

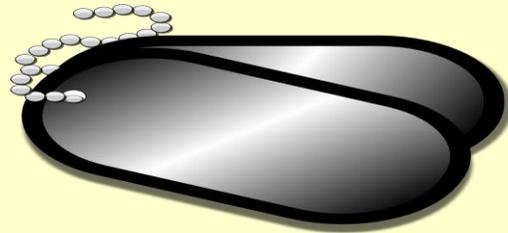


## Veterans' Combat Status Reporting

*Relevant to: FSPs*

The Center for Health Statistics (CHS) began collecting Veteran's combat status and combat zone information on death certificates in 2012 as required by law. CHS staff analyzed the data and noticed a high percentage of "unknown" or missing responses on the veteran combat status questions over the past three years. After three years of newsletters and bulk notifications; the number of unknowns continues to be so high that CHS staff is unable to provide accurate statistics about veterans' deaths related to combat status. At least 19 funeral homes have an average of unanswered questions on combat above 60 percent. You can help improve the responses to the combat status question by taking the following actions:

- Review the [death certificate worksheet](#) that you use to gather information from an informant to make sure the two questions on veterans' combat status and combat zones are being asked.
- [Train](#) and remind funeral home staff to ask the veterans' combat status and combat



zone questions for all decedents who were veterans.

- Review the veteran documents provided by the family to request for Veterans Affairs benefits.
- Talk with funeral homes with good reporting percentages to get tips to improve reporting.

Funeral homes with room for improvement will receive letters with information on their percentage of veterans with unknown or missing answers to the combat status and combat zone questions, as well as additional tips on how to improve future reporting.

(Quoted from *Matters of Record*, March 2015 issue)

## Upcoming OMCB Meetings

### Oregon Mortuary & Cemetery Board

800 NE Oregon Street  
Suite 430  
Portland, OR 97232

**Phone:**  
971.673.1500

**Fax:**  
971.673.1501

**Regulating Death Care  
Facilities & Practitioners  
In Oregon.**

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*We're on the Web!*

*Visit us at:*

<http://www.oregon.gov/mortcem>

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## RSVP to Join Us Now!

**Thursday, July 30<sup>th</sup>, 2015 Pendleton**  
Annual Community Planning Session  
9am-5pm at the  
Pendleton Red Lion  
Lunch Provided

Call Carla at 971.673.1507 by July 24<sup>th</sup> to RSVP for the event.

**Friday, July 31<sup>st</sup>, 2015 @ 9am in Pendleton**  
OMCB Board Meeting  
Pendleton Red Lion

**Tuesday, September 29<sup>th</sup>, 2015 @ 9am in Portland**  
OMCB Board Meeting  
Location TBD

**Tuesday, November 17<sup>th</sup>, 2015 @ 9am in Portland**  
OMCB Board Meeting  
Location TBD

Oregon Mortuary & Cemetery Board  
800 NE Oregon Street, Suite 430  
Portland, Oregon 97232