

DON'T BURY THE LEAD

THE OFFICIAL NEWSLETTER OF THE OREGON MORTUARY & CEMETERY BOARD (OMCB)



Lone Fir Cemetery - Portland, OR

OMCB MISSION

The mission of the Board is to protect public health, safety, and welfare by fairly and efficiently performing its licensing, inspection, and enforcement duties; by promoting professional behaviour and standards in all facets of the Oregon death care industry; and, by maintaining constructive relationships with licensees, those they serve and others with an interest in the Board's activities. In order to protect the public, it is the Board's responsibility to ensure that all of Oregon's death care facilities are properly licensed. The Board is self-supporting and derives its financing from licensing, examination, and a portion of the death certificate filing fee (not the fees derived from the purchase of a certified copy of a death certificate).

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UPCOMING BOARD MEETINGS

Tuesday, April 8th, 2025

- General Session will begin at 9am
- Portland State Office Building, Room 1D
800 NE Oregon Street
Portland, OR 97232
- For a link to join the meeting virtually via Microsoft Teams, email mortuary.board@omcb.oregon.gov

2025 OMCB BOARD MEMBERS

Rob Gaskill, President

Embalmer / Funeral Service Practitioner | Estacada

Ruggiero Canizares, Vice President Public Member
| Eugene

Nancy Felton, Secretary/Treasurer Cemetery
Operator | Tigard

Craig Collins
Crematory Operator | Portland

Debra C. Harris
Public Member | Portland

Holly Houston
Embalmer / Funeral Service Practitioner | St. Helens

Kevin Loveland
Embalmer / Funeral Service Practitioner | La Grande

Angela McKenzie-Tucker
Cemetery Operator | Portland

Neal Naigus
Public Member | Portland

Elizabeth Pacheco
Public Member | Merrill

Melissa Porter
Cemetery Operator | Pendleton

HOW TO PROPERLY CHANGE OWNERSHIP OF A LICENSED FACILITY

For those of you considering selling or purchasing a licensed facility, here is the required change of ownership process.

OAR 830-040-0040(1) provides that prior to a change of ownership, the prospective new owner shall apply to the Board for the issuance of a new license on forms provided by the Board in the new owner's name. It is the intent of this rule that all licensed facilities receive Board approval prior to the sale or change of ownership of a licensed facility and provide the Board with a full disclosure of ownership of that licensed facility including percentages of ownership.

Licenses issued under ORS **692.146** are not transferable; therefore, change of ownership, sales, or purchase agreements pertaining to such shall be conditioned upon the prospective new purchaser's ability to apply for and obtain the necessary license or certificate of authority to operate. **OAR 830-040-0040(3)**

In no event shall a funeral establishment be operated without the appropriate license to operate. All licensed facilities are subject to the inspection and approval of the Board. **OAR 830-040-0040**



Gardiner Masonic Cemetery - Gardiner, OR

OAR 830-040-0040 provides that all facility applications shall specify the real and true names of the person(s) who own or have an interest in the licensed facility, including percentages of ownership. Applications must also specify the names of all principals.

Here are the required steps to apply for a change of ownership:

1. Complete/submit the **Change of Ownership Application** for the appropriate facility type and pay the appropriate application fee (which includes the first principal fee).
2. Pay the additional principal fee(s), if required.
3. Complete/submit the **Background Information Questionnaire (BIQ)** for each principal – if any of the proposed principals are currently licensed by the Board, these individuals don't need to submit a BIQ.
4. Complete/submit the **Applicant Facility Owner Information Sheet** if the facility will be owned by more than one level of ownership.

*It is important to note that if any of these steps are not completed, the **Change of Ownership Application** will be returned as incomplete.

Once the **Change of Ownership Application** and all supporting documentation have been completed/submitted and reviewed, the facility must be inspected as part of the change of ownership process.

After satisfactory completion of the facility inspection, the new owner will receive temporary authority to operate and the facility will be formally approved during the next board meeting.

*The facility should not be operating under its new ownership until temporary authority to operate has been granted.

If you have any questions, please feel free to contact Ryan Christopher, our Office and Licensing Manager at **Ryan.Christopher@omcb.oregon.gov**.



St Joseph Catholic Cemetery - Roseburg, OR

EXPIRATION & REINSTATEMENT OF FACILITY & CERTIFICATES OF APPRENTICESHIP

With the renewal cycle of facilities and apprentices recently concluding, it seems like an appropriate time to review the expiration of licenses/certificates and the purpose of the reinstatement fee.

In accordance with **ORS 692.160(2)**:

All licenses granted under this chapter to funeral service practitioners, embalmers and death care consultants expire on January 1 in even-numbered years or on such date as may be specified by rule of the State Mortuary and Cemetery Board. All licenses or certificates of authority granted under this chapter to operators of funeral establishments, to operators of immediate disposition companies, to operators of cemeteries, to operators of crematoriums or to operators of other facilities for final disposition of human remains expire on January 1 in odd-numbered years or on such date as may be specified by board rule.

Therefore, all facility licenses and certificate of apprenticeships were due for renewal by December 31, 2024.

If a renewal application was not submitted and the renewal fee was not paid by December 31, 2024 for any facility or certificate of apprenticeship, then that facility license or certificate of apprenticeship expired/lapsed.

*Facilities whose licenses have expired/lapsed should not be operating until their licenses have been reinstated.

*Individuals whose certificates of apprenticeship have expired/lapsed should not be performing any of the duties listed in the apprentice's scope of practice.

There is an option for facility licenses and certificates of apprenticeship to be reinstated, which includes completing/submitting a renewal application, paying the appropriate renewal fee, and paying the \$50 reinstatement fee.

This must have all been completed by **April 1, 2025** or the facility license or certificate of apprenticeship permanently expired/lapsed and would no longer be eligible for renewal/reinstatement.

The purpose of the reinstatement fee is to provide one last opportunity for a facility or apprentice to renew their license or certificate without having to go through the entire application process again.

*It is important to note that paying the reinstatement fee does not retroactively restore a facility license or certificate of apprenticeship – if a facility license or certificate of apprenticeship has expired/lapsed and continues to operate or practice, it would be considered operating/practicing without a license or certificate and could result in disciplinary action by the Board.

If you have any questions, please feel free to contact Ryan Christopher, our Office and Licensing Manager at Ryan.Christopher@omcb.oregon.gov.

We'd like to highlight your facility in an upcoming issue of OMCB's Newsletter!
Complete the [Newsletter Facility Spotlight Form](#) to be considered!

SOLVE SUPPORTS HISTORIC CEMETERIES SPRING CLEAN UP EVENTS

SOLVE and the Oregon Commission on Historic Cemeteries (OCHC) are partnering up again to support Oregon Historic Cemetery Cleanup days.

If you support a historic cemetery or know folks who do, there is help for your cleanup day! If you are hosting a cleanup day between April 11th and May 27, 2025, or would like to, you are encouraged to register your activity for the event by contacting Estrella Valdez at estrella@solveoregon.org or (971) 346-2708.

Sign up now to start promoting your event. And check out the [Oregon Heritage Exchange](#) article to see the benefits of the partnership!

SOLVE offers several resources to cemeteries that are registered for the event:

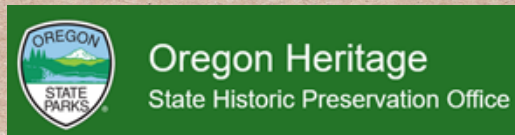
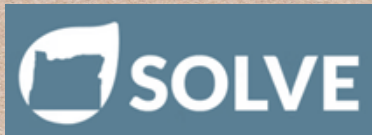
- Free supplies like litter bags, gloves, safety vests and first aid kits.
- Volunteer recruitment tools including event flyer templates, online registration, and promotion.
- Liability coverage and waivers.
- Funding options for tools, plants, and disposal costs.
- Advice on native plant species to plant for lower maintenance.
- Project planning assistance.

OCHC has many online resources including the [How to Organize a Cemetery Clean Up Day](#) Oregon Heritage Bulletin. For general cleanup day information visit www.oregonheritage.org.

OCHC was established in 1999; its seven members coordinate the restoration and maintenance of historic cemeteries statewide and advocate for the importance of preserving Oregon's historic burial sites.

SOLVE is a statewide, 501(c)(3) nonprofit organization with a mission "to bring Oregonians together to improve our environment and build a legacy of stewardship." Visit solveoregon.org for more information.

Visit www.oregonheritage.org or contact [Kuri Gill](#) at (503) 383-6787 for additional information.



RECENT DISCIPLINARY ACTIONS

The Board took action against a funeral establishment for violation of OAR 830-030-0090 for taking 126 days to provide correct death certificates to the complainant. Of those 126 days, 32 were caused by Respondent's errors requiring amendments and delays in ordering the certificates, resulting in a civil penalty of \$1,000.

The Board took action against an unlicensed out-of-state funeral establishment for violation of OAR 830-030-0100(1) by making arrangements to provide a cremation for an Oregon decedent, despite being unlicensed in Oregon, resulting in a civil penalty of \$1,000.

The Board took action against an unlicensed out-of-state funeral establishment for violation of OAR 830-030-0100(1) for purporting to be an Oregon licensed funeral establishment and crematory, offering to provide a cremation for an Oregon decedent, resulting in a civil penalty of \$1,000.

The Board took action against a funeral establishment for violation of OAR 830-040-0040(2) by not receiving Board approval prior to the sale or change of ownership, resulting in a civil penalty of \$50.

The Board took action against a funeral establishment for violation of OAR 830-040-0040(1) by not applying to the Board for a new license prior to a change of ownership, resulting in a civil penalty of \$1,000.

The Board took action against a funeral establishment for violation of OAR 830-040-0040(2) by not receiving Board approval prior to the sale or change of ownership, resulting in a civil penalty of \$50.

The Board took action against a funeral establishment for violation of OAR 830-040-0040(1)

by not applying to the Board for a new license prior to a change of ownership, resulting in a civil penalty of \$1,000.

The Board took action against a funeral service practitioner for violations of:

1. ORS 432.158(3) by not obtaining written or oral consent of the medical certifier before the final disposition of the decedent, resulting in a civil penalty of \$500.

2. OAR 830-030-0090(4)(h) in that the facility's employee (FSP) provided false information on a facility record, resulting in a civil penalty of \$500.

3. OAR 830-030-0090(4)(e) in that the facility's employee (FSP) aided and abetted the cemetery sexton in interring the decedent (without medical certification), resulting in a civil penalty of \$500.

The Board also took action against the funeral service practitioner for violation of:

1. ORS 432.158(3) in that they did not obtain written or oral consent of the medical certifier before the final disposition of the decedent, resulting in a civil penalty of \$500.

2. OAR 830-030-0090(4)(h) in that they provided false information on a facility record, resulting in a civil penalty of \$500.

3. OAR 830-030-0090(4)(e) in that they aided and abetted the cemetery sexton in violating the law, resulting in a civil penalty of \$500.

The Board took action against the funeral establishment for violations of:

1. OAR 830-040-0040(1) by not applying to the Board for a new license prior to a change of ownership, resulting in a civil penalty of \$1,000.

RECENT DISCIPLINARY ACTIONS (CONTINUED)

The Board took action against a funeral establishment for violation of OAR 830-040-0040(2) by not receiving Board approval prior to the sale or change of ownership, resulting in a civil penalty of \$50.

The Board took action against a funeral service practitioner (funeral establishment owner) for violations of:

1.OAR 830-040-0040(1) by not applying to the Board for a new license prior to a change of ownership, resulting in a civil penalty of \$1,000.

2. ORS 692.025(4)(a) for operating without a license, resulting in a civil penalty of \$1,000.

The Board took action against a funeral establishment for violation of:

OAR 830-040-0040(2) by not receiving Board approval prior to the sale or change of ownership, resulting in a civil penalty of \$50.



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Please note: The OMCB office, which is located in the Portland State Office Building (PSOB), is secured at all times and requires badge access to enter. To ensure that the appropriate staff member is available, please contact us in advance to schedule a visit.