

# DON'T BURY THE LEAD

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



Valley Memorial Park

## 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, January 21st, 2025

- General Session will begin at 9am and will be held virtually
- For a link to join the meeting virtually via Microsoft Teams, email [mortuary.board@omcb.oregon.gov](mailto: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 Niagus**  
Public Member | Portland

**Elizabeth Pacheco**  
Public Member | Merrill

**Melissa Porter**  
Cemetery Operator | Pendleton

## FRIENDLY REMINDERS FROM THE INDIGENT DISPOSITION PROGRAM (IDP)

1. Please only submit IDP applications that have a date of disposition. Applications shouldn't be submitted to OMCB until after disposition has occurred. Applications that have a blank space or list "TBD" in the Date of Disposition field on page 2 will not be processed.
2. IDP can only reimburse for decedents that have an Oregon death certificate. Due to this requirement, we are unable to reimburse for fetal remains.
3. If the indigent application process is started after the actual date of custody, please make sure to list the date under Date Decedent Became Indigent.
4. Since the clock starts on the Date Decedent Became Indigent (if it is later than the Date of Custody), make sure to wait at least 10 business days after the Date Decedent Became Indigent to perform disposition.
5. For Step Five of the application, the VA now prefers to receive inquiries over the phone (1-800-535-1117) rather than email. IDP is currently working on updating the information for Step Five on the application, but in the meantime, if you could call the phone number and write down the date and time of the call on the application, along with the name of the representative you spoke to and the results (VA status), that should be sufficient for completion of Step Five. If no one answers the phone, record the dates and times that you attempted. Please still fill out the VA inquiry form and include it when you submit the application packet to us.







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## EXPIRATION AND REINSTATEMENT: FACILITY LICENSES AND CERTIFICATES OF APPRENTICESHIP

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All Facility licenses and Certificates of Apprenticeship were due for renewal by December 31, 2024. If a renewal application was not submitted and renewal fees were not paid by December 31, 2024, the Facility licenses and Certificates of Apprenticeship have expired/lapsed.

Facility licenses that have expired/lapsed should not be operating. Individuals with Certificates of Apprenticeship that have expired/lapsed should not be working under the Scope of Practice of an Apprentice.

It is possible to reinstate Facility licenses and Certificates of Apprenticeship that have expired/lapsed. However, a \$50 reinstatement fee will be applied to any Facility licenses or Certificates of Apprenticeship renewed after December 31, 2024.

If renewal applications are not submitted and the renewal and reinstatement fees are not paid by April 1, 2025, the Facility licenses and Certificates of Apprenticeship will permanently expire/lapse and will no longer be eligible for renewal/reinstatement.

Facility licenses should submit the renewal application online through the [Facility Portal](#). Individuals with Certificates of Apprenticeship should submit their renewal application online through their [Licensee Portal](#).

If you have any questions or need assistance regarding the renewal/reinstatement process, please contact our Office and Licensing Manager, Ryan Christopher, by email at [ryan.christopher@omcb.oregon.gov](mailto:ryan.christopher@omcb.oregon.gov), or by phone at 971-673-1507 if necessary.

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



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# BURIAL ON PRIVATE PROPERTY VS HOME BURIAL PACKETS

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A funeral establishment or Funeral Service Practitioner (FSP) may receive inquiries from the public regarding two uncommon situations.

The first involves burial on private property. In certain situations, a person may bury a human body on private property in Oregon. Briefly, the requirements for burial include;

- (a) The person is the owner of the property;
- (b) The person has the written consent of the planning commission of the county or city having jurisdiction;
- (c) The person agrees to maintain records of the disposition of human remains on the property; and
- (d) The person agrees to disclose the disposition of human remains upon sale of the property.

The complete requirements are listed in [ORS 97.460\(1\)](#).

In such a case, depending on the extent to which an FSP may be assisting, either the FSP will provide the family with the Final Disposition Authorization and give instructions on how to sign as the sexton and return the form to the county, or the FSP will function as the sexton, as sometimes happens at rural cemeteries when no sexton is available.

The second situation comes about because Oregon law allows a death to be completely handled without any contact with a funeral establishment or FSP. In this situation, an unlicensed person will act as the FSP. "Acting as an FSP" is a legal definition found in [ORS 432.005\(25\)\(a\)](#) and refers to an unlicensed person who performs the duties of a funeral service practitioner without payment.

While a funeral establishment will not be involved, other than perhaps in storing the decedent, an FSP can assist a consumer who is inquiring about this possibility by directing them to the Oregon Health Authority, Oregon Health Statistics Registration manager at (971) 673-1160, where the individual will request a Home Burial Packet. This title is a misnomer, as it has nothing to do with burial, but rather with what might be considered a home funeral.

The Home Burial Packet contains a 24-hour Report of Death card, a blank Death Certificate, a metal ID disk and instructions on how to file all the paperwork that would be required by an FSP.

OMCB staff is happy to assist either licensees or members of the public in navigating either of these situations.





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## MOST COMMON INSPECTION VIOLATIONS

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### **1. Written permission for embalming or final disposition missing information**

**Often missing:** time permission was obtained, phone number of authorizing agent, and printed name of the licensee or facility representative acquiring the authorization

OAR 830-040-0000(7)(g) Written permission for embalming, final disposition and scattering services from the person who has the right to control disposition of the human remains pursuant to ORS 97.130(1) and (2). The record of such authorization must include at a minimum: printed name, signature and phone number of the authorizing agent and relationship to the deceased, date and time permission was obtained, and printed name and signature of the licensee or facility representative acquiring the authorization. Often missing: the date of delivery of the cremated remains and printed name or signature of the licensee or the licensee's representative releasing the cremated remains.

### **2. Receipt for cremated remains missing information**

OAR 830-040-0000(9) If cremated remains are not retained by the licensee accepting initial responsibility for the remains, the licensee must, upon delivery of such cremated remains to another individual, obtain a signed receipt from that individual. The receipt must include as a minimum: printed name of the individual receiving the cremated remains, the name of the deceased, and the date of delivery of the cremated remains, the receiving individual's signature and the printed name and signature of the licensee or the licensee's representative releasing the cremated remains.

### **3. Refrigeration unit not in good operating condition**

**Often missed:** unit not maintaining 36 degrees F. or less or thermometer on unit not functioning properly

OAR 830-040-0020(6) All facilities must have a mortuary or hospital refrigeration unit available which is suitable for the storage of human remains. The refrigeration unit must be in good operating condition and must be maintained in a sanitary condition at all times. The refrigeration must be no more than 45 miles from the licensed facility and must comply with all death care laws.

OAR 830-030-0010(1) All human remains that will be embalmed must be disinfected by approved disinfecting solutions in such manner to help eliminate the danger of spreading diseases or infection. All human remains that are not going to be embalmed must be wrapped in a sheet. If human remains are to be held longer than 24 hours, the remains must, at minimum, either be embalmed or refrigerated at 36 degrees F. or less until final disposition.

### **4. Holding Room requirements not met**

OAR 830-011-0000(29) "Holding Room" is a room constructed in accordance with OAR 830-040-0020(2), (4) and (5), which licensed funeral establishments use for the care, storage, or holding of human remains prior to effecting final disposition. This room must be of sufficient size to accommodate at least one table for a casketed remains and an attendant. The room may be used by the funeral establishment to care for or repair remains in those facilities that do not offer on premises embalmings. This room would be other than a chapel, viewing or visitation room, office supply room, closet or a room normally open to the public.

OAR 830-040-0020(2) The following is required of preparation and holding rooms:

- (a) The interior of the room, all furnishings, and equipment must be finished with materials that are impervious to hazardous materials.
- (b) Outside ventilation must be provided for by windows or transoms or forced air ventilation. The installation must be so arranged that it is not be a menace to public health or offensive to the public.
- (c) The room must be private and the entry door must be locked at all times. The entry door must be labeled as "private" or "authorized entry only". This sign must be conspicuous and readable and must be permanently affixed to the door. The lettering on the sign must not be smaller than one inch high.
- (d) All windows and exterior doors are to be screened or permanently closed and must be installed in such a manner that the room must be obstructed from view from the outside and so that fumes and odors are prevented from entering other parts of the building.



## MOST COMMON INSPECTION VIOLATIONS (CONTINUED)

### 5. FSP and Embalmer Apprentice Logs missing information Often missing: supervisor's written confirmation (both) and specific competency demonstrated (FSP)

OAR 830-011-0020(2)(b) An apprentice embalmer must maintain a log book of embalmings under supervision, with accurate and current entries, and the apprentice and his or her supervisor must furnish this record to the Board upon request. The apprentice may use a supplemental page to log any arrangements or other competencies performed at an alternate facility as directed by their supervisor. Such page must be brought back and included in the log at the end of that specific assignment. The log book must be retained for a period of one year after full licensure as an embalmer, or, if not licensed as an embalmer, for six years after the last log entry and must include the following: (A) Name of the deceased; (B) Date of death; (C) Date and place of embalming; (D) Name of licensed facility making the embalming arrangements; (E) Supervisor's written confirmation for each embalming performed by their apprentice; and (F) Number of hours worked per week.

OAR 830-011-0020(3)(a) An apprentice funeral service practitioner must keep a log book on the premises of the licensed facility where he or she is supervised, showing all arrangements made or participated in by the apprentice. The apprentice may use a supplemental page to log any arrangements or other competencies performed at an alternate facility as directed by their supervisor. Such page must be brought back and included in the log at the end of that specific assignment. The apprentice, under supervision, must make accurate and current entries. The apprentice and his or her supervisor must furnish the log book to the Board upon request. (b) The log book must be retained for a period of one year after licensure as a funeral service practitioner, or, if not licensed, for six years from the last log entry, and must include the following: (A) Name of deceased and person authorizing final disposition arrangements; (B) Date of death; (C) Date and place arrangements were made; (D) Description of apprentice's direct participation with family; (E) Number of days and hours worked per week; (F) Specific competency demonstrated; (G) Supervisor's written confirmation for each arrangement made by their apprentice; and (H) Name of the licensed facility responsible for the final disposition arrangements.

### 6. The following statement is not included at the bottom of each deed in at least 10-point black type. "This facility is licensed and regulated by the Oregon Mortuary and Cemetery Board (971) 673-1500"

OAR 830-040-0005(1) It is the responsibility of each licensed facility entering into contracts, either at need, prearrangement or preconstruction, for death care goods and services to have printed (in a minimum 10-point print) at the bottom of each contract "This facility is licensed and regulated by the Oregon Mortuary and Cemetery Board" followed immediately by the current area code and phone number of the Oregon Mortuary and Cemetery Board.

### OMCB STAFF

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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.