



# MCB

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

## EXECUTIVE DIRECTOR'S REPORT for October 8, 2019

This report covers the period from July 3, 2019 – September 30, 2019.

### Administrative

#### 2017-2019 Biennium Budget (July 1, 2017 through June 30, 2019)

#### Budget Summary through June 2019 (End of 17-19 Biennium)

Revenue for 2017-2019 Biennium	
Beginning Balance (July 1, 2017)	1,017,700.72
<b>Revenue</b>	2,137,563.42
<b>Transfer in (Reimbursements)</b>	151,377.33
<b>Subtotal</b>	2,288,940.75
<b>Beginning Balance Added</b>	+ 1,017,700.72
<b>Total Revenue</b>	<b>3,306,641.47</b>
Expenditures for 2017-2019 Biennium	
<b>Personal Services</b>	1,172,709.03
<b>Services &amp; Supplies</b>	783,105.37
<b>Total Expenditures</b>	<b>1,955,814.40</b>
<b>Ending Balance (June 30, 2019)</b>	<b>1,350,827.07</b>
<b>Beginning Balance for 2019-2021 Biennium</b>	<b>1,350,827.07</b>

Revenue	June 2019	Biennium to Date	% of Budget Received	2017-19 Biennium Total Budget
All sources (including cash reserves & reimbursements)	92,055.52	2,136,613.42	98%	2,173,299

Expenditures	June 2019	Biennium to Date	% of Budget Spent	2017-19 Biennium Total Budget
Personal Services	44,988.58	1,170,747.02	84%	1,399,475
Services & Supplies	55,641.52	777,159.90	98%	792,274
<b>Total</b>	<b>100,630.10</b>	<b>1,947,906.92</b>	<b>89%</b>	<b>2,191,749</b>

**Note on Coverage and Anticipated Revenue Distribution Cycle.** Revenue from licensing fees is billed once a year, for facilities in one year and individuals in the alternate year. This concentrates revenue around the end of the calendar year and is part of why the Board must maintain a higher than average ending balance at the end of each fiscal year and each biennium (typically 8-10 months). The Board also self-insures against unknown expenses such as costs associated with hearings. Please also note that there is a difference between limitation (authorization to spend) and cash on hand. If we anticipate exceeding our limitation total for any expense line items, we must seek that additional limitation authority from the Oregon Legislature via Emergency Board (Ways & Means) proceedings even if we have sufficient ending balance to cover those expenses.

## **Background on Revenue Sources**

The revenue budgeted for the biennium included monies from multiple sources, including ones that pass through the agency. The total for the biennium includes a beginning cash balance of \$1,350,827 (cash reserves carrying over from prior biennium), the total amount collected for death filing fees, which support both the Board programs and the Indigent Disposition Fund, licensing fees, estimates for miscellaneous revenue such as from civil penalties or interest, and a transfer-in reimbursement amount of \$151,377 from the other 833 boards.

The death filing fee is projected to collect approximately \$1,376,107 in total revenue for the 17-19 biennium. The actual amount received will depend on the number of actual deaths registered and billed within the biennium. The revenue projection is based on Oregon death data provided by the Office of Vital Statistics and population data from the State Economist's Office, or an anticipated 68,805 deaths within the biennium. Six dollars of each \$20 death filing fee is earmarked for the Indigent Disposition Program, which represents a projected total of \$412,832, before administrative expenses. Expenses are legislatively limited to 5% of the total, leaving an estimated \$392,190 available for indigent claims this biennium.

## **Staffing**

**Pete Burns** has been hired as the Education & Compliance Program Manager and began on August 1, 2019.

After 20 years as the OMCB's Office/Licensing Manager, **Carla Knapp's** last day was September 30, 2019.

**Ryan Christopher** has been hired as the Office/Licensing Manager and began on September 23, 2019.

**Kate Escobar** has been hired as the Document Compliance & Indigent Program Specialist and will begin on October 21, 2019.

Unfortunately, the top 2 candidates for the open Inspector position declined the offer, so we re-opened the posting, which closed on October 6, 2019. The screening process is currently being done & final interviews are expected to take place on October 21, 2019.

## **Licensing Transactions Executed Pursuant to Delegated Authority**

- 1 Permanently Lapsed Facility Licenses**, with effective date: **None.**
- 2 Unqualified Applicants: None.**
- 3 Individual Licenses Inactivated**, with effective date:
  - a Bookout**, Charles J - AE and AF under Joseph E Sharps, August 9 2019.
  - b Brusseau**, Cynthia - PN-9326, August 9 2019.
  - c Fisher**, Jacqueline N - AE-3483 and AF-2405 under Guinevere A Crispin, September 1 2019.
  - d Newbury**, Pagaen Alec-Sativa: AE-3399 and AF-2293 under John M Ricks - Met AE and AF apprenticeship maximum October 9 2019.
- 4 Individual or Facility Licenses Suspended: None.**
- 5 Facility License(s) Inactivated**, with effective date: **None.**
- 6 Licenses Revoked**, effective date: **None.**

**AD:** Alternative Disposition Facility; **AE:** Apprentice Embalmer; **AF:** Apprentice FSP; **CE:** Cemetery; **CM:** City owned Cemetery; **CO:** Combination Embalmer and FSP; **CR:** Crematory; **C S:** 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.

## Operational Summary Statistics: Licensing

Type of License	Jul 2 2019	Sep 29 2019	Change from Jul - Sep	Trend
Death Care Consultants	0	0	0	—
EM Apprentices *	54	50	(4)	▼
FSP Apprentices *	63	58	(5)	▼
Interns	11	11	0	—
Embalmer Only *	20	19	(1)	▼
FSP Only *	177	179	2	▲
Combination License: EM *	390	396	10	▲
Combination License: FSP *	390	396	10	▲
Military Combination License: EM	0	0	0	—
Military Combination License: FSP	0	0	0	—
Preneed Salespeople **	187	191	4	▲
Funeral Establishments	193	193	0	—
Immediate Disposition Companies	9	9	0	—
Crematoriums	66	66	0	—
Cemeteries, Operating	294	294	0	—
Cemeteries, Operating, Municipal	36	36	0	—
Cemeteries, Operating, County	7	7	0	—
Cemeteries, Operating, Special District	127	127	0	—
Cemeteries, Registered Non-Operating	48	48	0	—
Removal Registrations	31	31	0	—
Alternative Disposition Facilities	2	2	0	—
Combined Total of all Licenses, Registrations:	2105	2113	8	▲

### Licensing Exam Update

As directed previously by the Board, The International Conference of Funeral Service Examining Boards Inc will soon be administering the Board's Funeral Service Practitioner and Embalmer examinations via a computer-based exam. This project is still in process, and Board staff is targeting transition to the Conference during the 2019 calendar year. Until that time, the exam is being offered to parties inquiring to take the test, on an as needed basis by the Board staff. While this creates potentially more work on an interim basis, it is necessary to make sure all exam applicants can sit for the exam when desired.

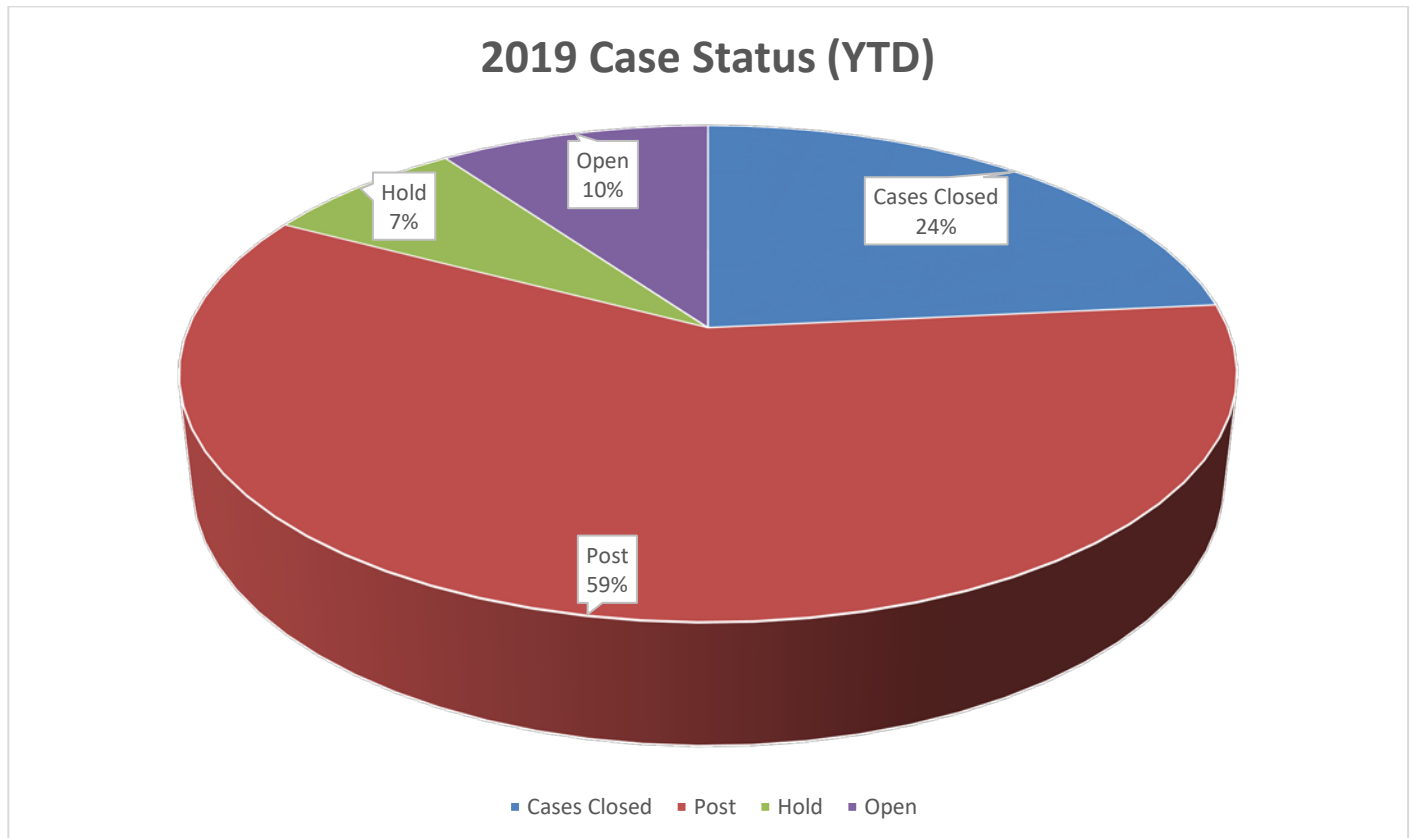
DCC Exam Date	DCC Exam Pass Rate			Score Range	
	Passed	Failed		Highest Score	Lowest Score
Jul 11 2019	0	0	0%	68%	68%
Jun 18 2019	0	1	0%	65%	65%
Sep 25 2015	0	1	0%	60%	60%
Sep 15 2014	0	2	0%	67%	57%
Oct 18 2013	0	1	0%	53%	53%
Jan 25 2013	0	1	0%	63%	63%
Jul 23 2012	0	2	0%	54.5%	<b>52%</b>
*Oct 20 2010	1	0	100%	<b>76%</b>	76%

\*First Death Care Consultant Exam offered.

FSP Exam Date	FSP Exam Pass Rate			Score Range	
	Passed	Failed		Highest Score	Lowest Score
Aug 21 2019	2	0	100%	<b>98%</b>	86%
Jul 11 2019	3	0	100%	92%	83%
Jun 24 2019	9	1	90%	98%	73%
May 29 2019	4	0	100%	93%	77%
May 15 2019	1	0	100%	92%	92%
May 13 2019	1	0	100%	95%	95%
Mar 27 2019	1	0	100%	95%	95%
Feb 1 2019	1	0	100%	98%	95%
Dec 5 2018	1	0	100%	85%	85%
Sep 25 2018	2	0	100%	92%	90%
Aug 3 2018	14	1	93%	95%	73%
May 17 2018	1	0	100%	75%	75%

## Investigations

The following chart shows the total number of cases by phase, including cases **closed** so far within the 2019 calendar year. Cases that were opened in prior years but did not close in the prior calendar year for any reason are included until closed.



**Total Cases: 81**

### Case Phases:

**“Open”** cases are all cases not yet reported to the Board, and are in various stages of review or investigation. This includes Intake, Investigation, Writing Investigative Report, and Presenting to Board.

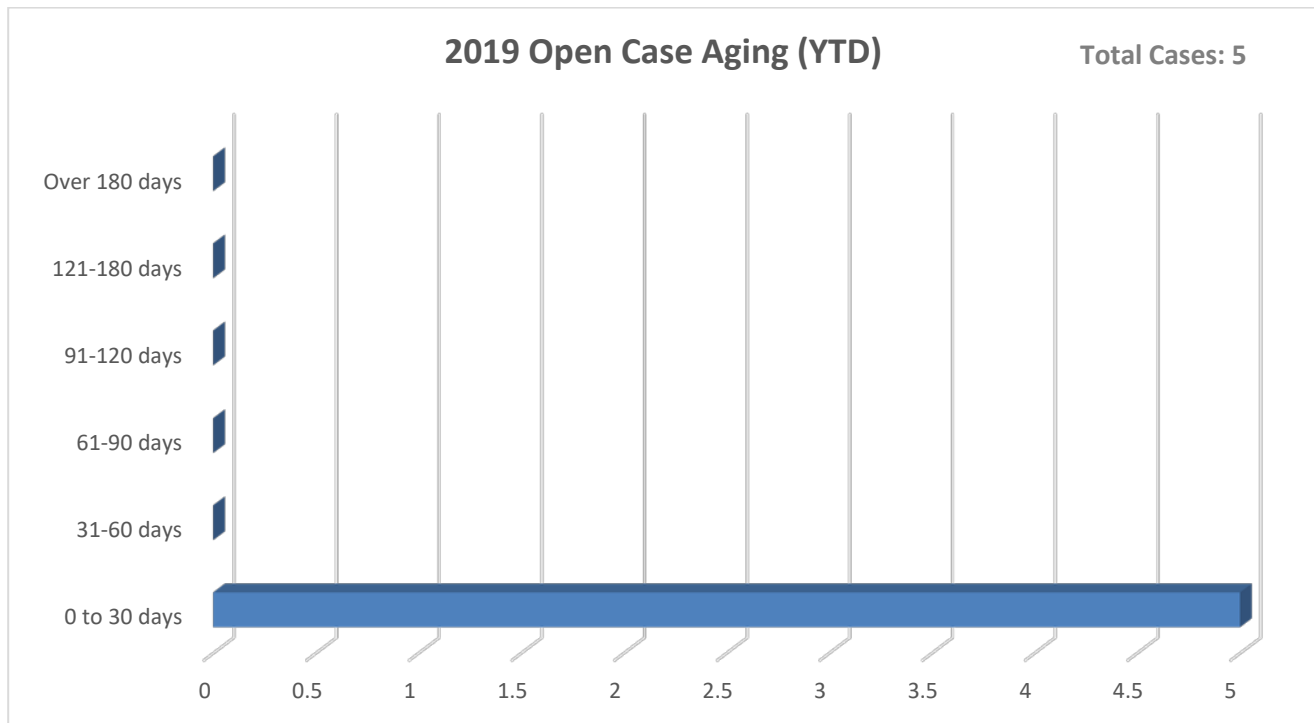
**“Hold”** cases are ones that have been presented to the Board, but which require some other activity or action by another entity before the Board completes deliberation on a case. This may include cases awaiting determination by another agency, or findings in civil or criminal proceedings. In some cases, it can also mean additional investigation is required for clarification before returning to the Board for deliberation.

**“Post”** cases are ones that have been presented, but where 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 all appeals, and related activity. This process can take years before being completed, and before a case can be closed.

**“Closed”** cases are ones that have been moved completely through the Post phase and have been closed out. This may include closed cases requiring some form of monitoring or follow-up for a period of time, such as in the case of a probationary period, or where there are relevant consent order terms to be monitored.

## Case Aging

The following chart identifies the specific aging for all open cases. The chart below shows the totals by age period, **including** the cases before the Board at the current meeting.



**NOTE:** Approval of the Executive Director’s Report will also authorize 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.

## Inspections (Completed in FY 2018)

Inspections were limited for a number of reasons in FY 2018. The review of the end-to-end inspection process and forms is currently being performed – they were last reviewed and updated in 2014.

Facility Type	Onsite	Records
Funeral Establishment	22	10
Cemeteries	97	24
Immediate Disposition Co	2	2
Alternative Disposition Co	2	1
Crematory	10	2
<b>Total Facility Inspections</b>	<b>133</b>	<b>39</b>

## Indigent Disposition Fund (IDF) Program

The Indigent Disposition Fund is funded by a portion of the death record filing fee. The death record filing fee is \$20 per death record filed, billed to funeral homes monthly. This fee is only based on the initial filing of a death and is not assessed on certified copies of a record of death (formerly called death certificates). \$6 from each \$20 fee goes to support the fund and its administration. Because of this, the amount available in the Indigent Disposition Fund directly correlates to the death rate.

In January of 2016, management of both death record filing fees and the IDF program transferred from the Public Health Division to OMCB via legislative action. Additionally, changes to ORS 97.170 took effect, adding additional requirements to the process that a funeral establishment must complete prior to burying or cremating an indigent person or applying for reimbursement for that disposition.

During the four years prior to OMCB taking over management of the IDF program, the fund paid indigent claims for 0.9% to 1.3% of deaths in the state, depending on the year. Although the maximum reimbursement rate was set at \$650, the fund was rarely able to pay the maximum amount. Over the five years prior to the transfer of the fund's management, the average amount paid was \$492, with monthly averages varying widely – while the fund was able to reimburse nearly the maximum during some months, reimbursements averaged only \$262 during others.

When OMCB took over management, the law changed to provide funeral homes with a more predictable, fixed rate – the initial amount was \$461. The reimbursement rate was set in mid-2015 as a calculation of the maximum amount that the fund could provide given a 100% payment rate by funeral establishments for death record filing fees and the anticipated death rate for 2015 and 2016.

In July of 2018, the Board voted to increase the reimbursement rate from \$461 to \$500, based upon death rate projections and IDF solvency.

During the April 9, 2019 meeting, the Board voted to keep the reimbursement amount at \$500.

Below is a summarization of the IDF Program (Calendar Years 2017 through 2019):

Indigent Claims Received	CY 2017	CY 2018	CY 2019 YTD
<b>Total Number of Claims Received</b>	376	421	398
<b>Number of Claims paid</b>	330	399	324
<b>Approved, Processing</b>	N/A	N/A	49
<b>Currently Open Claims</b> (Waiting on additional information, researching, etc.)	N/A	N/A	4
<b>Withdrawn/Denied</b>	43	21	21

Indigent Claims Reimbursed	CY 2017	CY 2018	CY 2019 YTD
<b>Average Amount Reimbursed per <i>Qualifying</i> Claim*</b>	\$454	\$474	\$497
<b>Total Amount Reimbursed</b>	\$149,874	\$189,214	\$161,280
<b>Average Number of <i>Total</i> Claims received per Month</b>	31.9	35.1	44.2
<b>Average Number of <i>Qualifying</i> Claims received per Month</b>	28.1	33.3	41.4

\*Claims are reimbursed at the actual amount claimed up to the maximum of \$500.