

STATEMENT OF NEED AND FISCAL IMPACT

A Notice of Proposed Rulemaking Hearing or a Notice of Proposed Rulemaking accompanies this form.

Department of Human Services, Public Health Division

333

Agency and Division

Administrative Rules Chapter Number

Reimbursement for Cost of Services and Supplies Provided for Disposition of Unclaimed Indigent Bodies

Rule Caption

In the Matter of: Permanent rulemaking amending OAR 333-012-0500

Statutory Authority: ORS 97.170, ORS 432.146 & 432.312

Other Authority: SB 796 Section 8 (Oregon Laws 2009, chapter 709)

Stats. Implemented: ORS 97.170(1), (3), (4) and (6) & ORS 432.312(1) and (2)

Need for the Rule(s):

The Department of Human Services, Public Health Division is amending OAR 333-012-0500 to reflect the statutory requirements of SB 796 (Oregon Laws 2009, chapter 709). This action will allow the Public Health Division to increase the maximum reimbursement cap to licensed funeral service practitioners for the cost of services provided for disposition of unclaimed indigent bodies from a maximum amount not to exceed \$450 to a maximum amount not to exceed \$650 per disposition. SB 796, Section 8 removed the maximum reimbursement cap from statute and directs establishment of the maximum reimbursement cap to OAR 333-012-0500.

Documents Relied Upon, and where they are available:

1. ORS 97 <http://www.leg.state.or.us/ors/97.html>
2. ORS 432 <http://www.leg.state.or.us/ors/432.html>
3. HB 2244 <http://www.leg.state.or.us/09reg/measpdf/hb2244.dir.pdf>
4. SB 796 <http://www.leg.state.or.us/09reg/measpdf/sb796.dir.pdf>

Hard copies of the above documents may be obtained by contacting: Rules Coordinator, Oregon Department of Human Services, Public Health Division, 800 NE Oregon Street, Suite 930, Portland, Oregon 97232, (971) 673-1291 or brittany.a.sande@state.or.us.

Fiscal and Economic Impact:

The proposed rule amendment will not create a fiscal or economic impact to any state agency, local government unit, or members of the public. The proposed rule amendment does create a positive fiscal and economic impact on funeral service practitioner businesses by allowing them to recover more of their costs in providing services for the disposition of unclaimed indigent bodies.

Statement of Cost of Compliance:

1. Impact on state agencies, units of local government and the public (ORS 183.335(2)(b)(E)): None

2. Cost of compliance effect on small business (ORS 183.336):

a. Estimate the number of small businesses and types of business and industries with small businesses subject to the rule: 220

b. Projected reporting, recordkeeping and other administrative activities required for compliance, including costs of professional services: None

c. Equipment, supplies, labor and increased administration required for compliance: None

How were small businesses involved in the development of this rule? The Oregon Funeral Director's Association President and Director were members of the advisory committee representing the interests of the funeral home industry.

Administrative Rule Advisory Committee consulted?: Yes. The advisory committee included representatives from the Oregon Mortuary and Cemetery Board, the Oregon Funeral Director's Association, and the Demonstrator of Anatomy, Oregon Health and Science University.

If not, why?:



Brittany Sande, Administrative Rules Coordinator
Printed name

11/12/09
Date

Administrative Rules Unit, Archives Division, Secretary of State, 800 Summer Street NE, Salem, Oregon 97310. ARC 925-2007