

**FINAL BILL REPORT**

**SSB 5026**

**C 43 L 93**

**SYNOPSIS AS ENACTED**

**Brief Description:** Revising provisions regulating funeral directors, embalmers, and crematories.

**SPONSORS:** Senate Committee on Government Operations (originally sponsored by Senator A. Rasmussen)

**SENATE COMMITTEE ON GOVERNMENT OPERATIONS**

**HOUSE COMMITTEE ON COMMERCE & LABOR**

**BACKGROUND:**

When the Department of Health was created in 1989, the regulation of health care professionals was transferred to it from the Department of Licensing (DOL). Since most of the professional boards are supported from license fees, a separate health professions account was created in the general fund.

The registration and regulation of cemetery authorities, funeral directors, and embalmers remained in the Department of Licensing, but their funding support was incorporated into the new health professions account. The Funeral Directors and Embalmers Board has requested that its portion of the account be returned to DOL.

Authorization for cremation of a deceased person's remains must be given by specifically named relatives (surviving spouse, children or parents). Funeral directors have expressed concern about potential liability because there is no express provision to authorize cremation if a person dies without such identifiable relatives.

**SUMMARY:**

The fees collected for registering funeral directors and embalmers are transferred from the health professions account to a newly created funeral directors and embalmers account. All fees for examination, registration, and audits of funeral directors and embalmers, as well as proceeds from fines and civil penalties assessed against such individuals, are credited to the account. Any funds remaining in the health professions account attributable to funeral directors and embalmers must be transferred to the funeral directors and embalmers account.

An obsolete reference to a fee for regulating cremation is deleted. The minimum fee of \$3 for each interment, entombment

and inurnment is eliminated, and the director of the Department of Licensing, with the consent of the Cemetery Board, is allowed to set fees necessary for licenses, regulatory charges, and permits.

A funeral establishment or cemetery authority may proceed with cremation if it has made a good faith effort to locate the decedent's immediate relatives or the legal representative of the decedent's estate, or if the cremation is authorized by the most responsible party available.

**VOTES ON FINAL PASSAGE:**

Senate	47	0
House	98	0

**EFFECTIVE:** July 25, 1993