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Testimony Concerning House Bill No. 2262

House Health and Human Services Committee

February 15, 2021

Chairwoman Landwehr and Members of the Committee, I am Pam Scott, Executive Director of the Kansas Funeral Directors Association. The KFDA appreciates the opportunity to appear before you today in support of House Bill No. 2262, which was introduced at the request of the KFDA.

This bill is identical to House Bill No. 2199 which was heard by this committee and passed by the House in 2019 by a vote of 120-1. Although it was passed out of the Senate Public Health Committee, it was never voted on by the Senate because it was a possible vehicle for Medicaid expansion. There was no apparent opposition to the bill itself.

K.S.A. 65-2426a requires that a coroner's permit to cremate must be furnished in order for a body to be cremated in Kansas regardless of where death or cause of death occurred. This proposed legislation, in Section 2, would amend that statute to provide that if death and cause of death occur outside of Kansas, and the law of the state where death occurred does not require a permit, a permit will not be required to cremate in Kansas. If death or cause of death occurs in Kansas, a coroner's permit to cremate will continue to be required.

This legislation particularly addresses the Kansas City metropolitan area. Death and cause of death may take place across the state line in Missouri but the family is served by a Kansas funeral home and crematory. Missouri, where death occurred, does not require a coroner's permit to cremate. They only require a death certificate be filed. In such cases, a Kansas funeral director must obtain a coroner's permit to cremate in order to cremate in Kansas. When a Kansas coroner is asked to sign a cremation permit when death occurred in another state, the Kansas coroner has to investigate the death not under their jurisdiction before they sign the coroner's permit to cremate. They would no longer be required to do so if this bill is passed which would take a burden off Kansas coroners. It will also eliminate delays and assure that cremation can occur in a timely manner.

Also, since coroner's permits to cremate are usually executed electronically under the

Office of Vital Statistics electronic death registration system, this bill adds language to K.S.A. 65-2426a to clarify that an electronically signed copies are acceptable along with facsimile copies.

K.S.A. 65-1762 is also being amended in Section 1 of this bill. That statute, which sets forth what documentation a crematory must receive before it performs a cremation, is amended to provide that a coroner's permit to cremate only must be provided if required by K.S.A.65-2426a.

Finally, Section 3 of this bill repeals K.S.A. 65-2429. That law requires that funeral directors file monthly reports of dead bodies prepared for burial with the Office of Vital Statistics. Since the State of Kansas has gone to an electronic death registration system, the reports are no longer necessary since the state obtains the information immediately when the death record is filed electronically.

We respectfully ask for your support of this legislation and would be happy to stand for questions.