

SESSION OF 2021

SUPPLEMENTAL NOTE ON HOUSE BILL NO. 2262

As Recommended by House Committee on
Health and Human Services

Brief*

HB 2262 would amend the documentation a licensed crematory operator or crematory operator in charge is required to receive, prior to the cremation of any dead human body, to only a completed and executed coroner's permit to cremate, if required under the Uniform Vital Statistics Act (Act). The bill would amend the Act to require a coroner's permit to be executed only if the death or cause of death occurred in Kansas or in a state where such a permit to cremate is required. The Act would also be amended to allow an electronic signed copy of a coroner's permit to cremate as legal authorization to cremate. Further, the bill would amend the Act by repealing the statute requiring Kansas funeral directors to provide the Secretary of Health and Environment with a monthly report of the bodies prepared for burial.

Background

The bill was introduced by the House Committee on Health and Human Services at the request of Representative Eplee on behalf of the Kansas Funeral Directors Association.

House Committee on Health and Human Services

In the House Committee hearing, **proponent** testimony was provided by a representative of the Kansas Funeral Directors Association. The proponent stated the bill would

*Supplemental notes are prepared by the Legislative Research Department and do not express legislative intent. The supplemental note and fiscal note for this bill may be accessed on the Internet at <http://www.kslegislature.org>

address instances in which a death occurs out of state, but the family is served by a Kansas funeral home and crematory. The proponent noted the state where the death occurred may not require a coroner's permit to cremate and instead only require a death certificate to be filed; Missouri is such a state. The proponent noted Kansas law requires a Kansas funeral director to obtain a coroner's permit to cremate in the state; Kansas coroners are then required to investigate a death not under their jurisdiction before they can sign the coroner's permit to cremate. The proponent stated the bill would remove that burden from Kansas coroners, eliminate delays, and assure cremation can occur in a timely manner. The proponent stated permits to cremate are usually executed under the Office of Vital Statistics electronic death registration system, and the bill would allow an electronically signed copy to be accepted. The proponent also noted since Kansas now uses an electronic death registration system, the State obtains the information immediately when the death record is filed electronically, making the monthly reports to the Secretary of Health and Environment unnecessary.

No other testimony was provided.

Fiscal Information

According to the fiscal note prepared by the Division of the Budget, the Kansas Department of Health and Environment and the Board of Mortuary Arts indicate enactment of the bill would have no fiscal effect.

Cremation documentation requirements; Uniform Vital Statistics Act; electronic permit to cremate; funeral director reporting requirements