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November 15, 2018

Chairs of Social Services Appropriations Subcommittee
Chairs of Executive Appropriations Committee
Chairs of Revenue and Taxation Interim Committee

RE: Process for Determining Office of Medical Examiner Funding Level and Cremation Fee Level

In its October 10, 2018, meeting the Administrative Rules Review Committee discussed the cremation fee charged by the Office of the Medical Examiner and heard concerns regarding the fee's current level (\$200).

During the discussion, which included representatives of the Department of Health, the Office of the Medical Examiner, and the funeral home industry, it was noted that during the 2018 General Session the Office of the Medical Examiner requested a general fund increase to address its ongoing funding needs. The Social Services Appropriations Subcommittee, however, approved a motion to increase the cremation fee from \$100 to \$200. The fee increase was subsequently approved by the Legislature in H.B. 8 (State Agency Fees and Internal Service Fund Rate Authorization and Appropriations).

Committee members recognized the Office of the Medical Examiner's need for additional funding, but questioned whether raising the cremation fee was an appropriate means to obtain the funding. They argued that fees should reflect the actual costs of providing a service to the public rather than become a source of general revenue and that the amount placed an unnecessary financial burden on grieving families.

The committee unanimously recommended further study of the issues raised, specifically that:

1. the Executive Appropriations Committee and the Social Services Appropriations Subcommittee consider the current processes used for funding state agency needs, including the practice of setting fees at levels that cover actual service costs rather than to address general revenue needs; and
2. the Revenue and Taxation Interim Committee consider whether the current cremation fee level of \$200 should be reduced to more accurately reflect the actual costs of providing cremation services and relieve the financial burden from grieving families. Please inform us whether your committee finds the fee excessive for the services provided.

Thanks very much for your consideration of these requests. Please feel free to contact ourselves or our staff with any questions you may have regarding these requests.

Sincerely,

/s/ Senator Jacob L. Anderegg, Chair
Administrative Rules Review Committee

/s/ Representative Brian M. Greene, Chair
Administrative Rules Review Committee