



KANSAS FUNERAL DIRECTORS ASSOCIATION

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Testimony Concerning House Bill 2358

Federal and State Affairs Committee

January 30, 2024

Chairman Carpenter and Members of the Committee, I am Pam Scott, Executive Director of the Kansas Funeral Directors Association (KFDA) which represents Kansas funeral homes, funeral directors and embalmers. The KFDA appreciates the opportunity to appear before you today in support of House Bill 2358, which was introduced at our request.

The purpose of the bill is to help expedite the timely filing of death certificates across the state of Kansas by expanding who can certify the cause of death.

The bill was introduced last session but did not receive a hearing. Since last session, we have worked on language which we believe would eliminate any opposition to the bill. As a result, we would like to ask that an amendment be made to the current bill. The amendment provides that a "cause of death certifier" will certify the cause of death for a death certificate. The amendment goes on to define a "cause of death certifier" as "a person licensed to practice medicine and surgery by the state board of healing arts, a physician assistant licensed by the state board of healing arts, an advanced practice nurse licensed by the state board of nursing, a district coroner, deputy coroner or special deputy coroner". A copy of the proposed amendment is attached.

Funeral directors often have difficulty getting physicians to timely complete the medical certification portion of the death certificate which they are responsible for. I have heard from our members, especially in the western part of the state, that they have deaths where it has taken over two weeks to get the medical certification completed. The reasons can be varied. They include:

- The physician may be too busy to complete the death certificate filing on a timely basis. There are possibly cases where the physician would like to delegate the responsibility to their physician assistant or nurse practitioner but are unable to do so.

- The funeral director may find it difficult to determine which physician is responsible for completing the medical certification. There are traveling physicians who serve some communities and are no longer there when the deceased dies and are hard to track down. In other cases, there may be a disagreement between two physicians on which should sign.
- In the less populated areas of the state, the deceased may not have seen a physician in person. The physician may be operating remotely via zoom. In such cases the physician assistant or nurse practitioner may be the person who provided the in-person care. The physician may not be comfortable completing the death certificate if they did not actually see the patient.

The timely filing of death certificates is important to families across the state that have experienced the death of a loved on. A funeral director cannot inter or dispose of a body until a death certificate is filed. This sometimes results in delaying a funeral service, burial or cremation. Also, the family is unable to take care of end-of-life estate matters such as closing bank accounts, filing for benefits and obtaining the proceeds of life insurance if they do not have a death certificate.

It is also important to get the cause of death reported to the National Center for Health Statistics so any national public health concerns can be reported to the Center of Disease Control and action can be taken quickly if necessary.

We have run the bill and amendment by the Kansas Office of Vital Statistics and they have no concerns.

The KFDDA hopes you will help solve this problem asks for your support of this bill with the proposed amendment.

Thank you for the opportunity to testify and I would be happy to respond to any questions you might have.