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Topeka

January 23, 2012

To: House Judiciary Committee
From: Pam Scott, Executive Director
Re: House Bill No. 2121

Chairman Kinzer and members of the Committee, thank you for the opportunity to appear before you today on behalf of the Kansas Funeral Directors Association (KFDA) concerning House Bill No. 2121.

Our main concern with the bill is the impact it will have on deaths which occur outside the state of Kansas and the body is brought back to Kansas for cremation. Funeral directors often find it difficult to get an out-of-state coroner to sign a Kansas coroner's permit to cremate when that other state does not require coroners to sign a cremation permit. Missouri is such a state. Kansas has no jurisdiction over out-of-state coroners. Often times a funeral home must go to a Kansas coroner to get the coroner's permit to cremate signed so cremation can take place. This bill would not allow that to take place anymore. Delays in such cases would no doubt increase with this legislation and have an impact on families.

We do not disagree that for deaths occurring in Kansas, the coroner with jurisdiction over the death should sign the coroner's permit to cremate. We believe that is how the statute is currently interpreted. I might point out that funeral directors occasionally have difficulty getting cremation permits signed in a timely manner by some coroners in the state. This creates a hardship on families of the deceased.

Another concern we wanted to point out is that K.S.A. 22a-231, not K.S.A. 65-2426a, is the primary statute that addresses coroner jurisdiction over deaths occurring in Kansas. It appears to us that any changes concerning coroner jurisdiction, including the transfer of jurisdiction, should occur in that statute and not the statute dealing with the permit to cremate.

In conclusion, the KFDA would ask that you oppose this legislation unless changes are made concerning deaths occurring outside the state of Kansas. We believe the difficulties that would result with out of state deaths would outweigh any potential benefit the legislation would have.

Thank you for the opportunity to appear before you today. I would be happy to answer any questions you may have.