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To: House Health and Human Services Committee

From: Pam Scott, Executive Director  
Kansas Funeral Directors and Embalmers Association

Re: House Bill No. 2717

Chairman Morrison and members of the Committee, I appear before you today on behalf of the Kansas Funeral Directors and Embalmers Association (KFDA) in support of House Bill No. 2717. The KFDDA has a membership of over 300 funeral homes, which is over 90% of the funeral homes in the state of Kansas.

House Bill No. 2717 was introduced at the request of the KFDDA. The bill provides that a licensed crematory with a holding facility must be under the supervision of a licensed funeral director or embalmer. When the bill was introduced, the KFDDA was under the understanding that not all crematories had holding facilities. Since that time, we have discovered that all crematories have some type of room that serves as a holding facility.

It was not the intent of the bill, as written, to require all crematories be under the supervision of a licensed funeral director or embalmer. The requirement was meant to apply just to those crematories that are not conducting immediate cremations and might hold bodies for an extended period of time. Therefore, to accomplish this objective, we are requesting that Section 1 (a) of the bill beginning on line 17 be amended to read as follows:

The crematory operator in charge of a licensed crematory ~~with a holding facility~~ must hold a Kansas funeral director's or embalmer's license unless the crematory only receives dead human bodies for cremation through

licensed funeral establishments or branch funeral establishments.

The KFDA believes this amendment is the best way to assure that dead human bodies are properly cared for and that the health and safety of the public is protected. We do not believe dead human bodies should be held by a crematory, except for direct cremation, unless a licensed funeral professional is the operator in charge of the crematory.

To our knowledge, there are only three crematories in the state of Kansas at which the crematory operator in charge is not a licensed funeral director or embalmer. It is our understanding that those three crematories only accept bodies for cremation from licensed funeral establishments. Bodies at those facilities are not held for an extended period of time. Therefore this bill, if amended, should have no impact on their operations.

Funeral directors and embalmers are trained to handle dead human bodies and are charged with the responsibility of taking appropriate precautionary measures to prevent the spread of infectious and contagious diseases from dead human bodies. This is especially important with the increased threat of bio-terrorism. Their license also requires that they are knowledgeable on laws concerning vital statistics, cremation, OSHA, and other death care issues. They must pass a test to receive their license and are required to obtain continuing education to keep them abreast of any changes in applicable statutes or regulations.

A crematory operator, under current law, is not licensed. There is no prerequisite that he or she receive education, training or have experience in funeral service, death care, cremation or the Kansas statutes relating thereto .

This bill becomes even more important if House Bill No. 2657 is passed. That bill provides that a dead human body can be removed from the location of death to a licensed crematory. It is especially important that a licensed funeral professional be in charge of the crematory if that were to occur. In some instances the deceased may have been dead for sometime before reaching the crematory, so precautionary measures will need to be taken. It is impossible to determine how much time will pass before a cremation can actually take place. It will take time to obtain information for and complete an application for a death certificate. A coroner's permit to cremate must also be obtained which may require a death investigation. Because cremation is final, it is important that these responsibilities are completed by someone with the education, training, and experience to do so in accordance with the laws of the state of Kansas. That person is a licensed funeral director or embalmer.

The KFDA believes the passage of House Bill No. 2717 is important for the protection of the public and will assure that dead human bodies are handled with dignity. Therefore we ask for your support of this legislation

Thank you for the opportunity to testify. I would be happy to stand for any questions the committee may have.