BOARD OF MORTUARY ARTS

а		Actual FY 2020	Agency Est. FY 2021	Gov. Rec. FY 2021	Agency Req. FY 2022	Gov. Rec. FY 2022		Agency Req. FY 2023	Gov. Rec. FY 2023
Operating Expenditure	 es:								
State General Fund	\$	0	\$ 0	\$ 0	\$ 0	\$ 0	\$	0	\$ 0
Other Funds		292,427	 325,571	 325,571	 304,038	 304,038	_	308,394	 308,394
Subtotal	\$	292,427	\$ 325,571	\$ 325,571	\$ 304,038	\$ 304,038	\$	308,394	\$ 308,394
Capital Improvements	:								
State General Fund	\$	0	\$ 0	\$ 0	\$ 0	\$ 0	\$	0	\$ 0
Other Funds		0	 0	 0	 0	 0	_	0	 0
Subtotal	\$	0	\$ 0	\$ 0	\$ 0	\$ 0	\$	0	\$ 0
TOTAL	\$	292,427	\$ 325,571	\$ 325,571	\$ 304,038	\$ 304,038	\$	308,394	\$ 308,394
Percentage Change:									
Operating Expenditure	res								
State General Fun	d	%	%	%	%	%		%	%
All Funds		(0.6)	11.3	11.3	(6.6)	(6.6)		1.4	1.4
FTE Positions		3.0	3.0	3.0	3.0	3.0		3.0	3.0

For purposes of this analysis, full-time equivalent (FTE) positions include non-FTE permanent unclassified positions but continue to exclude temporary employees. FTE positions reflect permanent state positions equating to a 40-hour work week.

The State Board of Mortuary Arts regulates embalmers, funeral directors, assistant funeral directors, apprentice embalmers, crematory operators, funeral establishments, branch funeral establishments, and crematories. The five-member Board ensures funeral homes, crematories, licensees, apprentices, and student embalmers operate according to state laws, and that they serve in the best interest of the consumer by meeting and maintaining licensing and regulatory requirements. To accomplish these things, the Board provides information

detailing the Kansas licensing process; provides assistance to potential licensees who may not understand or meet licensing requirements; maintains information on all individuals who seek and maintain licenses; inspects funeral homes and crematory facilities twice a year; investigates complaints regarding the practice of the mortuary arts profession; and takes appropriate disciplinary measures, if warranted. The Board also informs Kansas consumers about laws related to the death process, funeral pre-arrangements, and the funeral process.

MAJOR ISSUES FROM PRIOR YEARS

During the **2010 Session**, Senate Sub. for HB 2310 was passed and required any person wishing to become a crematory operator to make written application to the Board of Mortuary Arts and to meet the agency's requirements on age and training. A person's license is automatically suspended if at the end of one year of being licensed, the individual has not met the required training. The agency is to maintain licenses for crematory operators and collect renewal fees.

Also during the **2010 Session**, Senate Sub. for HB 2310 increased the maximum limits for a number of fees established by the agency, deleted the embalmer's examination fee, and established a \$200 limit for a crematory operator's license and renewal fee.

During the **2011 Session**, HB 2083 was passed and required funeral directors in charge of a facility that closes to notify individuals with pre-arranged funeral agreements they

need to transfer the pre-arranged agreements to another facility. A copy of the notification must be submitted to the State Board of Mortuary Arts.

During the **2015 Session**, the Legislature approved an increase to the Executive Secretary's salary by \$4,355 in fiscal year (FY) 2015, \$5,212 for FY 2016, and \$5,264 for FY 2017.

During the **2019 Session**, the Legislature approved an increase of \$21,469, all from special revenue funds, for FY 2020. From this increase, \$6,996 was for increases to salaries, \$500 was for an Official Hospitality account within the Board of Mortuary Arts Fee Fund, and \$14,000 was to pay legal fees to the Office of the Kansas Attorney General. The fees for the Office of the Kansas Attorney General represent a change in state accounting methods and do not reflect an initial or increased usage of services by the Board of Mortuary Arts.

BUDGET SUMMARY AND KEY POINTS

FY 2021 Agency Estimate

The **agency requests** an FY 2021 revised estimate of \$325,571, all from the Mortuary Arts Fee Fund, and 3.0 FTE

positions. The revised estimate is the same as the amount approved by the 2020 Legislature.

FY 2021 Governor Recommendation

The **Governor** concurs with the agency's revised estimate.

FY 2022 Agency Request

The **agency** requests an FY 2022 estimate of \$304,038, all from the Mortuary Arts Fee Fund, and 3.0 FTE positions. This estimate is a decrease of \$21,533, or 6.6 percent, below the

agency's FY 2021 revised estimate. The decrease better reflects anticipated expenditures and a reduction in salary.

FY 2022 Governor Recommendation

The **Governor** concurs with the agency's request.

FY 2023 Agency Request

The **agency** requests an FY 2023 estimate of \$308,394, all from the Mortuary Arts Fee Fund, and 3.0 FTE positions. This revised estimate is a increase of \$1,326, or 0.6 percent, above

the FY 2022 request. The increase is associated with anticipated expenditures in Salaries and Wages, Contractual Services, and Commodities.

FY 2023 Governor Recommendation

The Governor concurs with the agency's request.

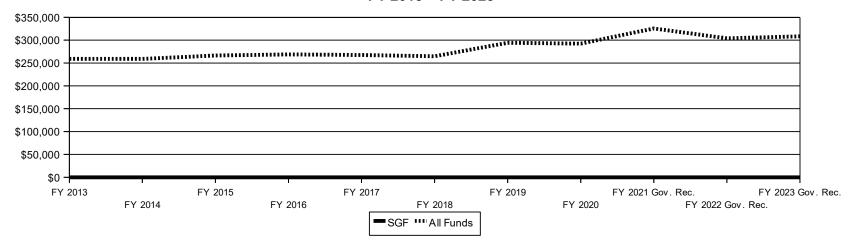
Performance Measures

The 2016 Legislature passed HB 2739, which outlined a three-year process for state agencies to develop and implement a system of performance budgeting using outcome measures to evaluate program effectiveness. Measures to evaluate agency-wide performance are presented below. Additional measures to evaluate specific programs appear in the relevant program sections.

Measure	 Actual FY 2018		Actual FY 2019		Gov. Rec. FY 2020		Actual FY 2020		Gov. Rec. FY 2021		Gov. Rec. FY 2022
Number of Complaints Received	38		28		42		20		25		30
Number of Current Licenses on File	2,168		2,170		2,173		2,140		2,160		2,165
Percent of Investigations that result in Disciplinary Action	45.0 °	%	59.0 °	%	50.0 %	6	60.0 %	%	65.0 [%]	6	65.0 %
Percent of Complaints Requiring Investigation that Result in Finding of Any Possible Violations* Agency Expenditures	40.0	%	54.0	%	40.0 %	6	35.0 %	%	45.0 ⁹ ⁄	6	40.0 %
All Funds (Dollars in Thousands)	\$ 264.8	\$	294.3	\$	325.9	\$	292.4	\$	325.6	\$	304.0
FTE Positions	3.0		3.0		3.0		3.0		3.0		3.0

BUDGET TRENDS

OPERATING EXPENDITURES FY 2013 – FY 2023



Fiscal Year	SGF		Percent Change	All Funds	Percent Change	FTE
2013	\$	0	% \$	259,055	(5.2)%	3.0
2014		0		259,020	(0.0)	3.0
2015		0		266,484	2.9	3.0
2016		0		268,835	0.9	3.0
2017		0		267,511	(0.5)	3.0
2018		0		264,815	(1.0)	3.0
2019		0		294,312	11.1	3.0
2020		0		292,427	(0.6)	3.0
2021 Gov. Rec.		0		325,571	11.3	3.0
2022 Gov. Rec.		0		304,038	(6.6)	3.0
2023 Gov. Rec.		0		308,394	1.4	3.0
Eleven-Year Change	\$	0	% \$	49,339	19.0 %	0.0

Summary of Operating Budget FY 2020 – FY 2022

					 Agency Es	stim	nate		Governor's Recommendation							
		Actual 2020		Estimate FY 2021	Request FY 2022		Dollar Percent Change from FY 21 from FY 21			Rec. FY 2021		Rec. Y 2022	Dollar Change from FY 21	f	Percent Change rom FY 21	
By Program:																
Administration	\$	292,427	\$	325,571	\$ 304,038	\$	(21,533)	(6.6) %	\$	325,571	5	304,038	\$ (21,53	3)	(6.6)%	
By Major Object of Exp	endit	ure:														
Salaries and Wages	\$	220,388	\$	227,366	\$ 213,118	\$	(14,248)	(6.3) %	\$	227,366	5	213,118	\$ (14,24	8)	(6.3)%	
Contractual Services		66,539		88,730	82,370		(6,360)	(7.2)		88,730		82,370	(6,36	(0)	(7.2)	
Commodities		4,044		8,475	7,550		(925)	(10.9)		8,475		7,550	(92	(5)	(10.9)	
Capital Outlay		1,456		1,000	1,000		0	0.0		1,000		1,000		0	0.0	
Debt Service		0		0	 0		0		l	0		0		0		
Subtotal - Operations	\$	292,427	\$	325,571	\$ 304,038	\$	(21,533)	(6.6) %	\$	325,571	5	304,038	\$ (21,53	3)	(6.6)%	
Aid to Local Units		0		0	0		0			0		0		0		
Other Assistance		0	<u></u>	0	 0		0		<u> </u>	0		0		0		
TOTAL	\$	292,427	\$	325,571	\$ 304,038	\$	(21,533)	(6.6) %	\$	325,571	<u> </u>	304,038	\$ (21,53	3)	(6.6)%	
Financing:																
State General Fund	\$	0	\$	0	\$ 0	\$	0	%	\$	0 9	5	0	\$	0	%	
Mortuary Arts Fee Fund		292,427		325,571	 304,038		(21,533)	(6.6)		325,571		304,038	(21,53	3)	(6.6)	
TOTAL	\$	292,427	\$	325,571	\$ 304,038	\$	(21,533)	(6.6) %	\$	325,571	<u> </u>	304,038	\$ (21,53	3)	(6.6)%	

Summary of Operating Budget FY 2022 – FY 2023

		Agency Es	stim	ate		Governor's Recommendation					
	Request FY 2022	Request FY 2023		Dollar Change from FY 22	Percent Change from FY 22		Rec. FY 2022	Rec. FY 2023		Dollar Change from FY 22	Percent Change from FY 22
By Program:											
Administration	\$ 304,038	\$ 308,394	\$	4,356	1.4 %	\$	304,038 \$	308,394	\$	4,356	1.4 %
By Major Object of Expenditure:											
Salaries and Wages	\$ 213,118	\$ 214,444	\$	1,326	0.6 %	\$	213,118 \$	214,444	\$	1,326	0.6 %
Contractual Services	82,370	85,175		2,805	3.4		82,370	85,175		2,805	3.4
Commodities	7,550	7,775		225	3.0		7,550	7,775		225	3.0
Capital Outlay	1,000	1,000		0	0.0		1,000	1,000		0	0.0
Debt Service	0	 0		0			0	0		0	
Subtotal - Operations	\$ 304,038	\$ 308,394	\$	4,356	1.4 %	\$	304,038 \$	308,394	\$	4,356	1.4 %
Aid to Local Units	0	0		0			0	0		0	
Other Assistance	0	 0		0			0	0		0	
TOTAL	\$ 304,038	\$ 308,394	\$	4,356	1.4 %	\$	304,038 \$	308,394	\$	4,356	1.4 %
Financing:											
State General Fund	\$ 0	\$ 0	\$	0	%	\$	0 \$	0	\$	0	%
Mortuary Arts Fee Fund	 304,038	 308,394		4,356	1.4		304,038	308,394		4,356	1.4
TOTAL	\$ 304,038	\$ 308,394	\$	4,356	1.4 %	\$	304,038 \$	308,394	\$	4,356	1.4 %

A. FY 2021 - Current Year

Adjustments to Approved State General Fund Budget

The agency's revised estimate does not include any State General Fund (SGF) expenditures.

		CI	HANG	E FROM APPRO	OVED	BUDGET		
	P	egislative Approved FY 2021		Agency Estimate FY 2021		Agency Change from Approved	 Governor Rec. FY 2021	 Governor Change from Approved
State General Fund All Other Funds	\$	0 325,571	\$	0 325,571	\$	0	\$ 0 325,571	\$ 0
TOTAL	\$	325,571	\$	325,571	\$	0	\$ 325,571	\$ 0
FTE Positions		3.0		3.0		0.0	3.0	0.0

The **agency** requests an FY 2021 revised estimate of \$325,571, all from the Mortuary Fee Fund, and 3.0 FTE positions. The revised estimate is the same as the amount approved by the 2020 Legislature. While the overall revised estimate is unchanged, there were budgetary changes within the major categories of expenditures described below:

• Salaries and Wages. The revised estimate includes \$227,366 for salaries and wages. This is an increase of \$4,730, or 2.1 percent, above the amount approved by the 2020 Legislature. This increase is due to the overlap between the

retiring executive secretary and the newly hired executive secretary;

 Contractual Services. The revised estimate includes \$88,730 for contractual services. This is a decrease of \$4,730, or 5.1 percent, below the amount approved by the 2020 Legislature. This decrease is to better reflect anticipated expenditures;

- **Commodities.** The revised estimate includes \$8,475 for commodities. This is the same as the amount approved by the 2020 Legislature; and
- Capital Outlay. The revised estimate includes \$1,000 for capital outlay. This is the same as the

amount approved by the 2020 Legislature. Capital outlay expenditures are for the replacement of agency computers.

The **Governor** concurs with the agency's revised FY 2021 estimate.

B. FY 2022 – Budget Year

	 Agency Request	Governor's commendation	 Difference
Total Request/Recommendation	\$ 304,038	\$ 304,038	\$ 0
FTE Positions	3.0	3.0	0.0
Change from FY 2021:			
Dollar Change:			
State General Fund	\$ 0	\$ 0	
All Other Funds	(21,533)	(21,533)	
TOTAL	\$ (21,533)	\$ (21,533)	
Percent Change:			
State General Fund	0.0 %	0.0 %	
All Other Funds	 (6.6)	 (6.6)	
TOTAL	 (6.6) %	 (6.6) %	
Change in FTE Positions	 0.0	0.0	

The **agency** requests FY 2022 operating expenditures of \$304,038, all from the Mortuary Arts Fee Fund, and 3.0 FTE positions. The agency's FY 2022 request is a decrease of \$21,533, or 6.6 percent, below the agency's FY 2021 revised estimate. The decrease better reflects anticipated expenditures and a reduction in salary expenditures. Details by major category of expenditure include:

• Salaries and Wages. The FY 2022 request includes \$213,118 for salaries and wages, which is a decrease of \$14,248, or 6.3 percent, below the FY 2021 revised estimate. This decrease is due to a reduction in salary for the executive secretary;

- Contractual Services. The FY 2022 request includes \$82,370 for contractual services. This is a decrease of \$6,360, or 7.2 percent, below the FY 2021 revised estimate. This decrease is due to the agency budgeting less for travel and other services;
- Commodities. The FY 2022 request includes \$7,550 for commodities. This is a decrease of \$925, or 10.9 percent, below the FY 2021 revised

- estimate. This decrease is to better reflect anticipated office and data supply expenditures; and
- Capital Outlay. The FY 2022 request includes \$1,000 for capital outlay. This is the same as the FY 2021 revised estimate. The requested amount is due to computer equipment replacement.

The **Governor** concurs with the agency's FY 2022 request.

C. FY 2023 - Budget Year

FY 2023 OPERATING BUDGET SUMMARY												
		Agency Request		Governor's commendation		Difference						
Total Request/Recommendation	\$	308,394	\$	308,394	\$	0						
FTE Positions		3.0		3.0		0.0						
Change from FY 2022:												
Dollar Change:												
State General Fund	\$	0	\$	0								
All Other Funds		4,356		4,356								
TOTAL	\$	4,356	\$	4,356								
Percent Change:												
State General Fund		%		0.0 %								
All Other Funds		1.4		1.4								
TOTAL		1.4 %		1.4 %								
Change in FTE Positions		0.0		0.0								

The **agency** requests FY 2023 operating expenditures of \$308,394, all from the Mortuary Arts Fee Fund, and 3.0 FTE positions. The FY 2023 request is an increase of \$4,356, or 1.4 percent, above the agency's FY 2022 request. The increase better reflects anticipated expenditures. Details by major category of expenditure include:

• Salaries and Wages. The FY 2023 request includes \$214,444 for salaries and wages. This is an increase of \$1,326, or 0.6 percent, above the

agency's FY 2022 request. This increase better reflects anticipated expenditures and inflation;

 Contractual Services. The FY 2023 request includes \$85,175 for contractual services. This is an increase of \$2,805, or 3.4 percent, above the agency's FY 2022 request. This increase is to better reflect anticipated expenditures; • Commodities. The FY 2023 request includes \$7,775 for commodities. This is an increase of \$225, or 3.0 percent, above the agency's FY 2022 request. This increase is to better reflect anticipated expenditures; and

Capital Outlay. The FY 2023 request includes \$1,000 for capital outlay. This is the same as the amount approved by the 2022 Legislature.

The **Governor** concurs with the agency's FY 2023 request.

Governor's Recommended Salary and Wage Adjustments

For FY 2022, the Governor recommends adding \$31.5 million, including \$11.3 million SGF, for a 2.5 percent state employee base pay adjustment. The plan would increase salaries for classified and unclassified employees in the Executive Branch, Legislative Branch, and Judicial Branch. Legislative and elected officials would be excluded from this salary adjustment. The funds would be appropriated to and certified for distribution by the State Finance Council if approved. Employees of state universities are also not included in the proposed pay plan; however, the Governor recommends adding \$10.4 million, all SGF, to the university operating grants. This amount is equivalent to what the pay plan would have provided for university employees, but the funds are included in the Kansas Board of Regents budget for use at their discretion.

Longevity Bonus Payments. In FY 2021, 2022 and for FY 2023, the Governor recommends funding longevity bonus payments for eligible state employees at the statutory rate of \$40 per year of service, with a 10-year minimum (\$400) and a 25-year maximum (\$1,000). Classified employees hired after June 15, 2008, are not eligible for longevity bonus payments. The estimated cost for the recommended FY 2021 payment is \$3.0 million, including \$1.1 million SGF. For FY 2022, the estimated cost is \$3.1 million, including \$1.1 million SGF. For this agency, FY 2021 longevity payments total \$1,000, including \$0 SGF, and FY 2023 longevity payments total \$1,000, including \$0 SGF, and FY 2023 longevity payments total \$1,000, including \$0 SGF.

Kansas Public Employees Retirement System (KPERS). The employer retirement contribution rate, including Death and Disability contributions, for the KPERS State and School Group is scheduled to be 14.23 percent in FY 2021 and 15.09 percent for FY 2022. The

FY 2021 rate excludes the 1.0 percent KPERS Death and Disability contribution that is currently subject to a moratorium described below.

The Governor recommends the KPERS State and School Group be reamortized. The current amortization period was set by the Legislature in 1993 for 40 years. The Governor proposes the new amortization be set for 25 years beginning in FY 2022, an extension of 10 years to the current plan. Reamortization would reduce employer contributions for the KPERS State and School Group in the short term. It is estimated that resetting the amortization period to 25 years could produce budget savings of \$177.3 million, including \$158.7 million SGF, for FY 2022. The Governor's recommendation would also incorporate \$25.8 million in KPERS layering payments into the amortization schedules. **No savings from this policy are currently included in this agency's budget.**

KPERS Death and Disability Group Insurance Fund. During FY 2021, a moratorium on employer contributions to the KPERS Death and Disability Group Insurance Fund was in effect. The fund had a sufficient balance to suspend payments on a temporary basis without affecting employee benefits. The moratorium was implemented *via* the Governor's allotment authority; therefore, the Legislative and Judicial branches are currently excluded from the moratorium. The total savings for the moratorium are estimated at \$46.7 million in contributions from the SGF. Included in this amount were savings of approximately \$40.3 million from KPERS School Group contributions in the Kansas State Department of Education budget. No similar moratorium is proposed for FY 2022, requiring the addition of \$46.7 million to annualize the payments for the full fiscal year.

Funding Sources

Funding Source	Agency Req. Percent of Total FY 2022	Gov. Rec. Percent of Total FY 2022	Agency Req. Percent of Total FY 2023	Gov. Rec. Percent of Total FY 2023
State General Fund	0.0 %	0.0 %	0.0 %	0.0 %
Mortuary Arts Fee Fund	100.0	0.0	100.0	0.0
TOTAL	100.0 %	100.0 %	100.0 %	100.0 %

(Note: Totals may not add due to rounding.)

Mortuary Arts Fee Fund Analysis

The State Board of Mortuary Arts is a fee-funded agency funded solely by the Board of Mortuary Arts Fee Fund. Pursuant to KSA 65-1718, revenues deposited into the Fee Fund include those from the issuance and renewal of licenses; administration of exams for funeral directors and assistant funeral directors; sale of rule books, lists, and duplicate licenses; and continuing education programming.

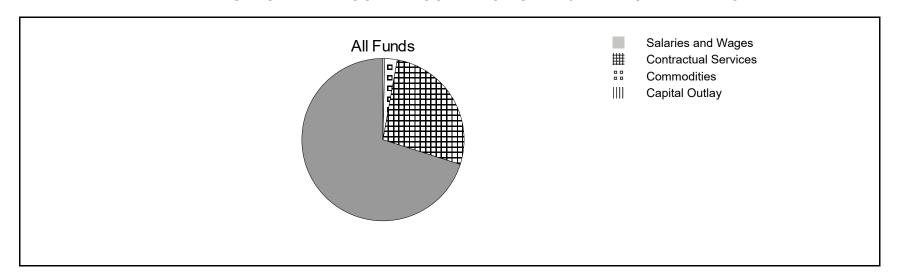
The 2019 Legislature created an Official Hospitality Account within the Mortuary Arts Fee Fund. This account is used by the agency to pay for food and beverages during events such as committee meetings and licensure exams.

KSA 75-3170a(a) provides that 90.0 percent of incoming revenues are retained by the agency and 10.0 percent are deposited into the State General Fund, up to a maximum of \$100,000 per fiscal year per fund.

Resource Estimate	Actual Estimate FY 2020				Agency Estimate FY 2021		Governor Rec. FY 2021		_	Agency Request FY 2022		Governor Rec. FY 2022	Agency Request FY 2023		Governor Rec. FY 2023	
Beginning Balance	\$	304,922	\$	291,220	\$	291,220	\$	208,090	\$	208,090	\$	190,116	\$	190,116		
Revenue		278,725		242,441		242,441		286,064		286,064		242,441		242,441		
Transfers in		11		500		500	_	500		500		500	_	500		
Funds Available	\$	583,658	\$	534,161	\$	534,161	\$	494,654	\$	494,654	\$	433,057	\$	433,057		
Less:																
Expenditures	\$	292,427	\$	325,571	\$	325,571	\$	304,038	\$	304,038	\$	308,394	\$	308,394		
Transfers Out		11		500		500		500		500		500		500		
Off-Budget Expenditures		0		0	_	0	_	0		0	_	0	_	0		
Ending Balance	\$	291,220	\$	208,090	\$	208,090	\$	190,116	\$	190,116	\$	124,163	<u>\$</u>	124,163		
Ending Balance as Percent of Expenditures		99.6%		63.9%		63.9%		62.5%		62.5%		40.3%		40.3%		
		April		July		July		April		April		July		July		
Month Highest Ending Balance	\$	307,880	\$	278,712	\$	278,712	\$	203,457	\$	203,457	\$	179,401	\$	179,401		
		August		May		May		November		November		May		May		
Month Lowest Ending Balance	\$	283,914	\$	204,081	\$	204,081	\$	184,227	\$	184,227	\$	118,812	\$	118,812		

BOARD OF MORTUARY ARTS LICENSURE FEES								
License		Current Fee		Statutory Limit				
Embalmer endorsement application fee	\$	350	\$	500				
Embalmer reciprocity application fee		350		500				
Funeral director examination fee		200		400				
Funeral director reciprocity application fee		350		500				
Embalmer/funeral director reciprocity application fee		350		500				
Assistant funeral director application fee		150		300				
Assistant funeral director examination fee		50		300				
Embalmer license and renewal fee		168		350				
Funeral director license and renewal fee		228		450				
Crematory operator license and renewal fee		50		200				
Assistant funeral director license and renewal fee		180		400				
Apprentice embalmer registration fee		100		250				
Funeral establishment license fee		650		1,000				
Branch establishment license fee		650		1,000				
Crematory license fee		650		1,000				
Crematory renewal fee		650		1,000				
Funeral establishment/crematory license fee		950		1,500				
Funeral establishment/crematory renewal fee		950		1,500				
Branch establishment/crematory license fee		950		1,500				
Branch establishment/crematory renewal fee		950		1,500				
Duplicate license		15		30				
Rule book		5		20				
Continuing education program sponsor application		0		25				
Continuing education program license application		0		25				

EXPENDITURES BY CATEGORY — GOVERNOR'S FY 2022 RECOMMENDATION



Category	 Gov. Rec. All Funds FY 2022	Percent of Total	 Gov. Rec. SGF FY 2022		Percent of Total
Salaries and Wages	\$ 213,118	70.1 %	\$	0	%
Contractual Services	82,370	27.1		0	
Commodities	7,550	2.5		0	
Capital Outlay	 1,000	0.3		0	
TOTAL	\$ 304,038	100.0 %	\$	0	100.0 %

FTE POSITIONS BY PROGRAM FY 2020 - FY 2023

Program	Actual	Agency Est.	Gov. Rec.	Agency Req.	Gov. Rec.	Agency Req.	Gov. Rec.
	FY 2020	FY 2021	FY 2021	FY 2022	FY 2022	FY 2023	FY 2023
Administration	3.0	3.0	3.0	3.0	3.0	3.0	3.0

(*Note:* For purposes of this analysis, full-time equivalent (FTE) positions include non-FTE permanent unclassified positions but continue to exclude temporary employees. FTE positions reflect permanent state positions equating to a 40-hour work week.)