

HCS SB 282 -- DISPOSITION OF HUMAN REMAINS

SPONSOR: Brown

COMMITTEE ACTION: Voted "Do Pass with HCS" by the Special Committee on Aging by a vote of 10 to 0. Voted "Do Pass" by the Standing Committee on Rules- Administrative Oversight by a vote of 9 to 0.

DEATH REGISTRATION PROCESS

Currently, the medical certification from a medical provider is entered into the electronic death registration system. This bill requires an attestation from the medical provider who completed the medical certification to be entered into the system as well.

Additionally, if the State Registrar determines that information on a document or record submitted to a local registrar is incomplete, the State Registrar shall return the records or documents with the incomplete information to the local registrar for correction by the data provider, funeral director, or person in charge of the final disposition.

Finally, the bill repeals a provision allowing the State Registrar to adopt pilot programs or voluntary electronic death registration programs until an electronic death registration system is certified. Additionally, this bill repeals a provision requiring the Division of Community and Public Health within the Department of Health and Senior Services to create a working group for the purposes of evaluating the electronic vital records system and submit a report on findings to the General Assembly by January 1, 2016 (Sections 193.145 and 193.265, RSMo).

This is similar to HB 461 (2019)

RIGHT OF SEPULCHER

Currently, law provides a list, in the order of priority, of next-of-kin who have the right to control the disposition of a dead human body. This bill provides that the surviving spouse shall not be considered as next-of-kin if an action for dissolution of marriage has been filed and is pending in a court of competent jurisdiction. Additionally, the next-of-kin of a deceased person may delegate the final disposition of the deceased to an agent through a power of attorney.

This bill specifies that an individual with a superior claim to the disposition of the deceased may be notified in person or by written notice with delivery confirmation, rather than "personally served

with written notice" by a person with an inferior claim who has the desire to exercise the right to control the final disposition of the deceased (Section 194.119).

This is similar to HB 461.

ORGAN DONORS

This bill allows a donor to make an anatomical gift by placing a donor symbol sticker authorized and issued by the Department of Health and Senior Services on the back of the donor's driver's license or identification card.

The department shall include on its website information about organ donation and a link where the person making an anatomical gift can register. Once a person has registered, the department will contact the Department of Revenue to determine whether the organ donor symbol is printed on a registrant's driver's license or identification card. If the donor symbol does not appear, the department will mail a donor symbol sticker to be placed on the back of the registrant's driver's license or identification card. State agencies and departments may provide a link on the homepage of their website directing the public to the organ donation information and registration link (Section 302.171).

This bill is similar to HB 256 and HB 450 (2019).

OUTDOOR CREMATIONS

The bill allows a licensed funeral establishment to include an outdoor human cremation facility or perform an outdoor cremation at another location with appropriate permits and in accordance with other procedures and in compliance with all local ordinances. Any cremation performed at an outdoor human cremation facility may only be performed by a licensed funeral director and must be attended by a licensed director or designee (Section 333.011).

This is similar to HB 455 (2019).

PROPOSERS: Supporters say that this bill clarifies many important factors involved in end-of-life decisions. Missouri will be only the second state to allow outdoor cremations, but there has been demand for them.

Testifying for the bill were Senator Brown and Missouri Funeral Directors Association.

OPPOSERS: Those who testified in opposition represented the cemeteries association or were against an organ donation and

transplant provision that was eliminated from the bill.

Testifying against the bill were Diane Brockmeier, Mid-America Transplant; Donna Boll; Associated Cemeteries of Missouri; Tara Powell, Midwest Transplant Network; Tara Skaggs; and Midwest Transplant Network.