

COMMITTEE ON LEGISLATIVE RESEARCH
OVERSIGHT DIVISION

FISCAL NOTE

L.R. No.: 1151H.01I
Bill No.: HB 557
Subject: Department of Health and Senior Services; Funerals and Funeral Directors
Type: Original
Date: January 30, 2023

Bill Summary: This proposal modifies provisions relating to deceased persons.

FISCAL SUMMARY

ESTIMATED NET EFFECT ON GENERAL REVENUE FUND			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on General Revenue	\$0	\$0	\$0

ESTIMATED NET EFFECT ON OTHER STATE FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on <u>Other</u> State Funds	\$0	\$0	\$0

Numbers within parentheses: () indicate costs or losses.

ESTIMATED NET EFFECT ON FEDERAL FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on <u>All</u> Federal Funds	\$0	\$0	\$0

ESTIMATED NET EFFECT ON FULL TIME EQUIVALENT (FTE)			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Total Estimated Net Effect on FTE	0	0	0

Estimated Net Effect (expenditures or reduced revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

Estimated Net Effect (savings or increased revenues) expected to exceed \$250,000 in any of the three fiscal years after implementation of the act or at full implementation of the act.

ESTIMATED NET EFFECT ON LOCAL FUNDS			
FUND AFFECTED	FY 2024	FY 2025	FY 2026
Local Government	(Unknown, greater than \$40,000)	(Unknown, greater than \$40,000)	(Unknown, greater than \$40,000)

FISCAL ANALYSIS

ASSUMPTION

§§193.015, 193.145, 193.175, 194.010, 194.105, and 194.119 – Deceased persons

Officials from the **Department of Commerce and Insurance**, the **Department of Health and Senior Services**, the **Office of the State Public Defender**, the **Newton County Health Department**, the **Missouri Office of Prosecution Services** and the **Office of the State Courts Administrator** each assume the proposal will have no fiscal impact on their respective organizations. **Oversight** does not have any information to the contrary. Therefore, Oversight will reflect a zero impact in the fiscal note for these agencies.

Officials from the **St. Louis County Health Department** state if HB557 was in effect, the Medical Examiners' Office would need to hire an extra employee to manage all the death certificates and mark as pending and the other (current employee) to manage the affidavit process for all the death certificates. The cost would about \$40,000 per year for 2024, 2025, and 2026. Increases to employee benefits would likely occur.

Oversight does not have any information to the contrary. Oversight will reflect a negative fiscal impact of Unknown, exceeding \$40,000 annually for local governments as it is possible other counties may be impacted by this legislation.

Rule Promulgation

Officials from the **Joint Committee on Administrative Rules** assume this proposal is not anticipated to cause a fiscal impact beyond its current appropriation.

Officials from the **Office of the Secretary of State** notes many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The Secretary of State's office is provided with core funding to handle a certain amount of normal activity resulting from each year's legislative session. The fiscal impact for this fiscal note to Secretary of State's office for Administrative Rules is less than \$5,000. The Secretary of State's office recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, they also recognize that many such bills may be passed by the General Assembly in a given year and that collectively the costs may be in excess of what their office can sustain with their core budget. Therefore, they reserve the right to request funding for the cost of supporting administrative rules requirements should the need arise based on a review of the finally approved bills signed by the governor.

Oversight only reflects the responses received from state agencies and political subdivisions; however, other local public health agencies, nursing homes, hospitals and coroners were requested to respond to this proposed legislation but did not. A listing of political subdivisions included in the Missouri Legislative Information System (MOLIS) database is available upon request.

<u>FISCAL IMPACT – State Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<u>FISCAL IMPACT – Local Government</u>	FY 2024 (10 Mo.)	FY 2025	FY 2026
LOCAL GOVERNMENTS - COUNTIES			
<u>Costs – Counties (§§193.015 to 194.119)</u>			
Increased personal service and related costs	<u>(Unknown, greater than \$40,000)</u>	<u>(Unknown, greater than \$40,000)</u>	<u>(Unknown, greater than \$40,000)</u>
ESTIMATED NET EFFECT ON LOCAL GOVERNMENTS	<u>(Unknown, greater than \$40,000)</u>	<u>(Unknown, greater than \$40,000)</u>	<u>(Unknown, greater than \$40,000)</u>

FISCAL IMPACT – Small Business

No direct fiscal impact to small businesses would be expected as a result of this proposal.

FISCAL DESCRIPTION

Current law requires that if a cause of death cannot be determined after 72 hours, the attending medical professional must give the funeral director in charge of final disposition of the dead body notice. This bill requires that the attending medical professional complete the medical certification by indicating the certification is pending investigation, then amend the certificate of death upon conclusion of the investigation.

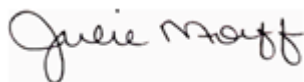
Under the provisions of this bill, the Department of Health and Senior Services may issue rules and regulations, setting forth health and safety requirements for the transportation of dead human bodies placed on common carriers in the state. The bill repeals current provisions related to the transportation of dead bodies.

The bill also clarifies that for the right of sepulcher, next-of kin shall only include the surviving spouse if there has not been an action for the dissolution of the marriage filed. It further allows the next-of-kin to delegate control of the final disposition of the remains of any dead human being to an agent.

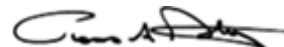
This legislation is not federally mandated and would not duplicate any other program, but may require additional capital improvements or rental space.

SOURCES OF INFORMATION

Department of Commerce and Insurance
Department of Health and Senior Services
Office of the Secretary of State
Office of the State Public Defender
Newton County Health Department
St. Louis County Health Department
Missouri Office of Prosecution Services
Office of the State Courts Administrator



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January 30, 2023



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