

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

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

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

**FISCAL SUMMARY**

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

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

Numbers within parentheses: () indicate costs or losses.

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

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

- 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.

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

## 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 **Missouri Department of Transportation**, the **Newton County Health Department** and the **Missouri Office of Prosecution Services** 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.

In response to the previous version of this proposal, officials from the **Office of the State Public Defender** and the **Office of the State Courts Administrator** each assumed the proposal will have no fiscal impact on their respective organizations.

In response to the previous version of this proposal, officials from the **St. Louis County Health Department** stated 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.

**Oversight** assumes House Amendment (HA) #1 and HA #2 have no fiscal impact.

### 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 (SOS)** note many bills considered by the General Assembly include provisions allowing or requiring agencies to submit rules and regulations to implement the act. The fiscal impact to the SOS for Administrative Rules is less than \$5,000. The SOS recognizes that this is a small amount and does not expect that additional funding would be required to meet these costs. However, the SOS recognizes 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 the office can sustain with the core budget. Therefore, the SOS reserves 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
<b>LOCAL GOVERNMENTS – COUNTIES</b>			
<u>Costs – Counties</u> (§§193.015 to 194.119)			
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>
<b>ESTIMATED NET EFFECT ON LOCAL GOVERNMENTS</b>	<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

Small businesses that deal with deceased persons could be impacted by 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 or person in charge of final disposition of the dead body, notice of the reason for the delay, and final disposition of the body shall not be made until authorized.

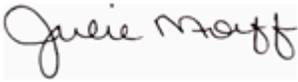
Under the provisions of this bill, the Department of Health and Senior Services may issue rules and regulations, setting forth health and safety requirements for the transportation of dead human bodies placed on common carriers in the state. Any transporting of dead human bodies on aircrafts shall comply with the Transportation Security Administration's rules and regulations. In addition, prior to transporting a dead human body, the attending medical examiner, coroner, attending physician, physician assistant, assistant physician, or an advanced practice registered nurse, shall affix on the ankle or wrist of the deceased a tag encased in durable and long-lasting material containing the name of the deceased, date of birth, date of death and Social Security number.

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  
Missouri Department of Transportation  
Office of the Secretary of State  
Office of the State Public Defender  
Newton County Health Department  
Joint Committee on Administrative Rules  
Missouri Office of Prosecution Services  
Office of the State Courts Administrator



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