



**KANSAS FUNERAL DIRECTORS ASSOCIATION**  
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*Topeka*

March 13, 2012

To: Senate Judiciary Committee

From: Pam Scott, Executive Director

Re: House Bill No. 2121

Chairman Owens and members of the Committee, thank you for the opportunity to appear before you today on behalf of the Kansas Funeral Directors Association (KFDA) concerning House Bill No. 2121.

The KFDA does not disagree that for deaths occurring in Kansas, the coroner with jurisdiction over the death should sign the coroner's permit to cremate. Most funeral directors would tell you that is what they believe the law already requires. We believe it rarely happens that a coroner without jurisdiction signs a cremation permit. A coroner should refuse to sign the permit if he does not have jurisdiction over the death.

Our main concern with the bill is the impact it will have on deaths which occur outside the state of Kansas where the body is brought back to Kansas for cremation. Unreasonable delays in obtaining a cremation permit creates a hardship on families of the deceased because arrangements cannot be made until the permit is signed. Funeral directors often find it difficult to get an out-of-state coroner to sign a Kansas coroner's permit to cremate especially when that other state does not require a coroner to sign a cremation permit in order to cremate a body. Missouri is such a state.

Kansas has no jurisdiction over an out-of-state coroner. Therefore, often times a funeral home must go to a Kansas coroner to get the coroner's permit to cremate signed so cremation can take place. This bill, as originally drafted, would not have allowed that to take place. Delays would have increased having a direct impact on families. Delays often occur even in cases where it should be obvious a crime has not occurred.

Amendments were made to the bill in the House which did eliminate some of our concerns but we believe further amendments are necessary. We have attached some proposed changes to the bill we believe should be made. In Section 1 (b), we believe the language "in Kansas", which was added by the House Judiciary Committee to Section (1)(b) lines 12 and 14, should be deleted. The language would not allow an out of state coroner to transfer jurisdiction. Only a Kansas coroner would be able to do so. We also would like the

requirement that the transfer be in writing removed because it will only cause delays. If a coroner has to put the transfer in writing the transfer may not be done for a couple of days.

Also, in reality it is the funeral director and not the coroner who usually contacts the out-of-state coroner or any coroner to get a cremation permit signed. Therefore, language needs to be added throughout Section 1 (c) and (d) to add the funeral director as a person who can make a good faith attempt to get authorization from the out-of-state coroner.

In conclusion, the KFDA would ask that you oppose this legislation unless the attached changes are made concerning deaths occurring outside the state of Kansas. We believe the difficulties that would result with out-of-state deaths would outweigh any potential benefit the legislation would have.

Thank you for the opportunity to appear before you today. I would be happy to answer any questions you may have.