

HOUSE BILL REPORT

HB 2468

*As Passed House
February 13, 1992*

Title: An act relating to funeral directors, embalmers, and cemeteries.

Brief Description: Altering fee structures for funeral directors, embalmers, and cemeteries.

Sponsor(s): Representatives G. Cole, Fuhrman, Lisk and Franklin; by request of Department of Licensing.

Brief History:

Reported by House Committee on:
Commerce & Labor, February 6, 1992, DP;
Passed House, February 13, 1992, 96-0.

**HOUSE COMMITTEE ON
COMMERCE & LABOR**

Majority Report: *Do pass.* Signed by 11 members:
Representatives Heavey, Chair; G. Cole, Vice Chair; Fuhrman,
Ranking Minority Member; Lisk, Assistant Ranking Minority
Member; Franklin; Jones; R. King; O'Brien; Prentice; Vance;
and Wilson.

Staff: Jim Kelley (786-7166).

Background: Prior to 1989, all health care professionals were licensed by the Department of Licensing. Fees collected for the activities related to the licensing and registration of these professionals were deposited into the health professionals account. Funeral directors and embalmers were classified as health care professionals at that time. When the Department of Health was established, it acquired the responsibility for licensing health care professionals. The licensing of funeral directors and embalmers remained the responsibility of the Department of Licensing. However, fees collected for the licensing and registration of funeral directors and embalmers continue to be deposited in the health professionals account. The Department of Licensing does receive credit when such fees are deposited into the account.

Current law limits the dollar amount of fees the director may charge cemetery authorities. Compliance with this law

has put the Cemetery Board Program in direct conflict with the statutory requirement that licensing programs be self-sustaining.

Summary of Bill: The funeral directors and embalmers account is created in the custody of the state treasurer. All fees received by the Department of Licensing for activities related to the licensing and registration of funeral directors and embalmers, and all fines and civil penalties paid by such professionals are deposited into this account. All expenses related to the licensing and registration of these professionals are paid from this account.

The director, with the consent of the cemetery board, is authorized to set cemetery fees in accordance with the statute requiring that the cost of each professional, occupational or business licensing program be fully borne by the members of that profession, occupation or business.

Fiscal Note: Available.

Effective Date: Ninety days after adjournment of session in which bill is passed.

Testimony For: The failure to establish the funeral directors and embalmers account was an oversight. The involvement of the cemetery board in setting fees will help make the process fair for everyone.

Testimony Against: None.

Witnesses: Marsha Tadano-Long, Department of Licensing (in favor); and James Noel and Paul Elvig, Washington Interment Association (in favor).