

How Physicians Can Support Oregon Families to Care for Their Own Dead

Oregon families have the legal right to custody and control of their own dead. Whether the death was anticipated or unanticipated, once time and cause of death are established, the family may choose to care for and transport the body, file the 24-hour notice of death and death certificate, arrange for disposition, and conduct any other aspect of after-death care.

Legal Authority of Families

In Oregon, the legislative authority for families to act as unpaid funeral services practitioners is found in ORS 432.005(23)(a):

SYSTEM OF VITAL STATISTICS

432.005 Definitions. As used in this chapter, unless the context requires otherwise: (23) "Person acting as a funeral service practitioner" means:

(a) A person other than a funeral service practitioner licensed under ORS 692.045, including but not limited to a relative, friend or other interested party, who performs the duties of a funeral service practitioner without payment

Ways You Are Empowered to Assist Families

As the person responsible for establishing cause of death, physicians are often the primary legal authority in contact with the family. How you approach their choices will determine the direction taken. Here are three ways you can positively influence the outcome:

1. The prevailing practice in hospitals and hospices when a death has occurred, or in anticipation of a death, is to ask families, "*What funeral home do you want us to call?*" The question implies that the family is required to purchase the services of a funeral director or mortuary when this is not, in fact, the case. Instead encourage your staff to ask families, "*What plans can we assist you in making?*"
2. Let families interested in handling their own paperwork know they should request a packet containing a paper copy of the death certificate and related materials from the Oregon Health Authority's Center for Health Statistics Registration Unit, 971-673-1160).
3. One of the biggest stumbling blocks for families handling their own paperwork is finding physicians to get the medical portion of the death certificate completed, especially in circumstances when the deceased died in an unfamiliar place. Physicians can make a real difference to home funeral families by tending to the cause of death signature on the death certificate as quickly as possible.

Additional Information

Oregon Funeral Resources & Education www.oregonfuneral.org

National Home Funeral Alliance www.homefuneralalliance.org

Funeral Consumers Alliance www.funerals.org