



MCB

OREGON MORTUARY & CEMETERY BOARD

Regulating Death Care Facilities & Practitioners in Oregon.

800 NE Oregon Street, Suite 430

Portland OR 97232-2195

www.oregon.gov/MortCem (website)

mortuary.board@state.or.us (email)

971-673-1500 (phone) / 971-673-1501 (fax)

Filing a Complaint with the Board

The Oregon Mortuary and Cemetery Board is responsible for licensing and regulating individuals and establishments engaged in the sale of funeral and cemetery goods and services as well as the care, preparation, processing, transportation and final disposition of human remains. The Board licenses funeral service practitioners (also known as funeral directors), embalmers, apprentices, preneed sales people, funeral establishments, immediate disposition companies, cemeteries and crematories.

Under Oregon state laws, the Board investigates all complaints received. The Board may take disciplinary action for violations of Oregon laws related to death care. The Board may also impose discipline for fraudulent or dishonest conduct or conviction of a crime when it relates to the death care industry.

If you have a complaint against a licensee of the Board, we suggest that you first discuss your problem with the management of the facility. If this does not resolve your issue, you are encouraged to provide the facts in writing to the Board.

What the Board Can and Cannot Investigate

The Board can investigate allegations of violations of Oregon Laws regarding death care, including but not limited to:

- Purchased goods or services that are not delivered or are different than what you purchased.
- Charges for services that are different than a facility's advertised prices.
- Duplicate charges, or being charged for items at the time of need that were already paid for in a pre-need contract.
- Death Care services provided by unlicensed individuals or facilities.
- Any violation of the minimum standards of the industry.

The Board cannot investigate complaints about things that the Board does not regulate, including but not limited to:

- Complaints about a funeral home or cemetery's pricing being too expensive.
- Complaints that a funeral director and/or their staff was rude or unsympathetic
- Complaints about the lawn/landscaping/physical appearance of a cemetery.
- Complaints about facilities not located in Oregon.

Each complaint is unique and is considered on a case-by-case basis by the Board. The items listed above are merely examples and not a complete list of what the Board may or may not investigate. If you have any questions we urge you to contact the Board office.

What happens when a complaint is filed with the Board?

When the Board receives a complaint, compliance staff works together with the staff investigator to review the complaint, complete an investigation, and present a summary of that investigation to the Board at the next regularly scheduled Board meeting. At the Board meeting, the Board deliberates and votes to determine whether or not they will take disciplinary action against the subject of the complaint.

As part of the investigation, the Board investigator may request documents from the complainant or from the facility, or may interview witnesses. The investigator may need to speak with the complainant to provide additional information about the circumstances of the complaint, or to clarify the details that the complainant has submitted. It is important that complainants respond to any requests for additional information from the Board investigator so a complete summary can be presented to the Board.

The Board meets approximately every 90 days. Most investigations are completed and presented to the Board within 180 days.

If the Board decides to initiate disciplinary action, they may impose a variety of sanctions ranging from a reprimand to a license revocation. The Board cannot compel a licensee to make a refund to a consumer, repair or replace any goods, or issue an apology to a consumer. The Board cannot mediate or broker any agreement or arrangement between a consumer and a licensee. The Board may impose civil penalties up to \$1,000 per violation. Licensees have the right to request a hearing or appeal decisions of the Board.

The Board may choose not to take formal disciplinary action against the licensee, but may apply alternative options, such as letters of education or letters of warning requiring action. If this is the case, the Board staff will contact you to advise you that the complaint has been closed without disciplinary action being taken.

Confidentiality of Complaints

Complaints filed with the Board are confidential and are not subject to public disclosure. The fact that a complaint has been filed against any licensee is not public information. The Board is required by law to keep confidential, to the greatest extent possible, the identity of the complainant and the respondent. The investigator may contact you during the investigation to ask you for details or clarification of your statement. We cannot disclose facts obtained in our investigations unless it furthers the investigation.

Final disciplinary actions taken against licensees are public records. Final disciplinary actions are published on our website.

Submitting a Complaint

If you would like to proceed with submitting a complaint, complete pages 3 and 4 of this document and send them to

Oregon Mortuary and Cemetery Board
Attn: Investigator
800 NE Oregon St.
Suite 430
Portland, OR 97232-2195

You can also submit the form via fax to 971-673-1501, by email to mortuary.board@state.or.us. The form can also be completed online at www.oregon.gov/mortcem/pages/complaints.aspx.



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Complaint Form

Name of Person Filing Complaint	Relationship to the Deceased
Mailing Address	Daytime Phone Number
City, State, Zip Code	Alternate Phone
Email Address	
Name of Decedent A decedent is a person who has died. If you are filing a complaint when no one has yet died, such as in the case of making pre-need arrangements, please list the name of the person for whom arrangements were being made.	
Name of Person Making Arrangements AND Your Relationship to This Person This may be the person filling out the form, or it may be someone else. Who was the person who signed contracts? Who was the person who was the primary contact that the funeral home or cemetery worked with to determine how the decedent would be taken care of?	
Date of Death	Date of Service

Name of the Business or Facility that you are complaining about, if any

Name of the Person that you are complaining about, if any

City Business is Located In
Because many funeral homes and cemeteries have similar names or multiple names, we request that you provide us with some information about the location of the facility.

Complaint Statement
Please explain the nature of your complaint as clearly as possible. Please attach additional sheets as needed.

Signature	Date
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You might have evidence that you would like the Board investigator to review. Please submit copies of any evidence that you may have with your complaint. Evidence may include copies of contracts, bills received, correspondence with the facility (including text messages or emails) purchase agreements, death certificates, etc.