

STATE OF MINNESOTA  
COUNTY OF HENNEPIN

BEFORE THE MINNESOTA  
COMMISSIONER OF HEALTH

In the Matter of Proposed Amendments  
to Rules 4610 Relating to Morticians,  
Funeral Directors, Funeral Establishments  
and the Disposition of the Dead

STATEMENT OF  
NEED AND REASONABLENESS

This Statement of Need and Reasonableness relates to amendments to fee rules cited as Minn. Rules pt. 4610.2800. The Commissioner's statutory authority to promulgate these rules amendments is contained in Minn. Stat. §§ 144.122 and 149.05.

Chapter 4610.2800 FEES is revised due to notification by Financial Management of the State Health Department relative to the Mortuary Science Unit Budget Analysis.

Exhibit I: The attached memorandum from David Carlson, Financial Management to David F. Schwietz, Supervisor, Mortuary Science Unit, Proposed Fee Increase, is offered as evidence of the need to increase current fees.

The proposed fee increases are as follows:

4610.2800 FEES Subp. 2 - Mortuary Science Fees.  
E. Renewal fees \$40.00 would be increased to \$50.00.

4610.2800 FEES Subp. 3 - Funeral Directors.  
B. Renewal Fees \$40.00 would be increased to \$50.00.

4610.2800 FEES Subp. 4 - A. Funeral Establishment Permit Fee  
\$110.00 would be increased to \$135.00.

4610.2800 FEES Subp. 4 - B. Renewal permit fee \$110.00 would  
be increased to \$135.00.

The reason for the greater increase of Funeral Establishment Fees over the individual license fee is that most of the Mortuary Science Unit expenses are in the field involving investigations and inspections of Funeral Establishments.

Exhibit II: Also offered as evidence of the need and reasonableness to increase fees is the attached statement from Operations Budget Director Bruce

Reddemann of the Department of Finance, entitled Department of Finance Approval for Increasing the Fees for the Licensing of Morticians, Funeral Directors and Funeral Establishments.

It is anticipated that notification and explanation of increased fees will be given to all licensees at the Minnesota Funeral Directors Association District Meetings, along with a letter of explanation and justification of fee increase.

These rules minimize the duplication of statutory language. See Minn. Stat. § 14.07, subd. 3. The implementation of these rules will not require the expenditure of public money by local public bodies of greater than \$100,000 in either of the two years following their adoption, nor do the rules have any impact on agricultural land. See Minn. Stat. § 14.11. The adoption of these rules will have little effect on small businesses. Funeral establishments are considered small business as defined in Minnesota Statute section 14.115. With consideration given to this rule's impact on small business, notification of revision of the rule has been given to the Minnesota Funeral Directors Association of which 95% of the licensed funeral establishments are members.