

**BEFORE THE STATE MORTUARY AND CEMETERY BOARD  
OF THE STATE OF OREGON**

In the Matter of

**JAMES B. HAN,  
OMCB LICENSE NO. CO-3753,**

**LICENSEE**

**FINAL ORDER on DEFAULT  
(Reprimand)**

**CASE NO. 14-1081A**

On September 14, 2015, the Oregon Mortuary & Cemetery Board (Board) properly served a Notice of Proposed Disciplinary Action and Opportunity for a Hearing (Notice) in OMCB Case No. 14-1081A to James B. Han (Respondent) that proposed to take disciplinary action in the form of a reprimand. The Notice is attached to this Final Order and is incorporated by reference.

The Notice offered Respondent an opportunity for a hearing if a written request for a hearing was received by the Board within 21 days from the date the Notice was mailed. The Board mailed the Notice to the residential address Respondent provided to the Board and the returned signed certified mail card indicated Respondent received the Notice. The Board did not receive a written request for a hearing.

NOW THEREFORE, after considering the Board's file relating to this matter, the Board enters the following Final Order on Default:

**FINDINGS OF FACT**

1. Decedent passed away at a care facility on or about August 29, 2013 and was transported to the funeral home where Respondent was employed.
2. Respondent's handwritten notes on documents from Decedent's arrangement file indicated that Decedent was a veteran and also listed an interested party's name and contact information.
3. Despite knowing that Decedent was a veteran and an interested party existed, Respondent determined that Decedent was indigent and transferred Decedent to a body donation facility on or about August 31, 2013, pursuant to ORS 97.170.
4. Decedent's body was subsequently cremated on June 10, 2014.

**ULTIMATE FINDINGS**

5. Respondent did not verify veteran benefits or determine interested party's ability to pay for Decedent's arrangements before referring case to indigent disposition program in violation of the requirements in ORS 97.170 and in violation of OAR 830-030-0090.

**CONCLUSIONS OF LAW**

6. Respondent's conduct, as described above in Section 5, violated OAR 830-030-0090.
7. Violations of the Board's rules is cause for disciplinary action under ORS 692.180(1)(g).
8. For the above actions and pursuant to ORS 692.180(1)(a) and (g), Respondent is reprimanded.

**ORDER**

NOW THEREFORE, after considering the Board's file relating to this matter, the Board enters the following Final Order on Default:

1. Respondent shall be reprimanded.
2. This Final Order shall become effective when signed by the Executive Director of the Board.

Dated this 2 day of December, 2015

/s/ Michelle Sigmund-Gaines  
Michelle Sigmund-Gaines, Executive Director  
Oregon Mortuary & Cemetery Board

Date of Mailing: December 2, 2015

**NOTICE OF OPPORTUNITY FOR JUDICIAL REVIEW (COURT OF APPEALS)**

You are entitled to judicial review of this Final Order pursuant to ORS 183.482. Judicial Review may be initiated by filing a petition for review with the Oregon Court of Appeals within 60 days from the date this Order was mailed to you.