

APPOINTMENT OF PERSON TO MAKE DECISIONS CONCERNING DISPOSITION OF MY REMAINS

This sample form has been created by OMCB for use by a person, in their own lifetime, who wishes to appoint a particular person to have the lawful right to control final disposition of their remains after their death ORS 97.130(3) and (7)

I, _____, appoint _____,
(Printed name of appointing person) *(Printed name of appointed person)*
whose address is _____, and whose telephone number is
(_____)_____, as the person to make all decisions regarding the disposition of my
remains upon my death for my burial or cremation *(circle one)*.

ALTERNATE: In the event _____ is unable to act, I appoint
_____, whose address is _____
and whose telephone number is (_____)_____, as my alternate person to make all decisions
regarding the disposition of my remains upon my death for my burial or cremation.

It is my intent that this Appointment of Another Person to Make Decisions Concerning Disposition of My Remains act as and be accepted as the written authorization presently permitted under ORS 97.130(3) *(or its corresponding future provisions)* or any other provision of Oregon Law, authorizing me to name another person to have authority to dispose of the remains.

DATED this _____ day of _____, 20____.
(Date) *(Month)* *(Signature of Appointing Person as authorized under ORS 97.130(2) & (3))*

DECLARATION OF WITNESSES

We declare that _____ is personally known to us, that he/she signed this Appointment of Person to Make Decisions Concerning Disposition of My Remains in our presence, that he/she appeared to be of sound mind and not acting under duress, fraud or undue influence, and that neither of us is the person so appointed by this document.

Witnessed by: _____
(Printed name of witness) *(Phone number)*

(Signature of witness) *(Date signed)*

Witnessed by: _____
(Printed name of witness) *(Phone number)*

(Signature of witness) *(Date signed)*

ORS 97.130 Right to control disposition of remains; delegation.

(3) The decedent or any person authorized in subsection (2) of this section to direct the manner of disposition of the decedent’s remains may delegate such authority to any person 18 years of age or older. Such delegation shall be made by completion of the written instrument described in subsection (7) of this section. The person to whom the authority is delegated shall have the same authority under subsection (2) of this section as the person delegating the authority. ***

(7) The signature of the individual shall be required for the completion of the written instrument required in subsection (3) of this section. The following form or a form substantially similar shall be used by all individuals...

Under **ORS 692.180(1)** the following is cause for disciplinary action: (L) Acting as the legal representative of any deceased person for whom the licensee has rendered services governed by this chapter. This subsection does not prohibit a licensee from acting as the legal representative of a deceased relative or a deceased licensee if the deceased licensee was a partner, employee or employer in the licensee’s practice.