



**The Commonwealth of Massachusetts
Executive Office of Public Safety and Security
Office of the Chief Medical Examiner**



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NOTICE OF PUBLIC HEARING

Pursuant to the provisions of M.G.L. c. 30A §2, and acting under statutory authority of Chapter 38 of the General Laws, there will be a public hearing regarding the proposed amendment to 505 CMR 4.03, Fee Assessed for Cremation or Burial at Sea Views. 505 CMR 4.03 was promulgated pursuant to M.G.L. c. 38, §14 and the amended regulation will reflect changes to the fee assessed for viewing decedents intended for cremation or burial at sea. The public hearing will be held on August 5, 2025, from 10am to 1pm at 720 Albany Street, Boston, MA 02118.

Verbal and written testimony may be presented at the public hearing; however, parties are requested to provide written copies of their oral testimony. Written comments may be submitted to Eric B. Hogberg, Esq. 720 Albany Street, Boston, MA 02118 or to eric.hogberg@mass.gov. Such comments should be sent by August 5, 2025 by 5pm. A copy of the proposed CMR can be found at <https://www.mass.gov/orgs/office-of-the-chief-medical-examiner>. Any member of the public wishing to attend this hearing must present valid photo identification prior to entering the Office of the Chief Medical Examiner.

If any member of the public wishing to attend this hearing seeks special accommodations in accordance with the Americans with Disabilities Act, please contact Eric B. Hogberg at 617-267-6767 or at eric.hogberg@mass.gov.

SMALL BUSINESS IMPACT STATEMENT

In order to accurately predict the impact the adoption, amendment, or repeal of a regulation will have on small businesses, the promulgating authority must conduct a thorough analysis that not only considers the potential effects of the action but also quantifies the costs, if any, associated with each. The questions below are designed to aid promulgating authorities in conducting their analysis.

Agency Submitting Regulation: Office of the Chief Medical Examiner (OCME)

Subject Matter of Regulation: Fee Assessed for Cremation or Burial at Sea Views

Regulation No: 505 CMR 4.03

Statutory Authority: M.G.L. Chapter 38, §14

Other Agencies Affected: Executive Office of Public Safety and Security (EOPSS)

Other Regulations That May Duplicate or Conflict with the Regulation: None

Describe the Scope and Objectives of the Regulation: To establish the process and fee schedule for the viewing of any decedent whose body is intended for cremation or burial at sea. Specifically, the amendment to the current regulation seeks to increase the current fee to reflect increased operational costs in order to adequately support the agency's mission of providing comprehensive medicolegal investigative services.

Business Industry(ies) Affected by the Regulation: Funeral Directors, Funeral Homes and Crematories throughout the Commonwealth. Although the Funeral Homes and Crematories are the entities that charge the fees in accordance with M.G.L. c. 38, § 14, which are then paid to the OCME, the customers are the individuals and families that choose cremation or burial at sea as opposed to other funerary options.

Types of Businesses Included in the Industry(ies): Businesses that coordinate and perform cremation services for the citizens of the Commonwealth.

Total Number of Small Businesses Included in the Regulated Industry(ies): There are over 500 Funeral Homes and Crematories throughout the Commonwealth.

Number of Small Businesses Potentially Subject to the Proposed Regulation: See above.

YES	NO	<i>*Note: For each question, please answer “yes” or “no” and offer a brief explanation. Please describe any facts, data, views, arguments, or other input from small businesses, organizations or any other sources that were used to quantify the impacts outlined below.</i>
	X	Will small businesses have to create, file, or issue additional reports? There will be no additional reporting involved with the fee change.
	X	Will small businesses have to implement additional recordkeeping procedures? There will be no major changes to any recordkeeping procedures.
	X	Will small businesses have to provide additional administrative oversight? There will be no additional administrative oversight.
	X	Will small businesses have to hire additional employees in order to comply with the proposed regulation? No
	X	Does compliance with the regulation require small businesses to hire other professionals (e.g. a lawyer, accountant, engineer, etc.)?
	X	Does the regulation require small businesses to purchase a product or make any other capital investments in order to comply with the regulation?
	X	Are performance standards more appropriate than design standards?
	X	Does the regulation require small businesses to cooperate with audits, inspections, or other regulatory enforcement activities? The change in this regulation will not affect any current practices regarding audits, inspections or enforcement activities.
	X	Will the regulation have the effect of creating additional taxes and/or fees for small businesses? There will be no additional fees for small businesses (funeral directors), as the cremation fee is paid by the person authorized to request the cremation or burial at sea.
	X	Does the regulation require small businesses to provide educational services to keep up to date with regulatory requirements?
	X	Is the regulation likely to <i>deter</i> the formation of small businesses in Massachusetts?
	X	Is the regulation likely to <i>encourage</i> the formation of small businesses in Massachusetts?

	X	Can the regulation provide for less stringent compliance or reporting requirements for small businesses?
	X	Can the regulation establish less stringent schedules or deadlines for compliance or reporting requirements for small businesses?
	X	Can the compliance or reporting requirements be consolidated or simplified for small businesses?
	X	Can performance standards for small businesses replace design or operational standards?
	X	Are there alternative regulatory methods that would minimize the adverse impact on small businesses? None have been identified by the program
X		Were any small businesses or small business organizations contacted during the preparation of this document? If so, please describe. The Massachusetts Funeral Directors Association (MFDA) was informed of the proposed fee increase. Additionally, the fee increase was discussed at the May 21, 2025 open meeting of the Commission on Medicolegal Investigations.