



October 1, 2026

Senator Kerry Gruenhagen
Chair, Senate Government Oversight Committee

Representative Charley Thomson
Chair, House Government Oversight Committee

RE: Annual report regarding the regulation of preneed funerals and perpetual care cemeteries

Dear Senator Gruenhagen and Representative Thomson,

In accordance with Iowa Code §523A.801 and §523I.201, the Iowa Insurance Division ("Division") is pleased to submit this report regarding the regulation and oversight of the Cemetery and Funeral Merchandise and Funeral Services Act and the Iowa Cemetery Act. This report will provide updates on the Division's role in active court-appointed receiverships, the Division's implementation of recently enacted House File 2634, and regulatory modernization efforts.

Joyce Funeral Home Receivership

In June of 2020 the Division was appointed receiver of the Joyce Funeral Home located in Emmetsburg, Iowa. This Receivership occurred after the Division's investigation revealed thousands of dollars meant to fund future funeral merchandise and services for Iowa consumers had failed to be deposited in trust, as required by law. The Division previously reported on the Division's liquidation and claims processing efforts. While administering the receivership, the Division recovered cremated human remains that were unclaimed. During the first quarter of 2026, the Division recommended and was approved by the court to retain Martin-Mattice Funeral Home for the purpose of burying the unclaimed remains and purchasing markers for these burials.

The Division did not have any expenditure during fiscal year 2025. The total expenditures for the Receivership, granted in June of 2020, total \$74,466.86. The transfer of unclaimed remains concludes the Division's responsibilities under the court order of receivership. Consequently, this will be the final year this report contains an update on the Joyce Funeral Home.

Linwood Cemetery Receivership

In July of 2020, the Division was appointed receiver of Linwood Cemetery, a perpetual care cemetery in Dubuque, Iowa. The Division became receiver after there was no private entity

willing or able to assume responsibility for the cemetery and while the courts determined the applicable governmental subdivision responsible for the care of Linwood Cemetery.

In April of 2024, the Iowa Court of Appeals ruled that Linwood Cemetery was wholly and exclusively within the City and that the City was the governmental subdivision with jurisdiction over the cemetery. Subsequently, the Division recommended to the court the duty to preserve and protect Linwood Cemetery be transferred to the City of Dubuque and the receivership be terminated. The court approved the Division's request, and the receivership was terminated effective July 1, 2025. Total expenditures for the Receivership, granted in July of 2020, were \$573,720.66. Consequently, this will be the final year this report contains an update on the Linwood Cemetery.

Implementation of House File 2634

House File 2634 passed both chambers of the legislature during the 2026 legislative session and was signed into law by Governor Reynolds on May 15, 2026. House File 2634 went into effect on July 1, 2026.

The new law removes antiquated information and clarifies certain requirements of preneed sellers and cemeteries in Iowa Code Chapters 523A and 523I, respectively. With the passing of this legislation, the Division will transition to a risk-based examination approach for cemeteries and preneed sellers, instead of a fixed examination timeline previously required by Iowa Code. The new law also reduces other unnecessary regulatory burdens on preneed sellers, perpetual care cemeteries, and government cemeteries.

The Division is currently reviewing the provisions within Iowa Administrative Code Chapters 191—100 (preneed sellers) and 191—101 (cemeteries) to determine whether there is redundant or contradictory language that can be removed through the rulemaking process.

Regulatory Modernization

Perpetual care cemeteries and preneed sellers have transitioned to a new, user-friendly filing system for certain licensure and reporting requirements. This transition will streamline the filing process for the industry, and will allow the Division to better interact with regulated entities regarding their respective filings. The Division has also posted resources on our website to assist perpetual care cemeteries and preneed sellers with this transition.

Conclusion

The Division will continue its outreach efforts to cemeteries and preneed sellers to inform them of changes in Iowa law made by House File 2634, and the transition to a new, accessible filing system. The Division maintains an open line of communication with our regulated entities to seek out solutions that remove unnecessary regulatory burden and ensure our ability to

regulate effectively and efficiently. As these solutions come to our attention, we will share them with you.

Please let me know if you have any questions.

Respectfully,

A handwritten signature in blue ink, appearing to read "Doug Ommen", with a stylized, looping initial "D" and a trailing flourish.

Doug Ommen
Commissioner of Insurance

Copies to:

- Maria Wagenhofer, Analyst, Legislative Services Agency
- Chance McElhaney, Chief Operating Officer
- Julie Pearce, Acting Deputy Insurance Commissioner
- Cody Butenhoff, Legislative Liaison