

Maryland State Board of Morticians and Funeral Directors

Fall, 2010

President's Message

Dear Licensees: new members were Robin's experience has The Board of Morticians appointed to the Board for a already proven invaluable and Funeral Directors four year term commencing as she worked with the continues to work diligently on July 1, 2010. Board, our Associations and Delegate Wade Kach to to promote positive change and protect Maryland The Board is also pleased to guide HB 995—Regulation consumers. The Board itself announce the selection of a of Crematories through the continues to change too. new Executive Director, legislative process this past We recently said good-bye Ms. Robin Bailey of session. This legislation to Don Borgwardt, Marshall Towson, Maryland. Ms. mandates the Board to work Jones and Vernon Bailey served for the past with the Office of Cemetery Strayhorn, all of whom had six years as the Legislation Oversight to develop served as Board members and Regulations regulations to regulate and for the past eight years. We are pleased to welcome Health Occupation Boards our State. The Board has Mortician Keith Downey of and was a Legislative worked on this legislation Salisbury, Consumer Assistant to various state for years and is very Member Michelle Huggins Senators and Delegates for grateful to Delegate Kach of Randallstown, and fourteen years prior to for bringing this important Mortician John Stewart, III, joining the Department of initiative to fruition. of Temple Hills. Our three Health and Mental Hygiene. Dr. Hari Close

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Executive Director's Message

Greetings! It is my pleasure to have been selected as the new Executive Director of the Board of Morticians and Funeral Directors. I started with the Board in February and have been busy getting to know my dedicated and capable staff and familiarizing myself with the laws and regulations that are the foundation of this organization. I strongly encourage each of you to take the time to visit our website at www.dhmf.state.md.us/bom in order to refresh your knowledge of our laws and regulations. If there is something that you do not understand we are available by phone, fax, e-mail or in person to assist you.

Funeral Director's Association Convention in Ocean City. I enjoyed meeting many of our licensees and industry representatives and had an opportunity to speak briefly about my goal of modernizing some of the functions of the Board in order to make us a more cost-effective operation. I would eventually like to see more of our licenses renewed on-line and our newsletters posted on the website instead of mailed. Your cooperation with these new cost saving measures is very much appreciated. Since we are a special-funded Board, all of our costs are paid for by your licensing fees. Keeping our postage and printing costs down will ultimately save you money.

I had a wonderful day at the Maryland

Robin Bailey

Board Members

Dr. Hari Close, Mortician
Board President

Rev. Henry Green
Consumer
1st Vice President

Gladys Sewell,
Mortician
2nd Vice President

Lauri Cebula-Seaboch
Consumer
Secretary

Members at Large

Robert Bradshaw, Mortician
Keith Downey, Mortician
Michael Kruger, Mortician
John Stewart, III, Mortician
Michelle Huggins,
Consumer
Renee Derketsch
Consumer
Jeelani Gulam
Consumer

New Legislation

Effective October 1, 2010 a number of bills that were passed during the last session of the Maryland General Assembly and subsequently signed by the governor will become law. All licensees will be expected to know and abide by the new laws. The new laws are as follows:

- **HB 114 - Health Occupation Boards – Revision** – the Board will have to generate standard disciplinary guidelines.
- **SB 141- Budget Reconciliation and Financing Act of 2010** referred to as the BRFA – The Board lost 3% of its fund balance for the upcoming fiscal year. The Board is grateful to report that no additional funds were targeted in the bill this year. Some Boards lost a significant amount of revenue and are targeted to pay in their 2 to 5 year budgets as well.
- **HB 200 - Health Occupations – Mortician and Funeral Directors** – A individual can obtain a funeral director's license and take a test without completing any embalmings. This license is specific to Maryland and will not transfer.
- **HB 459 - State Licensing Agencies – Justification Statements Required for Fee Increases** - whenever a Board requests fee increases this bill establishes a specific list of questions that has to be answered.
- **HB 995 – Regulation of Crematories** – The Board and the Office of Cemetery Oversight has to jointly develop regulations for the oversight and inspection of crematories.

New Regulations

COMAR 10.29.05.03 Continuing Education

FINAL PRINTED: 1/29/2010

The purpose of this action is to allow automatic approval for specified continuing education units; allow licensed Maryland Funeral Establishments and other Maryland licensees to apply to the Board for continuing education unit approval; and allow three carry-over credits for morticians renewing during the renewal period beginning May 1, 2008, and for funeral directors and surviving spouse licensees who are renewing their licenses during the renewal period beginning December 1, 2008.

COMAR 10.29.15 Family Security Trust Fund

FINAL PRINTED: 3/26/2010

The purpose of this action is to establish the Family Security Trust Fund. The Fund is being set up by the Board in order to compensate victims of preneed fund theft. Licensees will contribute to the Fund annually until \$1,000,000 is accumulated and then the Fund will be replenished as needed. These regulations detail how the Board will set up and administer the Fund, as well as how the public can file claims and seek restitution from the Fund.

It is your responsibility to READ and UNDERSTAND all laws and regulations.

RUTH ANN'S REPORT

It has been an interesting two years at the Board. When I came in July, 2008, Ms. Cox expressed concern that I would not be staying because I would be bored. Well, I am never bored! The Mortuary Science Business has become a respected, fascinating world to me. You, the hard working licensees in the industry, have a job most of us could not do. When I left the Physicians Board, I reminded them that many of us avoid the doctor, but none of us will avoid the mortician! That makes your practices very important to the consumer, who utilized your services at times in their lives, when they are not in full control of their emotions and thinking abilities. They must trust you and you must be ready for, and worthy of their trust! It is my job to help in that process.

In the first round of inspections, I tried to educate. I did not violate establishment on deficiencies found. Why? It was because it became clear that you were all facing a different Board and a different Inspector. A new day had come, a day in which there would be importance placed on the standards set for you by the Board. Many hours were spent on explaining why you must familiarize yourselves with the statutes and regulations. You learned; I learned from you. Now, we are in the second full round of inspections. Your establishments are varied and your response is varied. Many of you have enveloped the process and utilized me to help you comply. Others have decided that the Board will have to make them follow the regs. Now, many of you are facing violations. The public trusts you. I want to help in that process. Read the regs. Together, we can raise the bar and the mortuary science industry will get the respect it deserves. You earned it!

Body Storage Concerns

The Board is alarmed by the increasing number of complaints we are receiving recently regarding the handling and storage of bodies. Common sense dictates that when the heat index is soaring and your establishment does not have refrigeration, bodies must be embalmed or cremated quickly in order to prevent decomposition. Additionally, bodies that are awaiting preparation should be kept in a dignified manner, hidden from public view, and covered with some type of drape or sheeting.

There have also been a number of complaints received by the Board that reference establishments and/or licensees who are making demands on families to settle their bill in full before an ID, viewing, embalming, cremation, or burial can take place. You cannot hold a body for ransom. When you sign a death certificate you indicate the date and place of final disposition. If the family does not pay, you are still obligated to fulfill your end of the contractual agreement. After the funeral is over and the final disposition is completed, there are civil remedies that can be pursued in order to collect the money that you are owed.

The Anatomy Board will accept bodies that are unclaimed as long as the decedent has not been dead for more than 72 hours. This is an option funeral homes can use to refer individuals who are unable to afford a funeral service or cremation for their loved one. The Anatomy Board does not charge a holding fee for storage for the first 72 hours, after that if someone comes forward to claim the body there is a charge of \$25 per day. The Anatomy Board can be reached at 410-547-1222.

Apprentices

Michele L. Brinsfield
Justin Lamont Garland
Margaret Helen Hicks
Bryan E. Hunter
Robert R. Karish
David L. Meador
Steven A. Rogowski, Jr.

Morticians

Colt Morningstar Black
Douglas G. Brown
Ann Elaine Burton
Duane Lydell Calloway
Karen R. Carrington
Breta L. Francis
Ryan Geiger
Allison C. Knowles

Reactivations

Shannon W. Beall
Sharron D. Boykins
Kendra E. Harris
Tanesha Ann Harris
Michelle D. Tulloch

Reinstatements

Duane Alan Bartley
Jeffrey Lee Davis
Wynton Harris
Elois Lenhardt-Stocks

Establishments

Bennie Smith, P.A.
Compassion Funeral Services, Javoke Terrell, P.A.
Eternal Faith Services, Steven L. Napper, P.A.
Hurley and Ostrowski Funeral Home, P.A.
Simplicity Cremation & Funeral Services, Thomas Allen, P.A.
Tidewater Cremation Care by Roman Coale, P.A.

Surviving Spouse

Lula Jenkins

Courtesy Card

Shawn E. Carper
Roger D. Clark
Deborah M. McDevitt
Joan Sophia Pappa
Shandel E. Papile
Terresa J. Piscitelli
Jimmie Williams



STATE OF MARYLAND
Board of Morticians and Funeral Directors

DHMH

Maryland Department of Health and Mental Hygiene

Martin O'Malley, Governor – Anthony Brown, Lt. Governor – John Colmers, Secretary

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Board Staff:

Robin Bailey
Executive Director

LouAnn Cox
Deputy Director

Ruth Ann Arty
Health Occupations Investigator

Sheryl McDonald
Office Secretary

Richard Bloom
Board Counsel, AG's Office

Did You Know?

The Board now has licensure reciprocity with Washington, D.C. for Morticians licenses. Please contact the D.C. Board directly to obtain the necessary forms.

Exam

The Jurisprudence Exam is now offered every other month. Applicants who are invited to take the exam may take the test on any of the following dates: October 5 and December 7, 2010, at 10:00 a.m. While the law exam is offered bimonthly, the practical exam will only be offered by the Board one more time this year on October 5, 2010, at 2:00 p.m.

Renewals

By November 30, 2010 all establishment licenses must be renewed. The Board will send out renewal notices starting in September. Please note that when you renew your establishment license you must also submit a check to the Board in the amount of \$375 for the Family Security Trust Fund. As noted previously, under our new regulations licensees who fail to make this payment by December 1st will be assessed a \$500 late fee. If the establishment does not pay the mandatory fee by December 30, the establishment will be referred to the Board for formal action. Additionally, there is a \$40 fee for checks returned due to insufficient funds. Your cooperation and prompt payment is appreciated.

Public Orders

The following public orders have been issued since January 1, 2010:

Jeffrey Lee Davis - Consent Order

T. Chambers - Summary Suspension

W. Chambers - Summary Suspension

Chambers Funeral Home & Crematorium, P.A. - Summary Suspension

T. Chambers - Pre-Charge Consent Order

W. Chambers - Pre-Charge Consent Order

Chambers Funeral Home & Crematorium, P.A. - Pre-Charge Consent Order

All Public Orders are available in their entirety on the Board's website.