

**MARYLAND STATE BOARD OF MORTICIANS AND FUNERAL  
DIRECTORS  
OPEN SESSION MINUTES  
NOVEMBER 13, 2013**

The meeting was called to order at 11:00 am with a quorum present by Victor C. March, Sr., President

**BOARD MEMBERS PRESENT**

Victor C. March, Sr. President  
D. Lynn Newman, 2<sup>nd</sup> Vice President  
Michelle Huggins, 1<sup>st</sup> Vice President  
Lauri Cebula- Seaboch, Secretary  
Dr. Hari P. Close  
Renee Derketsch  
Keith Downey  
Dr. Ahmed Elzaree  
Gladys Sewell  
Michael Kruger

**BOARD MEMBERS ABSENT**

Vernon L. Strayhorn

**STAFF**

Ruth Ann Arty, Executive Director  
Darlene Cline, Licensing Chief  
Edward Fox, Health Occupations Investigator  
Marc Ware, Compliance Officer  
Thomas Anderson, Health Occupations Inspector  
Richard Bloom, Board Counsel

Mr. March began by apologizing for the lateness of the meeting. A motion was made and seconded for the approval of the previous minutes.

**ADMINISTRATIVE REPORT**

Ms. Arty began by thanking those that have sent in their Family Security Trust Fund payments, and informed the rest they have about two weeks to make the payment.

The Mortuary Transport Regulations that were voted last month will be posted to the Register by tomorrow.

Ms. Arty was very pleased to announce the copier is here. Board staff can now scan, fax, copy, receive copies etc.

All positions of the Board are filled. Ms. Arty introduced Marc Ware, the new Compliance Officer for the Board. Mr. Ware comes to the Board with a lot of experience

including a law enforcement background. He also worked for the Chiropractic and Massage Therapy Boards, administratively. The Board welcomes Mr. Ware.

### **APPRENTICE COMMITTEE REPORT**

Mr. Keith Downey, Apprentice Committee Chair, interviewed the following applicants for apprenticeship.

Mr. Downey moved for approval of Jeffrey D. Gadow for apprenticeship. A motion was made and approved.

Mr. Downey moved for approval of Jarita Banks for apprenticeship. A motion was made and approved.

### **MORTICIAN VIA RECIPOCITY**

Mr. Downey moved for approval of a Mortician License via Reciprocity for Jacqueline Young. A motion was made and approved pending paperwork.

### **REINSTATEMENT OF MORTICIAN LICENSE**

Mr. Downey moved for approval of reinstatement of Wendy Upchurch's Mortician License. A motion was made and approved.

### **CONTINUING EDUCATION COMMITTEE REPORT**

Dr. Elzaree, Chair reported the Committee met yesterday and the approved courses will be on the website soon.

Some CEU's are online courses. The Committee asked the Board to vote to ask the applicants to give us access to the courses for the purpose of monitoring. A motion was made and seconded.

On November 12, 2013, Ronn Wade is holding a Mummy Exhibit at the Maryland Science Museum. The Committee asks that 1 CEU be given for attendance. A motion was made and seconded. Ronn will send attendee list.

Dr. Elzaree also moved for approval of a CEU course from Funeral CE. A motion was made and seconded.

### **EXECUTIVE COMMITTEE REPORT**

No report.

### **FAMILY SECURITY TRUST FUND COMMITTEE**

Lauri Cebula-Seaboch, Chair reported the current total of \$632,958.07. The next Family Security Trust Fund Advisory Committee meeting will be December 10, 2013 at 4201 Patterson Avenue, Baltimore, Maryland 21215.

## **ESTABLISHMENT COMMITTEE**

Dr. Hari P. Close, Chair reported we had two applicants, however their applications were incomplete, therefore there will be no report.

## **PRE-NEED COMMITTEE REPORT**

Lynn Newman, Chair reported the pre-needs are progressing very well. There have been a number of inspections that have gone very well. There are a few cases where there are problems with contracts and those are being addressed with the individuals.

## **OLD BUSINESS**

### **The Cremation Regulations**

Ms. Arty reported the Board voted not to resubmit the Cremation Regulations, they are not identical to OCO's and the Board did not see a reason to put them in for comment.

Mr. March stated Dr. Close has been involved in the Cremation Regulation process for over three years, and he would like for him to comment for clarity. Dr. Close stated the law went into effect May 4, 2010, as a result the Board and OCO were supposed to have the regulations in place by December, 2010. As of this date, the Board and the Associations do not have a copy of OCO's regulations, (Ms. Arty interjected and said a private copy was received yesterday and it was not to be shared with the public). Dr. Close went on to say this Board has extended itself, and was criticized for our regulations. He hopes that with Mr. March's leadership, we can close this issue. Finally, Dr. Close reminded the audience that we all have senators and delegates and that we should contact them to get this issue closed before something happens in a crematory.

There are three areas on which the Board and OCO disagree. First is the issue of retro fitting on old retort machines. The Board feels this could save a technician's life and is necessary. The second area is the issue of inspections. OCO believes the owner of the establishment should be present during inspections, and the Board feels that is not always possible. Lastly, OCO feels that crematories should be allowed to sell pre-needs. The Board recognizes the right to sell the process of cremation, not make pre-need dispositional arrangements. Mr. March also pointed out, it is our firm belief that cremation operators need to know how to read and write.

## **NEW BUSINESS**

Brian Ditzler of Consumer Alliance is interested in presenting a bill regarding deceased owners. The Board has to make a decision whether they want to publicly support the bill. Dr. Close made a motion and it was seconded to support the bill in principle.

### **Courtesy Cards**

Last month Ms. Arty was invited to speak at The Delmarva Funeral Directors Association, and a question was raised on courtesy cards. Out of state morticians believe

they only need a Courtesy Card if they are picking up a body from a residence or hospital. Do they also need a Courtesy Card if they pick up from a funeral home? The answer is no, and Ms. Arty said she would put that clarification on the website. A motion was made and seconded to allow Courtesy Card holders to obtain a Maryland State Mortician's license for a fee of \$100.00 and passing the law exam by April 2014.

Attorney, Emily Rogers spoke to the Board regarding her client who, in her opinion is not receiving the intended results of the Family Security Trust Fund. Ms. Rogers encouraged the Board to think about the purpose of the Fund, because in her opinion it should be accessible to every Maryland citizen that owns a pre-need. She feels, based on the regulations, the Fund is not functioning efficiently. Ms. Rogers hopes that there can be discussion by the Board on who can file for the fund, how to file, and that it be understandable to all Marylanders. Mr. March thanked Ms. Rogers for coming and assured that we are familiar with the issues of the Family Security Trust Fund as we have been working with our attorney to address them.

### **BOARD COUNSEL**

Richard Bloom, Board Counsel stated questions arose recently regarding the amount of information establishments can share with family members from death certificates. Mr. Bloom suggested the Board establish a committee to work through some of these legal issues because we can only give legal advice on our own statutes, however there are other statutes that play a part in releasing information. Mr. Bloom feels we need to have an electric booklet on our website for these kinds of issues. On Mr. Bloom's advice the Board decided to establish a committee of Board members that will look into those issues.

### **F.Y.I.**

Ms. Arty reported the Board is closed 11/27, 11/28, 11/29. Ms. Arty will be in town for the Holiday and the Board Cell will be on. If there are any urgent messages, please text.

### **AJOURNMENT**

Pursuant to Maryland State Government Article, Annotated Code § 10-501 et. seq., on a motion by Mr. March, President, seconded by Ms. Huggins, the Board unanimously voted to close its meeting.