

**MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS
OPEN SESSION MINUTES
OCTOBER 14, 2015**

The meeting was called to order at 1:08 pm with a quorum by Victor C. March, Sr., President.

BOARD MEMBERS PRESENT

Victor C. March, President
James Govoni, 2nd Vice President
Vernon Strayhorn, Sr., Secretary
Gladys Sewell
Wayne Cooper
Robert Bradshaw Jr.
Mark Bailey
Dr. Ahmed Elzaree
Lynn Shuppel

ABSENT BOARD MEMBERS

D. Lynn Newman, 1st Vice President
Camille Bryan

STAFF

Ruth Ann Arty, Executive Director
Darlene Cline, Licensing Chief
Thomas Anderson, Health Occupations Inspector
Anthony DeFranco, Board Counsel

The meeting was called to order by Victor C. March, President. He announced a change in the order of the agenda due to business that has to take place at the end of Open Session, which requires the Board go into Closed Session. Mr. March welcomed everyone to the meeting, and allowed them to introduce themselves. Mr. March moved for approval of September's minutes. A motion was made and seconded.

ADMINISTRATIVE REPORT

Ms. Arty reported the staff was down to an investigator/inspector, Mr. Tom Anderson and an Executive Director/investigator/inspector Ms. Arty. Please don't panic when you see Ms. Arty in funeral homes, as she will be doing inspections and investigations.

On October 6, 2015 Ms. Arty and Ms. Cline were invited to the Delaware Funeral Directors Association to give instruction on applications and compliance with the Mortuary Transport statute and regulations.

They have also been asked to speak in Virginia in November. For all those that are worried about the budget, the out of state organization pays.

Mortuary transport class is every other month, as required. The next class is coming up October 28th at 1:00 pm here at the Metro Executive Building – 4201 Patterson Avenue for 3 CEU's that are required to become a mortuary transporter or mortuary transport company. The classes offered are the Mortuary Transport Regulations and The Human Dignity Act of 2012. The bondable letters for the mortuary transport services continue to be a problem, as the phone continues to ring from insurance companies. As it stands now we have not held back the permits, we have held back the actual licenses themselves. Transport companies that may operate are verifiable online until we can get everything straightened out.

We continue to get the medical examiners list for removal and there are still companies picking up that are not registered transport companies or establishments and as it has been announced, we will not be making courtesy calls any longer.

Ms. Arty wanted to thank all the participants that were present that served on the Ad-Hock committees. Those meetings allowed the Board members to explain the Board's view on the regulations. Once we get a date, there will be another Ad-Hock meeting for those same representatives and the Board.

EXECUTIVE COMMITTEE REPORT

No report.

FAMILY SECURITY TRUST FUND ADVISORY COMMITTEE

Gladys Sewell, Chair reported there is currently \$841,083.07 in the fund. The next Family Security Trust Fund Advisory Committee meeting will be scheduled once the calendar is reviewed.

*Mr. March noted Del. Sample Hughes joined the audience.

PRE-NEED COMMITTEE

In Mr. Newman's absence, Gladys Sewell reported the following. In reviewing the files, we are still addressing the issue of many firms not having the correct contracts, which is an ongoing problem 15-16 months after the statute went into effect. We will continue to address that and make sure the issues are being rectified.

FUNERAL ESTABLISHMENT / INSPECTION COMMITTEE REPORT

Jim Govoni, Chair reported on the following establishments.

Name Approval

Tuawana Pridgen is requesting name approval of Pridgen Funeral Home for a full service establishment. A motion was made and approved.

Glenda Freeman is requesting name approval of Freeman's Celebration Center for a proposed chapel space. A motion was made and approved.

Mortuary Transport Service

Mr. Govoni is requesting approval of Bishop-Hastings Funeral Home Mortuary Service of Selby, DE. A motion was made and approved.

Establishment

Black's Mortuary and Cremation Services, P.A. is requesting a restricted establishment operating out of Fletchers Funeral and Cremation Services. A motion was made and approved pending corrected forms.

LICENSURE COMMITTEE

Jim Govoni, Chair reported on the following applicants.

Apprentice

Mr. Govoni moved for approval of Jane Ostergaard for apprenticeship. A motion was made and approved.

Mr. Govoni moved for approval of Jewel Murray for apprenticeship. A motion was made and approved.

Mr. Govoni moved for approval of Andrew Osmeyer for apprenticeship. A motion was made and approved.

Mr. Govoni moved for approval of Joseph Tavormina for apprenticeship. A motion was made and approved.

Mr. Govoni moved for approval of Brittney Wood for apprenticeship. A motion was made and approved.

Mr. Govoni moved for approval of Bryant Barfield for apprenticeship. A motion was made and approved.

Mortician via Waiver

Mr. Govoni moved for approval of Mark Doods for approval of mortician via waiver of apprenticeship requirements. A motion was made and approved pending an interview.

Mortician

Mr. Govoni moved for approval of Sedale Greene. Mr. March recused himself from the vote. A motion was made and approved.

Crematory Operators

Mr. Govoni moved for approval of Richard Harvey for crematory operator. A motion was made and approved.

Mr. Govoni moved for approval of Robert Rankin for crematory operator. A motion was made and approved.

Mortuary Transporters

Mr. Govoni moved for approval of Raymond Hoffman III for mortuary transporter. A motion was made and approved.

Mr. Govoni moved for approval of Francis Szuba for mortuary transporter. A motion was made and approved.

Mr. Govoni moved for approval of Lisa Ann Nugent for mortuary transporter. A motion was made and approved.

Mr. Govoni moved for approval of Albert Demoss Jr. for mortuary transporter. A motion was made and approved.

Mr. Govoni moved for approval of David Hedges for mortuary transporter. A motion was made and approved.

Mr. Govoni moved for approval of William Bishop Jr. for mortuary transporter. A motion was made and approved.

Mr. Govoni moved for approval of Jeffrey Lathbury for mortuary transporter. A motion was made and approved.

Mr. Govoni moved for approval of James Lathbury for mortuary transporter. A motion was made and approved.

CEU COMMITTEE REPORT

Dr. Elzaree, Chair reported on the following CEU's.

Michelle Wiseman is requesting 6 CEU's for the 2nd Annual Continuing Education Symposium, February 2, 2016. A motion was made and approved.

Edward Ranier is requesting 3 CEU's for OSHA Prep-room and Removal Compliance at Ambrose Funeral Home, November 17th and 18th. (same course each night). A motion was made and approved.

Edward Ranier is requesting 3 CEU's for OSHA Prep-room and Removal Compliance at Barranco and Sons Funeral Home, November 20, 2015. A motion was made and approved.

NFDA is requesting 7 CEU's for NFDA Certified Crematory Operator Program Seminar, November 3-4, 2015 (same course each night). A motion was made and approved for 6 CEU's.

NFDA is requesting 8 CEU's for The Surpassing! Life: 52 Practical Ways to Achieve Personal Excellence – Open dates home study. A motion was made and approved for 6 CEU's.

Funeral CE's is requesting 2 CEU's for When Disaster Strikes Mass Fatalities & Community Impact. A motion was made and approved.

David Bednar asked approval for "Reviewing changes to the bloodborne pathogen standard, formaldehyde standard and hazard communication standard" for 1 CEU. A motion was made and approved.

OLD BUSINESS

We have all the information to input the data for individual ID's for the registered transporters. We are trying to come up with the funds for the program to import the information into the ID's. They will be put out by the first of the year. Tom Anderson continues to accept emails for transport inspections. Email Tom Anderson or Ruth Ann Arty when you think you will be in the area and for your convenience we will arrange to inspect in our parking lot of this building. If there are instances where there are going to be several vehicles or multiple funeral homes needing inspection, we will travel to you. Emails for group inspections should be sent directly to Ms. Arty.

NEW BUSINESS

Mr. March reported the Hindu Association asked the Board to look at the issue of permission to scatter cremains within the rivers of Maryland. This does not fall under the jurisdiction of the Board to give permission to place, what MDE has defined as solid waste, into our water systems. It is considered solid waste and MDE states it cannot be dumped in any body of water that is going to flow into the Bay and out to the ocean

LEGISLATIVE UPDATE

Mr. March reported the Board has been required to review our current regulations and to amend and adjust whatever regulations we have that are at least 10 years and older. In the last 6-7 months this Board has reviewed, not only the regulations that are 10 years and older, but all of our regulations to determine whether or not they are applicable to today's way of operating, as well as in compliance with the current statutes. We met with five associations to review two chapters of our regulations that needed to be amended. We had previously received a letter from the Secretary stating they were going to put a moratorium on any changes of regulations, and all changes had to be in by October 23rd, which gave us less than a month. We disseminated the two regulations that were under consideration for amendment to all licensees we have an email for, and we met on October 13th in an open meeting to discuss them. We received comments back from MSFDA, SCI and Tri-County. The Board members decided not to put the establishment chapter before the Board for vote, giving the Board more time to digest the comments that had been made. We will move forward on this once the moratorium is lifted. However, the other regulations that were under consideration were the complaint procedures, on which we got very few comments. Mr. March passed out the copies of the complaint procedures and opened the floor for discussion. A motion was made and approved for the revised complaint regulations as printed. This Board will be addressing

the pre-need regulations due to major changes to the statute. We will be able to make the amendments to our pre-need regulations to comply with the new statute.

AJOURNMENT

Pursuant to Maryland State Government Article, Annotated Code § 10-501 et. Seq., on a motion by Victor C. March, President, and Seconded, the Board unanimously voted to close its meeting.