

# Maryland State Board of Morticians

SPRING, 2007

## MESSAGE FROM THE PRESIDENT

Greetings,

At this writing it is May 14, 2007—where has the time gone. The legislative session kept us busy and we are happy to announce the Governor has signed HB 457—FUNERAL DIRECTOR LICENSE into law. This will go into effect on October 1, 2007. Also we are nearing the completion of adopting regulations on Supervising Mortician responsibilities; ownership disclosure of funeral homes to the public; and tightening up on preneed and insurance regulations. This has been a long process. The crematory regulations we submitted were tabled but we look forward to exploring new approaches in the year ahead.

Last Wednesday, at the May Public Session of our Board, the following officers were elected for the year 7/1/07—6/30/08:

Mike Ruck Sr— President  
 Brian Haight—1st Vice President  
 Gladys Sewell—2nd Vice President  
 David Hovatter—Secretary

President-Elect Ruck will share his vision for next year and his committee assignments at our June 13, 2007 meeting. All are welcome to attend.

In closing, it has been a pleasure to serve as President the past two years. I look forward to pursuing my new responsibilities as Secretary for the Board.

Thank you.  
 David

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## 2007 LEGISLATIVE UPDATE

**It's official!**

Beginning in October, 2007 the Board's new name will be:

**The Board of Morticians and Funeral Directors.**

**House Bill 457 and Senate Bill 756** proposed by the Board in collaboration with delegates Ali and Rosenberg was passed by the legislature. This bill will allow the Board to issue a new type of license which does not require hands-on embalming training. The new Funeral Director license does not allow the licensee to provide embalming services. A Morticians license which provides hands-on embalming training is still required to provide embalming services. Thank you to all who contributed to the success of this important legislation.

### Morticians License Requirements

1. Associate of Arts degree in Mortuary Science or its equivalent from a school accredited by the American Board of Funeral Service Education; and
2. Complete an apprenticeship of 1,000 working hours in a Maryland licensed funeral establishment under the direction of a licensed Mortician; and
3. Assist with 20 funeral arrangements and 20 embalmings during the apprenticeship; and
4. Pass the National Board Examination; and
5. Pass the State Law and Practical Exam.

### Funeral Director's License Requirements

1. Associate of Arts degree in Funeral Services or its equivalent from a school accredited by the American Board of Funeral Service Education; and
2. Complete an apprenticeship of 1,000 working hours in a Maryland licensed funeral establishment under the direction of a licensed Mortician or Funeral Director; and
3. Assist with 20 funeral arrangements during the apprenticeship; and
4. Pass the National Board Examination; and
5. Pass the State Law and Practical Exam. (The Practical Examination will be modified.)

### Board Members

David Hovatter  
 Board President

Michael Ruck, Sr.  
 1st Vice President

Gladys Sewell  
 2nd Vice President

Faye Peterson  
 Secretary

### Members at Large

Donald Borgwardt  
 Michael Kruger  
 Marshall Jones, Jr.  
 Vernon Strayhorn, Sr.  
 Brian Haight  
 Robert Bradshaw, Jr.  
 Rev. Henry Green

## Welcome

### Apprentices

Gina Elizabeth DeAngelis  
 Christianna Marie Bonk  
 Diane M. Gnade  
 Joseph Paul Lotz  
 Kenneth J. Robinson  
 Thomas D. Fletcher, III  
 Randall Kenneth Ramsey  
 Diane Donaldson  
 Shawn Christopher Aylesworth  
 Renee Lee Adams

### Morticians

Henry Deaudrey Randall  
 Barbara Ann Collins  
 Jacqueline E. Roane  
 Karen Howell-McPherson  
 Angela A. Koerber  
 Melanie Ann Tindale  
 Kaitlin M. Zaffaroni  
 Michelle C. Sharpe  
 Brian R. Molinaro  
 Eugenia C. Vincent

### Board statistics

Courtesy card holders: 99  
 Morticians: 871  
 Funeral Directors: 17  
 Surviving Spouse: 11  
 Corporations: 58  
 Funeral Establishments: 286  
 Funeral Service Business: 5



## Cultural Competency

The Board voted unanimously at the March 14, 2007 meeting to highlight the need for cultural competency classes. The Board's policy is as follows: *"The Board will allow cultural competency classes to be considered as acceptable continuing education for licensure renewal so long as those courses can be linked to the appropriate practice of mortuary science. Furthermore, the Board will make information on cultural competency courses available to all licensees."*

The Board believes that licensees should be aware of cultural competency issues. Understanding and respecting other cultures and religious beliefs is a necessary component to providing meaningful services and satisfied clients. Be sure to keep the importance of cultural competency in mind as you review the approved continuing education classes posted on the Web. There are a number of courses offered which will enable you to work even more effectively in cross-cultural situations.

## Conflicts regarding Final Disposition

The Board of Morticians cannot make a determination regarding disposition when a family is in conflict. The funeral establishment's attorney should be informed of the problem.

The Clerk of the Circuit Court can be called upon to make decisions regarding disposition issues. Notify the Clerk of the Circuit Court in the county of the decedent. Though getting a court order may delay funeral arrangements, this intervention may be the best possible course of action.

## An Update on the Budget

This fiscal year, the Board has had a number of unexpected expenses. The cost of new law books was significant. The Board also ordered new stationery and new licenses. A significant amount of money has been spent on court reporters and transcription fees this year. However, the most costly expense has been the costs associated with the Institute of Justice lawsuit. These expenses have meant that the Board has expended more money than it took in. Luckily, the Board has a fund balance which will be used to pay the deficit. Let's hope for a balanced budget next year!

## Legislative Update

### Sunset Bill

**SB 781** –State Board of Morticians-Sunset Extension and Program Evaluation sailed through the Senate. This bill continues the State Board of Morticians in accordance with the Maryland Sunset Law by extending its regulatory and statutory authority until July, 2018. Unfortunately, the House voted the bill down. Consequently, the Board's Sunset Bill will come before the General Assembly once again next year.

**HB700**—The Board did not take a position on this bill. The bill requires that local departments pay funeral expenses for specified funerals where the expenses remain under 2,500.00. The Senate did not act upon this bill.

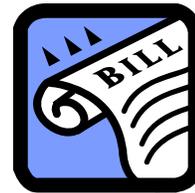
**HB 1410** –The bill was written by both Maryland Associations. This bill would have created a trust fund which would have reimbursed losses incurred by pre-need consumers due to the wrongdoing of licensees of the Board. The legislation proposed that funeral homes pay a two year annual fee of \$100.00 which would be deposited into a family security trust fund. The Board supported this bill with amendments. The Board believes that the bill would have helped assure the protection of the citizens of Maryland if their pre-need funds were misappropriated.

The Board's major amendments (which were seconded by the Associations) included:

- An annual fee of \$375.00 for every funeral home until the fund reached \$500,000.00

- Fees incurred by the fund would be paid for out of the fund
- The annual preneed audit mandated by the Board would be eliminated.

The concept of a family security trust fund has been explored during previous legislative sessions. Though the bill was not passed this year the concept of the trust fund will continue to be studied and discussed by the Board.



### From the Executive Director

John F. Kennedy once said: "Change is the law of life, and those who look only to the past or present are certain to miss the future."

This Legislative Session legislation was passed that will change the way the Board operates. Funeral director's licenses will be issued to new applicants who meet all the requirements.

Other legislation, such as developing a Family Security Trust fund, didn't pass this year but is certainly something that the Board will continue to explore.

The Board submitted regulations to regulate crematories that are on the grounds of a funeral home. Those regulations have been set aside for further study. I am certain that the regulation of crematories will continue to be an issue of concern for the Board of Morticians and the general public.

New regulations have been proposed concerning pre-need issues, ownership of funeral homes, and supervising morticians. The Board hopes that these regulations will soon become law.

It has been an eventful Legislative Session. Change is in the air! The Board looks forward to the new opportunities to come.

Laurie

### PUBLIC ORDERS

PAUL STELLA  
PAUL STELLA FUNERAL HOME  
Summary Suspension on 11/29/06

ANTHONY WARD JR.  
Letter of surrender on 4/4/07

EUGENE LASTNER  
License on Probation; 1 year, effective 3/26/07–  
3/26/08

JOHN SKILES  
JOHN SKILES FUNERAL HOME  
License on Probation; 1 year, effective 4/11/07–  
5/11/08

CHESTER WISE  
License on Probation; 1 year, effective 1/10/07–  
1/10/08



## STATE OF MARYLAND

### Board of Morticians

## DHMH

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#### Board Staff:

Laurie Sheffield-James  
Executive Director

LouAnn Cox  
Administrative Officer

Larry Blickman  
Health Occupations Investigator

Joan James  
Office Secretary

Grant Gerber  
Board Counsel, AG's Office

## Did You Know?

- **The Transplant Resource Center** of Maryland offers a reimbursement program which provides morticians the opportunity to receive a tax credit for extra supplies needed to properly embalm a donor after bone recovery. The tax credit totals \$345 for the preparation of a bone donor. However, if the tax incentive is used, the mortician must agree not to charge donor families for any additional expenses.

- The Board of Mortician's monthly meeting begins at **10:30 a.m.** the second Wednesday of every month. Information on Board meetings can be found on:

[www.dhmh.state.md.us/bom](http://www.dhmh.state.md.us/bom)

The website has information on laws and regulations. Also, please note that Public Session minutes and approved Continuing Education Units are also on the Web.

- The Board welcomes the Reverend Henry Green to the Board. Rev. Green has been appointed to

fill one of the Board's consumer vacancies. The Board is still in need of consumer members, though, so if you know of someone who is not in the funeral business and is able to volunteer at least one day a month, please have the interested party call the Board office.

- **Funeral Service Business**

If a funeral service business has an arrangement with a funeral establishment that includes anything other than embalmings, a restricted establishment license will be issued. The restricted license will be determined by the lease agreement between the funeral service business and the funeral establishment.

### **FINES LEVIED FOR THE LATE-FILING OF ANNUAL PRE-NEED REPORTS !**

**In an effort to bring all funeral homes into compliance with regard to the annual preneed report, licensees who file their preneed report for 2006 later than June 15, 2007 will be fined. No grace period will be allowed. If a licensee files the report late and does not use the Board's form, an additional fee will be charged to the licensee.**