

**MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS
OPEN SESSION MINUTES
JUNE 12, 2013**

The meeting was called to order at 11:00 a.m. with a quorum by Dr. Hari P. Close, President

BOARD MEMBERS PRESENT

Hari P. Close, President
Michelle Huggins, 1st Vice President
Robert Bradshaw, Jr., 2nd Vice President
Lauri Cebula-Seaboch, Secretary
D. Lynn Newman
Victor C. March, Sr.
Keith R. Downey
Renee Derketsch
Ahmed Elzaree
Vernon Strayhorn, Sr.

STAFF

Ruth Ann Arty, Executive Director
Darlene Cline, Licensing Chief
Thomas Anderson, Health Occupations Inspector
Lisa Woods, Office Secretary III
Richard Bloom, Board Counsel

ADMINISTRATIVE REPORT

Ms. Arty reported the State still has not approved funds for the replacement of our copier, scanner, fax machine. There will be no public meeting in the month of August. The next meeting will be July 10th and then September 11th.

The vacant compliance position will be unfrozen and will be advertised in about a week. The position for the inspector will go from contractual to full time and it has also been unfrozen.

The Board has not yet paid the outstanding claim against the Family Security Trust Fund. It is an internal state matter, not a Board matter. The State banking system is trying to figure out how to withdraw the funds.

The Board announced we would have a meeting regarding the committee Ms. Arty asked to be formed by volunteers, members of the Board and staff on the pending legislation for what must occur with pre-need funds and notices to consumers when a sole owner of a

funeral establishment passes. The Board only received one call, if interested, please e-mail Ms. Arty. The meeting will be held July 9th.

Ms. Arty will be going on vacation; therefore calls will not be answered from the Board cell phone as she will be out of the country. Ms. Cline will be available on the Board's telephone number to answer calls or direct them to the appropriate Board member in Ms. Arty's absence.

This week the Board received information that a licensee alleged racial discrimination by the staff. Ms. Arty takes great exception to that. It was alleged that Ms. Arty and Ms. Cline charged a \$400.00 late fee for license renewal to the Black licensees and \$200.00 to the White licensees. Ms. Arty passed out the May, 2012 open session minutes reflecting Ms. Arty asking the Board to consider lowering the \$400.00 fee for late mortician's applications to \$200.00 for the licensees that had completed the application on time, but omitted photos since this was the 1st cycle requiring photographs. Ms. Arty stated she thought it unfair that they pay \$400.00 along with the people that didn't bother to apply at all. Consequently, the Board adopted Ms. Arty's recommendation and carried it out. Sixty percent of the people that paid \$200.00 were white and forty percent were black. Ms. Arty also stated during the time of renewal the staff did not know anyone's race unless previously known. The reason we were charging \$200.00 is because we did not have photos.

APPRENTICE COMMITTEE REPORT

Ms. Cebula-Seaboch, Apprentice Committee Chair, interviewed the following applicant for apprenticeship.

Ms. Cebula-Seaboch moved for approval of Michael Demarest for apprenticeship. A motion was made and approved.

CONTINUING EDUCATION COMMITTEE REPORT

Mr. Downey, Chair stated the committee met and had been working on the new application for CEU course approval, and finalized it yesterday. The Committee will take it to the full Board in closed session. To summarize, there will be a \$100.00 vendor fee for all applications. There will also be a \$25.00 non-refundable course fee for all new courses presented to the Board for approval. All applications must be completed properly. Once the full Board approves the courses, they will be posted on the website. Ms. Arty recommended the \$25.00 course fee be for the first course and that it decrease \$20.00 for each course to a minimum of \$5.00. Mr. Downey said he would take it to the full Board.

EXECUTIVE COMMITTEE REPORT

No report.

FAMILY SECURITY TRUST FUND COMMITTEE REPORT

Ms. Cebula-Seboch, Chair reported there is a total of \$606,708.07 currently in the fund.

FUNERAL ESTABLISHMENT INSPECTION COMMITTEE REPORT

Ms. Huggins, Chair reported on the following on behalf of the Establishment Committee.

Charles and Michael Kacorowski seek approval for a restricted establishment license for Kacorowski Funeral Home, P.A., 615 Bradford Street. A motion was made and seconded by the Board, pending signage.

Kirk Blake requested name approval for Blake Memorial and Cremation Service, operating out of Marzullo Funeral Chapel. A motion was made and seconded by the Board.

There is an update from the Victor C. March Sr. of March Life Tribute Center in Laurel, who previously applied for a full service establishment license. At the Committee's recommendation, March Life Tribute Center in Laurel will instead be issued a restricted license for arrangements, viewings and services operating out of March Funeral Home West until work is completed at the Laurel location. A motion was made and seconded by the Board. Mr. March abstained from voting.

LEGISLATIVE AND REGULATION COMMITTEE REPORT

No report.

PRE-NEED COMMITTEE REPORT

Mr. Newman, Chair reported the Pre-need Committee reviewed inspections. The Committee looked and the biggest problem is still ownership of insurance policies. Some of the funeral establishments that were in violation corrected their paperwork, but there are still a few the Board is working with.

OLD BUSINESS

The Pre-need Death Notice Committee

The Pre-need Death Notice Committee will be forming when Ms. Arty returns from vacation. She is asking for one representative from each organization and any consumer groups that wish to sit on that committee to contact her. We have Board members that are willing to sit. We would like 5-6 people on that committee.

Cremation Regulation Update

There was a joint committee with representatives of all associations and owners of crematories to discuss the cremation regulations and they all agree on the same language and sent them downtown to be promulgated.

Pre-need Attorney General's Opinion

The Board has spent a lot of time talking to legal counsel, the Attorney General's Deputy Chief Counsel and the Opinions Office. They are discussing their individual interpretation of the law, how it will affect the industry and their own business. We should have some interpretation by the Board by September or October in the public session.

Transportation Regulations

Transportation regulations are posted. Ms. Arty will be answering all comments by the end of the month.

Out-of-State Inspections

The Human Dignity Act of 2012 refers to a body with a Maryland death certificate leaving the State for preparation or storage in an out of state funeral home and returning to this State for final disposition. The Board has conducted several of the out of state inspections and have many requests mostly from Delaware and Pennsylvania. We did inspections in West Virginia before we ceased the inspections. The Bill did not move forward, however the law still stands. The Board decided to cease out of state inspections until we get final input from the Attorney General's Office.

Ms. Huggins announced the new slate of officers. The new President is Victor C. March, Sr., 1st Vice President, Michelle Huggins, 2nd Vice President, D. Lynn Newman and Secretary, Lauri Cebula-Seboch.

NEW BUSINESS

Ms. Cebula-Seboch moved for approval of Mortician's license via waiver of apprenticeship, transferring from courtesy card for William Fredlock III. A motion was made and approved by the Board.

Ms. Cebula-Seboch moved for approval of Mortician's license for Emily Murphy. A motion was made and approved by the Board.

Ms. Cebula-Seboch moved for approval of Mortician's license for Jennifer Perini-Morrison. A motion was made and approved by the Board.

FYI

Ms. Arty was asked by the Board to coordinate the exchange of the gavel. Dr. Close has been president for five years. The gavel will be passed in the July meeting. Ms. Arty asks that everyone send a word regarding Dr. Close.

ADJOURNMENT

Pursuant to Maryland State Government Article, Annotated Code §10-501 et seq., on a motion by Mr. Close, President, the Board unanimously voted to close its meetings in room 100 for the purpose of complying with the Maryland Morticians Act that prevents public disclosures about particular proceedings or matters. The Board will address complaints and disciplinary issues.

Respectfully submitted:
