

MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS

OPEN SESSION MINUTES

MARCH 14, 2018

The meeting was called to order by James Govoni, President with a quorum. Mr. Govoni called for approval of the February 2018 minutes. A motion was made, seconded and approved. Mr. Govoni reported this weekend was the last weekend for CEU classes sponsored by the Anatomical Services Division of the University Of Maryland School Of Medicine, Ronn Wade. The class is scheduled for March 17, 2018. Doors open at 7:00 am, and the class is from 8:00 am – 12:30 pm. Registration at the door is \$65.00 per seminar, which includes parking. Details of this event was sent in a blast email and is posted on the Board's website.

As a reminder, in the January 2018 meeting, the Board reiterated 9 online/electronic credits are permissible for renewal, only 3 are needed in person for this renewal cycle ending 4/30/2018.

The renewal applications, along with instructions for online renewal were mailed out to licensees on Monday. Please look for them in the mail. There is a notation along with the letter that instructs if you wish to renew online, you certainly can. Please feel free to submit the documentation with your paper renewal along with your check, or do it online and fill in the information for renewal, for licensure, for your CEU's in that format

BOARD MEMBERS PRESENT

James Govoni, President

Mark Bailey, 1st Vice President

Dr. Camille Bryan, Ed. D, 2nd Vice President

Bob Bradshaw, Secretary

Victor C. March

Wayne Cooper

Lynn Shuppel

Michele Kutta

STAFF

Richard Proctor, Interim Executive Director

Thomas Anderson, Health Occupations Inspector

Eula Gautreaux, Licensing Chief

Carla Boyd, Board Counsel

ADMINISTRATIVE REPORT

ABSENT BOARD MEMBERS

Dr. Ahmed Elzaree

D. Lynn Newman

Kathy Blue

Interim Executive Director, Richard Proctor reported the Board office redesign was completed February 21, 2018. We now have to assess that redesign to see if any changes are necessary, however it is working well right now.

The Board approved CEU courses through February 14, 2018 and they are now posted to the Board's website.

Mr. Proctor is personally working with the mortuary transport companies regarding verifying registered transporters, assimilation of the photo id's, verifying transporters still working for assigned companies, and reconciling information for the companies. Mr. Proctor has taken the lead on that.

Inspections have gone well since the last Board meeting. Our inspector has been out as often as his schedule permits, and we are catching up on inspections.

One additional reminder, financial disclosure statements are due April 30, 2018.

EXECUTIVE COMMITTEE REPORT

Mr. Govoni, Chair reported the Committee met to confer with Board Counsel to take our position to the full Board for a vote for permission from me to state the Committee's position on SB1000.

FAMILY SECURITY TRUST FUND ADVISORY COMMITTEE

Lynn Shuppel, Chair reported there is \$1,070,022.95 currently in the fund.

PRE-NEED COMMITTEE REPORT

No report.

ESTABLISHMENT COMMITTEE REPORT

Mark Bailey, Chair reported on the following establishments.

Mortuary Transport Permit

Mr. Bailey moved for approval of Mid Atlantic Removal Service LLC for mortuary transport permit. The motion was seconded and approved.

Establishments

Mr. Bailey moved for approval of Compassion and Serenity Funeral Home. The motion was seconded and approved.

LICENSURE COMMITTEE REPORT

In D. Lynn Newman's absence, Mr. Govoni reported on the following applicants.

Apprentices

Mr. Govoni moved for approval of Cora Parrish of McComas Funeral Home for apprenticeship license. The motion was seconded and approved.

Mr. Govoni moved for approval of Taylor Laura Evans of Charles E. Evans Funeral Chapel and Cremation Services for apprenticeship license. The motion was seconded and approved.

Mr. Govoni moved for approval of Kari Lynne Benton of Hines –Rinaldi Funeral Home for apprenticeship license. The motion was seconded and approved.

Mr. Govoni moved for approval of Trudy-Ann Tiffany Riley of Fort Lincoln Funeral Home for apprenticeship license. The motion was seconded and approved.

Morticians

Mr. Govoni moved for approval of John Paul Watts for Mortician’s license. The motion was seconded and approved.

Mr. Govoni moved for Brandon Rashad McNair for Mortician’s license. The motion was seconded and approved. During the vote, Victor March recused himself from the vote.

Mr. Govoni for approval of Melanie Boney for Mortician’s license. The motion was seconded and approved.

Crematory Operators

Mr. Govoni moved for the approval of Kenyatta Clinton of Joseph H. Brown Funeral Home for Registered Crematory Operator. The motion was seconded and approved.

Mr. Govoni moved for the approval of Kendall West of Salisbury Crematory-Holloway Funeral Home for Registered Crematory Operator. The motion was seconded and approved.

Registered Transporters

Mr. Govoni moved for the approval of William B. Jackson of Alvin’s Anointed Hands for Registered Transporter. The motion was seconded and approved.

Mr. Govoni moved for the approval of Brittney Mauk of Anatomy Gifts Registry for Registered Transporter. The motion was seconded and approved.

Mr. Govoni moved for the approval of Charles Hamilton of Anatomy Gifts Registry for Registered Transporter. The motion was seconded and approved.

Mr. Govoni moved for the approval of Antoinette Roseborough of Anatomy Gifts Registry for Registered Transporter. The motion was seconded and approved.

CONTINUING EDUCATION UNITS COMMITTEE

Dr. Camille Bryan, Chair moved for the approval of 17 CEU’s. The motion was seconded and approved. Dr. Bryan also wanted to remind everyone that all approved CEU’s will be posted on our website. Mr. Govoni stated that Board website will be updated with all CEU’s for this cycle. Mr. Govoni also reminded everyone only 3 in person CEU’s were required for license renewal, and 9 may be done online.

OLD BUSINESS

Mr. Govoni, President reported, existing establishments do not need to pay in the Family Security Trust Fund this year at renewal, it will be on the Boards website. Only new establishments pay into the fund.

The Anti-Trust, well known as the North Carolina Dental, legislation and implementation. Regulations implementing Senate Bill 517 under 2017 legislative session, were published February 2, 2018 in the Maryland Registry the comment period ended March 5, 2018. Public hearing to date has not been

schedule. Ms. Boyd stated there were no comments during the comment period. The regulation is currently in the process of getting signatures from the OAH and the Secretary's office. We anticipate the final regulation will be published in the March 30, Maryland Registry.

The printing of the Transporter ID's is coming along, they are currently being processed and mailed out.

NEW BUSINESS

Mr. Govoni, President reported morticians license renewal process is on its way. It is important to remember, all licensees that have 40 years or more of licensure are exempt for all CEU's, including the Maryland Pre-Need Law. If you have 40 years of licensure by this renewal period, you may submit a letter to the Board requesting to be exempt.

Mr. Govoni also wanted to remind everyone renewal stickers are small and often mistake for junk mail, please do not throw them away.

LEGISLATIVE UPDATE

Mr. Govoni reported on HB288, Health Occupations- Power of the Secretary -Boards and Commissions. The hearing was held in Health Occupations and Government Operations February 1, 2018 with no vote to date.

The new bill introduced is SB 1000, Funeral Directors, Morticians, and Crematory Operators- Disposition of Body by Cremation- Requirement and Liability, effecting funeral directors, morticians and crematory operator's disposition of body by cremation requirements. The hearing is to be held in Senate Finance Committee March 15, 2018. The Board's executive committee met today, then held a short closed session with the full Board to get a vote to allow Mr. Govoni and other Board members to appear tomorrow for the Board hearing in Annapolis. Our position is that we are in opposition.

The primary reason is that SB1000 language attempts to change language of a registered crematory operator to a practitioner. That is not legal in our definition of a practitioner under Title 7 for mortuary science. Our registered crematory operators which we share oversight of with Office of Cemetery Oversight, who permit two Crematories, is a 5-hour course. Morticians and funeral directors are required to have a college course, and in some cases an associate degree, an apprenticeship of one year and 1000 hours. We strongly oppose elevating a title of a crematory operator to practitioner. We feel it will confuse the public, and make them believe that a crematory can accept their love one without any involvement by a licensee or an establishment, and therefore it will add confusion.

The second part is that in SB 1000 there are two Titles, in 5 and in 7, that already permit persons, under their own pen, to make an authorization for cremation for themselves, witnessed by 2 people, that suffices. Practitioners of mortuary science and funeral directors should be aware that in the law it allows them to accept a pre-arranged application, funded or otherwise for the disposition of one's own body by any means. So if a person has an application with 2 witnesses that sign it, that state they wish to be cremated, it doesn't go into lineage. Next of Kin, or any other person. cannot overturn that unless they go to court and prove there is good reason.

The third part is, at the end of the Bill, (Mr. Govoni stated this is his language, not the bill's or the Board's). It's essentially in there to prevent the ability of the public to attempt to sue a practitioner, for recourse. Under Board Counsel, and others, we don't believe that's enforceable, anyone can sue anybody. So with that said, it creates an even further burden of confusion for what a person might learn, or ascertain. It also doesn't help a mortuary science practitioner, from doing their job as they hold with their hold with their license, already able to do these things. So our position is we oppose this legislation.

Regulation Update

Title 28 Office of Administrative Hearings.

Subtitle 04- Review of Decisions and Actions of Health Occupation Boards and Commissions, Code of Maryland Regulations (COMAR 21.04.01) published February 2nd edition the Maryland Registry.

Comment period ended March 5, 2018, public hearing was not scheduled.

Title 10-Maryland Department of Health

Subtitle 29 – Board of Morticians and Funeral Directors, COMAR 10.29.15 published in January 19, 2018 edition of Maryland Registry. Comment period ended February 20, 2018, a public hearing has not been scheduled.

ADJOURNMENT

Pursuant to Maryland State Government Article, Code § 10-501 et. Seq., on a motion by James Govoni, President, and seconded, then the Board unanimously voted to close its meeting.