

MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS

OPEN SESSION MINUTES

June 10, 2020

1. **CALL TO ORDER/GREETINGS:** Board President, Dr. Mark Bailey called the meeting to order at 1:00 pm and welcomed everyone to the open session.

Board Members Present: Dr. Mark Bailey, President; Michele Kutta, 1st Vice President; Robert Lang, 2nd Vice President; Kirk Helfenbein, Secretary; Dr. Ahmed Elzaree; Dr. James Kalshoven; Robert Bradshaw; Melanie Oppat; Brandon Wylie.

Board Member Absent: Sheria Jennings and Suzana Kuriadom

Board Staff Present: Christy Collins, Executive Director; Zakiyyah Holmes, Licensing Coordinator; Thomas Anderson, Health Occupations Inspector; Lillian Reese, Legislative and Regulations Coordinator; Bethan Haaga, Esq., Board Counsel

May 13, 2020 Meeting Minutes: Michele Kutta made a motion, which was seconded by, Robert Bradshaw and the Board unanimously approved the minutes as written.

2. **PRESIDENT'S REMARKS:**

Dr. Bailey reminded licensees the proper protocol for filing death certificates within the EDRS system: within 24 hours for a physician signature, and within 72 hours for Funeral Homes. If funeral homes are filing after 72 hours and/or experiencing difficulty, please contact the Division of Vital Records to ensure death certificates are being processed in a timely manner.

Dr. Bailey encourages licensees to continue to process their renewals as soon as possible, highlighting online renewals will continue to remain open until further notice.

3. **ADMINISTRATIVE REPORT:**

Executive Director Collins reminded everyone MDH Metro Executive building is not open to the public. This included all vehicle inspections and package drop-offs. All applications or inquiries should be submitted by regular mail, email, or by phone. Executive Director Collins confirms the best way to contact the Board staff is by email at MDH.BOMFD@maryland.gov. Executive Director Collins announced the Board staff continues to be on limited office hours, and that the Board staff office hours are: Tuesday and Thursday, 8am – 4pm. Please ensure all required certificates for CEUs (12) are submitted to the Board Office. We still have approximately 147 licensees that have not submitted CEUs. Executive Director Collins announced that any licensee attending the virtual meeting is eligible for 1 CEU. Those interested need to submit their name, license number, and telephone number used to dial into meeting.

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4. COMMITTEE REPORTS:

- a. **Executive Committee:** Dr. Bailey announced the budget report is still pending some numbers, and currently has a deficit of approximately \$26,000.00. Dr. Bailey encouraged all licensees to complete license requirements as soon as possible to avoid any delays. Currently, 442 licensees have been renewed and approximately 68 licensees are still pending renewal. Dr. Bailey announced Ms. Michele Kutta will be reporting on an alternative measure for the Jurisprudence exam.
- b. **Family Security Trust Fund:** Chair Dr. James Kalshoven reported that the Family Security Trust Fund balance is \$1,131,155.14. Dr. Kalshoven noted an increase of \$515.27, well above our mandatory base. Dr. Bailey reminded everyone the mandatory base is \$1,000,000.00; therefore, existing funeral homes do not have to pay into the Family Security Trust Fund. Please note all new establishments will continue to pay the initial \$375.00.
- c. **Pre-Need Committee:** Chair Robert Bradshaw: No report.
- d. **Establishment Committee:** Chair Kirk Helfenbein reported on the following:
 - Old Business: None.
 - New Business: None.
 - New Establishment: None.
 - New Restricted Establishment: None.
- e. **Licensure Committee:** Chair Michele Kutta reported on the following:
 - Old Business: None.
 - New Business: Effective May 18, 2020 amendments to COMAR 10.29.02, 10.29.05, 10.29.09, 10.29.17, 10.29.18 have gone into effect.
 1. Chair Michele Kutta highlighted COMAR 10.29.09(b1) Requirements for Apprenticeship include: **20 embalmings** and **20 funeral assists**. **COMAR 10.29.17 (6b-c)** Crematories - Permit, Licensing, and Fees to qualify as a trainer, the supervisory crematory operator (c) shall have a minimum of **3 years** experience on the associated cremator and (b) provide a notarized letter by the supervising crematory operator for which the individual is employed indicating the completion of training on the cremator.
 2. Chair Michele Kutta announced due to the COVID-19 building

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closure of MDH Metro Executive Building, the Board office has reported approximately 20 applicants are pending to take the Jurisprudence exam. Chair Michele Kutta volunteered to provide the Jurisprudence exam at her work establishment at no cost to the state. Board Counsel and the Ethics Commission has provided her with approval. Dr. Bailey highlighted that 7-304(b) states, the Board shall give examinations to applicants twice each year, at the times and places the Board determines. Motion was made by committee, seconded by Robert Lang, and the Board unanimously approved the Jurisprudence exam to be provided at John M. Taylor Funeral Home, proctored by Chair Michele Kutta.

3. Chair Michele Kutta provided information about an applicant that has applied for a mortician's license. The applicant's file has been recreated due to the original file not being available due to administrative error. The outstanding items for the file are the Jurisprudence and practical exams. Dr. Bailey has recused himself due to his statement of witnessing the applicant taking Jurisprudence and practical exam. Motion was made by committee, seconded by Robert Lang, and the Board unanimously approved the information presented for applicant to receive a mortician's license.

Apprentice: Chair Michele Kutta presented the following apprenticeship applications for approval:

1. Matthew Claypoole; Sponsor: Duane Bartley; Evans Funeral Chapel. Motion was made by Michele Kutta, seconded by Robert Bradshaw, and the Board unanimously approved the issuance of an apprentice license.
2. Sabrina Mattocks; Sponsor: Michelle Wiseman; Wiseman Funeral Home, PA. Motion was made by Michele Kutta, seconded by Robert Lang, and the Board unanimously approved the issuance of an apprentice license.

Apprentice Change of Sponsor: Chair Michele Kutta presented the following apprenticeship change of sponsor applications for approval:

1. Benjamin Stallings, Sponsor: Gregory Karpman; Donaldson Funeral Home, PA. Motion was made by Michele Kutta, seconded by Robert Bradshaw, and the Board unanimously approved the issuance of apprentice change of sponsor.
2. Jewel Tatuem, Sponsor: Bennie Smith; Bennie Smith Funeral

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Home. Motion was made by Michele Kutta, seconded by Robert Bradshaw, and the Board unanimously approved the issuance of apprentice change of sponsor.

Mortician: Chair Michele Kutta presented the following applicants for mortician for approval:

1. Zhaden Myster, Henry Funeral Home. Motion was made by Michele Kutta, seconded by Robert Lang, and the Board unanimously approved the issuance of a mortician license.
2. Jessica Gitlin. Motion was made by Michele Kutta, seconded by Robert Bradshaw, and the Board unanimously approved the issuance of a mortician license.

Funeral Director: Chair Michele Kutta presented the following applicants for funeral director for approval:

1. Rachel Gulley, Jolley Memorial Chapel. Motion was made by Michele Kutta, seconded by Robert Lang, and the Board unanimously approved the issuance of a funeral director license.

Mortician by Waiver of Apprenticeship: Chair Michele Kutta presented the following applicants for mortician via waiver for approval:

1. None.

Crematory Operator: Chair Michele Kutta presented the following applicants for crematory operator permit for approval:

1. None.

Registered Transporters: Chair Michele Kutta presented the following applicants for registered transporters for approval:

1. Akil Godsey, Mid-Atlantic Removal Services. Motion was made by committee, seconded by Robert Bradshaw, and the Board unanimously approved the issuance of a transporter registration.

Courtesy Card: Chair Michele Kutta presented the following applicants for courtesy card for approval:

1. None.

Reinstatement: Chair Michele Kutta presented the following applicants for reinstatement for approval:

1. None.

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Personal Representative: Chair Michele Kutta presented the following applicants for personal representative for approval:

1. None.

- f. Continuing Education Units Committee: Chair Melanie Oppat reported on the following:

The following educational offerings are considered automatically approved pursuant to COMAR 10.29.05.03:

1. Dignity University, SCI Management - Online (1.00 – 2.00 CEUs)
 - a. Back Safety
 - b. Bloodborne Pathogens
 - c. The Cremation Consumer
 - d. Complaint Resolution
 - e. Cremation Theory
 - f. Defensive Training
 - g. Effective Communication Skills
 - h. Effective Employee Counseling
 - i. Effective Supervision
 - j. Fire Safety
 - k. Forklift Safety
 - l. Formaldehyde Awareness Training
 - m. FTC – Funeral Rule Course
 - n. Funeral at-need Contracts
 - o. Hazard Communication
 - p. Hearing Protection
 - q. Hiring, Training, Retaining
 - r. Hospice Explained
 - s. Identification Procedures
 - t. Jewish Funeral Traditions
 - u. Lockout/Tagout
 - v. Managing change
 - w. Office Safety
 - x. Performance Management
 - y. Respiratory Protection
 - z. Workplace Diversity
 - aa. Workplace Harassment

Chair Melanie Oppat presented the following continuing education credits for approval: Melanie Oppat made a motion, seconded by Michele Kutta, and the Board unanimously approved the following continuing education credits:

1. Initial OSHA Training, David L. Bednar, CFSP – Date: Various (3CEUs)

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2. Victor March Sr., March Funeral Homes – April 21, 2020
 - a. Maryland Preneed Law and The Family Security Trust Fund (2CEUs)
 - b. Forfeiture of Rights (1CEU)

g. **Legislative Committee:** Dr. Bailey reported on the following:

Old Business: Dr. Bailey reported on the following:

1. Maryland Department of Health Secretary, Robert R. Neall signed into legislation: COMAR 10.29.02 Examination, 10.29.05 Continuing Education, 10.29.09 Requirements for Apprenticeship, 10.29.17 Crematories – Permit, Licensing, and Fees, and 10.29.18 Crematories – Inspections, Complaints, Investigations, Ground effective May 18, 2020. Please review updated regulations on the Board website.
2. Dr. Bailey highlighted the Legislative Committee will continue to work with Board Legislative Coordinator, Lillian Reese, on the Board approved post nominals added to a Licensees name: LM – Licensed Mortician and LFD – Licensed Funeral Director.

New Business: Dr. Bailey reported on the following:

1. Dr. Bailey reported a few items that are still pending and the Board will provide update as soon information becomes available: removal of requirement for storm drains and apprenticeship.

5. **OLD BUSINESS:** Dr. Bailey reminded funeral homes if they are in need of PPE equipment, please reach out to their local health departments for guidance and additional requests.

NEW BUSINESS: Dr. Bailey encouraged licensees to continuously review Governor, local government, and the Board's websites for all updates and latest information.

6. **UPCOMING REMINDERS:** Dr. Bailey announced reminders of the following:

- a. 2020 License Renewals will remain open online. Reminder all 12 CEUs will be accepted from online classes temporary approved on March 13, 2020.
- b. Next Board Meeting – July 8, 2020, 1:00 p.m., Conference Room# 106 (pending building reopening).
- c. Jurisprudence Exam – Suspended, but possible alternative will be implemented in July. Please continue to watch website for updates.
- d. Practical Exam – Suspended until further notice.

7. **ADJOURNMENT:** Dr. James Kalshoven made a motion for adjournment, seconded by Melanie Oppat, and with no objection, the meeting was adjourned at 1:35 p.m.