

**MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS  
OPEN SESSION MINUTES  
DECEMBER 14, 2016**

The meeting was called to order with a quorum at 1:03 p.m. by Victor C. March, President.

**BOARD MEMBERS PRESENT**

Victor C. March, Sr. President  
Lynn Newman, 1<sup>st</sup> Vice President  
James Govoni, 2<sup>nd</sup> Vice President  
Gladys Sewell  
Robert Bradshaw, Jr.  
Mark Bailey  
Dr. Ahmed Elzaree  
Wayne Cooper, Esq.  
Lynn Shuppel, CPA  
Camille Bryan, Ed.D.

**ABSENT BOARD MEMBERS**

Vernon Strayhorn, Sr, Secretary

**STAFF**

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

**ADMINISTRATIVE REPORT**

Ms. Arty began by wishing everyone happy holidays. We are at the end of establishment and family security trust fund renewal. For those of you who renewed and paid the family security trust fund, thank you, for those that have not, we are here to help you figure it out. Ms. Arty also thanked the Morticians and Funeral Directors Association for inviting Ms. Arty to teach an ethics course. It was the first time Ms. Arty has given this course which made for a lively and involved evening. Ms. Arty and Mr. March hope that other groups will want to engage with the Board over pondering some ethics questions. After Board last month, the Board taught transportation regulations and The Human Dignity Act of 2012, and the next class is scheduled for December 20, 2016.

Between the last Board meeting and today, Tom Anderson has been all around the state doing vehicle inspections and the turnout was very good.

For anyone who subscribes to the Funeral Director magazine, in the November, 2016 issue there is an article regarding Victor March, our Board President who is runner up nationally for Funeral Director of the Year.

**EXECUTIVE COMMITTEE REPORT**

No report.

## **FAMILY SECURITY TRUST FUND ADVISORY COMMITTEE**

Lynn Shuppel, Chair reported there is currently \$1,063,150.70 in the fund. Mr. March reminded everyone there was a decision made last month to continue to collect the \$375.00. Understanding it would take us over the one million, but it would allow there be no future assessments for some time. We are going to have claims that are going to be paid from that trust, and not until it drops below the one million mark will there need to be an assessment to the establishments. There was a decision to collect the full amount knowing it would go above the million dollar mark.

## **PRE-NEED COMMITTEE**

Gladys Sewell, Chair turned the meeting over to Ms. Arty. Ms. Arty reported there are a lot of assignment forms from insurance companies sent to the Board for approval to accept. The Board does not approve assignment from private insurance companies. The statute is very clear, funeral homes cannot be the beneficiary of anyone's private insurance policy. Two years ago for that purpose, the Board wrote an assignment form for irrevocable accounts, so people could spend down and it would be legal. That form is on our website and is available for use. If the insurance deny it and send you their form we could not opine whether you should accept it or not, but we can remind you that if it gives ownership rights or names you to be the collector of all monies as the beneficiary you probably shouldn't sign it. If you have a problem with a particular case and it is keeping a consumer from spending down and being eligible for long term care the Board will assist you in getting through to the legal department of those companies. Once we have spoken to the insurance companies, no one has ever said they can't use our form.

## **ESTABLISHMENT/INSPECTION COMMITTEE REPORT**

Mark Bailey, Chair, reported on the following establishments.

### **Crematory Permit**

Mr. Bailey moved for approval of Heaven Bound Cremation Services LLC, 4445 Crain Highway, White Plains, Maryland. A motion was made and approved.

Mr. Bailey moved for approval of Precious Memories Funeral Home and Cremation Services, David Taylor, P.A. 4445 Crain Highway, White Plains, Maryland. A motion was made and approved.

### **Mortuary Transport Permit**

Mr. Bailey moved for approval of Wells Night Watchman Mortuary Transport. A motion was made and approved.

Mr. Bailey reported license renewal ended in November, however we are still facing approximately 40 establishments that were non-compliant, which means the establishment failed to execute all of the required documents, submit a fee or sent in an incomplete application. This puts those 40 establishments in a situation of coming up on the deadline of December 15, 2016. The Board has extended itself to allow establishments to hand carry the documents to allow the establishments to be compliance. Some of the establishments, however, have been less than gracious in the way they have been communicating with the Board staff. The Board staff is here to assist funeral directors, when they are making calls, they are doing it as a courtesy. So when communicating with staff, Mr. Bailey suggests funeral directors use extreme discretion.

## **LICENSURE COMMITTEE REPORT**

Jim Govoni, Chair reported on the following establishments.

### **Apprentice**

Mr. Govoni moved for approval on the following apprentices.

Mr. Govoni moved for approval of Cullen Donaldson's extension of apprenticeship. A motion was made and approved.

Mr. Govoni moved for approval of Jessica Gitlin with Richard Gates as sponsor from Francis J. Collins Funeral Home P.A.. A motion was made and approved.

Mr. Govoni moved for approval of Lance Frati with Louis Fiorucci, Jr as his sponsor from R.T. Foard Funeral Home, P.A. A motion was made and approved.

### **Mortician**

Mr. Govoni moved for approval of Robert Farrah for reactivation of his mortician's license. A motion was made and approved.

Mr. Govoni moved for approval of Sherronda Coates (Alexander) for reinstatement of her mortician's license. A motion was made and approved.

Mr. Govoni moved for approval of Audrey Coder for her mortician's license. A motion was made and approved.

Mr. Govoni moved for approval of Tabitha Tully-Bishop for her mortician's license. A motion was made and approved.

### **Mortuary Transporters**

Mr. Govoni moved for approval of Shawn Wells of Wells Night Watchman Mortuary Transport. A motion was made and approved.

Mr. Govoni moved for approval of Ralph L. Brown. A motion was made and approved.

## **CONTINUING EDUCATIONS UNITS COMMITTEE**

Dr. Camille Bryan, Chair reported on the following CEU's.

David L. Bednar – 2017 Annual OSHA Training – 2 CEU's. A motion was made and approved pending dates.

David L. Bednar – Reviewing the Changes to the Bloodborne Pathogen Standard, Formaldehyde, STD & Hazard Communications – December 8, 2016 – 1 CEU. A motion was made and approved.

Matthews International C/O Peter Buck – Plant Tour – 1 CEU. A motion was made and approved pending final dates.

Matthews International C/O Peter Buck – The Beauty, Characteristics and Value of Enduring Metals Used in the Art of Casket Assembly – 1 CEU. A motion was made and approved pending final dates.

Matthews International C/O Peter Buck – 10 Essential Steps for Families Selecting Cremation Tour – 1 CEU. A motion was made and approved pending final dates.

Matthews International C/O Peter Buck – Funeral Home Professional Communications Skills – 1 CEU. A motion was made and approved pending final dates.

Matthews International C/O Peter Buck – Millennials – 1 CEU. A motion was made and approved pending final dates.

Matthews International C/O Peter Buck – Moving from Grieving to Remembrance – 1 CEU. A motion was made and approved pending final dates.

Matthews International C/O Peter Buck – The Beauty, Characteristics and Value of American Wood Used in the Art of Casket Assembly – 1 CEU. A motion was made and approved pending final dates.

Maryland State Funeral Directors Association – MSFDA’s 98<sup>th</sup> Annual Convention – June 26-29, 2017 – 10.25 CEU’s. A motion was made and approved.

NFDA – Are you Secure? No You’re Not! Digital Security and You –January 12, 2017 – 1 CEU. A motion was made and approved.

NFDA – Defend Your Business A Guide to Funeral Crematory Cemetery – January 26, 2017 – 1 CEU. A motion was made and approved.

NFDA – Reinventing Your Funeral Home: Five Keys to Sustained Profitability – February 9, 2017 – 1.5 CEU’s. A motion was made and approved.

CANA – CANA’s 2017 Cremation Symposium – February 7-9, 2017 – 10 CEU’s. A motion was made and approved.

CANA – CANA’s 2017 Crematory Operations Certification Program – Various dates and CEU’s. A motion was made and approved.

Dr. Hari P. Close – How to Avoid FTC Rule – February 24, 2017 – 2 CEU’s. A motion was made and approved.

Edward Ranier – OSHA/MOSH Funeral Home Compliance – January 11, 2017 – 3 CEU’s. A motion was made and approved.

ICCFCA – 2017 Wide World of Sales Conference – January 11-13, 2017 – 13 CEU’s. A motion was made and approved.

Regulatory Support Services, Inc – Cremation Procedures: Laws, Regulations, and Best Practices – Various dates – 1 CEU. A motion was made and approved.

Regulatory Support Services, Inc – The Funeral Fixer: FTC Compliance – Various dates – 2 CEU’s. A motion was made and approved.

Regulatory Support Services, Inc. - OSHA and the Workplace – Condition Green, Yellow or Red – Various dates – 2 CEU’s. A motion was made and approved.

Dr. Bryant also reported the Committee received a request for CEU’s for a board meeting. The Committee has determined since a one of our Board members cannot proctor the meeting it is not appropriate for a CEU.

### **OLD BUSINESS**

The proposed changes for the apprenticeship and Family Security Trust Fund regulations are moving forward and will soon be published and available for comment in the Maryland Registry on December 23, 2016.

The AG work group that has been working on the North Carolina Dental Board Issue has completed its work and submitted its recommendations to Legislative Services, who is working on that legislation through the AG’s office. A draft has gone forward. The legislation is to insure protection for Boards that are governing professions to ensure there is no anti-competitive nature or actions that are taken by the Board and that there is a review process that is designed to insure that potential issues that may be deemed anti-competitive, go through a process through the office of Administrative Hearings for their review and sign off, and then to the Secretary’s office for final review and sign off.

The Department of Legislative Services has completed the Sunset Review of the Maryland Board of Morticians and Funeral Directors. It is now public. Mr. March thanked those who participated in the survey.

October 1, 2016 licenses for crematory permits and mortuary transport services expired. It was the 1<sup>st</sup> renewal for both groups so they are not familiar with the licensing renewal process, and although they all got notification electronically, we want to be sure they understand the renewal process. All of the crematories renewed. With the mortuary transport service, 33 renewed and 1 closed, which leave 13 non-renewed. Some of those may wish to not to renew for various reasons, but some may not be aware that they are practicing without a license and need to renew their licenses. If that is the case we will help get them get into compliance.

Mark Bailey thanked everyone who participated in the food donation for the Maryland Food Bank. We took in approximately 40 cans.

### **AJOURNMENT**

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