

MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS

OPEN SESSION MINUTES

February 10, 2021

1. **CALL TO ORDER/GREETINGS:** Board President, Dr. Mark Bailey called the meeting to order at 1:03pm 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. James Kalshoven; Robert Bradshaw; Brandon Wylie; Melanie Oppat; Dr. Ahmed Elzaree, and Sheria Jennings.

Board Member Absent: Suzana Kuriadom.

Board Staff Present: Christy Collins, Executive Director; Zakiyyah Holmes, Licensing Coordinator; Demetrius Thompson, Interim Investigator/Inspector; and Regulations Coordinator; Bethan Haaga, Esq., Board Counsel

January 13, 2021 Meeting Minutes: Michele Kutta made a motion, which was seconded by Melanie Oppat, and the Board unanimously approved the minutes as written.

2. **PRESIDENT'S REMARKS:**

Dr. Bailey thanked everyone for their continued patience as the Board office ensures all licensing and regulatory needs are met daily. Dr. Bailey encourages everyone to continue monitoring the Board website for any additional updates as they become available. Dr. Bailey requested all licensees and permit holders update their current email address enabling them to receive communication emails as they become available.

3. **ADMINISTRATIVE REPORT:**

Executive Director Collins reminded everyone that the MDH Metro Executive building remains closed to the public. All applications or inquiries should be submitted by regular mail, email, or by phone. Executive Director Collins confirmed 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. The new regular Transport company vehicle inspections has been developed and will be conducted every other Tuesday by appointment only. Please register with the Board Office for all Transport company inspections. Executive Director Collins announced that our new interim investigator/inspector, Demetrius Thompson, will be in the field in the upcoming weeks. Executive Director Collins reminded everyone to continue to monitor the Board Website for any updates.

4. **COMMITTEE REPORTS:**

a. **Executive Committee:** Dr. Bailey reported the FY21 budget update: Revenue - \$441,143.53, Expenditures - \$164,388.95, and Fund Balance - \$276,754.58. Dr. Bailey announced the Green Bag Announcements for Board members for upcoming new fiscal year 2021-2022 will take place on February 19, 2021. Dr. Bailey reminded all Board members that financial disclosures are due April 30, 2021.

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b. Family Security Trust Fund: Chair, Dr. James Kalshoven, reported that the Family Security Trust Fund balance is \$1,137,411.20. Dr. Kalshoven noted an increase of \$1,186.43 from the previous month's report. Dr. James Kalshoven reported the new Family Security Trust Fund (FSTF) claim form has been added to the Board website under Consumer News and Updates.

c. Pre-Need Committee: Chair Robert Bradshaw reported the committee has no report at this time.

d. Establishment Committee: Kirk Helfenbein reported on the following:

New Establishment: None.

New Restricted Establishment: None.

Change of Ownership: None.

New Crematory: None.

Mortuary Transport Company Permit: Tailor-Made Funeral Solutions, LLC, MD; Owner: Clayton McLaurin, Jr. Motion was made by committee, seconded by Robert Bradshaw, and the Board unanimously approved the issuance of a new mortuary transport company permit.

Name Change Request: John O. Mitchell Funeral Services of Dulaney Valley, PA requested a name change to Dulaney Valley Funeral and Cremation Services (trade name). Motion was made by committee, seconded by Michele Kutta, and the Board unanimously approved the name change request.

e. Licensure Committee: Chair Michele Kutta reported on the following:

Old Business: Chair Michele Kutta stated the December 13, 2017 meeting minutes inadvertently omitted Mr. Brian Cable's approval for a mortician's licensure. The committee motioned to make an amendment to December 13, 2017 minutes to reflect Mr. Brian Cable approval of a mortician's license, seconded by Robert Lang, and the Board unanimously approved the amended December 13, 2017 meeting minutes.

New Business:

1. Chair Michele Kutta announced effective March 1, 2021; the online payment portal will open for the 2021 renewal cycle. Chair Michele Kutta stated the 2021 renewal application will be sent via regular mail on February 26, 2021. Chair Michele Kutta reminded everyone about COMAR 10.29.09.05 (b) Except as provided in this regulation, each licensee in the State shall submit, with the license renewal application, a list of a minimum of 12 CEUs each renewal period of continuing education course work

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approved by continuing education providers as set forth in Regulation .03 of this chapter, or the Board. The Board shall undertake a random audit of a certain percentage of licensees to determine CEU compliance.

2. Chair Michele Kutta stated that based on the amount of work needed to complete application processes, all application fees be nonrefundable. Committee made a motion for all licenses and permit fees be nonrefundable, seconded by Melanie Oppat, and the Board unanimously approved all licensing and permit fees are nonrefundable.

Apprentice: Chair Michele Kutta presented the following apprenticeship applications for approval (**denotes recusal by Dr. Mark E. Bailey):

1. Shayla Brooks: Sponsor: Jacqueline Roane; Joseph H. Brown Jr. Funeral Home. Motion was made by committee, seconded by Robert Lang, and the Board unanimously approved the issuance of an apprentice license.
2. Haley Hensler, Sponsor: Dr. Mark E. Bailey; Bailey Funeral Home and Cremation Service, PA. Motion was made by committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of an apprentice license. **
3. Aleshia Randall, Sponsor: Michele Brinsfield; Brinsfield Funeral Home, PA. Motion was made by committee, seconded by Robert Lang, and the Board unanimously approved the issuance of an apprentice license.
4. Nicole Thornes, Sponsor: Keith Downey; Holloway Funeral Home, PA. Motion was made by committee, seconded by Robert Lang, and the Board unanimously approved the issuance of an apprentice license.
5. Abigail Weidel, Sponsor: Brian Lewis; Hubbard Funeral Home. Motion was made by committee, 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 applicants for apprentice change of sponsor for approval:

1. None.

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

1. Alexis Lazaro, Duda-Ruck Funeral Home. Motion was made by committee, seconded by Robert Lang, and the Board unanimously approved the issuance of a mortician license.
2. Sydnie Sparzak, Hines Rinaldi Funeral Home. Motion was made by committee, seconded by Robert Lang, and the Board unanimously approved the issuance of a mortician license.
3. Jewel Tatuem, Bennie Smith Funeral Homes. Motion was made by committee, seconded by Robert Lang, and the Board unanimously approved the issuance of a mortician license.
4. Sydney Watts, Gasch's Funeral Home, PA. Motion was made by committee, seconded by Robert Lang, and the Board unanimously approved the issuance of a mortician license.

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

1. None.

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. Reginald Haskins; Elite Transport LLC. Motion was made by committee, seconded by Robert Lang, and the Board unanimously approved the issuance of a transporter registration.
2. Clayton McLaurin; Tailor Made Funeral Solutions, LLC. Motion was made by committee, seconded by Robert Lang, and the Board unanimously approved the issuance of a transporter registration.
3. Michael Miller; J.J. Hartenstein Mortuary Inc. Motion was made by committee, seconded by Robert Lang, and the Board unanimously approved the issuance of a transporter registration.
4. Hannah Snider; J.J. Hartenstein Mortuary Inc. Motion was made by committee, seconded by Robert Lang, and the Board unanimously approved the issuance of a transporter registration.
5. Dwayne Woodard; EC Whitaker Company. Motion was made by committee, seconded by Robert Lang, 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. John Allen Anderson, Hunter-Anderson Funeral Home, WV. Motion was made by committee, seconded by Robert Lang, and the Board unanimously approved the issuance of a courtesy card license.

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

1. None.

Personal Representative:

1. None.

Surviving Spouse:

1. None.

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

Old Business: Chair Melanie Oppat reminded all licensees if they would like to receive 1 CEU credit for attending today's virtual meeting please email your name and license number to our Board Office at mdh.bomfd@maryland.gov.

New Business: Chair Melanie Oppat announced the vendor continuing education (CEU) form has been updated. Committee made a motion, seconded by Robert Lang, and the Board unanimously approved the updated vendor CEU form.

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

National Funeral Directors Association (NFDA): Date - Various Online.

1. *Various Online Learning Courses* (1.0 - 6.0 CEUs)

2. *Various Home Studies* (2.0 - 10.0 CEUs)

Practicum Strategies (34 repeating courses): Date - 2021 Various Online.

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

WebCE (repeating courses): Online

1. Bloodborne Pathogens (3.0 CEUs)

2. Communicating Effectively with Seniors (2.0 CEUs)

3. Conflict Resolution for Funeral Directors (3.0 CEUs)

4. Cremation Prearrangement Conference Best Practices (2.0 CEUs)

5. Ethical Business Practices for Funeral Directors (2.0 CEUs)

6. Final Expense Insurance (3.0 CEUs)

7. Funeral Customs with Military Honors (2.0 CEUs)

8. Funeral Personalization and Family Engagement (3.0 CEUs)

9. High Risk Direct Disposal: Lessons Learned Ebola Outbreak (2.0 CEUs)

10. Intercultural Burials (5.0 CEUs)

11. Managing Grief: A Guide for the Funeral Professional (5.0 CEUs)

12. Maryland Mortuary Transport Services (1.0 CEUs)

13. OSHA Emergency Action Plans for Funeral Professions (2.0 CEUs)

14. OSHA Practice Standards for Funeral Professions (4.0 CEUs)

15. OSHA Workplace Rights (2.0 CEUs)

16. Public Speaking for Funeral Directors (5.0 CEUs)

17. Top 5 Things They Didn't Teach in Mortuary School (2.0 CEUs)

18. Understanding Maryland Pre-Need Law (1.0 CEU)

19. Understanding Social Security: Case Studies for Funeral Directors (4.0 CEUs)

20. When Disaster Strikes: Mass Fatalities and Community Impact (2.0 CEUs)

21. Working Ethically with Seniors (5.0 CEUs)

22. Modern Funeral Home Management (3.0 CEUs)

- g. **Legislative Committee:** Chair Sheria Jennings reported on the following:

Old Business:

1. Letter of Support was submitted 1/19/2021

SB180/HB604: Funeral Establishments and Crematories – Unclaimed Remains of Veterans – Notification, Disposition, and Reporting

New Business: Legislative 2021 Bill Review

1. HB1006 – Health Occupations – Service Members, Veterans, and Military Spouses

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– Temporary Licensure, Certification, and Registration: Committee recommends support with amendments to address proof of military status, proof of licensure in other states, and proof the military servicemember or military spouse resides in the State of Maryland. Committee made a motion, seconded Robert Lang, and the Board unanimously approved to submit a letter of support with amendments.

2. HB756 Office of Legislative Audits – Acceptance and Investigation of Allegations of Fraud, Waste, and Abuse – Committee recommends no position and has no fiscal impact. Committee made a motion, seconded by Robert Bradshaw, and the Board unanimously approved the position.

5. **OLD BUSINESS:** Dr. Bailey reminds everyone the Board and the Governor have written a letter concerning COVID-19 vaccine disbursement. Dr. Bailey encourages everyone to review the Board website to review.

NEW BUSINESS: Dr. Bailey reminded all licensees to submit the 12 required Continuing Education Credits (CEUs) to avoid any delays in receiving their new licenses.

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

- Next Board Meeting – Wednesday, March 10, 2021, 1:00 pm, Virtual, Google Meets
- Jurisprudence Exam – Tuesday, April 6, 2021
- Practical Exam – Thursday, April 8, 2021
- 2021 Mortician License Renewals
 - Online portal available March 1, 2021/
 - Paper renewal applications will be sent February 22, 2021 via regular mail.
 - Please review updates to COMAR 10.29.09.05 concerning CEU submission.

7. **CLOSING STATEMENT:** At this time the Board, Board Counsel, ED, and staff will be moving to our Administrative and closed session on this day February 10, 2021 at 1:49p.m. The Board will discuss matters not subject to the Open Meetings requirements contained in the General Provisions Article, Section 3. In particular, the Board will be discussing:

- 1) disciplinary matters, application deficiencies, and complaints which are required to be kept confidential pursuant to Gen. Prov. 3-305(b)(2) which protects the privacy of individuals, and COMAR 10.31.01.05 which provides that Board investigations are confidential.
- 2) vacancy selection for Office Secretary III, which is a personnel matter to be discussed in closed session pursuant to Gen. Prov. 3-305(b)(1).
- 3) paperwork required to be filed by board members, which is an administrative function to which the Open Meetings Act doesn't apply, per Gen. Prov. 3-103(a)(1).

8. **ADJOURNMENT:** Kirk Helfenbein made a motion for adjournment, seconded by Robert Lang, and with no objection, the meeting was adjourned at 1:50 p.m.