

MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS

OPEN SESSION MINUTES

April 14, 2021

1. **CALL TO ORDER/GREETINGS:** Board President, Dr. Mark Bailey called the meeting to order at 1:02pm 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; Jessica Terry, Office Secretary; Lillian Reese, Legislative and Regulations Coordinator; Bethan Haaga, Esq., Board Counsel

March 10, 2021 Meeting Minutes: Michele Kutta made a motion, which was seconded by Dr. James Kalshoven, and the Board unanimously approved the minutes as written.

2. **PRESIDENT'S REMARKS:**

Dr. Bailey welcomed everyone to the open session and wishes everyone a happy spring season.

3. **ADMINISTRATIVE REPORT:**

Executive Director Collins reminded everyone that the MDH Metro Executive building remains closed to the public. Points of contact for the Board Office include mail: 4201 Patterson Ave. Baltimore, MD 21215, phone: 410-764-4792, Fax: 410-358-6571, and email: MDH.BOMFD@maryland.gov. The online portal is open for all morticians' renewals. Executive Director Collins reminds those seeking exemption from the CEU requirements after practicing more than 40 years that this is not automatically granted. Please do not forget to submit a letter requesting a 40-year exemption. Please register with the Board Office for all Transport company inspections. Executive Director Collins announced that a new website for The Maryland State Board of Morticians and Funeral Directors' will go live on Thursday April 22, 2021.

4. **COMMITTEE REPORTS:**

a. Executive Committee: Dr. Bailey reported the FY21 budget update: Revenue - \$574,370; Expenditures \$233,591.02; and Fund Balance \$340,778.98. Dr. Bailey discussed extensions on renewal fees, which currently apply for FY20 and FY21 under the previous 2020 executive order which will expire on June 30, 2021. Dr. Bailey noted the repeal, executive order number 21-0309-03, which provides a "hard stop" date of June 30, 2021, there will be no 30-day grace period beyond this date. Dr. Bailey encourages those who have not yet renewed for FY20 and FY21 to renew as soon as possible to avoid any late fees. Dr. Bailey reminded everyone, aside from building employees, no one is permitted to enter the Board office building at this time. Please submit documents if possible, by certified mail due to recent reports of delays in regular mail delivery. Dr.

MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS

OPEN SESSION MINUTES

April 14, 2021

Bailey reminded all Board members that financial disclosures are due April 30, 2021. Dr. Bailey announced a website freeze is currently in place until April 22, 2021. During this time the website remains viewable only with no updates or changes allowed.

b. Family Security Trust Fund: Chair, Dr. James Kalshoven, reported that the Family Security Trust Fund balance is \$1,140,279.58. Dr. Kalshoven noted an increase of \$1,500.00 from the previous month's report.

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

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

Old Business: None.

New Business: Chair Kirk Helfenbein submitted a revised crematory inspection form for Board review and approval. The committee made a motion for the Board to accept the new form as written, with minor adjustments in formatting, seconded by Michele Kutta, and the Board unanimously approved the revised form.

New Establishment: None.

New Restricted Establishment: None.

Change of Ownership: Chair Kirk Helfenbein presented the following change of ownership applications for approval:

1. Myers-Durboraw Funeral Homes & Myers-Durboraw (Taneytown, MD), New Owner: James Schwartz; Supervising Mortician: David Meador. Motion was made by committee, seconded by Michele Kutta, and the Board unanimously approved the establishment change of ownership.
2. Myers-Durboraw Funeral Homes & Myers-Durboraw (Emmitsburg, MD), New Owner: James Schwartz; Supervising Mortician: David Meador. Motion was made by committee, seconded by Robert Bradshaw, and the Board unanimously approved the establishment change of ownership.
3. Myers-Durboraw Funeral Homes & Myers-Durboraw (Westminster, MD), New Owner: James Schwartz; Supervising Mortician: Justin Durboraw. Motion was made by committee, seconded by Robert Bradshaw, and the Board unanimously approved the establishment change of ownership.

New Crematory: None.

Mortuary Transport Company Permit: Chair Kirk Helfenbein presented the following mortuary transport companies for approval:

MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS

OPEN SESSION MINUTES

April 14, 2021

1. Chambers Mortuary Support Services, MD. Owner: Denzel Chambers. Motion was made by committee, seconded by Michele Kutta, and the Board unanimously approved the mortuary transport company permit.
2. Clarks Eastern Shore Transport Services, LLC., MD. Owners: David and Rebecca Clark. Motion was made by committee, seconded by Michele Kutta, and the Board unanimously approved the mortuary transport company permit.

Name Change Request: None.

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

Old Business: None.

New Business: None.

Apprentice: Chair Michele Kutta presented the following apprenticeship applications for approval (**denotes recusal by Brandon Wylie):

1. Jhonae Mitchell, Sponsor: Tiffany Cox; Joseph H. Brown, Jr Funeral Home, P.A. Motion was made by the committee, seconded by Robert Lang, and the Board unanimously approved the issuance of an apprentice license.
2. Phyllis Savage-Morris, Sponsor: Russell Fooks; Bennie Smith Funeral Home. Motion was made by the committee, seconded by Robert Lang, and the Board unanimously approved the issuance of an apprentice license.
3. Keisha Shird, Sponsor: Tuverla Livingston; Wylie Funeral Home, P.A. Motion was made by the committee, seconded by Robert Lang, and the Board unanimously issuance of an apprentice license. ***
4. Chauncey Wylie, Sponsor: Devin Conner, Wyle Funeral Home, P.A. Board member Brandon Wylie recuses himself. Motion was made by the committee, seconded by Robert Lang, and the Board unanimously issuance of an apprentice license. ***

Apprentice Change of Sponsor: Chair Michele Kutta presented the following applicants for apprentice change of sponsor for approval:

1. Melanie Hazzard: Sponsor Timothy Harman, Harman Funeral Home. Motion was made by the committee, seconded by Robert Lang, and the Board unanimously approved the change of sponsor.

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

1. None.

MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS

OPEN SESSION MINUTES

April 14, 2021

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

1. None.

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

1. None.

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

1. Ryan Evans, Sponsor: Steven East, Mitchell-Weidefeld Funeral Home. Motion was made for approval by the committee, seconded by Robert Lang, and the Board unanimously approved the issuance of a mortician license.

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

1. None.

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

1. Malaika Buchanan: Henry S. Washington & Sons Co. Inc., Washington DC. Motion for approval was made by the committee, seconded by Robert Lang, and the Board unanimously approved the issuance of a mortician license.

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

1. None.

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

1. Denzel Chambers; Chambers Mortuary Support LLC. Motion for approval was made by the committee, seconded by Robert Lang, and the Board unanimously approved the issuance of a transporter registration.
2. David Clark, Clarks Eastern Shore Mortuary Transport Services. Motion for approval was made by the committee, seconded by Robert Lang, and the Board unanimously approved the transporter application.

Surviving Spouse: Chair Michele Kutta presented the following applicants for surviving spouse for approval:

1. Anita Doda; Spouse: Victor Doda, Charles L. Stevens Funeral Home. Motion for approval was made by the committee, seconded by Robert Lang, and the Board unanimously approved the issuance of a surviving spouse license.

MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS

OPEN SESSION MINUTES

April 14, 2021

- 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 to please email their name and license number to our Board Office at mdh.bomfd@maryland.gov.

New Business: Chair Melanie Oppat submitted a revised Continuing Education Unit (CEU) spreadsheet for Board review and approval. The committee made a motion for the Board to accept form as written, seconded by Dr. Kalshoven, and the Board unanimously approved the revised document.

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

Funeral Directors & Morticians Association of Maryland, Inc.: 04/10/2021

1. *OSHA Safety Plans/Program*, Billie Watson Hughes, CFSP- (2.0 CEUs)
2. *Pre-need & Linage Seminar*, Victor March, CFSP - (3.0 CEUs)
3. *How to Deal with the Media*, Dr. Hari Close, II - (1 CEU)

International Cemetery, Cremation and Funeral Association: 05/17-21/2021

1. *2021 ICCFA Virtual Annual Conventions & Exposition* (15 CEUs)

National Funeral Directors Association (NFDA): 05/13/2021

1. *COVID-19 Prevention Programs and the Top 10 OSHA Violations* - (1 CEU)

Chair Melanie Oppat presented the following continuing education credits for approval: Committee made a motion, seconded by Dr. James Kalshoven, and the Board unanimously approved the following continuing education credits:

March Funeral Homes/Marcorp LTD: 4/22/21 & 4/25/2021

1. *Caring for Families and Caring for Yourself in a Pandemic* – (2 CEUs)

Pope Funeral Home, Edward Ranier: Repeated course. 04/21/2021

1. *OSHA Funeral Home Compliance and FTC* – (3 CEU)

Warfield – Rohr Casket Co., Andrew Osmeyer: Repeated course. Various dates.

1. *Background on Wood Species and Wood Casket Manufacturing* (3.0 CEUs)

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

Old Business:

1. Passed & effective 10/1/2021 - SB180/HB604: Funeral Establishments and Crematories – Unclaimed Cremains of Veterans- Notification, Disposition, and Reporting
2. HB 1006/SB 938 did not pass House or Senate Committees.

New Business:

1. None.

5. OLD BUSINESS: None.

NEW BUSINESS: Dr. Bailey shared his condolences with the Doda family concerning the passing of licensee, Victor Doda, Jr., Charles Stevens Funeral Home.

MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS

OPEN SESSION MINUTES

April 14, 2021

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

- Next Board Meeting – Wednesday, May 12, 2021, 1:00 pm, Virtual: Google Meets
- Family Security Trust Fund Open Meeting – Wednesday, May 12, 2021, Virtual: Google Meets
- Jurisprudence Exam – Tuesday, July 13, 2021
- Practical Exam – Thursday, October 7, 2021
- 2021 Mortician License Renewals
 - Online portal opened March 1, 2021.
 - Paper renewal applications sent on 2/24/2021.
 - 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 April 14, 2021 at 1:33p.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. Employment vacancy for an inspector/investigator, 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: Dr. Kalshoven made a motion for adjournment, seconded by Robert Lang, and with no objection, the meeting was adjourned at 1:34 p.m.