

**MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS
OPEN SESSION MINUTES
NOVEMBER 12, 2014**

The meeting was called to order at 11:30 am with a quorum of the Board by Victor C. March, Sr., President.

BOARD MEMBERS PRESENT

Victor C. March, President
D. Lynn Newman, 1st Vice President
Keith Downey, 2nd Vice President
Vernon Strayhorn, Sr., Secretary
Dr. Hari P. Close
Dr. Ahmed Elzaree
Gladys Sewell
James Govoni
Dr. Camille Bryan
Wayne Cooper

BOARD MEMBERS ABSENT

Renee Derketsch

STAFF

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

Mr. March called the meeting to order and approved October's minutes. Dr. Close made a motion that the October minutes be approved with corrections.

ADMINISTRATIVE REPORT

Ms. Arty started by acknowledging the veterans in the meeting. There has been additional training scheduled for the Human Dignity Act and Mortuary Transport Regulations here at the Board office. Also, Brian Burke sponsored a large seminar at Catonsville that was informative and well attended. We will continue to give trainings in the future, as new transporters are hired. There are currently 4 CEU requirements for licensure of transporters. Ms. Arty proposed the Board gives the trainings quarterly, and

if more are needed, Ms. Arty will adjust her schedule accordingly. Dates will be posted on the website. There is one more mortuary transport training scheduled for December 3, 2014 at 3:00pm.

It has been a very busy month at the Board. Ms. Arty thanked everyone who have gotten their applications in for renewal. This year the Board sent out reminder cards for renewal, and we posted the package for each renewal on the Board's announcement page. For the firms that did not pay the FSTF last renewal period or the late fee, there is nothing in the statute that give us any more latitude than to deny licensure in the future. There are currently 5 firms that remain on the list, two of those firms do not intend to renew, and they will be sent to central collections for the monies owed. The other three are applying for their establishment to be renewed, will not get renewed until the FSTF/late fees are paid.

Mr. Anderson has been working very hard on the transport inspections, unfortunately, we are about one month behind on approximately six firms that are due for inspection. Mr. Anderson will be caught up in the next month. The majority of the people have passed. There are some that need clarity on the regulations and some that don't understand their OSHA requirements. Mr. Anderson is working with them to correct the ones that could not pass. Mr. Anderson will be inspecting in all locations around the state again in January, which gives everyone two months' notice. OHCQ acknowledges that it is already state law that you must either be a permitted company with inspected passing vehicles or a funeral establishment with your own vehicles and employees in an inspected vehicle. There is no requirement in the law that you bring them ahead of when Mr. Anderson has a chance to get around to the whole state, which is once every two years. Therefore we are planning another cycle of inspections in January. Funeral establishments are welcome, and that will get stickers on all of their vehicles ahead of any inspection that might not be due for a year in a half. So that no one has a problem, those dates will be posted on the Board's website next week. Mr. Anderson is working with the locations to get permission to use them again.

Transport ID's

It is stated in the regulations that after the permits and the registration, we as a Board take the responsibility of ID's. Ms. Cline has been receiving the passport photos, and is working with the State to determine the best way to get the ID's out to the transporters. The Transport Regulations will begin to be enforced November 15, 2014, however no one will be held responsible for the ID's the Board has not issued. Those ID's will be distributed after establishment licensing is completed. We believe all licenses will be issued by January.

The Board Cell Phone

Ms. Arty encourages everyone who has any questions for the Board to contact the Board or text the Board cell phone. At the end of the day, Ms. Arty returns all text messages. Ms. Arty also asks that you call the office first, as she does not always have the cell phone on her hip. If she is not in the office, feel free to try the Board cell. Also, if anyone has a question, issue, comment, etc. for the Board, please call the Board office, not individual members of the Board. Mr. March requested Ms. Arty make that announcement. Ms. Arty will be out of town from 12/14 – 12/24, and therefore will not be returning any calls during that time. The Board cell phone number is 443-618-3040.

EXECUTIVE COMMITTEE REPORT

No Report

FAMILY SECURITY TRUST FUND ADVISORY COMMITTEE

Gladys Sewell, Chair reported there is currently \$722,208.07 in the fund.

PRE-NEED COMMITTEE

D. Lynn Newman, Chair reported the Committee was able to go over the majority of the inspections that Thomas Anderson presented. The Committee is noticing that on some of the pre-need statements the Family Security Trust Fund sentence is not printed. Also, there were several that were not having the client date their signature on the statement, and after talking with Board Counsel, it was decided to make the contract legal it must be dated. The Board is trying to be proactive by giving the licensees who have not done this time to do so. Mr. March also mentioned we need to emphasize those contractual issues in our pre-need training.

LICENSING COMMITTEE REPORT

Keith Downey, Chair interviewed the following applicants.

Apprentice

Mr. Downey moved for approval of Habibah Taalibdin for apprenticeship. A motion was made and approved.

Mr. Downey moved for approval of John Cofer for apprenticeship. A motion was made and approved.

Mr. Downey moved for approval of Jacqueline Wills for apprenticeship. A motion was made and approved.

Mr. Downey moved for approval of Michael Garrison, Sr. for apprenticeship. A motion was made and approved.

Mr. Downey moved for approval of Barbara Mochinal for apprenticeship. A motion was made and approved.

Mr. Downey moved for approval of Michael Wiener for apprenticeship. A motion was made and approved.

Mr. Downey moved for approval of Melanie Chongolola-Nestor for apprenticeship. A motion was made and approved.

Mortician via Waiver of Apprenticeship

Mr. Downey moved for approval for Mortician License via Waiver of Apprenticeship for John E. Robinson Jr. A motion was made and approved.

Morticians License

Mr. Downey moved for approval for Mortician License for Sherri Fredlock. A motion was made and approved.

Mr. Downey moved for approval for Mortician License for Jeffrey Gadow. A motion was made and approved.

Courtesy Card

Mr. Downey moved for approval for a Courtesy Card for Kathryn Webb. A motion was made and approved.

Crematory Operators

Mr. Downey move for approval for Crematory Operator for the following applicants.

David Kues

Thomas Galmore

Sharon Merano

Matthew Buscher

Melanie Dunaway

Jeffrey Dunaway

Melissa Francis

Frank Minnick

Scott Minnick, Jr.
Scott Minnick, Sr.
James Spicer

A motion was made and approved.

Mortuary Transporters

Mr. Downey moved for approval of Transporters for the following applicants.

Barbara Ann Marsiglia
Samuel Green

A motion was made and approved.

FUNERAL ESTABLISHMENT/INSPECTION COMMITTEE REPORT

Mr. Govoni reported on the following Establishments.

Crematories

The Potomac Valley Cremation Center to be restricted out of Harman's Funeral Home, P.A. A motion was made and approved.

Name Approval

Cullen Harris applied for name approval for Serenity Funeral & Cremation Services, P.A. by Cullen Harris restricted out of Chapman Harris Funeral Home. A motion was made and approved.

Mortuary Transport

Mid-Atlantic Mortuary Service for approval of Mortuary Transport Permit. A motion was made and approved.

CONTINUING EDUCATION COMMITTEE

Dr. Elzaree, Chair reported the following.

NFDA – Certified Pre-Planning Consultant Program October 29-30, 2014. Approved for 8 CEU's.

ICCFA – 2015 Board Wide Conference January 14-16, 2015. Approved for 11 CEU's.

Selected Independent Funeral Homes 2015 Gen. Seminar January 25-29, 2015.
Approved for 8.5 CEU's.

MSFDA Winter Retreat February 13-15, 2015. Approved for 5 CEU's.

NEW BUSINESS

Mr. March reported he, Ms. Arty, Ronn Wade and Marilyn Harris Davis met with the Deputy Secretary of Health DHMH to discuss the Ebola protocol. Ms. Arty reported the concern was there was not a protocol in place, and for that reason the Secretary's office looked at what the protocol might be if an Ebola patient died. Ronn Wade said he would take all that was donated to the state and make removals with his own staff. He would then bring them directly to the State Anatomy Board, register them, freeze them at five below zero, and hold them for two weeks to make claims possible. When that was forwarded to the Board, it was discussed there was no protocol for those not donating to the State, and that is what brought about the meeting with the Secretary's office. At that meeting it was decided what the protocol for all Ebola patients that die. Mr. Wade and his staff would pick up and make the removals, register, ID with the hospital, then move to the Anatomy Board and store at five below zero for 72 hours at which point final disposition could be made by either immediate cremation or immediate burial. If it is immediate cremation, Mr. Wade agreed that he would have them ready and in an alternative container for pick up, if it is an immediate burial, the funeral establishment would bring a sealer casket to the Anatomy Board to put the decedent into and take to the cemetery for burial. It was agreed they would be buried with a vault. There were several funeral establishments that would prefer not being involved, and for that reason, the Deputy ask that the Board compile a list of volunteer funeral establishments that would be willing. That list would not be distributed unless a family called one of the funeral homes in the State and that funeral home said they chose not to accept that type of decedent. Then they would be referred to the volunteer list. Therefore the Board would not be accused of steering to any firm. DC has written a protocol, and DC's Medical Examiners Board has asked any Ebola patient that dies in DC be contracted to a Maryland funeral home or a Maryland facility for cremation. The Board has discussed this in Committee and feels that if that is going to happen the DC's protocol will have to at least meet the requirements of the Maryland protocol or more. The Maryland protocol was shared with DC and their Medical Examiner and as a result they have written a stringent program. At this point the Board does not have an issue with bodies coming to a Maryland crematory, but feels the Secretary's office has the final say and will be forwarding that information. Ronn Wade will be giving a training on November 18, 2014 for his staff and anyone else that wants to be versed in the procedure for removal of the gear.

The Board received a letter asking for blessing or opposition to an online business that wants to come to Maryland, who currently operates in other areas of the country. The

request comes from a law office in Texas, and they operate The Georgia Domiciled Retail Funeral Merchandise Company. The Committee looked at the company, and they basically sell lots of merchandise including caskets, vaults, headstones and urns. They would like to advertise via means of television, newspaper inserts, mail drops and the company's website. They are requiring a membership with the company, which is named a legacy assurance membership. Although the Board sees the potential problems and hassles to licensees and The Board, legally we see no reason that they cannot do it.

LEGISLATIVE COMMITTEE REPORT

No report.

FYI

Ms. Arty reported electronic death certificates are going to be phased in which is a huge task. The Board has given vital records all of the licensed facilities and licensees of the State. As they phase it out, if you are not someone who is legal to sign a death certificate or a funeral establishment legal to file one you won't be on that list. Vital records is working with the Board to make it more difficult for unlicensed practitioners to file death certificates.

The Inspection Bill for immediate access to a prep-room is in effect. We have not had to use it but Thomas Anderson acknowledges that he may have to use it. So please make sure that your keys are hidden or combinations known.

The deadline for applying to sit on the Board is November 17, 2014. It is posted on the Board's website.

LEGISLATIVE AND REGULATION COMMITTEE REPORT

Ms. Arty reported the Board has submitted a bill that has to do with stays and the Secretary has signed it. There are two more bills that have been drafted by Ms. Arty and Kristen Neville. The first has to do with where care and custody begin and end for funeral establishments. The Board members would like clarification of the law. The second one is a cleanup bill on who may own a funeral establishment. The Board made a motion and seconded to submit both bills.

AJOURNMENT

Pursuant to Maryland State Government Article, Annotated Code § 10-501 et. Seq., on a motion by Victor C. March, President, Seconded by Dr. Hari P. Close, the Board unanimously voted to close its meeting.