

**MARYLAND STATE BOARD OF MORTICIANS AND FUNERAL  
DIRECTORS  
OPEN SESSION MINUTES  
OCTOBER 9, 2013**

The meeting was called to order at 11:00 am with a quorum present by Victor C. March, Sr., President

**BOARD MEMBERS PRESENT**

Victor C. March, Sr. President  
Michelle Huggins, 1<sup>st</sup> Vice President  
Lauri Cebula- Seaboch, Secretary  
Dr. Hari P. Close  
Renee Derketsch  
Keith Downey  
Dr. Ahmed Elzaree  
Robert Bradshaw, Jr.  
Vernon Strayhorn  
Gladys Sewell  
Michael Kruger

**BOARD MEMBERS ABSENT MEMBER**

D. Lynn Newman, 2<sup>nd</sup> Vice President

**STAFF**

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

Mr. March opened with the approval of the open session minutes. He also noted the minutes that have been approved for this quarter will be on the Board's website this week. He encourages everyone to review them.

Mr. March acknowledged and thanked Board member Robert Bradshaw, Jr. for the years of service he has given the Board and the citizens of Maryland. Gladys Sewell and Michael Kruger were introduced as the new Board Members. They were both previous members.

**ADMINISTRATIVE REPORT**

Ms. Arty started by mentioning it was Bosses Day and wanted to thank the Board members for being so easy to work with.

The Board has asked licensees for opinions and to share thoughts on regulations, to make their voices heard in open meetings. Recently we have gotten responses from the licensees in pre-need committee meetings, cremation committee meetings and the general

open meeting on transport and cremation. Ms. Arty also wants to thank those who make special trips for the open meetings.

We are at the last part of the cremation regulations. The Board's regulations have continued to be in sync with all the joint open meetings and committee meetings between OCO and the Board. Ms. Arty does not know if there are still differences, as she has not seen the OCO final version since the Attorney General's Opinion. Ms. Arty and others went to OCO's open meeting and put on the table what the Board discussed regarding the cremation regulations. We are down to a few issues. The Board finalized its version of the regulations with votes from the open meeting, which were consistent with the Board's previous discussions and votes. The things that may still be a problem are as follows: The retro fitting of the safety devices on older cremators. There is a slight difference on the issue of inspection; the Board would like unannounced inspections. OCO's regulations say unannounced, but there is a reference to the permit holders, (the owners) having to be present. The Board feels the owners are not always present. The Board also feels there should be a second level of regulations on the crematory operator, (technician) that is performing the process of cremation. OCO's statute does not support educational requirements, which is different from the Board's. The educational requirements which our statute supports, can not be supported by OCO at this time, and the law states we have to be identical. We have removed all references to the second level. We also have an educational issue. In our original regulations, it states a high school diploma or its equivalent would be needed, that has been removed. We have added the language that was offered by the body general. The new language takes out the requirement for high school diploma or equivalent, but it adds language that the permit holder must show proof of fluency and understanding of the regulations. The last issue that may be a problem is the issue of LLC's. LLC's are allowable at OCO, but not with the Board.

There may be an understanding by OCO that the free standing crematories not owned by licensees can sell pre-needs. This Board feels that is not true. Even crematories owned by morticians regulated by the Board can not sell pre-needs unless they own a funeral establishment.

The pre-need brochure was still on the Board's website, and needed to come off, as it was not consistent with the Attorney General's formal opinion that pre-needs are guaranteed, including cash advance items. The brochure will come down and Ms. Arty will commit to rewriting another within the next year.

There have been two bills that were introduced by the Board last year that passed the legislature and now have been signed by the Governor. There was one more introduced by The Association that has passed and been signed. One of the two bills introduced by the Board gives authority to discipline establishments as well as supervising morticians. The other is for apprentice sponsorship, funeral establishment licenses, restricted establishments, supervising morticians and how many establishments they could supervise.

## **HOLDING ROOMS**

This Board agreed they would lower the requirements in holding rooms only to eliminate the drain. Drains are still required in prep and embalming rooms. The Board has introduced a regulation to eliminate the floor drains in holding rooms.

### **APPRENTICE COMMITTEE REPORT**

Mr. Keith Downey, Apprentice Committee Chair, interviewed the following applicants for apprenticeship.

Mr. Downey moved for approval of Anthony Brayboy for apprenticeship. A motion was made and approved.

Mr. Downey moved for approval of Alexandra Jaeger for apprenticeship. A motion was made and approved.

Mr. Downey moved for approval of Byong (John) Cho for apprenticeship. A motion was made and approved.

### **EXTENSION OF APPRENTICESHIP**

Mr. Downey moved for approval of an extension of apprenticeship for Robert Sherman. A motion was made and approved.

Mr. Downey moved for approval of an extension of apprenticeship for Judith McComas. A motion was made and approved.

### **MORTICIANS LICENSE**

Mr. Downey moved for approval of a mortician's license for Mary Ann Rose. A motion was made and approved.

Mr. Downey moved for approval of a mortician's license for Justan Goldstein. A motion was made and approved pending paperwork.

Mr. Downey moved for approval of a mortician's license for Adam Turk. A motion was made and approved pending paperwork.

Mr. Downey moved for approval of a mortician's license for Yuri Kozik. A motion was made and approved.

### **MORTICIAN VIA RECIPROCITY**

Mr. Downey moved for approval of a mortician's license via reciprocity for Deidra O'Hara. A motion was made and approved.

### **MORTICIAN VIA WAIVER OF APPRENTICESHIP**

Mr. Downey moved for approval of a mortician's license via waiver of apprenticeship for Matthew Buscher. A motion was made and approved.

### **EXECUTIVE COMMITTEE REPORT**

No report.

### **FAMILY SECURITY TRUST FUND COMMITTEE REPORT**

Ms. Lauri Cebula-Seaboch, Committee Chair reported the current total of \$607,458.07. The Family Security Trust Fund is due this year even though it's not a licensure renewal year. Ms. Cline will send the notices out by the end of October. The next meeting for the Family Security Trust Fund Advisory Committee will be Tuesday, December 10, 2013.

### **FUNERAL ESTABLISHMENT/INSPECTION COMMITTEE REPORT**

Dr. Hari P. Close, Committee Chair reported on the following establishment.

Carlton C. Douglass Funeral Service, PA and Howell Funeral Home have provided proper paper work and the inspection is complete therefore Mr. Douglass has been issued a restricted license.

### **LEGISLATION AND REGULATION COMMITTEE REPORT**

Mr. Victor C. March, President accepted the report Ms. Arty gave in her Administrative report.

### **PRE-NEED COMMITTEE REPORT**

In Mr. Newman's absence, Ms. Arty reported the Pre-Need Committee has no report.

### **OLD BUSINESS**

The Transport Regulations have been resubmitted and signed off by the Secretary. They will be posted very soon for public comment.

Consumer Alliance is submitting a second bill. Brian Ditzler, Vice President and Director of Communication spoke about the two bills. The first bill states every time a pre-need is signed, the State of Maryland should be notified. He suggests a quarterly summary be done and sent to the Board. The second bill proposes if a funeral establishment has been entrusted with the care and custody of the human remains of a decedent who has a Maryland death certificate and will have final disposition in Maryland, they can only have the decedent prepared and/or stored in a Maryland facility that passes inspection by the Board.

### **FYI**

The Board has recently been introduced to funeral consultants. The Board plans to enter into a discussion as to what this actually means to establishments and consumers.

### **BOARD COUNSEL**

No report.

**AJOURNMENT**

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