

**MARYLAND STATE BOARD OF MORTICIANS AND FUNERAL DIRECTORS  
OPEN SESSION MINUTES  
SEPTEMBER 10, 2014**

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  
D. Lynn Newman, 1<sup>st</sup> Vice President  
Keith Downey, 2<sup>nd</sup> Vice President  
Vernon Strayhorn, Secretary  
Dr. Hari P. Close  
Gladys Sewell  
James Govoni  
Camille Andrea Bryan

**ABSENT BOARD MEMBERS**

Dr. Ahmed Elzaree  
Renee Derketsch  
Wayne A. Cooper

**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 began by calling the Board to order. The approval of July's open minutes was postponed due to a tape recorder malfunction,

**ADMINISTRATIVE REPORT**

Ms. Arty started by saying last month's meeting was a very important meeting regarding the Board's interpretation of crematories. Ms. Arty thanked Marilyn Harris –Davis and her staff, Deborah Rappazzo for joining the Board to do joint inspections of the initial crematories. We have been all over the state and tried to combine efforts so it's not just this Board or just OCO's opinion. We have come together where ever there were perceived problems. We will be voting some pending final inspection. It is mandated that all crematories be permitted by the State by October 1, 2014. This is the last Board meeting before the deadline, therefore anyone voted today can be issued a permit by October 1<sup>st</sup>. We have a list of crematories that can have permits with a full vote, we have a list of crematories that will be voted pending paperwork, or final inspection. The pending final inspections are not to be perceived as a problem with the crematories. It may be one that had very few issues, however we could not get back to them for the inspection. We intended to only do the inspections once, however, when inspected by OCO and The Board, only three crematories passed, so we didn't think it was a good thing to start a new program with a large majority of failing inspections. We did not leave violations and inspection reports, instead we gave everyone a list of things that were a concern so that they

would have a chance to correct them. Then we could go back and inspect on crematory tour number two. Out of the 2<sup>nd</sup> crematory tour, several other people passed, but not all, and some were not close. Most were very close and we tried to leave the ones that we couldn't get to, to places we know could easily pass for the end of next week so the licenses could all run together.

#### Mortuary Transport

We received four applications for mortuary transport that the Board will vote on today. We can address the transporters at another time, but the permits for these four companies have been looked at and will be voted today. Thomas Anderson has left a tentative schedule of places and times that the Board will inspect all vehicles that make removals in the State. Under the new regulations, all removal vehicles have to be passing, so the funeral establishments that are exempt from getting a permit, will still have inspections on any vehicles used for removal. To make that more efficient for the Board and more convenient for the licensee, the Board is setting up 4-5 locations on public state property where Thomas Anderson will be for full days. You may bring vehicles to the closest location. Mr. Anderson will be inspecting the vehicles and applying stickers if passed. The stickers are good for 2 years. If you don't make it to those locations, you will have to bring your vehicle to the Board for inspection.

#### Citizen's Advocacy Center

Secretary Sharfstein is sponsoring the Citizens Advocacy Center 27<sup>th</sup> Annual Meeting to be held in Maryland this year on October 23<sup>rd</sup> and 24<sup>th</sup>. The title of the Annual Meeting is Regulation through Collaboration. The Board is encouraging all licensees that want to attend.

#### Family Security Trust Fund

A reminder, the Family Security Trust Fund is due at the time of establishment applications. It is written into the statute that the Board can deny licensure to anyone that has not paid it.

#### Vehicle Inspections

The regulations say that removals in the state must be made by a vehicle that has been inspected and passed inspection in the state. Out of state funeral homes are exempt if they have a sister funeral home in the state and have produced their vehicles in this state for inspection. If you are an out of state funeral home with no sister establishment in Maryland, you are not exempt. An out of state establishment could apply for a mortuary transport permit, which is good for 2 years. It allows you to come and go to remove remains from this state. An out of state establishment could also hire a transport company in the state that has inspected vehicles and a permit. An out of state establishment could be a restricted establishment that is not bricks and mortar in this state, and would be exempt from additional fees, but not exempt from regulations and standards. Courtesy card holders can no longer pick up in this state.

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

Dr. Hari P. Close, Chair, reported on the following establishments:

#### New Business

Teah Funeral Service, P.A. Abraham Teah applied for a restricted license out of Gary P. March Funeral Home. A motion was made and approved pending corrected paperwork.

Richard Cody applied for a corporate license. A motion was made and approved by the Board.

James Thibadeau of Thibadeau Mortuary Service, P.A. applied for a full service license at their Gaithersburg location. A motion was made and approved.

#### Name Change

Tim Harman of Harman, Kenworthy and Minnick Funeral Home, P.A. requested a name change to Harman Funeral Home, P.A. A motion was made and approved.

#### Name Approval

Terry Austin is requesting name approval for a full service establishment – Terry A. Austin Funeral Home of Maryland T/A Terry A. Austin Funeral Home. A motion was made and approved.

The Committee recommends a stay to operate out of Phillips FH with an extension on her paperwork for Cynthia Galmore.

#### Mortuary Transport Service Permits

The following Mortuary Transport Services applied for licensure.

Watson Funeral Home-Millsboro, DE

Markwood Funeral Home Inc., Keyser, WV

Anatomic Gift Foundation T/A Anatomic Gift Registry & Cremation, Hanover, MD

Franker Removal Service, Towson, MD

A motion was made and approved for the four Mortuary Transport Services.

#### Crematory Permit

The following Crematories applied for licensure.

Rausch Crematory P.A.

Brinsfield-Echols Funeral Home P.A. (Crematory)

Mattingley-Gardiner Funeral Home P.A. (Crematory)

Salisbury Crematory

Carroll Cremation Inc.

All County Cremation Services Inc

Hagerstown Crematory

Scarpelli Funeral Home, P.A. (Crematory)

Evans Funeral Chapel-Bel Air, P.A. (Crematory)

Atlantic Crematory LLC

West Arundel Crematory Inc.

Baltimore/Washington Crematory, LLC

Rose Hill Services, LLC

R.T. Foard Funeral Home, P.A. (Crematory)

Stauffer Crematory  
The Cumberland Crematory

A motion was made and approved for the 16 Crematory Permits.

Crematories Pending Final Inspection

Chesapeake Crematory LLP  
Smithsburg Crematory  
Hilltop Service Corporation (Crematory)  
All Faiths Crematory  
Central Maryland Cremation Services, Inc.  
South Carroll Crematory  
Anatomic Gift Foundation Inc. T/A Cremation Center of Maryland  
On-Site Cremation Center LLC  
Huntt Crematory  
Fort Lincoln (Crematory)  
George P. Kalas Funeral Home (Crematory)  
Lee Funeral Home and Crematorium  
Chesapeake Cremation Center LLC  
Montgomery Crematorium Inc.  
Mid Shore Cremation Center by Roman Coale, P.A.(Crematory)  
Maryland Crematory, LLC - pending paperwork

A motion was made and approved pending final inspection, except Maryland Crematory LLC, they are pending paperwork.

**CONTINUING EDUCATION COMMITTEE**

In Dr. Elzaree's absence Keith Downey reported on the following CEU's.

MSFDA requested 1 CEU for their each of their Board of Director Meetings. Multiple dates. The program was approved for 3 CEU's maximum

International Order of the Golden Rule requested 6 CEU's for their Fall Forum on October 11, 2014.

NFDA requested 2 CEU's for their course Common Sense Embalming Tips & Techniques on October 13, 2014.

Ed Ranier is requesting 3 CEU's for his course OSHA Compliance for Funeral Home Employees on October 28<sup>th</sup> & 29<sup>th</sup>.

NFDA is requesting 1 CEU for their course Bridging the Gap between Funeral Homes and Hospice Caregiver on September 18<sup>th</sup>.

March Funeral Home is requesting 3 CEU's for their course OSHA/MOSHA annual update. Multiple dates.

A motion was made and approved for the above CEU's.

Mr. David Mason commented on the granting of the crematory establishment licensure. Today is the 15 year anniversary of the event that caused the legislature to start considering that crematories needed to be licensed. A scattering of ashes in A.A. County prompted a newspaper write up and a local legislator, Del Canton noticed it and put in the first bill on October 2, 1998.

### **EXECUTIVE COMMITTEE REPORT**

No report.

### **LICENSURE COMMITTEE REPORT**

Keith Downey, Chair reported on the following.

#### Reinstatement

Mr. Downey moved for approval for reinstatement for Lavana Jenkins. A motion was made and approved.

Mr. Downey moved for approval for reinstatement for Dederick Rivers. A motion was made and approved.

#### Apprenticeship

Mr. Downey moved for approval for apprenticeship for Ashley Anders. A motion was made and approved.

Mr. Downey moved for approval for apprenticeship for Tonya Osborn. A motion was made and approved.

#### Morticians

Mr. Downey moved for approval of mortician's license for Patrick Thompson. A motion was made and approved.

#### Extended Apprenticeship

Judith McComas request an extension on her apprenticeship. A motion was made and approved.

#### Approved Crematory Operators

Alan Lattimore

Alan Purvis

Scott Nuthall

Eric Jean-Baptiste  
Daniel Lindamood  
Norton Echols III  
Kenneth Phiefer  
James Schwartz  
James Eckhardt  
Joseph Dorsey, Sr.  
George Hamilton  
Robert Ferra  
William Bowen  
Michael Lee  
Francis Dooley  
Clarence Lee III  
Steven Eline  
Steven Hackmer  
Edward Brinsfield III  
Edward Brinsfield, Jr.  
Charles Saylor II  
Sabrina Savoy  
Victor March, Sr.  
Charles Smith, Jr.  
Javoke Terrell  
David Jones  
David Goff  
Michael Gardiner, Sr.  
Brenda Gardiner  
Dannielle Ward  
Jerald Wingfield  
Steven Smith  
Michael Gardiner, Jr.  
Kyle Simmons  
Bryan G. Nelbach  
William Gross  
Joseph Brown III  
Tyler Moser  
James Covey  
Jarrett Nichols  
Todd Kellner  
Arthur Queen  
Adam Miller  
W. Richard Holloway, Jr.  
Larry Taylor  
Daric Schroen  
Robert McCrorey

A motion was made and approved for the above 47 approved crematory operator

Crematory Operators Pending Certificates

Thomas Fletcher III  
Thomas Fletcher, Jr.  
Brendon Lawson  
Vincent Rousey  
Brian Minnich  
Ginger Rowley  
Timothy Whitting, Jr.  
Timothy Brown  
Jay Cleaver

A motion was made and approved for the above 9 Crematory operators pending certificates.

Crematory Operators Pending Pictures

Dawn Waskey  
James Bardsley III  
Brenda Bardsley  
Christopher Bell  
James Bardsley, Jr.  
Shawn Mullens  
Ryan Martin  
Arthur Wheatley  
George Harman  
Chad Helfenbein  
Sheila Curry  
Beverly Heckrotte  
William Brasaemle  
Shelly McGirr  
Jeffrey Kennard  
Louis Fiorucci Jr.  
Robert T. Foard Jr.  
Lawrence Pluhar  
David Payne  
Jens Maly  
Jessica Lankford  
Keith Sypolt  
Paula Revers  
Jeffrey Davis  
Eric Davis  
Jason Davis  
Dustin Davis  
Susan Herbert  
William Davis III  
Dawn McDonald  
Robert Freeman

Brian Haight  
Robert Sherman  
Roman Coale  
Carson Bozman  
Scott Denison  
Matthew Scarpelli  
Delmar Fenton  
George Stauffer II  
Robert C. Adams

A motion was made and approved for the above 40 crematory operators pending pictures.

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

D. Lynn Newman, Chair reported it has been a very quiet summer, the inspections that were done presented no problems to the inspector or the committee. Everyone is in compliance.

### **OLD BUSINESS**

The Board has been very busy with crematories and mortuary transport services, therefore the Board did not get to sign off on Mr. Anderson's inspections. That is the reason approval letters were not sent. We cannot send out letters because the staff is behind and not allowed to send out approval letters until the Board approves.

Mr. March stated we have a fair number of full service establishments that have embalming rooms without floor drains. Our regulations very clearly states a floor drain is required in an embalming facility in the floor. There are a few firms that still do not have that, and have not taken the necessary steps to install the drain. The Board is putting these firms on notice that a floor drain is required to be installed, and this Board will start enforcing in all inspections from this point forward.

Ruth Ann reported the Mortuary Transport Services, by regulations, were required to have 4 CEU courses, blood borne pathogens, infectious disease, OSHA/MOSHA and The Human Dignity Act of 2012. Anyone who did take the required CEU's. Ms. Arty is offering those classes at the medical examiner's office on September 12, 2014 at 10:00am.

On October 1<sup>st</sup> the Board's bill on unannounced inspections goes into effect, and the Board will be enforcing it.

### **LEGISLATIVE REPORT**

The holding room drain regulations the Board submitted last year was re-submitted, and is presently on the register for comments. The emergency regulation for manufacture training to be able to cremate a body one time before a crematory is permitted, has passed.

## **BOARD COUNSEL REMARKS**

Richard Bloom, Board Counsel reported there seems to be a question on whether interviews are entitled to counsel. They are not, however as a courtesy the Board has not interfered and allowed attorneys to sit in. They are asked not to interfere or participate in the process. There is no prohibition of taping subpoenaed interviews.

As a part of cremation, there were three mandatory forms that crematories must use as a part of their standard forms package. The Committee received these forms today, but the Board has not had the time to fully review the forms to ask for approval. The forms will be referred back to the establishment committee for final review. The Board will vote on them electronically before October's Board.

## **AJOURNMENT**

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