

MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS
OPEN SESSION MINUTES
APRIL 8, 2015

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

BOARD MEMBERS PRESENT

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

ABSENT BOARD MEMBERS

Dr. Ahmad Elzaree
Keith R. Downey, 2nd Vice President

STAFF

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

ADMINISTRATIVE REPORT

Ms. Arty began by thanking everyone who traveled to the last two board meetings that were held in Salisbury and Grantsville due to our building renovations. This also gave the licensees that live in that area, who often feel excluded the opportunity to be a part of open session. Ms. Arty also thanked the entire Board and Board Staff for coming to Annapolis and showing cohesiveness during the Legislative Session, and licensees who sent emails behind the scenes to the Board thanking them for its good work.

The Board's new appointments have been made by the Governor and we welcome them. We had several members of the Board that were serving a temporary term, and did not know if they would be serving the full four year term, and then we had space because Dr. Close has served us for eight plus years and will be leaving us in July, as well as a replacement for Ms. Renee Derkersch, who passed away in February. Ms. Arty also congratulated the Board members that are staying. Dr. Close will be replaced by Mark Bailey, who owns a funeral home and transport company in Baltimore City. The

consumer spot will be filled by Lynn A. Shuppel, who is a very motivated, fascinating woman, who is also a CPA and will lend us her expertise, especially in pre-need.

With Senator Hollinger's help, we have a list from downtown to fill our vacant spots. We are exempt from the freeze, as self-supporting agencies of the state do not have frozen PINS. We will be back to a full staff soon.

Transporters have asked that instead of quarterly CEU classes that the Board do programs more often on blood borne pathogens and The Human Dignity Act of 2012. Ronn Wade will provide someone from the University to teach Blood Borne Pathogens, and Ms. Arty has agreed to once a month on Saturday's or on a evening once a month to teach the Human Dignity Act of 2012. This is so new employees in the mortuary transport can be trained and staff can be rehired. Ms. Arty will make the announcement once dates are made available. The classes will be held at the university.

There has been problems with unlicensed individuals going to cemeteries and unlicensed transporters going to the medical examiner's office. Be aware, the Board is getting reports of unlicensed individuals trying to make final disposition. Ms. Arty is currently working with Ms. Marilyn Harris Davis on how to deal with this.

EXECUTIVE COMMITTEE REPORT

We are at a time when new officers need to be elected to carry the Board on to its next fiscal year. This year we will have four Board members on the nomination committee, two licensees (Jim Govoni and Gladys Sewell) and two consumer members (Vernon Strayhorn, Sr. and Dr. Ahmed Elzaree). They will prepare a slate and present it to the Board in the May meeting and be voted in June.

FAMILY SECURITY TRUST FUND ADVSORY COMMITTEE

Gladys Sewell, Chair reported the committee met yesterday, and there is currently \$818,845.07 in the fund. There have been two claims against the FSTF, two for Russ Funeral Home, and one for Paul Stella Funeral Home totaling \$13,613.00. The next meeting is scheduled for October 13, 2015 at 1:00 pm.

PRE-NEED COMMITTEE REPORT

Lynn Newman, Chair reported for the last two months, we have been on a more educational and informative mode. The directors on the Eastern Shore and Western Maryland had some questions to make sure they were clear on the pre-need law, which were answered. Other than that there were no on-going issues.

FUNERAL ESTABLISHMENT/ INSPECTION COMMITTEE REPORT

Dr. Hari Close, Chair allowed Board member Jim Govoni to Chair this committee. Mr. Govoni reported on the following establishments.

New Establishments

Edward Sagel and Albert Bloomfield have applied for a full service establishment licenses for Sagel, Bloomfield, Danzansky, Goldberg Funeral Care, Inc., 1091 Rockville Pike and 1170 Rockville Pike, Rockville, Maryland. A motion was made and approved.

Name Approval

Cedric Whitaker is asking for name approval for Heritage Funerals and Cremations by Cedric Whitaker, PA., restricted out of Briscoe-Tonic Funeral Home 20014 Old Washington Road, Waldorf, Maryland. A motion was made and approved.

Karen Howell-McPherson is asking a name approval for McPherson Funeral Service. A motion was made and approved.

Gary B. Fellows is asking for name approval for the trade name of Fellows Family Funeral Home for approval at their Millington location only. A motion was made and approved.

LICENSURE COMMITTEE REPORT

In Keith Downey's absence, Jim Govoni reported on the following applicants.

Apprentice License

Mr. Govoni moved for approval of Michael Avant for apprenticeship. A motion was made and approved.

Mr. Govoni moved for approval of Sedale Green for apprenticeship. A motion was made and approved.

Mr. Govoni moved for approval of Emily Thomas for apprenticeship. A motion was made and approved.

Mr. Govoni moved for approval of Audrey Coder for apprenticeship. A motion was made and approved.

Mortician

Mr. Govoni moved for approval of Desiree Cornelison for mortician license. A motion was made and approved.

Mr. Govoni moved for approval of Ellen Bochanski for mortician license. A motion was made and approved.

Funeral Director

Mr. Govoni moved for approval of Anita Pollard Grant for funeral director. A motion was made and approved.

Courtesy Card

Mr. Govoni moved for approval of James J. Hartenstein for courtesy card. A motion was made and approved.

Mr. Govoni moved for approval of Richard S. Maxwell for courtesy card. A motion was made and approved.

Crematory Operator

Mr. Govoni moved for approval of Thomas Gallagher, Chesapeake Crematory. A motion was made and approved.

CEU COMMITTEE REPORT

In Dr. Elzaree's absence Dr. Camille Bryan gave the following report.

Kendra Harris of Living Legacy request 3.5 for their course Funeral Home Wet Lab, An Inside Look at Tissue Recovery. A motion was made and approved.

Sol Levinson & Bros. Inc. request 1.5 CEU's for their course Trauma at Loss as Opportunities for Psychological Growth. A motion was made and approved.

Sol Levinson & Bros., Inc request 1.5 CEU's for their course Companionship the Dying, Opening fully to living. A motion was made and approved.

Peaceful Alternative Funeral & Cremation Center request 3.0 CEU's for their course Working with Families to Create a Meaningful Experience. A motion was made and approved.

NFDA request 8.5 CEU's for The NFDA Business Conference. A motion was made and approved.

NFDA request 2.0 CEU's for their course Embalming Difficult Cases. A motion was made and approved

NFDA requested 1.0 CEU for their course The New Consumer Experience. A motion was made and approved.

NFDA request 1.0 CEU for their course Tech Talk. A motion was made and approved.

MSFDA request 6 CEU's for their course Embalming Seminar. A motion was made and approved.

Delmarva Funeral Service Association request 2.0 CEU's for their course Everything You Wanted to Know About the Electronic Death Registration System. A motion was made and approved.

The committee would like to remind everyone that programs that are used for certification, cannot be used for CEU's.

Drains in the Prep Room

There have been a lot of discussion regarding drains in the prep room. The interpretation the Board has been advised to use is from two previous AG's. There was no grandfathering of firms prior to 2007. The Board has looked at this, as well as asked our current AG. It is clear to us that the scope indicates that after 2007, establishments that were either renovated, sold, or newly opened must have a floor drain in the prep room.

Body Bags

The Board is very clear on their interpretation of the law. All mortuary transit services must use body bags and that includes if they are transporting for an establishment. Funeral homes that are transporting for themselves are not included in that law.

In regards to the separated space in transport vehicles, it is very clear in the mortuary transit regulations that there must be a separate space for each decedent. The Board did approve racks that are compartmentalized that could fit large amounts of bodies. Decedents should not be piled on top of one another.

The Grace Period

The grace period is only a grace period for the late fee. As of April 30th, if you have not renewed you will be practicing without a license.

Mr. March reported we have had a very busy legislative year. There have been a number of bills that have affected the mortician's board. We had the ownership bill pass which addressed the language regarding clarity on ownership, who can own a funeral home. Senator Benson's bill which addressed the police presence during a death or removal

failed in the Senate. The bill that addresses moving the sunset date of the Board until June died in the Senate. The bill that would put the staff under the control of the Secretary died. The bill to limit the Executive Director's duties also died, along with the bill that eliminated crematory fees. The vacancy bill passed with amendments.

A motion was made to approve the minutes.

AJOURNMENT

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