

**MARYLAND STATE BOARD OF MORTICIANS AND FUNERAL  
DIRECTORS  
OPEN SESSION MINUTES  
MARCH 12, 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  
Michelle H. Huggins, 1<sup>st</sup> Vice President  
D. Lynn Newman, 2<sup>nd</sup> Vice President  
Dr. Hari P. Close  
Gladys Sewell  
Vernon L. Strayhorn, Sr

**ABSENT BOARD MEMBERS**

Lauri Cebula-Seaboch (Resigned)  
Renee Derketsch  
Dr. Ahmed Elzaree  
Keith Downey

**STAFF**

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

The meeting was called to order by Victor C. March, Sr, President. A motion was made and seconded to approve February's Open Session Minutes.

**ADMINISTRATIVE REPORT**

Ms. Arty reported she and Mr. Jim Doyle combined efforts and did some lobbying around the Senate due to The Associations bill, SB 415 being held on the Senate floor. It was passed out of the Senate Committee and held on the floor for a day, and it is being held today for special by Senator Raskin and Senator Getty. There is some confusion about the Association's Bill. The portion of the Bill that is being questioned is the portion that states the monies from pre-need accounts never being deemed the assets of the individual licensee or the funeral establishment. That has always been the law, it is being put into the statute in the affirmative because not everyone is following the laws the way the Attorney General's Office and the Board has interpreted.

The Board's death of a single owner of a funeral establishment bill was initially opposed by the Association, it was testified to in the Senate and in the House of Representatives. The House made the point that the Association needs to come up with an alternative if they are not going to accept the Board's bill. The Association and Board now agree on the bill. We expect it to pass as written.

The Board's Inspection bill has been voted in the Senate and passed. It has not been voted on by the House.

Consumer Alliance has a bill in which they are trying to clarify the monies that are held by funeral homes and also support the Human Dignity Act of 2012 in regards to human remains that are not appropriately dealt with. The bill also called for the Board to review new pre-need contracts. The bill did not pass in the Senate Committee and has been pulled at the House. After meeting, the Board decided it would re-introduce the bill next session.

We have absences on the Board as well as a resignation. Ms. Lauri-Cebula-Seaboch turned in her resignation. Ms. Cebula-Seaboch was just short of 8 years of working on consumer issues, and being an active member of the Board. She was the chair of the Family Security Trust, also Secretary of the Board. Ms. Arty asked that the Board accept her resignation, and that Mr. March take a vote on a new secretary for the Board and new Chair for the Family Security Trust Fund Advisory Committee. Mr. March accepted the resignation with the understanding that we do acknowledge Ms. Cebula-Seaboch and appreciate all of her time and effort she has given the Board, and that she will be missed. There is now an opening on the Board for Secretary and Chair of the Family Security Trust Fund Advisory Committee. Mr. March asked for a nomination. Dr. Close recommended Vernon L. Strayhorn for Secretary of the Board and Gladys Sewell for Family Security Trust Fund Advisory Committee Chair. Both accepted. A motion was made and seconded for both. Ms. Arty requested that Ms. Sewell look at her calendar in order to determine when we can hold the next Family Security Trust Fund Advisory Committee meeting since the last one was cancelled during Ms. Cebula-Seaboch's vacancy.

Transport regulations have been signed by the Secretary and are now in effect. The Board does not feel it fair we hold companies responsible for regulations that are not yet understood, therefore the Board has instructed Ms. Arty to hold seminars around the state, for which you will get CEU credit as well as an application if needed. Those seminars will begin the end of this month, we will publish the dates and times on our website.

The Cremation Regulations have been signed by the Board and the Office of Cemetery Oversight; they are on the Secretary's desk. They will be signed as soon as the final notice is posted in the Maryland Registry. Crematories will be permitted very shortly. The Cremation Regulations will be signed, but not implemented for about 90 days.

Ms. Cline has committed to mail out the renewal applications by March 21, 2014. Any questions about the renewals, please call the Board.

Ms. Arty and Dr. Close had the privilege of attending the Conference Board in Orlando earlier this month. The Board would like to thank D. Lynn Newman for serving on the Committee for the National Practice Act, there will be a standardized act that will not be law. Ms. Arty also congratulated Dr. Close who is the new Vice President of the National Conference Board.

## **FAMILY SECURITY TRUST COMMITTEE**

Ms. Darlene Cline, Licensing Chief reported there is currently \$719,083.07 in the Family Security Trust Fund. Ms. Arty also noted we are down to 5 establishments that have not paid, or paid without the fine. The Board will be moving those to disciplinary action.

## **LICENSING COMMITTEE**

In Keith Downey's absence, Vernon L. Strayhorn reported on the following applicants:

### **Apprenticeship**

Mr. Strayhorn moved for approval of Apprenticeship License for Brian Michael Cable. A motion was made and approved.

Mr. Strayhorn moved for approval of Apprenticeship License for Steven West. A motion was made and approved.

Mr. Strayhorn moved for approval of Apprenticeship License for Kyle Glen. A motion was made and approved.

## **CONTINUING EDUCATION COMMITTEE REPORT**

In Dr. Elzaree's absence, Ms. Arty reported. Last month the Board voted on a policy that when applying as an apprentice, you must bring a letter from the establishment where your apprenticeship is being held, from the owner saying he/she is taking you on as an employee.

If a funeral establishment has a supervising mortician and they decide to resign their position as supervising mortician, they have to give written notice to the Board, however supervising morticians are not letting the owners know, and therefore the establishment is operating without a supervising mortician. Ms. Arty made a motion that Ms. Cline be allowed to add a line at the bottom of the supervising mortician form of acknowledgment by the establishment owner that they are aware therefore the responsibility would move from to the establishment to the mortician. A motion was made and seconded that a line be added that the supervising mortician must notify the establishment owner of resignation.

There were many programs submitted to the Board this period, they were all approved and will be posted by Ms. Cline next week.

## **EXECUTIVE COMMITTEE**

No report.

## **ESTABLISHMENT/INSPECTION COMMITTEE REPORT**

Dr. Close reported on the following establishment:

### Name Change

Ambrose Funeral Home, Inc. requests a name change of the corporation to Ambrose Funeral and Cremation Services, Inc. and a name change of the establishment to Ambrose Funeral Home and Cremation Services of Lansdowne, P.A. A motion was made and approved.

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

Mr. Newman, Chair, reported there have not been any problems with the inspections that have been done in the last 2 months. We have serious concerns and complaints over the pre-need mandatory courses that have been offered by certain people who felt they really were not taught what the true Maryland law was regarding pre-need issues, and due to those concerns the committee moves to only allow the Maryland State Funeral Director online course or a course taught by a Board member or employee for mandatory pre-need ceu's. However any course that has already been taken will be honored. Mr. March made a motion to ensure the current pre-need law as it exists today is properly being taught, and the information has properly been disseminated in a way that we can ensure the information is compliant. A motion was made and approved, Ms. Cline will be removing the courses from the website.

### **NEW BUSINESS**

Ms. Arty reported there were documents from the Thira Team and The Rabbinical Counsel of DC & MD. They are requesting the long bone tag requirement for identification of decedents be considered in religious situations, to be allowed to be put on the wrist instead of the long bone, in the event identification is required after the body has been washed and shrouded.

### **F.Y.I.**

The closing date for the Board member licensee vacancy has passed. There are two applications and those people have not been vetted. That will happen very soon; by the next Board meeting we should have one new licensee on the Board. Additionally, Ms. Arty will report the consumer resignation to the Appointments Office.

### **BOARD COUNSEL**

No report.

### **AJOURNMENT**

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