

MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS
OPEN SESSION MINUTES
JUNE 23, 2017

The meeting was called to order by Victor March, Sr., President with a quorum at 1:08 p.m., Mr. March called for approval of the May's minutes. A motion was made and approved.

BOARD MEMBERS PRESENT

Victor C. March, Sr., President
D Lynn Newman 1st Vice President
James Govoni, 2nd Vice President
Gladys Sewell
Mark Bailey
Wayne Cooper, Esq.
Lynn Shuppel, CPA
Dr. Camille Bryan

ABSENT BOARD MEMBERS

Dr. Ahmed Elzaree
Kathy Blue
Robert Bradshaw Jr.

STAFF

Ruth Ann Arty, Executive Director
Darlene Cline, Licensing Chief
Thomas Anderson, Health Occupations Inspector
Deborah Donohue, Deputy Counsel, Interim Board Counsel

ADMINISTRATIVE REPORT

Ruth Ann Arty, Executive Director, reported renewal is wrapping up. We are down to a couple of people who are not renewed, but intend to, and they are resolving their issues. We have been receiving phone calls on our new law changes. These changes are rumor, not fact. The rumor is Maryland has changed its licensing requirement to be in the prep room. Years ago there was a lot of debate and discussion about whether the online students in various mortuary schools could come to Maryland prep rooms under a preceptor, and learn clinical embalming as a course. At that time, the Board made it clear to all schools, that in Maryland you must be licensed to be in the prep room and practicing. All of the schools were notified in Maryland it would not be legal for anyone to be in the prep room, embalming, unless they are a licensee. You must be at least an apprentice to be embalming with a sponsor in the prep room of a funeral home. Another rumor was that the Board changed the law in regards to insurance disclosures. The insurance commission made some changes that the disclosure had to be added on the insurance form. The Board was not aware of the changes before they were made. Lastly, we have gotten several phone calls from insurance companies that in Maryland you cannot write insurance to cover a preneed unless you are also duly licensed as a mortician or funeral director. That has never been the law, the Board has never made any motion for that to be law, the Board has always said a licensee must make arrangements as a function of mortuary science, and any licensed insurance agent can write the policy for those preneeds. Mr. March noted the fact that preneed insurance is tied contractually to a preneed contract with a funeral home. A non-licensed person can write final expense, which is not tied to a preneed contract. For a preneed contract which is contractually obligating to the funeral home as well, it may require both to be licensed.

While doing a new inspection, Ms. Arty and Mr. Anderson noticed an irrevocable insurance form that read, “for change of ownership”, and a form was provided today that reads, “In order to use the policy as a method of funding, I will need to designate the party providing the funeral arrangements, the funeral provider as the policy beneficiary”. Health Occupations 7-405 clearly states licensees cannot be the owner or beneficiary. There has been some confusion, therefore the Board would caution everyone to review the forms they are receiving, so you are sure they are consistent with Maryland law.

EXECUTIVE COMMITTEE REPORT

No report.

FAMILY SECURITY TRUST FUND ADVISORY COMMITTEE REPORT

Lynn Shuppel, Chair reported there is \$1,062,799.75 in the fund.

PRENEED COMMITTEE REPORT

No report.

ESTABLISHMENT/INSPECTION COMMITTEE REPORT

Mark Bailey, Chair reported on the following establishments.

Mr. Bailey reported John L. Williams had a funeral home establishment that was pending licensure and had a two week time period to complete inspection. The time has elapsed, and the committee is requesting a rescindment of the pending approval of licensure. A motion was made and approved.

Mortuary Transport Permit

Mr. Bailey moved for approval of Trans-Atlantic Mortuary Transport Service. A motion was made and approved.

A blast email was sent out regarding the proposed inspection form, which is located on our website.

LICENSURE COMMITTEE REPORT

James Govoni, Chair reported on the following licensees.

Apprentice

Mr. Govoni moved for approval Logan Pfaff of Upchurch Funeral Home, with Gary L. Upchurch as his sponsor. A motion was made and approved.

Mr. Govoni moved for approval of LaQuanna McCray of March Funeral Home, West, with Donald C. Knight as her sponsor. A motion was made and approved.

Mr. March recused himself and stepped out of the room, 1st Vice President, Lynn Newman continued with the vote. After the vote, Mr. March returned to the room.

Mr. Bailey wanted everyone to know effective June 15, 2017, you must show your I.D. when you arrive at the Veterans Cemetery.

Mr. Govoni moved for approval of Desirae Biers of Francis J. Collins Funeral Home, Inc., with Neil Piner as her sponsor. A motion was made and approved.

Mortician via Reciprocity with Virginia

Mr. Govoni moved for approval of Genevieve Vance for mortician. A motion was made and approved.

Mortician

Mr. Govoni moved for approval of Ilish Stevens for mortician. A motion was made and approved.

Crematory Operator

Mr. Govoni moved for approval of George Clapp for crematory operator, of Maryland Cremation Services. A motion was made and approved.

Mortuary Transporters

Mr. Govoni moved for approval of Vallus Jermott of M&M LLC Transporter for mortuary transporter. A motion was made and approved.

Mr. Govoni moved for approval of Marlo Gough of Alvin's Anointed Hands M&M LLC Transporter for mortuary transporter. A motion was made and approved, pending paperwork.

Mr. Govoni moved for approval of Rodell McLaughlin III of Kingdom Life Transportation for mortuary transporter. A motion was made and approved, pending paperwork.

Mr. Govoni moved for approval of Carlene D. Wheeler of Kingdom Life Transportation for mortuary transporter. A motion was made and approved, pending paperwork.

Mr. Govoni moved for approval of Marvin Woolard of Drew Removal Services for mortuary transporter. A motion was made and approved, pending paperwork.

Mr. Govoni moved for approval of Quenton V. Montfort of Trans-Atlantic Mortuary Transport Service for mortuary transporter. A motion was made and approved.

CONTINUING EDUCATION UNITS COMMITTEE

Dr. Camille Bryant, Chair reported on the following CEU's.

International Order of the Golden Rule has a total of 6 CEU's

NFDA has a total of 5 CEU's

ICCFA has a total of 1 CEU

The Dodge Institute for Advanced Mortuary Studies has a total of 1 CEU

Jeffrey L. Gair has a total of 1 CEU.

A motion was made and all CEU's were approved.

Mr. March reported there were a number of individuals running for offices, here at the Board, and because of that, we wanted to take the additional steps of having an anonymous vote, and the nominating committee will be in control at that time. Mr. March thanked everyone who allowed him to be president for the last four years.

OLD BUSINESS

Ms. Arty reported the newly proposed Family Security Trust Fund and Apprentice regulations are in the June 9, 2017 Maryland Register and it's open comment period lasts for thirty days. The Board hopes both bills pass so the apprentice programs will be strengthened and the Family Security Trust Fund regulations will be clearer. The Board will answer all comments promptly. July 10, 2017 is the close date for comments.

We have now purchased the machine to make the transporter identifications. It has not yet been programmed by the IT department, but that should happen by next week which means throughout the month of July, we will be issuing to all transporters, that will work for permanent companies, with the appropriate identification that is referred to in the regulations. Ms. Arty added, several

transporters are concerned because they are reporting some funeral homes have said if you wear the ID, they won't be hired. The Board wants everyone to understand the regulations were passed and we have been slow to issue the ID's with their concerns and constraints, but once they are issued, the transporters would like to be able to comply with the law, without fear of not being hired.

The old administration of the Board stopped issuing wall certificates. When Ms. Arty became the Executive Director, they resumed, but discontinued again with the change in Board members. The staff is currently trying to figure out who has their wall certificate and who does not. Anyone who doesn't have a wall certificate, email Ms. Arty and she will make sure you are on the list to receive one. We will have them for pick-up, only if necessary will we mail them, but we are hoping not to, as they are expensive to mail. We will have them for the July 12th meeting for pick-up.

The Jurisprudence exam will be July 18, 2017 at 10:00 am at the Board offices. This will be the last exam before the issuance of the new exam. Any Board members that have any suggestions, please get them into the Board staff.

Mr. Bailey added there were some issues about not getting the letters from the State Board in time for inspections. One of the policies he has in place now, is after Mr. Anderson does the inspection in thirty days, he will have it reviewed, by sixty days, we want to have the letters out. If at ninety days out, there is no letter received by the funeral home, please contact us, as we want to make sure those letters are in place ninety days after the inspection.

The next mortuary transport class will be July 13th at 1:30 pm.

LEGISLATIVE UPDATE

The NC Dental Board is now a law and awaiting regulations.

The Sunset Bill, extending the Board to 2028 is now a law.

The nominating Chair, Gladys Sewell returned with the count for the vote, the result was, President, James Govoni, 1st Vice President, Mark Bailey, 2nd Vice President, Dr. Camille Bryant and Secretary, Robert Bradshaw, Jr.

The law states identification for cremation must be done in person and cannot be done by any electronic means. The question being brought to the Board is whether or not facetime is an acceptable form of identification for cremation. The Board will defer this discussion without a vote to next month's meeting to allow time to review our statute and any associated regulations.

ADJOURNMENT

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