

MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS

OPEN SESSION MINUTES

January 13, 2021

1. **CALL TO ORDER/GREETINGS:** Board President, Dr. Mark Bailey called the meeting to order at 1:03pm and welcomed everyone to the open session.

Board Members Present: Dr. Mark Bailey, President; Michele Kutta, 1st Vice President; Robert Lang, 2nd Vice President; Kirk Helfenbein, Secretary; Dr. James Kalshoven; Robert Bradshaw; Brandon Wylie; Melanie Oppat; Suzana Kuriadom, Dr. Ahmed Elzaree, and Sheria Jennings.

Board Member Absent: None.

Board Staff Present: Christy Collins, Executive Director; Zakiyyah Holmes, Licensing Coordinator; Demetrius Thompson, TE Investigator/Inspector; Lillian Reese, Legislative and Regulations Coordinator; Bethan Haaga, Esq., Board Counsel

December 9, 2020 Meeting Minutes: Michele Kutta made a motion, which was seconded by Robert Lang, and the Board unanimously approved the minutes as written.

2. **PRESIDENT'S REMARKS:**

Dr. Bailey wished everyone a Happy New Year. Dr. Bailey highlighted the Governor's address dated January 5, 2012 in which the Governor reviewed the distinct phases of the distribution of the COVID-19 vaccine. The Board has received an acknowledgement from the Secretary's office concerning licensees and permit holders, and the two documents may be viewed on the Board Website. Please continue to monitor the Board website for any additional updates as they become available.

3. **ADMINISTRATIVE REPORT:**

Executive Director Collins reminded everyone that the MDH Metro Executive building remains closed to the public. All applications or inquiries should be submitted by regular mail, email, or by phone. Executive Director Collins confirmed the best way to contact the Board staff is by email at MDH.BOMFD@maryland.gov. Executive Director Collins announced the Board staff continues to be on limited office hours, and that the Board staff office hours are: Tuesday and Thursday, 8am – 4pm. Executive Director Collins announced that a new investigator/inspector, Demetrius Thompson, has been hired and will be in the field in the upcoming weeks. A new regular schedule is being developed for Transport company vehicle inspections. Please register with the Board Office for all Transport company inspections. Executive Director Collins reminded everyone to continue to monitor the Board Website for any updates.

4. **COMMITTEE REPORTS:**

a. Executive Committee: Dr. Bailey reported the FY21 budget update: Revenue - \$423,020.00, Expenditures - \$152,271.90, and Fund Balance - \$270,748.10. Dr. Bailey provided an update regarding April 30, 2021 renewals: a notification and renewal application will be sent via regular mail at the end of February. Dr. Bailey provided a CY20 wrap up of all renewals completed as of December 9, 2020. Dr. Bailey reminds licensees that still have not renewed to please do so at their earliest convenience to avoid

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any potential delays.

b. Family Security Trust Fund: Chair, Dr. James Kalshoven, reported that the Family Security Trust Fund balance is \$1,136,224.77. Dr. Kalshoven noted an increase of \$288.56 from the previous month's report. Dr. James Kalshoven reported the FSTF committee has created a new Family Security Trust Fund claim form based on the requirements in Health Occupations 7-4A-07(b) (1) and COMAR 10.29.15. Michele Kutta made a motion to approve the FSTF claim form, seconded by Kirk Helfenbein, and the Board unanimously approved the Family Security Trust Fund claim form to be placed on the Board's Website.

c. Pre-Need Committee: Chair Robert Bradshaw reported the committee has no report at this time.

d. Establishment Committee: Kirk Helfenbein reported on the following:

New Establishment: None.

New Restricted Establishment: Hussain's Islamic Funeral Service of Johnnycake Road, Supervising Mortician: Mohammed Hussain. Motion was made by the committee, seconded by Michele Kutta, and the Board unanimously approved the issuance of a restricted establishment license.

Change of Ownership: None.

New Crematory: None.

Mortuary Transport Company Permit: Jones Mortuary Support Services, DC; Owner: Howard Jones. Motion was made by committee, seconded by Michele Kutta, and the Board unanimously approved the issuance of a new mortuary transport company permit.

Elite Removal Service, Bowie, MD; Owner: Reginald Haskins. Motion was made by committee, seconded by Melanie Oppat, and the Board unanimously approved the issuance of a new mortuary transport company permit.

e. Licensure Committee: Chair Michele Kutta reported on the following:

Old Business: None.

New Business: Chair Michele Kutta announced the Jurisprudence exam will be administered on April 6, July 13, and October 5, 2021 and the Practical Exam will be scheduled for April 8 and October 7, 2021. Chair Michele Kutta encouraged anyone interested to contact the Board office to register for the exam.

Apprentice: Chair Michele Kutta presented the following apprenticeship applications

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for approval (**denotes recusal by Kirk Helfenbein):

1. Camille Smith, Sponsor: Brian Willem; Evans Funeral Chapel. Motion was made by committee, seconded by Kalshoven, and the Board unanimously approved the issuance of an apprentice license.
2. DaZhane Smith, Sponsor: Glenda Freeman; Freeman Funeral Services, PA. Motion was made by committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of an apprentice license.
3. Maranda Storm, Sponsor: Gregory Karpman; Donaldson Funeral Home, PA. Motion was made by committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of an apprentice license.
4. Russell Thompson, Sponsor: Jacqueline Kreh; Stauffer Funeral Homes, PA. Motion was made by committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of an apprentice license.
5. Ashley Whiteley, Sponsor: Chad Helfenbein; Fellows, Helfenbein, & Newnan Funeral Home. Motion was made by committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of an apprentice license. ***

Apprentice Change of Sponsor: Chair Michele Kutta presented the following applicants for apprentice change of sponsor for approval:

1. None.

Mortician: Chair Michele Kutta presented the following applicants for mortician for approval:

1. Mutiu Adelaja, Ft. Lincoln Funeral Home. Motion was made by committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of a mortician license.
2. Kenneth Bland, Jr., Holloway Funeral Home. Motion was made by committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of a mortician license.
3. LaQuanna McCray, March Funeral Home. Motion was made by committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of a mortician license.
4. Carlin McLamb, Rausch Funeral Home, PA. Motion was made by committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of a mortician license.

Funeral Director: Chair Michele Kutta presented the following applicants for funeral director for approval:

1. None.

Mortician by Waiver of Apprenticeship: Chair Michele Kutta presented the following applicants for mortician via waiver for approval:

1. None.

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Crematory Operator: Chair Michele Kutta presented the following applicants for crematory operator permit for approval:

1. None.

Registered Transporters: Chair Michele Kutta presented the following applicants for registered transporters for approval:

1. Howard Jones; Jones Mortuary Support Services. Motion was made by committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of a transporter registration.

2. Ruth Pegeron; Metropolitan Funeral Service, Inc. Motion was made by committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of a transporter registration.

Courtesy Card: Chair Michele Kutta presented the following applicants for courtesy card for approval:

1. Evalina Huggins, No current establishment. Motion was made by committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of a courtesy card license.

2. Berry Waddy, Berry O. Waddy Funeral Home, VA. Motion was made by committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of a courtesy card license renewal/reinstatement.

Mortician Reinstatement/Reactivation: Chair Michele Kutta presented the following applicants for reinstatement for approval:

1. None.

Personal Representative:

1. None.

Surviving Spouse:

1. None.

f. **Continuing Education Units Committee:** Melanie Oppat reported on the following:

Old Business: Melanie Oppat reminded all licensees if you would like to receive 1 CEU credit for attending today's virtual meeting please email your name and license number to our Board Office at mdh.bomfd@maryland.gov.

The following educational offerings are considered automatically approved pursuant to COMAR 10.29.05.03:

1. **Academy of Professional Funeral Service Practice (APFSP):** Date: Various
Selected Independent Funeral Homes 2021 NexGen Seminar
(6.0CEUs)
2. **Maryland State Funeral Directors Association (MSFDA):** Online
Difficult Case, Donor Case and Autopsies (2.0CEUs)

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3. **National Funeral Directors Association (NFDA):** Various Online
Online Cremation Certification Program (6.0CEUs)
NFDA Cremation Certification Program (7.0CEUs)
NFDA Certified Preplanning Consultant – Correspondence Option Self- Study (15.0CEUs)
NFDA Arranger Training Program (8.0CEUs)
Avoiding Cremation Litigation: Don't Let Your Profits Go Up the Stack (1CEU)
Advanced Embalming Techniques for Infants, Stillbirths, and the Unborn (1CEU)

Melanie Oppat presented the following continuing education credits for approval: Committee made a motion, seconded by Dr. James Kalshoven, and the Board unanimously approved the following continuing education credits (**denotes recusal by Brandon Wylie):

1. David Bednar, CFSP: **2021 OSHA Annual Training** – Date: Various (1.5 CEUs)
2. Edward Rainer, LLC: **Wylie Funeral Home, OSHA Compliance** – Date: 2/13/2021 (3.0 CEUs) **

g. **Legislative Committee:** Sheria Jennings reported on the following:

Old Business:

1. COMAR 10.29.03 Inspection of Funeral Establishments – Awaiting Secretary approval and sign off.
2. COMAR 10.29.06 Preneed Contract, 10.29.09 Requirements for Apprenticeship, and 10.29.12 Advertising – Awaiting Secretary approval and sign off.

New Business: Legislative 2012 Bill Review

1. HB28/CF: SB5 Public Health – Implicit Bias Training and the Office of Minority Health and Health Disparities – Committee recommends no position and no fiscal impact. Committee made a motion, seconded by Dr. James Kalshoven, and the Board unanimously approved the position.
2. HB23/CF: SB234 Personal Information – State and Local Agencies – Restrictions on Access – Committee recommends no position. Committee made a motion, seconded Dr. James Kalshoven, and the Board unanimously approved.
3. SB210/CF: 1844 COVID–19 Claim – Civil Immunity – Committee recommends no position. Committee made motion, seconded Dr. James Kalshoven, and the Board unanimously approved.
4. HB183/CF: Public Information Act – Revisions (Equitable Access to Records Act) – Committee recommends no position and a potential fiscal impact of \$2000.00. Committee made a motion, Dr. James Kalshoven seconded, and the Board unanimously approved.
5. SB106: Licensing – Good Standing with the State Department of Assessments and Taxation – Requirement – Committee recommends no position and a possible fiscal impact of \$5000.00. Motion made by the committee, Dr. James Kalshoven seconded, and the Board unanimously approved.
6. SB180/CF: Funeral Establishments and Crematories – Unclaimed Cremains of Veterans – Notification, Disposition, and Reporting – Committee recommends to support bill as written and provide a letter of support. Committee makes a motion, Dr. James Kalshoven seconded, and the Board unanimously approved.

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7. SB262/CF: HB224 Department of Information Technology – Study of a Common Information Technology Platform for Health Occupations Boards – Committee recommends no position. Committee made a motion, Dr. James Kalshoven seconded, and the Board unanimously approved.

8. HB309/ CF1621: Public Health – Data – Race and Ethnicity Information - Committee recommends no position. Committee made a motion, Dr. James Kalshoven seconded, and the Board unanimously approved.

9. NB79/CF: SB305 – Legal Advertisement or Legal Notice – Publication in Newspaper or Newspaper in General Circulation – Online Newspapers - Committee recommends no position. Committee made a motion, Dr. James Kalshoven seconded, and the Board unanimously approved.

Chair Sheria Jennings stated that the committee makes a recommendation to the Board for the Legislative committee to triage and make the unanimous “no position” decision on bills assigned by MDH that do not have any relevance to Mortuary Science or the Board. Committee made a motion, Michele Kutta seconded, and the Board unanimously approved the Board’s ability to provide a “no position” on bills that do not have any relevance to the Board or Mortuary Science.

5. **OLD BUSINESS:** Dr. Bailey reminds everyone to stay diligent in maintaining current CDC protocols and necessary materials to fight against COVID-19.

NEW BUSINESS: Dr. Bailey shared his condolences with the Board concerning the passing of Ms. Catherine Zeiler, additional funeral arrangements can be viewed on the Lilly & Zeiler Inc. Funeral Home’s Website.

6. **UPCOMING REMINDERS:** Dr. Bailey announced reminders of the following:

- Next Board Meeting – Wednesday, February 10, 1:00 pm, Virtual, Google Meets
- Jurisprudence Exam – Tuesday, April 6, 2021
- Practical Exam – Thursday, April 8, 2021
- 2020 License/Permit Renewals
 - Mortician License (****online renewal available**) – expiration date: 4/30/2020
 - Transport Company Permit – expiration date: 9/30/2020
 - Crematory Permit – expiration date: 9/30/2020
 - Crematory Operator - expiration date: 9/30/2020
 - Establishment License: expiration date: 11/30/2020
 - Funeral Director License: expiration date: 11/30/2020
 - Courtesy Card License: expiration date: 11/30/2020
 - Surviving Spouse License: expiration date: 11/30/2020

7. **CLOSING STATEMENT:** At this time the Board, Board Counsel, ED, and staff will be moving to our Administrative and closed session on this day January 13, 2020 at 1:50p.m. The Board will discuss matters not subject to the Open Meetings requirements contained in the General Provisions Article, Section 3. In particular, the Board will be discussing:

- 1) disciplinary matters, application deficiencies, and complaints which are required to be kept confidential pursuant to Gen. Prov. 3-305(b)(2) which protects the privacy of individuals, and COMAR 10.31.01.05 which provides that Board investigations are confidential.
- 2) an open job posting for a temporary inspector and investigator position, which is a personnel matter to be discussed in closed session pursuant to Gen. Prov. 3-305(b)(1).
- 3) paperwork required to be filed by board members, which is an administrative function to

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which the Open Meetings Act doesn't apply, per Gen. Prov. 3-103(a)(1).

8. **ADJOURNMENT:** Kirk Helfenbein made a motion for adjournment, seconded by Melanie Oppat, and with no objection, the meeting was adjourned at 1:50 p.m.