

MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS

OPEN SESSION MINUTES

December 9, 2020

1. **CALL TO ORDER/GREETINGS:** Board President, Dr. Mark Bailey called the meeting to order at 1:00pm 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.

Board Member Absent: Dr. Ahmed Elzaree; Sheria Jennings.

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

October 14, 2020 Meeting Minutes Correction: Dr. Mark Bailey requested two corrections to the October 14, 2020 minutes. President's remarks: change "will" to "with" and Legislative Committee report (g3): replace language "American Board of Dental Services" with "American Board of Funeral Service" Dr. James Kalshoven made a motion, which was seconded by Michele Kutta, and the Board unanimously approved the correction to the October 14, 2020 minutes.

November 9, 2020 Meeting Minutes: Melanie Oppat 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 healthy and safe holiday season. Dr. Bailey provided a friendly reminder to everyone that during the holiday season, the Board staff will have limited days in the office due to state recognized holidays.

3. **ADMINISTRATIVE REPORT:**

Executive Director Collins reminded everyone that MDH Metro Executive building remains closed to the public. 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. 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. A new schedule is currently being developed for Transport company vehicle inspections to resume in January 2021. When the schedule is finalized, it will be announced on the Board website. Please register with the Board Office for all Transport company inspections. Executive Director Collins reminded and encouraged all licensees that have not renewed to submit renewal application as soon as possible to avoid any delays.

4. **COMMITTEE REPORTS:**

a. **Executive Committee:** Dr. Bailey reported the current FY21 budget update: Revenue - \$394,193.00, Expenditure - \$115,869.84, and Fund Balance - \$510,062.84. Dr. Bailey provided a CY20 wrap up of all renewals completed as of December 9, 2020. Dr. Bailey

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reminds licensees that still have not renewed to please do so at your earliest convenience to avoid any potential delays.

- b. Family Security Trust Fund:** Chair Dr. James Kalshoven reported that the Family Security Trust Fund balance is \$1,135,936.21. Dr. Kalshoven noted an increase of \$1,377.14 from the previous month's report. Dr. James Kalshoven noted the next FSTF meeting will take place in December 29, 2020, 12:00p.m. and his committee will provide a follow-up update to the Board at the next meeting.
- c. Pre-Need Committee:** Chair Robert Bradshaw reported the committee met and reviewed two cases, but has no further updates at this time.
- d. Establishment Committee:** Kirk Helfenbein reported on the following:

New Establishment: None.

New Restricted Establishment: Bolden-Tilghman Mortuary, Supervising Mortician: Passion Bolden-Tilghman. 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: None.

- 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 January 5, 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 for approval:

1. Adria Brooks, Sponsor: David Meador; Myers-Durboraw Funeral Home. Motion was made by Michele Kutta, seconded by Robert Lang, and the Board unanimously approved the issuance of an apprentice license.
2. Eli Johnson, Sponsor: Justin Durboraw; Myers-Durboraw Funeral Home. Motion was made by Michele Kutta, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of an apprentice license.
3. Karen Jones, Sponsor: Justin Britcher; Fellows, Helfenbein, & Newman Funeral Home, P.A. Motion was made by Michele Kutta, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance

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of an apprentice license.

4. Morgan Kenney, Sponsor: Nicholas Durst; Durst Funeral Homes Motion was made by Michele Kutta, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of an apprentice license.
5. Kristen Kilburn, Sponsor: Sherri Collins Witzke; Harry H. Witzke's Family Funeral Home Inc. Motion was made by Michele Kutta, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of an apprentice license.
6. Ashana Staton, Sponsor: Tiffany Cox; Joseph H. Brown Jr. Funeral Home Inc. Motion was made by Michele Kutta, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of an apprentice license.

Apprentice Change of Sponsor:

1. None.

Mortician: Chair Michele Kutta presented the following applicants for mortician for approval (**denotes recusal by Dr. Mark Bailey):

1. Rebecca Edmiston, Bailey Funeral Home and Cremation Service, P.A. Motion was made by Michele Kutta, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of a mortician license**.
2. Lauren Stewart Walter, Slack Funeral Home. Motion was made by Michele Kutta, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of a mortician license.

Funeral Director:

1. None.

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

1. Tawana Hinton, McGuire Funeral Service, Inc. Washington D.C. Motion was made by committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of a mortician license.

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

1. Meagan Mallet, Salisbury Crematory. Motion was made by committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of a crematory operator permit.

Registered Transporters:

1. None.

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

1. Coreen Nottingham, National Funeral Home/VA. Motion was made by

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committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of a courtesy card license.

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

1. Plutarco Rendon. Motion was made by the committee, seconded by Dr. James Kalshoven, and the Board unanimously approved the issuance of the reinstatement of a mortician license.

Personal Representative:

1. None.

Surviving Spouse:

1. None.

- f. **Continuing Education Units Committee:** Kirk Helfenbein reported on the following:
Old Business: Kirk Helfenbein reminded all licensees if you would like 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. **Cremation Association of North America (CANA):** Date: Various
CANA's Crematory Operations Certification Program (8.0CEUs)
Cremation Arrangements Conference Best Practices (2.0CEUs)
Cremation & Environment Online Course (1.0CEU)
Phone Shoppers: Your Best First Impression (1.0 CEU)
2. **Delmarva Funeral Service Association (DFSA):**
COVID-19 – Date: 1/21/2021 (2.0CEUs)
3. **Maryland State Funeral Directors Association (MSFDA):** Date: 2/19 – 2/20/2021
The Private Life of John Wilkes Booth (2.0CEUs)
Protecting Digital Assets of Death (1.0 CEU)
Traditional and Social Media: Why Can't We All Just Get Along? (1.0CEU).
How to Effectively Market Your Funeral Home Following the Pandemic? (1.0CEU)
Maryland Preneed Law (1.0CEU)

Kirk Helfenbein 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:

1. **Advant-EDGE Solutions of Middle Atlantic, Inc., US DOT Hazardous Materials Employee Training** – Online. (1.5 CEUs)
2. **Edward Rainer, LLC: Barranco Severna Park Funeral Home, OSHA/MOSH Training Course** – Date: 1/21/2021 (3CEUs)
3. **Marcorp/March Funeral Homes, 2020 Employee OSHA & MOSH Update** – Date: 12/13/2020 (3CEUs).
4. **WEBCE, Modern Funeral Home Management** – Online. (3.0CEUs)
5. **Regulatory Support Services, Inc.** – Online.

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On Target: Hitting the Bullseye with OSHA Workplace Safety (2.0 CEUs)

FTC Funeral Rule: Are Changes on the Horizon? (1.0CEU)

Funeral Service in a Pandemic (1.0 CEU)

OSHA Enforcement: Method to the Madness? (1.0CEU)

g. **Legislative Committee:** Dr. Bailey reported on the following:

Old Business: COMAR 10.29.03 Inspection of Funeral Establishments – awaiting Secretary Approval and sign off. 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: Dr. Bailey announced effective 12/1/2020 Secretary Neall has resigned his position as MDH Secretary and Mr. Dennis Schrader will be the Interim MDH Secretary until further notice.

5. **OLD BUSINESS:** None.

NEW BUSINESS: Dr. Bailey congratulated James Barranco of Barranco Severna Park Funeral Home on his retirement and extends appreciation for his dedicated service to the State of Maryland.

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

- 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
- Jurisprudence Exam – January 5, 2020
- Next Board Meeting – Wednesday, January 13, 1:00 pm, Virtual, Google Meet

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 December 9, 2020 at 1:35p.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 which the Open Meetings Act doesn't apply, per Gen. Prov. 3-103(a)(1).

8. **ADJOURNMENT:** Dr. James Kalshoven made a motion for adjournment, seconded by Robert Bradshaw, and with no objection, the meeting was adjourned at 1:35 p.m.