

**MARYLAND BOARD OF MORTICIANS AND FUNERAL DIRECTORS  
OPEN SESSION MINUTES  
NOVEMBER 9, 2016**

The meeting was called to order with a quorum at 1:03 p.m. by Victor C. March, President.

**BOARD MEMBERS PRESENT**

Victor C. March, President  
D. Lynn Newman, 1<sup>st</sup> Vice President  
James Govoni , 2<sup>nd</sup> Vice President  
Gladys Sewell  
Robert Bradshaw Jr.  
Mark Bailey  
Wayne Cooper, Esq.  
Lynn Shuppel, CPA  
Camille Bryan, Ed.D.

**ABSENT BOARD MEMBERS**

Vernon Strayhorn Sr., Secretary  
Dr. Ahmed Elzaree

**STAFF**

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

**ADMINISTRATIVE REPORT**

Ms. Arty reported it is time for establishment, courtesy card, surviving spouse, funeral director, and corporation license renewal, and they are coming in slowly. Ms. Arty also wanted to remind everyone licenses expire on November 30, 2016, although the grace period for the late fee is until December 15, 2016, there is no practicing until your license is current.

There has still been confusion from the apprentices as to whether cremations count as one of the 20 embalms/assist required. If there is going to be a disposition of cremation, because memorial services do not need a licensee, the Board has always opined, consistently, if the disposition is cremation, it does count as long as the body is present, and casketed during the service with the cremation following.

There was a mortuary transport class, taught by Ms. Arty last week. There were about 20 participants and the class went well, however, Ms. Arty felt there was some confusion about registered transporters and who they can remove for. Registered transporters can only work for the companies they are registered to, they cannot just work for anyone. Also, transport companies that need to renew can still renew, and should not be picking up bodies.

Ms. Arty wanted to remind everyone the office will be closed November 11, 2016 for Veteran's Day, but that she would be available through the Board cell phone.

There have been several phone calls to the Board for legal opinions and Ms. Arty has shared knowledge of what the Board has done in past, but we don't render legal decisions. If it is a legal decision you need, please call your own attorney.

### **EXECUTIVE COMMITTEE REPORT**

No report.

### **FAMILY SECURITY TRUST ADVISORY COMMITTEE**

Lynn Shuppel, Chair reported there was currently \$962,002.15 in the fund. We expect the Family Security Trust fund to go over a million dollars at the end of this renewal period.

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

Gladys Sewell, Chair, wanted to remind everyone if you own multiple locations, the individual names and addresses should be on Statement of Goods and Services.

### **ESTABLISHMENT/INSPECTION COMMITTEE REPORT**

Mark Bailey, Chair, reported on the following establishment.

Mr. Bailey moved for approval of Redd Funeral Service to be restricted out of Estep Funeral Service located at 1300 Eutaw Place, Baltimore, Maryland. A motion was made and approved.

### **LICENSURE COMMITTEE REPORT**

Jim Govoni, Chair moved for approval of the following applicants.

#### **Apprentice**

Mr. Govoni moved for approval of John Cofer for an extension of his apprenticeship. A motion was made and approved pending final paperwork.

Mr. Govoni moved for approval of Julia Lauenstein for an apprenticeship with Kaczorowski Funeral Home. A motion was made and approved.

Mr. Govoni moved for approval of Felicia Thornton for an apprenticeship with Vaughn C Greene Funeral Home. A motion was made and approved.

#### **Reinstatement**

Mr. Govoni moved for approval of Angela Koerber for reinstatement of her mortician's license. A motion was made and approved.

#### **Funeral Director**

Mr. Govoni moved for approval of Barbara Mochinal for her funeral director's license. A motion was made and approved.

#### **Mortician**

Mr. Govoni moved for approval of Delores Jones for her mortician's license. A motion was made and approved pending final paperwork.

### Crematory Operator

Mr. Govoni moved for approval of Jerry Wayne Berlin for crematory operator out of Chesapeake Cremation Service. A motion was made and approved.

### Mortuary Transporter

Mr. Govoni moved for approval of Robert Foxx Jr of Drew Removal Service for registered mortuary transporter. A motion was made and approved.

### **CONTINUING EDUCATION UNITS COMMITTEE**

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

Richard Neuman – Funeral Industry Seminar – 2 CEU's.

MSFDA – Organ & Tissue Donation Process – Online Class – 1 CEU.

PIMS – 2017 PIMS Best Practices 101 – March 17, 2017 – 6 CEU's.

Selected Independent Funeral Homes – 2017 Next Gen Seminar - January 22-26, 2017 – 8.5 CEU's

David Bednar – Reviewing the Changes to the Bloodborne Pathogen Standard, Formaldehyde Standard and Hazard Comm. Standard – 1 CEU.

### **OLD BUSINESS**

Mr. March reported at the last meeting there were proposed changes to our apprenticeship and Family Security Trust Regulations. Those proposed changes have been submitted.

The anticipated balance of the Family Security Fund after this renewal cycle will exceed the \$1,000,000.00 that the trust was to establish and maintain. We anticipate once this renewal period is over, we will have reached \$1,066,627.15. Title 7-4a-03(2) says over a reasonable amount of time shall build the fund to \$1,000,000.00 and thereafter maintain the fund at that level. Title 7-4a-5(b) states each funeral home shall pay \$375.00 per year into the fund until the fund has accumulated a balance of \$1,000,000.00. Section 2 says, if after the fund has accumulated \$1,000,000.00, the Board shall assess each funeral establishment a prorated amount over a reasonable time and return the fund to a level of at least \$1,000,000.00. Mr. March asked the Board to make a decision as how to address the potential overage. The Board considered two options. Option 1, is we continue to ask for the \$375.00 this year, which would take the fund to \$1,066,627.15, keeping in mind once the fund reaches \$1,000,000.00 all interest goes to the state. Option 2, in order to meet exactly \$1,000,000.00 the Board would have to assess \$146.00 to each establishment now, that would take us to the \$1,000,000.00 mark, however, if a claim is filed against the fund during the next renewal cycle the Board would have to re-assess to make up the \$1,000,000.00. That means every year there is a claim made, the Board would be required to bring the fund back to \$1,000,000.00. Mr. March received comments from the audience, and a vote was taken. A motion was made and approved that the funds remain in the account. The Board will collect the \$375.00 this renewal cycle and maintain an excess.

We announced last month we would be inspecting vehicles once we received the new stickers with the new expiration date. Mr. Anderson reported the stickers were in and the inspection and location times will be posted on our website under upcoming events.

## **AJOURNMENT**

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