

The Virginia Board of Funeral Directors and Embalmers convened for a full board meeting on Friday, July 15, 2022, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #2, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Jason Graves, FSL, Vice-President
Joseph Michael Williams, FSL, Secretary-Treasurer
Lacyn Barton, FSL
Muhammad Hanif, Citizen Member
S. Jonathan Hines, FSL
Mia F. Mimms, FSL, J.D.
Blair H. Nelsen, FSL
Joseph Frank Walton, FSL

BOARD MEMBERS ABSENT:

None

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING:

Jacquelyn Assi Abe, Intern, Healthcare Workforce Data Center and Data Analytics Division
Erin Barrett, Senior Policy Analyst
Sarah Georgen, Licensing and Operations Manager
Lisa Hahn, Chief Operating Officer
Kelley Palmatier, Deputy Executive Director
Greer Peacock, Policy Intern
James Rutkowski, Assistant Attorney General, Board Counsel
Yetty Shobo, Director, Health Workforce Data Center
Corie Tillman Wolf, Executive Director
Heather Wright, Program Manager

OTHER GUESTS PRESENT

Ben Traynham, Hancock, Daniel, & Johnson, P.C.
Twila Dickerson, Regulatory Support Services
Barry Robinson, Virginia Morticians' Association

**participant indicates attendance to count toward continuing education requirements*

CALL TO ORDER

Mr. Graves called the meeting to order at 10:00 a.m. and asked the Board members and staff to introduce themselves.

With eight board members present at the meeting, a quorum was established.

Mr. Graves read the mission of the Board, which is also the mission of the Department of Health Professions.

Mr. Graves provided reminders to the Board members and audience regarding microphones, computer agenda materials, breaks, sign-in sheets, and attendance for continuing education requirements.

Ms. Tillman Wolf then read the emergency egress instructions.

APPROVAL OF MINUTES

Mr. Graves opened the floor to any edits or corrections regarding the draft minutes for the Board meeting, and Formal Hearings held on April 15, 2022 and Formal Hearings held on June 16, 2022. With no edits or corrections, the minutes were approved as presented.

ORDERING OF THE AGENDA

Ms. Tillman Wolf stated that an updated agenda was sent to Board members electronically earlier in the week.

Upon a **MOTION** by Mr. Nelsen, properly seconded by Ms. Barton, the Board voted to accept the agenda as presented. The motion carried (8-0).

PUBLIC COMMENT

Barry Robinson, Virginia Mortician's Association, thanked Mr. Walton for providing information to the Virginia Mortician's Association regarding the Board's laws and regulations. Mr. Robinson welcomed the new Board member, Mr. Hines, and announced that John Tyler Community College changed its name to Brightpoint Community College effective July 1, 2022.

AGENCY REPORT

Lisa Hahn, Chief Operating Officer, provided the Agency Report in Dr. Brown's absence.

Ms. Hahn welcomed Mr. Hines to the Board.

Ms. Hahn announced that all Executive Branch entities have been tasked with initiating the regulatory process to reduce by at least 25 percent the number of regulations not mandated by federal or state statute.

Ms. Hahn spoke to the revised agency telework policy that became effective on July 5, 2022 and also stated that DHP will soon begin the budget review process which occurs biennially.

Ms. Hahn stated that there have been no updates regarding Dr. Brown's appointment at that time.

With no questions, Ms. Hahn concluded her report.

PRESENTATION

Yetty Shobo, PhD, Director of the Healthcare Workforce Data Center, provided the 2022 Workforce Report for Funeral Service Providers.

Upon a **MOTION** by Ms. Barton, properly seconded by Mr. Williams, the Board voted to accept the 2022 Workforce Report for Funeral Service Providers as presented. The motion passed unanimously (8-0).

STAFF REPORTS

Executive Director's Report – Corie E. Tillman Wolf, J.D., Executive Director

Ms. Tillman Wolf welcomed Mr. Hines to the Board.

BOARD UPDATES

Ms. Tillman Wolf announced that the first meeting of the Alkaline Hydrolysis Workgroup occurred on July 14, 2022. She stated that Mr. Nelsen, Mr. Walton, and Mr. Williams participated in the workgroup and that a second meeting would be convened on August 12, 2022.

COVID Data

Ms. Tillman Wolf provided a brief update of the FEMA Funeral Assistance Program and stated that Virginians were awarded over \$64 million with 9,700 approved applications for assistance. She stated that equated to funds for approximately 47% of the COVID-related deaths in Virginia since April 2020.

Expenditure and Revenue Summary as of December 31, 2021

Ms. Tillman Wolf stated that the latest cash balance report was from February 28, 2022. She stated that new information will be forthcoming at the next meeting which will also reflect the Board's renewal cycle.

2022 Board Meeting Dates

Ms. Tillman Wolf announced that October 21, 2022 will be the next Board meeting date and that the 2023 meeting dates would be provided shortly.

With no questions, Ms. Tillman Wolf concluded her report.

Discipline Report – Kelley Palmatier, J.D., Deputy Executive Director

As of July 8, 2022, Ms. Palmatier reported the following disciplinary statistics:

- 62 Patient Care Cases
 - 1 at Informal
 - 1 at Formal

- 39 at Enforcement
- 20 at Probable Cause
- 1 at APD
- 27 Non Patient Care Cases
 - 2 at Informal
 - 2 at Formal
 - 9 at Enforcement
 - 13 at Probable Cause
 - 1 at APD
- 17 at Compliance

Ms. Palmatier reported the following Total Cases Received and Closed:

- Q3 2020 – 17/30
- Q4 2020 – 16/13
- Q1 2021 – 15/18
- Q2 2021 – 12/12
- Q3 2021 – 20/22
- Q4 2021 – 22/10
- Q1 2022 – 19/18
- Q2 2022 – 19/12
- Q3 2022 – 24/22

Percentage of all cases closed in 365 days

	Q2-21	Q3-21	Q4-21	Q1-22	Q2-22	Q3-22
FDE	87%	51.4%	69.2%	40.0%	76.0%	30.9%
Agency	64%	71.1%	68.8%	66.0%	70.7%	71.9%

With no questions, Ms. Palmatier concluded her report.

Licensure Report – Sarah Georgen, Licensing and Operations Manager

Ms. Georgen provided information regarding the 2022 renewals of Continuing Education Providers. She stated that the next renewals for funeral licensees would occur on March 31, 2023.

Ms. Georgen presented licensure statistics that included the following information:

Licensure Statistics – All Licenses

License	April 7, 2022	June 30, 2022	Difference (+/-)
Funeral Service Licensees	1,481	1,574	93
Funeral Director	34	37	3
Embalmer Only	3	3	0
Supervisors	543	583	40

Funeral Service Interns	215	258	43
Funeral Directing Interns	17	17	0
Embalmer Interns	0	0	0
Funeral Establishments	410	423	13
Branch Establishments	79	84	5
Crematories	123	124	1
CE Providers	11	11	0
Courtesy Card Holders	110	124	14
Surface Transport & Removal Svc.	42	57	15
Total (*not incl. supervisors)	2,525	2,712	187

Ms. Georgen announced an update to the Expense Reimbursement Voucher mileage amount.

With no questions, Ms. Georgen concluded her report.

BOARD COUNSEL REPORT – Jim Rutkowski, Assistant Attorney General

There was no Board Counsel report.

COMMITTEE AND BOARD MEMBER REPORTS

Report from the International Conference – Blair Nelsen, FSL

Mr. Nelsen reported that the International Conference is working to extend additional services to Boards to include educational opportunities. He encouraged attendance at the Annual meeting in Scottsdale, Arizona in early 2023.

Mr. Walton inquired about the National examination and Mr. Nelsen clarified that the State Board examination would retire as of January 2023 due to confusion between the two examinations – the State Board Exam (SBE) and the National Board Exam (NBE). The NBE with its two sections, Arts and Science, would remain as the only national level exam. Ms. Tillman Wolf clarified that additional information will be sent out by the Conference and she would pass that information along to Board members once received.

With no further questions, Mr. Nelsen concluded his report.

Alkaline Hydrolysis Workgroup Report – Blair Nelsen, FSL

Mr. Nelsen provided a report on the Alkaline Hydrolysis Workgroup meeting that occurred on July 14, 2022. He stated that the next Workgroup meeting would be held on August 12, 2022.

Mr. Nelsen reported that the workgroup consisted of representation from other State agencies, as well as trade associations. He stated that Alkaline Hydrolysis is different than normal cremation and the recommendation that it be regulated separately from cremation. Mr. Nelsen also spoke to the environmental and wastewater concerns between localities around Virginia and that further discussion would occur at the next meeting on August 12, 2022.

LEGISLATION AND REGULATORY ACTIONS – Erin Barrett, Senior Policy Analyst

Report on Status of Regulations

Ms. Barrett provided a report on the status of the Board’s pending regulations.

With no questions, Ms. Barrett concluded her report.

BOARD DISCUSSION AND ACTIONS

Adoption of Exempt Action Related to Preneed Funeral Planning CE (18VAC65-20-151)

Ms. Barrett provided an overview of the exempt action related to Preneed Funeral Planning Continuing Education (18VAC65-20-151). The exempt action addresses the change in statutory language resulting from HB 99, enacted during the 2022 General Assembly Session.

Upon a **MOTION** by Mr. Walton, properly seconded by Ms. Barton, the Board voted to adopt the exempt action related to preneed funeral planning continuing education (18VAC65-20-151) as presented. The motion carried (8-0).

Adoption of Fast-Track Action Related to Retention of CE Documents (18VAC65-20-153)

Ms. Barrett provided an overview of the fast-track action related to retention of continuing education documents (18VAC65-20-153), proposed for consistency in the regulations in light of the change in statutory language (HB 99) enacted during the 2022 General Assembly Session.

Upon a **MOTION** by Mr. Williams, properly seconded by Mr. Nelsen, the Board voted to adopt the fast-track action related to retention of continuing education documents as presented. The motion carried (8-0).

Revision of Guidance Document 65-15: Guidance for Granting Internship Extensions

Ms. Tillman Wolf provided an overview of the proposed revisions to Guidance Document 65-15, Guidance for Granting Internship Extensions. The revisions track the change in regulation language resulting from the Board’s periodic review of the Internship Regulations (effective March 3, 2022).

Upon a **MOTION** by Mr. Nelsen, properly seconded by Ms. Mimms, the Board voted to adopt the proposed revision of Guidance Document 65-15, Guidance for Granting Internship Extensions as presented. The motion carried (8-0).

BREAK

The Board took a break at 10:53 a.m. and returned at 11:03 a.m.

ELECTIONS

Mr. Graves stated that in accordance with the Bylaws, during the first meeting of the organizational year, the Board shall elect from its members a President, Vice-President, and Secretary-Treasurer.

Mr. Graves provided remarks regarding the process for making additional floor nominations.

Mr. Graves opened the floor for nominations for President of the Board of Funeral Directors and Embalmers. Mr. Williams nominated Mr. Graves for the position of President, which nomination was seconded by Mr. Nelsen. The nominations were closed.

Mr. Graves called for a voice vote for the election of the one nominee, Mr. Graves, for the position of President of the Board of Funeral Directors and Embalmers. By unanimous vote of 8-0, Mr. Graves was elected as President of the Board of Funeral Directors and Embalmers.

Mr. Graves opened the floor for nominations for Vice-President of the Board of Funeral Directors and Embalmers. Mr. Nelsen nominated Mr. Williams for the position of Vice-President, which nomination was seconded by Mr. Graves. The nominations were closed.

Mr. Graves called for a voice vote for the election of the one nominee, Mr. Williams, for the position of Vice-President of the Board of Funeral Directors and Embalmers. By unanimous vote of 8-0, Mr. Williams was elected as Vice-President of the Board of Funeral Directors and Embalmers.

Mr. Graves opened the floor for nominations for Secretary-Treasurer of the Board of Funeral Directors and Embalmers. Mr. Walton nominated Ms. Barton for the position of Secretary-Treasurer, which nomination was seconded by Mr. Williams. The nominations were closed.

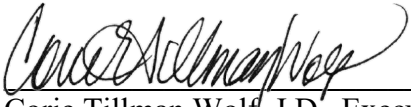
Mr. Graves called for a voice vote for the election of the one nominee, Ms. Barton, for the position of Secretary-Treasurer of the Board of Funeral Directors and Embalmers. By unanimous vote of 8-0, Ms. Barton was elected as Secretary-Treasurer of the Board of Funeral Directors and Embalmers.

NEXT MEETING

The next meeting date is October 21, 2022.

ADJOURNMENT

With all business concluded, the meeting adjourned at 11:08 a.m.



Corie Tillman Wolf, J.D., Executive Director

October 24, 2022

Date