

APPROVED

**BOARD OF FUNERAL DIRECTORS AND EMBALMERS
MINUTES OF GENERAL BOARD MEETING**

**Wednesday, December 10, 2003
6603 West Broad Street
Richmond, Virginia 23230-1712
Conference Room 1**

Department of Health Professions

- CALL TO ORDER:** A meeting of the Virginia Board of Funeral Directors and Embalmers was called to order at 9:00 a.m.
- PRESIDING:** J. Michael Williams
- MEMBERS PRESENT:** Jack Miller
Joseph Jenkins, Jr.
Billie Watson Hughes
Barry Murphy
Rev. Alane C Miles
W.D. "Skip" Tharp
- MEMBERS ABSENT:** Bobby Gardner, Sr.
Pratt Stelly
- STAFF PRESENT:** Elizabeth Young, Executive Director
Aesha Hopson, Administrative Assistant
Elaine Yeatts, Senior Policy Analyst
Gail Jaspen, Deputy Director
- COUNSEL PRESENT:** Emily Wingfield, Assistant Attorney General
- GUESTS:** David Partridge, Regulatory Support Services
Hilton Graham, Advantus Strategies
Meredith Partridge, Regulatory Support Services
Bruce Keeney, Independent Funeral Homes of Virginia
Lori Blasius, Turner-Robert Shaw Funeral Home
- QUORUM:** A roll call was done by Ms. Young. With 6 members of the Board present, a quorum was established.
- ORDERING OF AGENDA:** On a properly seconded motion by Mr. Miller, the Board approved the agenda.
- ACCEPTANCE OF MINUTES:** On a properly seconded motion by Mr. Jenkins, the Board voted to approve the minutes of Special Conference Committee held May 27, 2003.
- On a properly seconded motion by Mr. Jenkins, the Board voted to approve the minutes of Special Conference

Committee held July 29, 2003.

On a properly seconded motion by Mr. Jenkins, the Board voted to approve the minutes of Board Meeting held September 9, 2003.

On a properly seconded motion by Mr. Miller, the Board voted to approve the minutes of Special Conference Committee held September 30, 2003.

On a properly seconded motion by Mr. Tharp, the Board voted to approve the minutes of Task force on Inspection Process with corrections held October 7, 2003.

On a properly seconded motion by Mr. Tharp, the Board voted to approve the minutes of Formal Hearing held October 7, 2003.

Ms. Young introduced Ladonna Duncan of Data, to discuss online renewal process.

PUBLIC COMMENT

None

NEW BUSINESS:

Norfolk State University

Dr. Michelle Woodhouse, Associate Director for Continuing Education at Norfolk State University and Mr. Joseph Walton, Funeral Service Program Coordinator gave a brief presentation on the newly accredited Funeral Service Education Program at NSU.

Confidential Consent Agreements

Ms. Young provided a draft guidance document of possible violations for CCA's to the Board. On a properly seconded motion by Rev. Miles, the Board referred the matter to the Special Conference Committee for recommendation to the full Board meeting in March.

Board of Health Professions

Ms. Young gave a summary of the Board of Health Professions meeting held October 22, 2003. Mr. Jenkins is the Board of Funeral Directors and Embalmers representative.

Division of Vital Records - DOH

Ms. Young presented to the Board a report of the Division of Vital Records meeting held November 18, 2003. On a properly seconded motion by Mr. Tharp, the Board voted to direct staff to draft memorandum of understanding between the Board of Funeral Directors and Embalmers and the Division of Vital Records, Department of Health. On a properly seconded motion by Ms. Hughes, the Board voted to direct staff to draft a memorandum of understanding between the Board of Funeral Directors and Embalmers and Bureau of Insurance of the Special Conference Committee. Bruce Keeney, Executive Director, IFHV notified the Board of the proposed legislation of IFHV to amend 32.1 2.63.

Cemetery Board

Ms. Young provided the minutes of the Cemetery Board meeting held October 7, 2003. The Board directed Ms. Young to arrange a joint Board meeting with the Cemetery Board.

Task Force on Inspection Process

Ms. Young presented recommendations from the Task Force on Inspection Process Committee meeting. On a properly seconded motion by Ms. Hughes, the board approved recommendation of Appendix III: Itemized statement: the package definition shall refer to GPL or shall state what items package includes in either section, for inspection guidance document with corrections. The board also addressed the following questions asked by DHP Field Investigators and Enforcement Staff;

1. Licensees are placing the following disclosure on GPL and it implies sanction from FTC: "These disclosures are made in compliance with the requirements set forth by the FTC. These prices have been computed according to the guideline set forth by the F.T.C. Rules and in accordance with generally accepted practices by NAME OF FUNERAL HOME." **Does statement mislead public? On a properly seconded motion by Ms. Hughes, the Board viewed the statement as false and/or misleading to the public.**

2. Is it still OK to drain the embalming table fluids

directly into a floor drain?

On a properly seconded motion by Mr. Tharp the Board voted that the answer to be yes. Rev. Miles abstained.

3. Is a cloth covered container considered an alternative or casket container? **On a properly seconded motion by Mr. Tharp, the Board adopted the FTC definition: A casket has a fixed lining and alternative container does not have a fixed lining. Also, on a properly seconded motion by Mr. Miller, the Board requested an interpretation from the Assistant Attorney General of the need of a FSL for the burial of cremation remains.**
4. Do funeral services such as viewing require the presence of a FSL (at all times)? **On a properly, seconded motion by Mr. Miller, the Board agreed to draft a letter to the Attorney General's Office and report back at the March Board Meeting.**
5. Is a preprinted embalming report with names and license numbers acceptable? **On a properly seconded motion by Mr. Miller, the Board voted yes as long as there is an indication of who actually embalmed the body.**

International Conference

On a properly seconded motion by Mr. Jenkins, the Board to send Ms. Young and Ms. Hughes to attend the Convention of International Conference to be held April 23-25, 2004 in St. Louis, Missouri.

Examination Committee

Ms. Young expressed various concerns that she has received from applicants concerning Experior. She asked that the committee e-mail her possible dates in January for them to meet. Ms. Young also stated that she will ask Experior to attend the March Board meeting to discuss statistics with the Board.

Continuing Education Committee

Ms. Stelly, Chair of the Continuing Education Committee, was absent. Ms. Young provided a list of approved providers as stated in the regulations.

Legislative/Regulatory Committee

Ms. Yeatts stated that the final general regulations were approved and will be published on December 28, 2003. They will go into effect on January 28, 2004.

Report of the Initial and Renewal Applications of Waiver of Full-Time Manager Requirements

Ms. Young informed the Board that 18 funeral homes have been added to the list since July 2002. She asked the Board to examining creating separate licenses again to assist funeral homes who are unable to have full-time licensees.

EXECUTIVE DIRECTOR'S REPORT

Ms. Young presented licensee statistics, disciplinary statistics, budget information and the Board Calendar for next year.

OPEN FORUM

Mr. Murphy brought up increasing the courtesy card fee. Ms. Young stated that a proposed fee increase presentation will be presented at the June 2004 meeting.

ADJOURNMENT

With all business concluded, the Board adjourned at 11:50p.m.

J. Michael Williams, Vice-President

Elizabeth Young, Executive Director

**Virginia Board of Funeral Directors and Embalmers
General Board Meeting
December 10, 2003**

DRAFT 6

Date

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