

The Virginia Board of Funeral Directors and Embalmers convened a Regulatory Advisory Panel meeting on Wednesday, July 10, 2024, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Training Room #1, Henrico, Virginia.

PANEL MEMBERS PRESENT:

R. Thomas Slusser, FSL, Panel Chair*
S. Jonathan Hines, FSL*
K. Scott Hickey, MD
Mia F. Mimms, FSL, JD*
Angela Bezik, Virginia Funeral Directors' Association
Paul Harris, Regulatory Support Services, Inc.
Jonathan Muncy, FSL, Association of Independent Funeral Homes of Virginia*
Barry Robinson, FSL, Virginia Morticians' Association*

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING:

Erin Barrett, JD, Director of Legislative and Regulatory Affairs
Sarah Georgen, Licensing and Operations Supervisor
Annette Kelley, MS, CSAC, Deputy Executive Director
Melanie Pagano, JD, Deputy Executive Director
Matt Novak, Policy and Economic Analyst
M. Brent Saunders, Senior Assistant Attorney General, Board Counsel
Corie Tillman Wolf, JD, Executive Director

OTHER GUESTS PRESENT:

Daniel Woodfin, FSL, Bliley's Funeral Home*
Krystina Diman, FSL, Virginia Funeral Directors' Association*
Scott Johnson, Hancock, Daniel & Johnson PC
Oliver Buckner
Bradley Howdyshell, FSL, Thacker Brothers*

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

CALL TO ORDER

Mr. Slusser called the meeting to order at 1:00 p.m. and asked the Panel Members and staff to introduce themselves.

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

Mr. Slusser reminded the Panel Members and audience about microphones, computer agenda materials, breaks, sign-in sheets, and attendance for continuing education requirements.

Ms. Tillman Wolf then read the emergency egress instructions.

ORDERING OF THE AGENDA

Mr. Slusser opened the floor to any proposed changes to the ordering of the agenda. Hearing non, he proceeded with the meeting.

CHARGE OF REGULATORY ADVISORY PANEL

Mr. Slusser stated that the Regulatory Advisory Panel (RAP) was convened pursuant to 18VAC65-11-70 of the Board's Regulations related to Public Participation. Mr. Slusser stated that this RAP consists of Board Members and stakeholder association representatives who are charged with discussing and compiling recommendations to the full Board regarding the content of the emergency regulations that are required by SB 521, Chapter 247 of the 2024 Acts of Assembly, which established a declinable preneed funeral guarantee fee.

PUBLIC COMMENT

There was no public comment.

PANEL DISCUSSION

Discussion of and Recommendations to Full Board Regarding Emergency Regulations for Preneed Funeral Contracts, Declinable Preneed Funeral Guarantee Fee (SB 521 – Ch. 247 of the 2024 Acts of Assembly) (18VAC65-30-10 et seq.)

Mr. Slusser stated that the current laws and regulations for preneed funeral planning, as well as Senate Bill 521 were provided in the agenda packet.

Mr. Slusser asked Ms. Tillman Wolf and Ms. Barrett to discuss the staff draft of amendments to the regulations provided to panel members. Mr. Slusser posed a series of questions to panel members regarding the use of the preneed funeral guarantee fee in practice and whether additional disclosure statements were necessary for consumers.

The panel members discussed possible recommendations for inclusion in the emergency regulations for preneed funeral planning.

NEXT STEPS

Mr. Slusser announced the next steps, including drafting recommendations for consideration by the Board as discussed during the meeting. The Board will consider these recommendations at its next full Board meeting scheduled for July 16, 2024.

Mr. Slusser stated that in order to meet the timeframe established by Senate Bill 521 to have emergency regulations in place by January 5, 2025, the Board will look to adopt emergency regulations and a Notice of Intended Regulatory Action (NOIRA).

Mr. Slusser stated that the regulatory process will involve additional comment periods and stated that interested parties should refer to the Town Hall website for up-to-date information on the status of regulations, as well as access to public comment forums.

Ms. Tillman Wolf noted that she will draft amendments to Appendix I in line with the recommendations made by the panel members for consideration by the full Board.

ADJOURNMENT

Mr. Slusser called for any objections to adjourn the meeting. Hearing no objections and with all business concluded, the meeting adjourned at 2:10 p.m.

Corie Tillman Wolf, J.D., Executive Director

Date