

APPROVED

BOARD OF FUNERAL DIRECTORS AND EMBALMERS MINUTES OF LEGISLATIVE/REGULATORY COMMITTEE

Wednesday, March 28, 2007

**Department of Health Professions
6603 West Broad Street, 5th Floor
Richmond, Virginia 23230
Conference Room 1**

CALL TO ORDER

The Legislative/Regulatory Committee meeting of the Virginia Board of Funeral Directors and Embalmers was called to order at 9:12 a.m.

PRESIDING

Michael Leonard, Chair

MEMBERS PRESENT:

W. D. Tharp, FSL Member
Randolph T. Minter, FSL Member
Robert B. Burger, Jr., FSL Member
Walter Ball, Citizen Member
Blair Nelsen, FSL Member

OTHER BOARD MEMBERS PRESENT:

Billie Watson-Hughes

COMMITTEE MEMBERS ABSENT:

None

STAFF PRESENT:

Elizabeth Young, Executive Director
Sandra Ryals, Deputy Executive Director
Elaine Yeatts, Senior Policy Analyst
Jeanette Meade, Administrative Assistant

QUORUM:

With six members present, a quorum was established.

GUESTS PRESENT:

Partridge, Regulatory Support Services, Inc.
Sherri Douglass, Regulatory Support Services, Inc.

ORDERING OF THE AGENDA:

The agendas order was changed and then accepted.

PUBLIC COMMENT:

There was no public comment.

REVIEW OF MINUTES

The minutes of the Legislative/Regulatory Committee meeting of June 6, 2006 were reviewed and approved.

2008 LEGISLATIVE PROPOSALS

Ms. Yeatts gave an overview of Proposal Identifier Number – FDE#1 which is draft legislation to amend the name for the Board of Funeral Directors and Embalmers to become the Board of Funeral Services. Based on this change it would reflect accurately the issuance of the license for this occupation of the Board.

Mr. Minter made the motion that the Board will support the recommendation if an association submits it to the General Assembly. The motion was properly seconded by Mr. Nelsen.

The Proposal Identifier Number – FDE#2 which is draft legislation amend the statute for Licensure of funeral establishments and for License renewal; failure to return renewal form.

Mr. Nelsen move to strike language in recommended legislation. The motion was properly seconded by Mr. Tharp.

Mr. Tharp made the motion to strike language in the recommendation of legislation of the statute pertaining to License renewal; failure to return renewal form.

The committee discussed developing a guidance document to assist the Special Conference Committee in ways to address the funeral service interns that do not complete the program or have issues in completing the program.

The Committee recommends that our office seeks a memorandum of understanding with the State Corporation Commission – Bureau of Insurance to share disciplinary

information.

Mr. Tharp made a motion that directs staff to submit a legislative proposal to amend 54.1-2408 to issue a summary suspension of such person(s) or funeral establishment that is not able or is unwilling to adequately protect the funds or the financial interest of any person that seeks funeral assistance. The vote was unanimously carried.

Review of Preneed Regulations

The Committee reviewed the preneed regulations and discussed examining 18VAC65-30-10, Definition of Capper or steerer for a better understanding or usage. The Committee discussed 18VAC65-30-50.1 Solicitation in relation to the above definition of the Capper, is clearly stated that a funeral licensee shall not initiate any preneed solicitation to entice a person to do a preneed contract of sale.

The Committee wants to add 18VAC65-30-180.4 State Corporation Commission license number on to the preneed contract.

ADJOURNMENT:

With no further business, the committee adjourned at 11:00 a.m.

Immediately following the meeting

Sanction Reference Manual

Mr. Neal Kauder provided the Committee with the new changes they suggested previously. He explained again how to use the worksheet and explained the instruction sheet as well. He then gave them an example of a case scenario and had the Board members use the Sanction Reference Worksheet to score the case. This aided the Board members in considering how helpful this would be for their usage with the disciplinary cases. They thanked him for his time and efforts.

Michael Leonard, Chair

Elizabeth Young, Executive Director

Date

Date