

**APPROVED MINUTES
VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS
MEETING MINUTES**

The Virginia Board of Funeral Directors and Embalmers convened for a Board meeting on Tuesday, October 10, 2017 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #2, Henrico, Virginia 23233.

BOARD MEMBERS PRESENT

Louis R. Jones, FSL, President
Larry T. Omms, Vice President
Joseph Frank Walton, Secretary-Treasurer
Connie B. Steele, FSL
R. Thomas Slusser, Jr., FSL
Blair Nelsen, FSL
Mia F. Mimms, FSL, JD

BOARD MEMBERS ABSENT

Ibrahim A. Moiz, Esq., Citizen Member
Junius H. Williams, Jr., Citizen Member

STAFF PRESENT FOR ALL OR PART OF MEETING

Corie Tillman Wolf, Executive Director
Lynne Helmick, Deputy Executive Director
David Brown, DO, Agency Director
Heather Wright, Program Manager, FDE/LTCA Boards
Candace Carey, Discipline Assistant
Erin Barrett, Assistant Attorney General, Board Counsel

GUESTS PRESENT

Abbey Shepperson, VFDA
Barry D. Robinson, VMA
Paul Harris, Regulatory Support Services, Inc.

CALLED TO ORDER

Louis Jones, FSL, President, called the Board meeting to order at 10:00 a.m.

Board members and staff introduced themselves. With 7 Board members present, a quorum was established.

Mr. Jones stated the following before the first order of business:

- 1) He reminded Board Members to speak into the microphones so everyone can hear.
- 2) He reminded the audience that there are sign in sheets if they wish to make public comment.
- 3) Computers were provided to the Board members for the purpose of the meeting only and have no connection to the internet. The material that they are able to review on the computer is the same material that has been made available to the public.
- 4) He asked for the members of the audience to refrain from approaching or discussing Board related business with the Members during breaks.

Ms. Tillman Wolf then read the emergency egress instructions.

ACCEPTANCE OF MINUTES

Upon a motion by Connie Steele, and properly seconded by Larry Omph, the Board voted to accept the following meeting minutes:

- Minutes of Board Meeting – July 18, 2017
- Formal Hearing – July 18, 2017
- Examination Committee Meeting – September 4, 2017
- Ad Hoc Committee on Funeral Internships – September 22, 2017

The motion passed unanimously. The minutes of two Informal Conferences, held on August 24, 2017, were presented but do not require approval of the Board.

ORDERING OF AGENDA

There was one change to the agenda. Elaine Yeatts, Senior Policy Analyst, was not able to attend the meeting, and Ms. Tillman Wolf will be presenting the Regulatory/Legislative report.

Upon a motion by Mr. Walton, and properly seconded by Mr. Slusser, the Board voted to accept the Agenda as revised. The motion passed unanimously.

PUBLIC COMMENT PERIOD

Barry Robinson, VMA, stated that since this is the last meeting before the new year, he wished everyone happy holidays.

AGENCY DIRECTOR'S REPORT- David Brown – Agency Director

Dr. Brown relayed information from his participation in the Governor's task force on the opioid crisis in Virginia. He stated that there has been a 40% increase of deaths from 2015-2016. The opioids generally involved are heroin, Fentanyl, and synthetic opioids. For 80% of the heroin addicts, their addiction started with an opioid prescription. In 2016, enough opioid prescriptions were written to provide every adult in the country with a bottle. The General Assembly tasked the Secretary of Health and Human Resources with two workgroups that have been convened by

DHP: a workgroup on the development of educational curricula for health professional schools and a workgroup on the electronic prescribing of opioids based upon a bill that requires that all opioid prescriptions be conveyed to pharmacies electronically by 2020.

Dr. Brown announced that the agency is working on training videos for Board Members which will include training on confidentiality, Sanctioning Reference Points, probable cause, conflict of interest, and chairing Board meetings and hearings.

Dr. Brown stated that DHP requested and was granted a change in how time is counted for disciplinary cases in the Virginia Performs goals. The days a case has been in a continued status for pending informal conferences and formal hearings will not be counted as part of the total days a case is pending.

Dr. Brown reported that the Governor did not accept the Board's legislative proposal for a change to the statute on funeral internships, and that bill will not be part of the Governor's legislative package.

With no further questions, Dr. Brown concluded his report.

PRESENTATION – Virginia's Registered Apprenticeship Program

Patricia Morrison, Director, Division of Registered Apprenticeship, Virginia Department of Labor and Industry, gave a presentation on the Registered Apprenticeship Program and on how her office supports apprentice programs in varied occupations throughout the state.

BREAK

Mr. Jones called for a break at 11:06 a.m. The meeting reconvened at 11:16 a.m.

STAFF REPORTS

Executive Director's Report - Corie Tillman Wolf, Executive Director

Corie Tillman Wolf, Executive Director, began her report by introducing a new staff member, Candace Carey, Discipline Assistant.

Ms. Tillman Wolf presented the Expenditure and Revenue Summary as of June 30, 2017.

Cash Balance as of June 30, 2016	\$ 242,995
FY17 Revenue	698,615
Less Direct & In-Direct Expenditures	<u>560,863</u>
Cash Balance June 30, 2017	\$ 380,747

There is a projected cash balance of \$385,472 at the end of FY 18. It is recommended that no action be taken at this time regarding license fees.

Ms. Tillman Wolf presented licensure statistics that included the following information:

License	Q1 FY 2018	Q4 FY 2017	Change +/-
Funeral Service Licensees	1,539	1,515	24
Funeral Director	39	39	--
Embalmer Only	2	2	--
Supervisors	522	512	10
Interns	195	184	11
Establishments	430	430	--
Branch Establishments	77	76	1
Crematories	113	113	--
CE Providers	16	23	(7)
Courtesy Card Holders	99	88	11
Surface Transport & Removal Svc.	45	43	2
Total (*not incl. supervisors)	2,555	2,513	42

New Licenses/Registrations Issued Jan 1-September 30, 2017

License Type	Number
Funeral Service Licensees	41
Supervisors	26
Interns	60
Establishments	3
Branch Establishments	2
Crematories	3
CE Providers	1
Courtesy Card Holders	14
Surface Transport & Removal Svc.	6

Ms. Tillman Wolf provided the following statistics regarding the Virginia Performs – Customer Satisfaction Survey Results

- Q1 17 – 100%
- Q2 17 – 100%
- Q3 17 – 88.9%

Q4 17 – 100%

Ms. Tillman Wolf provided the following updates:

- The International Conference of Funeral Service Examining Boards
 - The Model Internship Ad Hoc Committee convened in late September.
 - Electronic transmission of scores – both National Exam and State LRR Exam – has recently started.
- Sanction Reference Points project
 - Board member interviews were conducted in late May. From those interviews, the following points were made:
 - The SRP manual would be a good tool for cases that do not rise to level of IFC; i.e. tool for PHCOs.
 - There are items not covered by worksheets including cases involving care and handling of deceased and scoring of impairment/incapacitation cases.
 - Clarification of “any decedent involvement” is needed.
 - All agreed the SRP is a good tool for the sanctioning process and beneficial to new Board members.
 - Researchers have been collecting information from closed funeral cases and are about halfway through review of study sample.
 - At the next meeting, the statistical results of study will be shared with Board.

Ms. Tillman Wolf had the following reminders and staff notes:

- Please contact Board staff if you receive a request for a presentation (e.g. Laws & Regs or Preneed).
- If travelling on official Board business, Board members will need to get approval beforehand, even if an organization is paying expenses.
 - Board members were reminded to keep records of reimbursement received.
 - If there are any questions related to travel, please contact Board staff.

Ms. Tillman Wolf reminded Board members to let staff know if there are changes in contact information. She thanked the Board members for their hard work and dedication.

The Board meeting dates for 2018 are:

January 16 (Tues) - 10:00 a.m.

April 17 (Tues) - 10:00 a.m.

July 12 (Tues) - 10:00 a.m. This is a change in date from what was previously reported.

October 16 (Tues) - 10:00 a.m.

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

Discipline Report – Lynne H. Helmick, Deputy Executive Director

Lynne Helmick, Deputy Executive Director, reported on the current number of open cases, discipline statistics, and Key Performance Measures.

38 Open Cases

6 in APD

26 in Investigation
6 in Probable Cause

12 licensees are in Compliance Monitoring.

Virginia Performs (Q4-FY2017):

- The Clearance Rate was 100%. We received 6 cases and closed 6 cases.
- The Pending Caseload over 250 days was at 10% (1 case).
- The percentage of cases closed within 250 days was 67%. Four of the six cases closed were within 250 days.

All cases closed in Q4-FY2017:

- The number of cases received was 22.
- The total number closed was 20.
- The percentage of cases closed within 250 business days was 70%.
- The average number of calendar days to close a case was 223.3 days.

Ms. Helmick provided a summary of the categories of cases processed by the Board in FY17 and the first quarter of FY18.

With no further questions, Ms. Helmick concluded her report.

Board Counsel Report – Erin Barrett, AAG

Ms. Barrett did not have a report.

COMMITTEE AND BOARD MEMBER REPORTS

Examination Committee – Frank Walton, FSL

Mr. Walton stated the Committee met on September 5, 2017 and will meet again on October 10, 2017. He said the Committee's approach is a two-step process – the first step was to review the current questions and the second step is to draft new questions.

Ad Hoc Committee on Funeral Internships – Blair Nelsen, FSL

Mr. Nelsen reported that the committee met again on September 22, 2017. He reported that the committee looked at reporting forms from other jurisdictions and made recommendations for changes to our report forms. The staff will draft new forms to present to the committee. Mr. Nelsen stated the committee is planning to look at Funeral Intern Supervisor training after the report forms are completed. Mr. Nelsen then segued into his report from the Conference.

Report from the Conference of Funeral Service Examining Boards – Blair Nelsen, FSL

Mr. Nelsen discussed the Conference's Model Internship Committee and stated that it has been interesting to him to see the different jurisdictions' requirements. He reported that the Conference is also looking at intern supervisor training.

Mr. Nelsen stated that the Conference's annual conference will be from February 27, 2018 to March 3, 2018 in New Orleans. Mr. Nelsen recommended the Board member training which he plans to attend.

Mr. Nelsen stated Massachusetts has dropped the licensure requirement for passage of the national examination. He said this will likely have implications for other jurisdictions.

Board of Health Professions Report – Junius Williams, Jr.

Mr. Williams was not present; the report will be deferred until the next Board meeting.

Upon a motion by Mr. Omps, duly seconded by Mr. Nelsen, the Board accepted the reports of the Examination Committee, the Committee on Funeral Internships, and the Report from the Conference. The motion passed unanimously.

LEGISLATIVE AND REGULATORY ACTIONS – Corie Tillman Wolf

Ms. Tillman Wolf presented the revised, draft language for proposed regulations on continuing education credit for attendance at Board meetings. Board members discussed the addition of committee meetings to the proposed wording.

Upon a motion by Mr. Nelsen, duly seconded by Mr. Slusser, the Board voted to adopt the proposed regulations for continuing educations credits for attendance of Board meetings as presented and revised. The motion passed unanimously.

OLD BUSINESS

Ms. Helmick provided information from the statutes of the Virginia Department of Health (§32.1-309.1 and §32.1-309.2) relative to the discussion at the previous Board meeting regarding storage of bodies received from hospitals or nursing homes in situations where there has been no communication with next of kin.

NEW BUSINESS

Funeral Science Students and Embalming – Frank Walton, FSL

Mr. Walton discussed difficulties he encounters related to funeral sciences students and embalming. He stated that there is no provision in the Board's statutes or regulations regarding a student's ability to embalm in a funeral home. The funeral science schools are having difficulty with providing enough lab embalming experience. The cadavers are of limited use because of

their condition and the cost of cadavers is high. He stated that the State Anatomical Program charges \$1,600 per cadaver plus there is a \$400 disposal cost. The schools would like to have the ability to use funeral homes in the area for the purpose of providing the embalming training. Upon a motion by Mr. Omps, duly seconded by Mr. Nelsen, the Board moved to refer this issue to the Internship Committee for further research. The motion passed unanimously.

Election of Officers:

- Upon nomination by Blair Nelsen, the Board elected Mia Mimms as Secretary-Treasurer. The vote was unanimous.
- Upon nomination by Larry Omps, the Board elected Frank Walton as Vice-President. The vote was unanimous.
- Upon nomination by Mia Mimms, the Board elected Larry Omps as President. The vote was unanimous.


The next meeting date is January 16, 2018.

ADJOURNMENT

With all business concluded, the meeting was adjourned at 12:23 p.m.


Louis R. Jones, FSL, President

01/16/2018
Date


Corie Tillman Wolf, Executive Director

1/16/18
Date