

**BOARD OF FUNERAL DIRECTORS AND EMBALMERS
MINUTES OF TASK FORCE ON THE INSPECTION PROCESS**

**Tuesday, October 7, 2003
6603 W. Broad Street, 5th Floor
Room 4
Richmond, Virginia**

Department of Health Professions

CALL TO ORDER: A meeting of the Virginia Board of Funeral Directors, Task Force on the Inspection Process was called to order at 11:07 a.m.

PRESIDING: Joseph Jenkins, Chair

MEMBERS PRESENT: Bobby Gardner, Sr.
W.D. "Skip" Tharp
Barry Murphy
J. Michael Williams
Billie Hughes
Jack Miller

MEMBERS ABSENT: Pratt Stelly

STAFF PRESENT: Elizabeth Young, Executive Director
Aesha Hopson, Administrative Assistant

OTHER PRESENT: Faye Lemon, Director of Enforcement
Sammy Johnson, Deputy Director of Enforcement
Marta J. Ishmael, Senior Inspector, Enforcement Division
Lynn Helmick, Senior Inspector, Enforcement Division
Lisa Oliphant, Senior Inspector, Enforcement Division
Keith Dressler, Senior Inspector, Enforcement Division
Adrian Christian, Case Intake Analyst
Loretta Hopson-Bush, Intake Investigator Analyst
Jim Banning, Director of APD
Tammie Hall, Senior Adjudication Analyst

GUEST: Meredyth Partridge, RSS, Inc.
David Partridge, RSS, Inc.
Sally D. Lowell, RSS, Inc.
David Bashline, RSS, Inc.
Geoffrey Stone, RSS, Inc.
Hilton Graham, Advantus Strategies
Ron Saunders, VFDA

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2

- QUORUM:** With 7 members present, a quorum was established.
- ORDERING
AGENDA:** **OF** On a properly seconded motion by Mr. Gardner, the Committee moved to accept the agenda.
- INTRODUCTION
BOARD AND STAFF** **OF** Each member of the Board and DHP staff introduced themselves.
- PUBLIC COMMENT:** None.
- INSPECTION
REGULATIONS** Ms. Young reviewed the 2003 General Assembly amendments to the funeral statute: irrevocable trusts. Also, she discussed amendments to the preneed and resident trainee regulations.
- With a properly seconded motion by Mr. Miller, the Committee moved to recommend the following change in the preneed regulations: establishment of time limit to transfer preneed contract between providers and to determine what documents shall be transferred.
- After discussion with DHP staff, the Committee recommended the following amendment to the Inspection Guidance Document:
- On Appendix III: Itemized Statement, the package definition may refer to GPL or may state what items package includes
- Inspectors and Enforcement staff requested Committee interpretation of questions:
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?**

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

into a floor drain? **The Committee states that the procedure is correct.**

3. Is a cloth covered container considered an alternative or casket container? **The Committee stated that a casket has a fixed lining and an alternative container does not have any lining.**

4. Do funeral services such as viewing require the presence of a FSL (at all times)? **The Committee recommends no.**

The Committee directed staff to seek an interpretation from the Board's counsel regarding the need of a licensee at a viewing and at a cemetery or to bury cremains.

5. Is a preprinted embalming report with names and license numbers acceptable? **The Committee recommends yes as long as there is an indication of who actually embalmed the body.**

The Inspectors requested that all copies of change of manager notifications and establishment closure letters be sent to Mr. Johnson for dissemination to staff.

Jim Banning and Tammie Hall, both of APD, asked the Committee about procedures for docketing cases against a manager of record and/or funeral service establishment. The Committee recommends that if there is no manager of record, docket the case against the funeral service establishment. Also, if there is a failure to notify board of change of manager, docket cases against manager and establishment. Other issues will be viewed on a case by case basis. The Committee recommends an amendment to 18 VAC 65-20-60 to indicate who the responsible party to notify board is.

The Committee asked Staff to indicate in newsletter the importance of manager of record.

ADJOURNMENT

With all business concluded, the Committee adjourned at 1:39 p.m.

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Joseph Jenkins, Jr., Chair

Elizabeth Young, Executive Director

Date

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