

The Virginia Board of Funeral Directors and Embalmers convened for a full board meeting on Tuesday, July 11, 2023, at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #4, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Jason Graves, FSL, President
Joseph Michael Williams, FSL, Vice-President
Lacyn Barton, FSL, Secretary-Treasurer
Muhammad Hanif, Citizen Member
Joseph Frank Walton, FSL

BOARD MEMBERS NOT PRESENT:

S. Jonathan Hines, FSL
Mia F. Mimms, FSL, JD
Blair H. Nelsen, FSL

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING:

Alesia Baskin, Senior Licensing Program Coordinator
Sarah Georgen, Licensing and Operations Supervisor
Barbara Hodgdon, PhD, Deputy Director, Healthcare Workforce Data Center
James Jenkins, RN, Agency Chief Deputy
Melanie Pagano, Deputy Executive Director
Matt Novak, Policy and Economic Analyst
Brent Saunders, Senior Assistant Attorney General, Board Counsel
Corie Tillman Wolf, Executive Director
Yetty Shobo, PhD, Director, Healthcare Workforce Data Center

OTHER GUESTS PRESENT:

Paul Harris, Regulatory Support Services, Inc.
Barry Robinson, Virginia Morticians' Association
Laura McHale, Association of Independent Funeral Homes of Virginia/Keeney Group
Saga Balla, DHP Summer Intern
Ella Hayes, Board of Funeral Directors and Embalmers Summer Intern

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

CALL TO ORDER

Mr. Graves called the meeting to order at 10:03 a.m. and asked the Board members and staff to introduce themselves.

With five board members present at the meeting, a quorum was established.

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

Mr. Graves reminded the Board 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.

APPROVAL OF MINUTES

Mr. Graves opened the floor to any edits or corrections regarding the draft minutes for the Board meeting held on April 26, 2023. With no edits or corrections, the minutes were approved as presented.

ORDERING OF THE AGENDA

Mr. Graves opened the floor to any additional items to add to the agenda.

Ms. Tillman Wolf noted that Mr. Jenkins, DHP Chief Deputy, would provide the Agency Report in Mr. Owen's absence.

Upon a **MOTION** by Ms. Barton, properly seconded by Mr. Hanif, the Board voted to accept the agenda as amended. The motion carried (5-0).

PUBLIC COMMENT

Mr. Robinson, Virginia Morticians' Association (VMA), thanked the Board for their continued support and thanked Mr. Walton for presenting during the VMA Annual Convention held on June 28 – July 1, 2023.

AGENCY REPORT

Mr. Jenkins thanked the Board and DHP staff for their continued dedication to protecting the public.

Mr. Jenkins highlighted the Virginia Health Workforce Development Authority (VHWDA) study to examine workforce issues across the Commonwealth. He stated that the VHWDA plans to release a comprehensive final report with a strategic plan for goals and objectives on recommendations to address any identified issues related to healthcare workforce shortages. He noted that data collected through DHP's Healthcare Workforce Data Center during the license renewal process was used for analysis throughout the study.

PRESENTATION

2023 Workforce Reports – Funeral Service Providers – Yetty Shobo, PhD, Director, and Barbara Hodgdon, PhD, Deputy Director, Healthcare Workforce Data Center

Dr. Shobo and Dr. Hodgdon provided the 2023 Workforce Reports for Funeral Service Providers.

Upon a **MOTION** by Mr. Hanif, properly seconded by Ms. Barton, the Board voted to accept the 2023 Workforce Reports for Funeral Service Providers as presented. The motion carried unanimously (5-0).

STAFF REPORTS

Executive Director's Report – Corie E. Tillman Wolf, J.D., Executive Director

Ms. Tillman Wolf introduced Ella Hayes, hired as the Board's Summer Intern. She stated that Ms. Hayes had aided the Board with multiple tasks, including researching and compiling information related to Natural Organic Reduction to assist the Board with this topic in the future.

Board Updates

Ms. Tillman Wolf stated that announcements regarding Board Member appointments had yet to be released. She also announced that Mr. Clemons had stepped down from the Board due to personal reasons leaving his position vacant. She stated that this information was communicated with the Secretary of the Commonwealth's Office for an additional appointment.

She stated that Board Members continue to participate in training with provider associations, including the Virginia Morticians' Association.

Ms. Tillman Wolf announced that application questions related to military spouses and servicemembers will be updated in the near future.

She also stated that the Board's frequently asked questions would be revised soon to include additional information related to the closure of a funeral home when a licensee, who is the sole proprietor and manager of record, dies or becomes incapacitated.

Ms. Tillman Wolf shared that staff was processing the removal of inactive funeral supervisors, based on the suggestion at the last meeting from Mr. Nelsen to accurately reflect this information in licensure statistics.

Ms. Tillman Wolf stated that the Board had not received a letter to request a Natural Organic Reduction/Human Composting study. She said that more information would be provided when available.

Ms. Tillman Wolf thanked Andy Inge, Senior Inspector, and Wendy Ashworth, Senior Inspector, for the opportunity for Board staff to accompany them during their inspection process in order to receive additional in-person training.

Board Meeting Dates

Ms. Tillman Wolf announced the remaining 2023 Board meeting dates.

- October 12, 2023

Ms. Tillman Wolf announced the scheduled 2024 Board meeting dates.

- January 12, 2024
- April 16, 2024
- July 16, 2024
- October 10, 2024

Notes and Reminders

Ms. Tillman Wolf provided notes and reminders to the Board regarding travel requirements, contacts from licensees and applicants, and updates to contact information or anticipated absences.

Mr. Williams further inquired about the Natural Organic Reduction study pertaining to notification to the Board. Ms. Tillman Wolf stated that she would notify the Board of any updates when they become available.

Discipline Report

As of May 31, 2023, Ms. Pagano reported the following disciplinary statistics:

- 38 Patient Care Cases
 - 8 at Informal
 - 3 at Formal
 - 2 at Enforcement
 - 25 at Probable Cause
 - 0 at APD
- 37 Non-Patient Care Cases
 - 2 at Informal
 - 0 at Formal
 - 10 at Enforcement
 - 25 at Probable Cause
 - 0 at APD
- 20 at Compliance

Ms. Pagano reported the following Total Cases Received and Closed:

- | | |
|-------------------|-------------------|
| • Q1 2021 – 15/18 | • Q3 2022 – 24/22 |
| • Q2 2021 – 12/12 | • Q4 2022 – 28/21 |
| • Q3 2021 – 20/22 | • Q1 2023 – 5/23 |
| • Q4 2021 – 22/10 | • Q2 2023 – 10/21 |
| • Q1 2022 – 19/18 | • Q3 2023 – 11/13 |
| • Q2 2022 – 19/12 | |

With no questions, Ms. Pagano concluded her report.

Licensure Report – Sarah Georgen, Licensing and Operations Manager

Licensure Statistics – All Licenses

Ms. Georgen presented licensure statistics that included the following information:

License	March 31, 2023 (Q3 2023)	June 30, 2023 (Q4 2023)	Difference (+/-)
Funeral Service Licensees	1,595	1,542	-53
Funeral Director	45	43	-2
Embalmer Only	3	4	+1
Supervisors	600	585	-15
Funeral Service Interns	256	208	-48
Funeral Directing Interns	33	36	+3
Embalmer Interns	2	2	0
Funeral Establishments	425	423	-2
Branch Establishments	86	84	-2
Crematories	133	132	-1
CE Providers	11	11	0
Courtesy Card Holders	136	131	-5
Surface Transport & Removal Svc.	54	45	-9
Total (*not incl. supervisors)	2,779	2,661	-23

Incomplete Renewals - 2023

Ms. Georgen stated that seventeen licensees did not complete the renewal process, in which they answered “no” to some or all of the continuing education questions required. Of those, four licensees received notifications regarding the preneed renewal requirements, eleven provided affirmative attestations of completing their renewal requirements, and two did not respond to the inquiry, which would be further processed for disciplinary review.

With no questions, Ms. Georgen concluded her report.

BOARD COUNSEL REPORT – Brent Saunders, Senior Assistant Attorney General

Mr. Saunders provided an update on two pending court cases involving the Board.

With no questions, Mr. Saunders concluded his report.

COMMITTEE AND BOARD MEMBER REPORTS

International Conference Report – Lacyn Barton, FSL

Ms. Barton provided statistics regarding the National Board Examination (NBE) testing rates for January 1, 2023, to June 30, 2023. Additionally, Ms. Barton provided information regarding initiatives from the Conference regarding training, survey, and workshop opportunities.

BREAK

The Board took a break at 10:41 a.m. and returned at 10:57 a.m.

LEGISLATION AND REGULATORY ACTIONS

Report on Status of Regulations – Matt Novak, Policy and Economic Analyst

Mr. Novak provided an update on pending regulatory actions.

With no questions or comments, Mr. Novak concluded his report.

BOARD DISCUSSION AND ACTIONS

Adoption of Revisions to Guidance Document: 65-3, Guidelines for Processing Applications for Licensure: Examination, Endorsement, and Reinstatement

Mr. Novak provided an overview of proposed updates to the Guidance Document, which were thoroughly discussed by the Board.

Upon a **MOTION** by Mr. Walton, properly seconded by Ms. Barton, the Board voted to adopt the revisions to Guidance Document 65-3, Guidelines for Processing Applications for Licensure: Examination, Endorsement, and Reinstatement, as presented by Mr. Novak. The motion passed unanimously (5-0).

Reaffirmation of Guidance Document: 65-4, Aiding and Abetting Unlicensed Practice

Mr. Saunders requested an amendment to paragraphs one and two related to the section code and specified it to read Virginia Code § 54.1-2806(B)(10).

Upon a **MOTION** by Ms. Barton, properly seconded by Mr. Hanif, the Board voted to reaffirm Guidance Document 65-4, Aiding and Abetting Unlicensed Practice, as amended. The motion passed unanimously (5-0).

Repeal of Guidance Document: 65-19, Identification of Funeral Service Interns

Mr. Novak stated that effective December 7, 2022; interns must be identifiable to the public as an intern per 18VAC65-40-130(G) of the Regulations Governing the Practice of Funeral Services. Therefore, the guidance document was no longer necessary.

Upon a **MOTION** by Mr. Hanif, properly seconded by Mr. Walton, the Board voted to repeal Guidance Document 65-19, Identification of Funeral Service Interns, as presented. The motion passed unanimously (5-0).

Adoption of Fast-Track Action Related to Requirements for Licensure by Reciprocity or Endorsement (18VAC65-20-350)

Mr. Saunders provided suggestions related to possible redundancy of information included in the language presented. The Board thoroughly discussed the fast-track action related to requirements for licensure by reciprocity or endorsement.

Upon a **MOTION** by Mr. Williams, properly seconded by Ms. Barton, the Board voted to defer discussion and action regarding the adoption of fast-track action related to requirements for licensure by reciprocity or endorsement (18VAC65-20-350) to the next meeting. The motion passed unanimously (5-0).

Adoption of Revisions to the Electronic Meeting Policy (§2.2-3708.3)

Mr. Saunders requested a revision to the Electronic Meetings Policy for procedure number two, indicating the Virginia Code as §2.2-3708.3(B)(4).

Upon a **MOTION** by Ms. Barton, properly seconded by Mr. Walton, the Board voted to accept the adoption of revisions to the Electronic Meeting Policy under §2.2-3708.3 as amended. The motion passed unanimously (5-0).

NEW BUSINESS

Process for Electronic Amendments to Death Certificates

Mr. Graves provided additional information to the Board regarding the updated Electronic Death Registration System (EDRS) process, specifically regarding amendments to death certificates, which became effective July 1, 2023. He stated that the system still needed to be updated online but would soon allow amendments to be made online rather than in person. Ms. Tillman Wolf said she would contact the Vital Records office for more information about the anticipated rollout of changes to the EDRS system.

BREAK

The Board took a break at 11:37 a.m. and returned at 11:42 a.m.

ELECTIONS

Mr. Graves stated that in accordance with the Bylaws, during the first meeting of the organizational year, the Board shall elect from its members a President, Vice-President, and Secretary-Treasurer.

Mr. Graves provided remarks regarding the process for making additional floor nominations.

Mr. Graves opened the floor for President of the Board of Funeral Directors and Embalmers nominations.

Mr. Graves nominated himself for the position of President. There were no other nominations. The nominations were closed.

Upon a **MOTION** by Ms. Barton, properly seconded by Mr. Williams, the Board voted to elect Mr. Graves as President of the Board of Funeral Directors and Embalmers. The motion passed unanimously (5-0).

Mr. Graves opened the floor for Vice-President of the Board of Funeral Directors and Embalmers nominations.

Mr. Williams nominated Ms. Barton for the position of Vice-President. There were no other nominations. The nominations were closed.

Upon a **MOTION** by Mr. Williams, properly seconded by Mr. Walton, the Board voted to elect Ms. Barton as Vice-President of the Board of Funeral Directors and Embalmers. The motion passed unanimously (5-0).

Mr. Graves opened the floor for nominations for Secretary-Treasurer of the Board of Funeral Directors and Embalmers.

Mr. Graves nominated Mr. Williams. Mr. Williams declined the nomination. Mr. Walton nominated Mr. Hines for the position of Secretary-Treasurer. There were no other nominations. The nominations were closed.

Upon a **MOTION** by Mr. Walton, properly seconded by Ms. Barton, the Board voted to elect Mr. Hines as Secretary-Treasurer of the Board of Funeral Directors and Embalmers. The motion passed unanimously (5-0).

BOARD MEMBER RECOGNITION

Mr. Graves stated that the Board received Mr. Clemons' resignation from the Board effective June 14, 2023. Mr. Clemons' first term as a Citizen Member was set to expire on June 30, 2026. Mr. Graves thanked him for his service to the Board.

NEXT MEETING

The next meeting date is October 12, 2023.

ADJOURNMENT

Mr. Graves asked that all Board Members participate in probable cause case reviews following the adjournment of the meeting.

Mr. Graves called for any objections to adjourn the meeting. Hearing no objections and with all business concluded, the meeting adjourned at 11:49 a.m.



Corie Tillman Wolf, J.D., Executive Director

October 17, 2023

Date