

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

Tuesday, March 8, 2005  
6603 West Broad Street, 5<sup>th</sup> Floor  
Richmond, Virginia 23230-1712  
Conference Room 1

Department of Health Professions

**CALL TO ORDER:** A meeting of the Virginia Board of Funeral Directors and Embalmers was called to order at 9:03 a.m.

**PRESIDING:** J. Michael Williams

**MEMBERS PRESENT:** Billie Watson Hughes  
Joseph Jenkins, Jr.  
Barry Murphy  
Pratt P. Stelly  
W.D. "Skip" Tharp  
Robert Burger, Jr.  
Randy Minter

**MEMBERS ABSENT:** Rev. Alane C. Miles

**STAFF PRESENT:** Elizabeth Young, Executive Director  
Elaine Yeatts, Sr. Policy Analyst, DHP  
Jeanette Meade, Administrative Staff Assistant

**COUNSEL PRESENT:** Jack Kotvas, Assistant Attorney General

**GUESTS:** Meredyth Partridge, RSS, Inc.  
Barry D. Robinson, A.L. Bennett Funeral Home

**QUORUM:** With 8 members of the Board present, a quorum was established.

**ORDERING OF AGENDA:** On a properly seconded motion, the Board approved the agenda with amendments.

**PUBLIC COMMENT:** None

**ACCEPTANCE OF MINUTES:** On a properly seconded motion by Ms. Hughes, the Board approved the Minutes of the Special Conference Committee Meeting of November 17, 2004.

On a properly seconded motion by Mr. Tharp, the Board approved the minutes of its meeting of December 7, 2004.

On a properly seconded motion by Mr. Tharp, the Board

approved the Minutes of the Special Conference Committee Meeting of December 14, 2005.

On a properly seconded motion by Mr. Tharp, the Board approved the minutes of the public hearing of February 9, 2005.

On a properly seconded motion by Mr. Burger, the Board approved the minutes of the Task Force on the Resident Trainee Program meeting of February 9, 2005 with amendments.

## **NEW BUSINESS**

### **Task Force on the Resident Trainee Program**

The Board reviewed the revised trainee reporting form. The Board directed staff to change the term – Apprentice to resident trainee. It also discussed the preceptorship program in South Carolina. The program requires the preceptor (supervisor) to have five years of experience and take a three hour rules course. The preceptor only has one or 2 students.

Mr. Murphy expressed concerns about the second report and the necessity for percentages. Also, he believed that the supervisor and resident trainee should have separate forms to be submitted to the Board.

Mr. Kotvas suggested having only the resident trainee complete the first reporting form.

It was discussed that Pittsburg Mortuary has a school preceptorship program.

Mr. Williams suggested the Board change the term resident trainee to intern. Ms. Hughes stated that the Department of Labor considers funeral service as a profession only in Ohio, Minnesota and Michigan because those states require a four year degree.

With a properly seconded motion by Mr. Tharp, the Board deferred the approval of the resident trainee reporting forms until the June 2005 meeting.

Ms. Hughes discussed the term - full-time and noted that day time and night time are acceptable for forty hours per

week.

### **2005 Virginia General Assembly Update**

Ms. Yeatts provided an overview of the agency related bills: HB 2429, HB 2804, and SB 1173. Also, she discussed the funeral related bills: HB 1683, HB 1727 and HB 2598. On July 1, 2004, all of the funeral related bills become effective.

Ms. Yeatts provided the Board with Notice of Periodic Review of regulations Request for Comment. It is a notice to the general public of the Board's intent to review its sets of regulations.

The Board again discussed the sequence of the traineeship and education. It asked Ms. Young to discuss it at the International Conference Convention in April in Arkansas. Also, the Board wishes to know which states use the term- "intern".

### **Continuing Education Committee**

The Board reviewed redacted examples of responses to the continuing education audit. The renewal period ends March 31, 2005. The Board noted the need to revise the approval process for continuing education providers and it deferred the recommended changes to the Legislative/Regulatory Committee.

### **Board of Health Professions Meeting of January 12, 2005**

Mr. Jenkins advised the Board to review the minutes of the meeting. Ms. Young stated that assisted living administrators will become licensed by the Board of Long Term Care Administrators by 2006.

### **Cemetery Board**

Ms. Young provided the Board a copy of her December 2004 letter to the Cemetery Board. As of the meeting date, no response has been received. The Board requested Ms. Young to send a second invitation for a joint board meeting to the Cemetery Board.

Also, the Board reviewed the Cemetery Board minutes of January 19, 2005.

#### **Adoption of Consent Order**

With a properly seconded motion by Ms. Hughes, the Board adopted the consent order for Entrusting Hands Funeral Establishment.

#### **International Conference of Funeral Service Examining Boards**

Ms. Hughes and Ms. Young will attend the conference on behalf of the Board from April 7-10, 2005. Mr. Williams asked a question regarding the sequence of questions asked on the National Examination. Ms. Hughes stated that the question had been asked at a previous convention, yet no answer was given. It appears to have been an arbitrary decision by the International Conference.

Meredyth Partridge of Regulatory Support Services ("RSS") requested the release of the applicant names to the general public. RSS provides tutoring programs to funeral examination applicants. The Board directed Ms. Young to seek an interpretation from its legal counsel. The interpretation will be presented at the June 2005 meeting: whether or not the funeral applicant list is FOIAable.

#### **OLD BUSINESS**

#### **Legislative/Regulatory Committee**

The Legislative/Regulatory Committee will meet on April 12, 2005 immediately following the Board meeting at 9:00 a.m.

#### **Report of the Funeral Homes under the Waiver of full-time manager requirements**

The Board reviewed the quarterly report.

**EXECUTIVE DIRECTOR'S REPORT**

Ms. Young provided the disciplinary, licensee and budget reports for the Board's review.

With a properly seconded motion by Ms. Hughes, the Board requested a financial analysis of a proposed fee increase at the June 2005 meeting.

Mr. Tharp asked for a Board interpretation of HB 1683. Mr. Kotvas asked the Board to defer the interpretation until after June 8, 2005 and after any pending court cases regarding the issues within the legislation. The Board agreed.

**ADJOURNMENT**

With all business concluded, the Committee adjourned at 12:45 p.m.

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J. Michael Williams, Chair

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Elizabeth Young, Executive Director

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Date

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Date