

APPROVED

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

**Tuesday, December 4, 2007
Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 200
Richmond, Virginia 23233**

CALL TO ORDER

A meeting of the Virginia Board of Funeral Directors and Embalmers was called to order at:
9:00 a.m.

PRESIDING

Willard D. Tharp, President

MEMBERS PRESENT:

Billie Watson Hughes
Randolph T. Minter
Walter S. Ball
Blair H. Nelsen
Robert B. Burger, Jr.
Michael Leonard
Barry Murphy

ABSENT:

Rev. Yvonne Jones Bibbs

COUNSEL:

Jack E. Kotvas, Assistant Attorney General

STAFF PRESENT:

Elizabeth Young, Executive Director
Emily Wingfield, Agency Deputy Director
Elaine Yeatts, Senior Policy Analyst
Pam Horner, Administrative Staff Assistant
Jeanette Meade, Discipline Administrative Assistant

QUORUM:

With eight members present, a quorum was established.

GUESTS PRESENT:

Samantha Pinner, VFDA
Bo Keeney, IFHV
Barry D. Robinson, Virginia Morticians Association
Meredyth Partridge

ORDERING OF THE AGENDA:

Mr. Minter made a motion that the Board accept the agenda as amended. The motion was properly seconded by Mr. Murphy. The motion carried unanimously.

PUBLIC COMMENT:

Meredyth Partridge spoke to the Board.

REVIEW OF MINUTES

Mr. Burger made a motion to approve the minutes of the Special Conference Committee of April 26, 2007. The motion was properly seconded by Ms. Hughes. The vote carried unanimously.

Mr. Burger made a motion to approve the minutes of the Special Conference Committee of June 28, 2007. The motion was properly seconded by Ms. Hughes. The vote carried unanimously.

Ms. Hughes made a motion to approve the minutes of the Telephone Conference Call of July 24, 2007. The motion was properly seconded by Mr. Minter. The vote carried unanimously.

Ms. Hughes made a motion to approve the minutes of the Board Meeting of August 28, 2007. The motion was properly seconded by Mr. Burger. The vote carried unanimously.

Mr. Burger made a motion to approve the minutes of the Telephone Conference Call of August 31, 2007. The motion was properly seconded by Mr. Leonard. The vote carried unanimously.

Mr. Minter made a motion to approve the minutes of the Special Conference Committee of September 25, 2007. The motion was properly seconded by Mr. Burger. The vote carried unanimously.

Mr. Leonard made a motion to approve the minutes of the Formal Hearing of October 9, 2007. The motion was properly seconded by Mr. Ball. The vote carried unanimously.

The Task Force on Inspection Process of October 16, 2007 was deferred until the March 2008 Board Meeting.

Ms. Hughes made a motion to approve the minutes of the Formal Hearing of October 16, 2007.

The motion was properly seconded by Mr. Murphy. The vote carried unanimously.

NEW BUSINESS

Discussion with the Agency Subordinate – J. Michael Williams

Mr. Williams stated that Ms. Young and Ms. Meade sat in on all of the hearings. Mr. Williams said that this is new to the Board and his understanding was that he did not make recommendations to the Board regarding the interns. Mr. Williams has completed 15 cases so far. He does not reveal to the individual at the time of the hearing of denial. Mr. Williams resigned from the position as Agency Subordinate.

Ms. Wingfield recommended that a draft procedure manual would be helpful as well as some training with APD and the Agency Subordinate. She stated that the Agency Subordinate has worked well for the Board of Nursing. The Board will receive training in this matter and whoever is selected to work with Ms. Young will receive a copy of the final decision.

Mr. Nelsen made a motion that the selection of the Agency Subordinate be left to the Executive Director. The motion was properly seconded by Mr. Ball. The vote carried unanimously.

Ms. Young will write a letter to Mr. Williams accepting his resignation and thanking him for his service as Agency Subordinate.

International Conference

Ms. Hughes discussed the upcoming conference from February 26 through 29, 2008 in San Antonio, Texas.

Ms. Hughes stated that the 2009 International Convention was going to take place in Virginia. Possibly, Williamsburg or Norfolk.

Cemetery Board

The minutes of the October 17, 2007 meeting of the Cemetery Board were provided for the Board's information.

OLD BUSINESS

Guidance Documents

Ms. Yeatts discussed the Guidance Documents and stated many of them need to be reformatted and some of them should be repealed. This information is referred to the Legislative/Regulatory Committee.

Document 65-1 is fine.

Mr. Minter made a motion that Documents 65-2 and 14 be repealed. The motion was properly seconded by Mr. Burger. The motion carried unanimously.

Mr. Leonard made a motion to refer Documents 65-3, 4, 5, 6, 7, 8, 9 and 10 to the Legislative Regulatory Committee. The motion was properly seconded by Ms. Hughes. The motion carried unanimously.

Document 65-11 – Inspection Guidance Document (defer to March 4, 2008 amendments)

Documents 65-12 and 13 do not need to be amended.

Legislative/Regulatory Committee

Ms. Yeatts reviewed the proposed Cremation Regulations with the Board with amendments being made by the Board.

Ms. Hughes made a motion to adopt the proposed regulations with amendments as discussed. The motion was properly seconded by Mr. Burger. The motion was carried unanimously.

Mr. Leonard made a motion to adopt amendments to the original motion. The motion was properly seconded by Mr. Burger. The motion carried unanimously as amended.

Periodic Review of General Regulations

Deleted Appendix 4, Appendix 1, 2 and 3 was not amended.

Ms. Hughes made a motion to adopt proposed general regulations as final regulations. The motion was properly seconded by Mr. Burger. The motion was carried unanimously.

Draft Crematory Law for 2008

Ms. Yeatts stated that it was too late for legislative submissions for 2008 by the Board. It was suggested that one of trade associations could possibly submit the legislation for this year. If not then the Board could submit it for 2009.

Update on Kip Jordan Cases and Receivership

Mr. John Russell sent an e-mail to the Board giving an update of Mr. Jordan's situation and the Board discussed the situation.

Report of Waiver of Full-Time Manager Requirements

The Board reviewed the report.

Executive Director's Report

Ms. Young presented the Disciplinary and Licensee statistics for the Board's review. She also discussed the budget and provided a current calendar for the Board.

ADJOURNMENT:

With no further business, the committee adjourned at 12:05 p.m.

Willard D. Tharp, FSL, Chair

Elizabeth Young, Executive Director

DATE

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