

The Virginia Board of Funeral Directors and Embalmers convened for a full board meeting on Friday, February 11, 2022 at the Department of Health Professions, Perimeter Center, 9960 Mayland Drive, 2nd Floor, Board Room #4, Henrico, Virginia.

BOARD MEMBERS PRESENT:

Kenneth Scott Hickey, M.D., Citizen Member, President
Jason Graves, FSL, Vice-President
Joseph Michael Williams, FSL, Secretary-Treasurer
Lacyn Barton, FSL
Mia F. Mimms, FSL, JD
Blair H. Nelsen, FSL
R. Thomas Slusser, Jr., FSL
Joseph Frank Walton, FSL

BOARD MEMBERS ABSENT:

Muhammad Hanif, Citizen Member

DHP STAFF PRESENT FOR ALL OR PART OF THE MEETING:

Barbara Allison-Bryan, M.D., Deputy Director, DHP
David Brown, M.D., Director, DHP
Erin Barrett, Senior Policy Analyst
Sarah Georgen, Licensing and Operations Manager
Kelley Palmatier, Deputy Executive Director
James Rutkowski, Assistant Attorney General, Board Counsel
Corie Tillman Wolf, Executive Director
Heather Wright, Program Manager
Elaine Yeatts, Senior Policy Analyst

OTHER GUESTS PRESENT

Twila Dickerson, Regulatory Support Services
Laura McHale, Association of Independent Funeral Homes of Virginia
Barry Robinson, Virginia Morticians' Association
Janet Rainey, State Registrar, Office of Vital Records, Virginia Department of Health

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

CALL TO ORDER

Dr. Hickey called the meeting to order at 9:00 a.m. and asked the Board members and staff to introduce themselves.

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

Dr. Hickey read the mission of the Board, which is also the mission of the Department of Health Professions.

Dr. Hickey provided reminders to the Board members and audience regarding microphones, sign in sheets, computer agenda materials, attendance for continuing education requirements, and breaks.

Ms. Tillman Wolf then read the emergency egress instructions.

PUBLIC HEARING

Dr. Hickey called the Public Hearing to order at 9:03 a.m. related to receiving public comments on the proposed regulations to replace emergency regulations for separate licenses currently in effect. Dr. Hickey called on persons who had signed up to speak to the proposed amendments.

Barry Robinson, Virginia Morticians' Association, provided comment regarding clarification of the effective date for the reduction in the number of internship hours.

The Public Hearing concluded at 9:05 a.m.

APPROVAL OF MINTUES

Dr. Hickey opened the floor to any edits or corrections regarding the draft minutes for the Board meeting and formal hearing held on October 12, 2021. With no edits or corrections, the minutes were approved as presented.

ORDERING OF THE AGENDA

Upon a **MOTION** by Mr. Nelsen, properly seconded by Mr. Slusser, the Board voted to accept the agenda as amended. The motion carried (8-0).

PUBLIC COMMENT

Barry Robinson, Virginia Morticians' Association, welcomed the Board back to in-person meetings. He stated that the Virginia Morticians' Association will hold an in-person convention in June 2022 and stated that he will submit a request that a Board member provides a presentation during the convention.

AGENCY REPORT

Dr. Allison-Bryan provided statistics of the COVID-19 vaccines in the Commonwealth and provided an update on COVID vaccines.

Dr. Brown discussed upcoming changes to the DHP building which may include metal screening for public, board member, and staff protection. He provided a brief update on the General Assembly session in regards to non-medical marijuana. Dr. Brown also stated that he has expressed his interest in reappointment to the Governor's Office and hopes to provide more information soon.

With no questions, Dr. Allison-Bryan and Dr. Brown concluded their reports.

PRESENTATION

Update on the EDRS System – Janet Rainey, State Registrar, Office of Vital Records, Virginia Department of Health

Ms. Rainey provided a presentation on the Electronic Death Reporting System (EDRS) and updates from the Office of Vital Records.

STAFF REPORTS

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

Ms. Tillman Wolf welcomed Erin Barrett to her new role as Senior Policy Analyst for the Department.

COVID Data

Ms. Tillman Wolf provided an overview of the COVID Data statistics as of February 7, 2022 as provided by the Virginia Department of Health (VDH).

Board Updates

Ms. Tillman Wolf provided information to the Board members regarding the continuity of Board operations.

She reported that licensure renewals are due by March 31, 2022. She stated that Board staff has taken steps to obtain email addresses on file for establishments in order to facilitate online renewals.

Ms. Tillman Wolf stated that the Board sent a number of email blasts to licensees in 2021, to include a number of topics and issues such as news briefs, regulatory updates for the practice and preneed regulations, information from the Office of Medical Examiner and the Office of Vital Records, renewal reminders, and scam alerts. She said that the Board will continue to send out notices in 2022, as needed.

Ms. Tillman Wolf stated that Lynne Helmick, Inspections Compliance Specialist with the Board has been able to provide consistency to the inspection review process and that she has meet with or trained inspectors, as needed, regarding inspection reports and board-specific needs. She said that Ms. Helmick will provide an overview of inspections and feedback on the most-cited deficiencies at the next Board meeting.

Licenses for Funeral Directors and Embalmers

Ms. Tillman Wolf provided an update on licensing operations related to the issuance of Funeral Director and Embalmer licenses to coincide with the Board's Emergency Regulations that became effective on January 5, 2021.

Ms. Tillman Wolf reported that the Board has received 13 Funeral Director applications, 19 Funeral Director Intern applications, one (1) Embalmer application, one (1) Embalmer Intern application, 94 Funeral Service Intern applications, and 55 Funeral Services Licensee applications as of January 31, 2022.

Ms. Tillman Wolf noted that 2,000 internship hours were currently in effect in the Board's emergency regulations.

Looking Ahead – 2022

Ms. Tillman Wolf stated that in 2022, the Board will continue to send e-communications to licensees, develop more online licensing applications, revisit issues related to internships including extensions and how long internship hours can be accepted, and likely study the issue of Alkaline Hydrolysis.

Ms. Tillman Wolf announced that the Board's updated regulations related to internships are set to become effective on March 3, 2022.

International Conference

Ms. Tillman Wolf announced that the Conference is offering a virtual one-day regulatory workshop for Board members who may be interested in attending, if they were unable to attend the in-person annual meeting in Houston, Texas.

Exam Statistics

Ms. Tillman Wolf reported on the Laws, Rules, and Regulations (LRR) examination scores for calendar year 2021. She reported 78 exam attempts with a pass rate of 94.3% in 2021, compared to the 91.7% pass rate in calendar year 2020.

2022 Board Meeting Dates

Ms. Tillman Wolf announced the upcoming 2022 Board meeting dates.

- April 15, 2022
- July 15, 2022
- October 21, 2022 (tentative)

Ms. Tillman Wolf thanked members for all they do in support of the Board.

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

Discipline Report – Kelley Palmatier, JD, Deputy Executive Director

As of February 4, 2022, Ms. Palmatier reported the following disciplinary statistics:

- 48 Patient Care Cases
 - 1 at Informal
 - 1 at Formal
 - 11 at Enforcement
 - 34 at Probable Cause
 - 1 at APD
- 21 Non Patient Care Cases
 - 1 at Informal
 - 2 at Formal
 - 10 at Enforcement
 - 8 at Probable Cause
 - 0 at APD
- 19 at Compliance

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

- Q1 2020 – 20/20
- Q2 2020 – 35/21
- Q3 2020 – 17/30
- Q4 2020 – 16/13
- Q1 2021 – 15/18
- Q2 2021 – 12/12
- Q3 2021 – 20/22
- Q4 2021 – 22/10
- Q1 2022 – 19/18

Percentage of all cases closed in 365 days

	Q4-20	Q1-21	Q2-21	Q3-21	Q4-21	Q1-22
FDE	88.9%	75.8%	87%	51.4%	69.2%	40.0%
Agency	75.8%	70.1%	64%	71.1%	68.8%	66.0%

With no questions, Ms. Palmatier concluded her report.

Licensure Report – Sarah Georgen, Licensing and Operations Manager

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

Licensure Statistics – All Licenses

License	October 6, 2021	February 9, 2022	Difference (+/-)
Funeral Service Licensees	1,549	1,566	17
Funeral Director	33	35	2

Embalmer Only	2	3	1
Supervisors	560	576	16
Funeral Service Interns	229	252	23
Funeral Directing Interns	12	15	3
Embalmer Interns	0	0	0
Funeral Establishments	420	422	2
Branch Establishments	85	86	1
Crematories	119	123	4
CE Providers	9	11	2
Courtesy Card Holders	118	123	5
Surface Transport & Removal Svc.	53	57	4
Total (*not incl. supervisors)	2,629	2,693	64

Customer Satisfaction

Ms. Georgen reported on the customer satisfaction statistics for 2021:

- Q1 2021 – 100%
- Q2 2021 – N/A
- Q3 2021 – N/A
- Q4 2021 – 95.2%

With no questions, Ms. Georgen concluded her report.

BOARD COUNSEL REPORT – Jim Rutkowski, Assistant Attorney General

Mr. Rutkowski did not have a report.

LEGISLATION AND REGULATORY ACTIONS

Report on Status of Regulations

Ms. Yeatts and Ms. Barrett provided a report on the status of the Board’s pending regulations.

With no questions, Ms. Yeatts and Ms. Barrett concluded their report.

Legislative Report

Ms. Yeatts and Ms. Barrett provided a report on pending legislation in the 2022 General Assembly.

With no questions, Ms. Yeatts and Ms. Barrett concluded their report.

NEW BUSINESS

Recognition of Elaine Yeatts

The Board recognized Elaine Yeatts, Senior Policy Analyst, for her years of service to the Board and to the agency and congratulated her on her upcoming retirement.

NEXT MEETING

The next meeting date is April 15, 2022.

ADJOURNMENT

With all business concluded, the meeting adjourned at 10:29 a.m.



Corie Tillman Wolf, J.D., Executive Director

04-19-2022

Date