

**APPROVED**

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

**Tuesday, August 28, 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  
Rev Yvonne Jones Bibbs (arrived at 10:47 a.m.)

**COUNSEL:**

Jack E. Kotvas, Assistant Attorney General

**STAFF PRESENT:**

Elizabeth Young, Executive Director  
Sandra Ryals, Director  
Emily Wingfield, Chief Deputy Director  
Elaine Yeatts, Senior Policy Analyst  
Jeanette Meade, Administrative Assistant

**QUORUM:**

With nine members present, a quorum was established.

**GUESTS PRESENT:**

Barry D. Robinson, Virginia Mortuary Association  
Bruce Keeney, Independent Funeral Homes of Virginia

**Virginia Board of Funeral Directors and Embalmers  
Board Meeting  
August 28, 2007**

2

Bo Keeney, Independent Funeral Homes of Virginia  
Meredyth Partridge, Regulatory Support Services Inc.

**ORDERING OF THE AGENDA:**

Mr. Leonard made a motion to approve the agenda of August 28, 2007, with amendments. The motion was properly seconded by Mr. Minter. The vote carried unanimously.

**REVIEW OF MINUTES**

Ms. Hughes made a motion to approve the minutes of the Special Conference Committee of February 27, 2007. The motion was properly seconded by Mr. Minter. The vote carried unanimously.

Mr. Leonard 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.

Ms. Hughes made a motion to approve the minutes of the Special Conference Committee of May 24, 2007. The motion was properly seconded by Mr. Leonard. The vote carried unanimously.

Mr. Minter made a motion to approve the minutes of the Board Meeting of June 5, 2007. The motion was properly seconded by Ms. Hughes. The vote carried unanimously.

Mr. Leonard made a motion to approve the minutes of the Funeral Public Hearing of June 28, 2007. The motion was properly seconded by Ms. Hughes. The vote carried unanimously.

**PUBLIC COMMENT:**

Meredyth Partridge provided general comments to the Board.

**NEW BUSINESS**

**Virginia Performs**

Sandra Ryals, Director of DHP provided a report of the agency and its Key Performance Measures as mandated by Governor Kaine. Please see the attached handout. Mrs. Ryals shared that the measurers examine standard of care cases which exempts the majority of cases of the Board of Funeral Directors and Embalmers. Yet, the Board must continue to adhere to agency standards for the timely adjudication of disciplinary cases. The shortfall will affect hiring and travel primarily in the agency.

### **Designation of Subordinate(s)**

The Board will meet with the Board's Subordinate, Michael Williams, at its December 2007 Meeting. The will go into executive session. Some members of the Board expressed concerns of the increasing numbers of subordinate cases.

Mr. Nelsen made a motion to extend the current term of the agency subordinate until the December 2007 meeting. The motion was properly seconded by Mr. Leonard. The motion carried unanimously.

### **Mortuary Science Programs offering study session for State Examination**

The Board discussed a need for the state's Mortuary Science Programs to offer study courses for the jurisprudence exam. On June 21, 2007, Ms. Young met with Rhonda Pleasants of John Tyler Community College and Frank Walton of Tidewater Community College. The group discussed the establishment of jurisprudence study courses, a need to issue a RFP for an organization to provide study courses, the need for experts in writing test questions, to increase the number of test questions from 50-75 or 100. Also, the group discussed the funeral director license. From the meeting, the Board suggested that no current program directors serve as examination experts. It is seen as a conflict of interest if they offer the study courses and provide questions as experts. The Board directed the Examination Committee to meet within the next two months.

### **American Board of Funeral Service Education**

The American Board of Funeral Service Education will take comments until November about Funeral Service Arts associate Degree Program. The Board wishes not to render any comments at this time.

### **Continuing Education Committee**

Ms. Young stated that there is a difference in the calculation of hours for the Academy of Professional Funeral Service Practice. Ms. Hughes made a motion for the Board not to accept their approvals. The motion was properly seconded by Mr. Ball. The motion carried unanimously.

### **Inspection Guidance Document**

This document will be presented at the meeting of the Task Force on Inspections scheduled for October 16, 2007.

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

The International Conference of Funeral Service Examining Boards information refers to the Board passing rate. The Annual Conference is scheduled for the last week of February

**Virginia Board of Funeral Directors and Embalmers  
Board Meeting  
August 28, 2007**

4

2008. Ms. Hughes shared that it is the responsibility of the mortuary schools to provide study courses for the national examination.

**Cemetery Board**

The minutes of the Cemetery Board were provided for the Board's review.

**Funeral Article-Disposition of unidentified remains**

Dr. Marcella F. Fierro sent a memorandum to Ms. Elaine Yeatts regarding crematory regulations and the disposition of unidentified remains. Dr. Fierro stated that in her opinion unidentified bodies should not be cremated because of a possible pending court case. She also thinks that their needs to be accountability for the unidentified remains since there are more than 14,000 unidentified remains in the United States. Dr. Fierro, or her successor after December 31, 2007, would be willing to work with the Funeral Board to develop regulations on the cremation of unidentified bodies. The majority of the Board believes that the bodies should stay at the Medical Examiner's office until identified.

**OLD BUSINESS**

**Legislative/Regulatory Committee**

The Adoption of proposed general regulations will occur at the Board Meeting on October 16, 2007. Dr. Marcella Fierro provided comments regarding crematory regulations under the disposition of unidentified remains. The meeting date for the Legislative/Regulatory Committee is November 13, 2007.

Ms. Hughes stated that the PBS television show **Front Line** will discuss the funeral industry on October 30, 2007.

**Report of the Initial and Renewal Applications of Waiver  
Of Full-Time Manager Requirements**

Ms. Young provided the Board the quarterly report of Waiver of Full-Time Manager Requirements as of August 13, 2007.

**Executive Director's Report**

Licensee Statistics and Disciplinary Statistics were reviewed from the Agenda packet. Ms. Young provided to the Board information on the budget and the fact that there is only \$4,024 in its budget as of June 30, 2007. A report on finance projections and a financial analysis will be presented at the December 2007 Board meeting for a possible fee increase. Ms. Young presented the calendar for the rest of the 2007 year.

**Subordinate Recommendations**

Michael Schrock

**Virginia Board of Funeral Directors and Embalmers  
Board Meeting  
August 28, 2007**

5

Mr. Nelsen made a motion that the Board accepts the recommendation of the subordinate for Mr. Schrock. The motion was properly seconded by Mr. Leonard. The motion carried unanimously.

William N. Bland, III

Mr. Leonard made a motion that the Board denies the extension proposed by the subordinate for Mr. Bland. The motion was properly seconded by Mr. Burger. The motion was carried unanimously.

Aisha Lee

Mr. Ball made a motion that the Board approves Ms. Lee to start a new internship. The motion was properly seconded by Ms. Bibbs. The motion carried unanimously.

Kenneth Austin

Mr. Burger made a motion that the Board denies the subordinate's recommendation for an extension for Mr. Austin. The motion was properly seconded by Mr. Minter. The motion carried unanimously.

Ricky Edwards

Mr. Nelsen made a motion that the Board denies the subordinate's recommendation for Mr. Edwards. The motion was properly seconded by Mr. Burger. The motion carried unanimously.

**ADJOURNMENT:**

With no further business, the committee adjourned at 12:00 p.m.

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Willard D. Tharp, FSL, Chair

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Elizabeth Young, Executive Director

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DATE

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