

DRAFT UNAPPROVED

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

**Wednesday, June 4, 2003
6603 West Broad Street
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 9:01 a.m.
- PRESIDING:** Paul C. Whitten
- MEMBERS PRESENT:** Bobby Gardner, Sr.
Jack Miller
J. Michael Williams
Joseph Jenkins, Jr.
Rev. Alane C. Miles
Charles Bristow
Robert "Bob" Oman
- MEMBERS ABSENT:** Pratt Stelly
- STAFF PRESENT:** Elizabeth Young, Executive Director
Pamela Horner, Administrative Assistant
Elaine Yeatts, Senior Policy Analyst
Gail Jaspen, Chief Deputy Director
Betty Jolly, Assistant Director for Policy Education
- COUNSEL PRESENT:** Roscoe Roberts, Assistant Attorney General
- GUESTS:** David Partridge, RSS, Inc.
Geoffrey Stone, RSS, Inc.
Bruce Keeney, Association of Independent Funeral Homes of Virginia
- QUORUM:** With 8 members of the Board present, a quorum was established.
- ORDERING OF AGENDA:** On a properly seconded motion by Mr. Miller, the Board approved the amended agenda.
- ACCEPTANCE OF MINUTES:** On a properly seconded motion by Mr. Gardner, the Board voted to approve the minutes of the Special Conference Committee meetings of January 28, 2003.
- On a properly seconded motion by Mr. Oman, the Board voted to approve the minutes of the Board meeting of

March 19, 2003.

On a properly seconded motion by Mr. Williams, the Board voted to approve the minutes of the Formal Hearing of March 19, 2003.

On a properly seconded motion by Mr. Gardner, the Board voted to approve the minutes of the Special Conference Committee meeting of March 25, 2003.

On a properly seconded motion by Mr. Oman, the Board voted to approve the minutes of the Legislative/Regulatory Committee meeting of April 22, 2003.

NEW BUSINESS:

Introductions

Gail Jaspen, Chief Deputy Director of DHP introduced Betty Jolly, Assistant Director of Policy Education to the Board. The Board welcomed Ms. Jolly.

Election of Officers

On a properly seconded motion by Mr. Williams, Jack Miller was nominated and elected Secretary-Treasurer of the Board for 2003-2004.

On a properly seconded motion by Mr. Miller, J. Michael Williams was nominated and elected Vice-President of the Board for 2003-2004.

On a properly seconded motion by Mr. Oman, Bobby Gardner, Sr. was nominated and elected President of the Board for 2003-2004.

Continuing Education Committee

The Board reviewed the new continuing education regulations which become effective July 2, 2003.

The Board asked staff to ensure that information is provided to licensees and prospective continuing education providers. The Board discussed the creation of a guidance document to prescribe the continuing education certificate issued by the provider: name of course, hours, name of

participant and provider number.

On a properly seconded motion by Mr. Bristow, the Board approved the revised continuing education provider application.

On a properly seconded motion by Mr. Jenkins, the Board approved the revised summary form and instruction.

On a properly seconded motion by Mr. Miller, the Board voted to audit three percent of licensee for the first renewal period of March 31, 2005.

On a properly seconded motion by Rev. Miles, the Board approved a revised question and answer sheet for licensees and interested parties.

Request for Interpretation – Felony Conviction Statute

CLOSED SESSION

On a properly seconded motion by Mr. Miller at 10:20 a.m., the Board voted 8-0 in favor of the motion to enter in a closed meeting pursuant to §2.2-3711 (A) (7) of the Code of Virginia to seek legal counsel concerning the matter.

RECONVENE

On a properly seconded motion by Mr. Miller, the Board voted 8-0 in favor of the motion, that only Public business matters lawfully exempted from open meeting requirements under Virginia law were discussed in the closed meeting and only public business matters as were identified in the motion convening the closed meeting were heard, discussed or considered by the Board.

The Committee reconvened in open session at 11:15 a.m. pursuant to §2.2-3712 (D) of the Code.

Request for Interpretation – Thacker Brothers Funeral Home

With a properly seconded motion by Rev. Miles, the Board responded to Mr. Jones letter with affirmation of current regulations regarding price range for immediate burial on general price list. The Board affirmed the inspector's original citation of the deficiency for Thacker Brothers

Funeral Home.

Request for Waiver of Late Fee

With a properly seconded motion by Rev. Miles, the Board denied the request to waive the late fee for renewal.

OLD BUSINESS

Legislative/Regulatory Committee

The Board asked the Executive Director to provide a summary of other states laws regarding surface transportation and removal companies by the September 9, 2003 meeting.

With a properly seconded motion by Mr. Miller, the Board adopted the final general regulations with amendments to the definition of branch, deletion of 18 VAC 65-20-175 (A-F), and amendments to 18 VAC 65-20-570 of the Code of Virginia.

The Board reviewed the proposed legislation. With a properly seconded motion by Rev. Miles, the Board voted to approve FDE-2 for submission. With properly seconded motion by Mr. Oman, the Board voted to withdraw FDE-3. With a properly seconded motion by Mr. Bristow, the Board voted to approve FDE-5 with amendments for submission.

The Board reviewed the Informal Conference and Board meetings of the Cemetery Board.

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

Ms. Young provided the quarterly listing of firms under the hardship provision of the law.

EXECUTIVE DIRECTOR'S REPORT

Ms. Young provided the quarterly licensee and disciplinary Case statistics, along with the budget report and updated Board calendar.

ADJOURNMENT

With all business concluded, the Board adjourned at 12:44p.m.

Paul C. Whitten, President

Elizabeth Young, Executive Director

Date

Date