

KANSAS STATE BOARD OF MORTUARY ARTS
700 SW JACKSON, SUITE #904
TOPEKA, KANSAS
Thursday, October 13, 2016

FORMAT OF MINUTES:

On each motion there appear the names of two board members in a parenthesis. The first named made the motion, and the second named made the second. Ayes and Nays will be recorded at a voter's request.

Thursday, October 13, 2016:

- I. The regularly scheduled meeting of the Kansas State Board of Mortuary Arts (KSBMA) was called to order by President William L. "Bill" Cozine.

Roll call by Executive Secretary Mack Smith found the following board members in attendance: President William L. "Bill" Cozine, Wichita, Licensee; Vice President Barry W. Bedene, Arma, Licensee; Steven G. "Steve" Melby, Mankato, Licensee; Theresa Marcel Schwartz, Lawrence, Consumer; Robert J. "Bob" Steil, Consumer, Lawrence. Assistant Attorneys General Jan Arndt and Kenneth Titus and Executive Secretary Mack Smith were also in attendance. Ms. Arndt introduced Mr. Titus and announced that he will be replacing her as the attorney appointed to the KSBMA from the Kansas Attorney Generals Office.

The board noted this meeting's tentative agenda that is displayed on the agency's website at: <http://ksbma.ks.gov/> under the heading of *Events* and *October Board Meeting*.

(Bedene-Schwartz) To approve a **final agenda** as amended for this meeting. Carried.

(Bedene-Melby) To adopt the **July 14, 2016 regularly scheduled board meeting minutes**. Carried. These minutes will be signed by President Cozine and Executive Secretary Smith, then displayed on the board's website.

The board reviewed results of the written **funeral directors' examination** administered on **July 14, 2016** noting that **100%** (ten of ten applicants) were **successful**.

The board reviewed results of the written **assistant funeral directors' examinations** administered from **August** through **October 2016** noting that **60.0%** (nine of fifteen applicants) were successful. Since the law requiring examination for assistant funeral directors was enacted in 2008, **70.0% (168 of 240)** applicants) have successfully passed the written examination.

The board reviewed the '**List of Licensure Applicants**' scheduled to interview with the board at this meeting, noting that ten (10) applicants are scheduled to meet with the board: four (4) embalmer-funeral director applicants, four (4) funeral director applicants, one (1) reciprocal funeral director applicant and one (1) reciprocal embalmer-funeral director applicant. Following approval by the Board, ten (10) applicants are scheduled to be administered the written funeral director's examination in conjunction with this meeting.

- II. The board **reviewed individual applications** for licensure along with the executive secretary's summations of the applicant's apprentice and supervising licensee progress reports. Applicants for licensure will be interviewed later in this meeting. All funeral director applicants will be administered the written funeral directors' examination proctored by Funeral Home/ Crematory Inspector Francis Mills at 1:30 p.m. this afternoon in the Florentine Room of the Jayhawk Tower.

All quarterly apprentice progress reports of embalmer/funeral director apprentices and supervising licensees due September 15, 2016 were summarized by the executive secretary with copies of the individual reports available for board members to review.

III. **Investigative Committee Report:**

The Investigative Committee (IC) reported that they closed twelve (12) complaints with thirteen (13) complaints open at this time.

IV. **Board Business:**

- 1) (Melby-Bedene) To approve the **quarterly lists of continuing education**. Carried. Lists approved were: *Scheduled Programs (Listing by Date of Program from the KSBMA web site)*, *Home-Study/ Correspondence Programs*, *Ongoing Programs*, and the list of *Crematory Operator Programs*. These items are regularly updated and are available on the board's website.
- 2) (Steil-Melby) To approve the list of **lapsed licenses**. Carried. These lists contain the names of individuals whose license renewals are past due for longer than six months, who have requested that their licenses be dropped, who have died and in the case of assistant funeral directors, who are no longer employed at a funeral home under the supervision of a funeral director. The current list reviewed and approved by the Board included six (6) assistant funeral director licenses, two (2) crematory operator licenses, four (4) embalmer licenses and five (5) funeral director licenses. This information is provided for a number of reasons, including use by the Office of Vital Statistics (OVS) for purposes of licensure verification used on death certificates. The board reviewed the list of **Automatically Suspended Licenses**. This list contains the names of individuals who have not paid their license renewal fees by the appropriate due date and have not requested that their licenses be dropped. Once a license is six months in arrears, it is then automatically placed on the lapsed license list for purposes of being dropped. This list included four (4) embalmer licenses, six (6) funeral director licenses and one (1)

- crematory operator license for license renewals due through September 30, 2016. The board reviewed the following lists of information for the quarter: **Changes in Funeral Home and Crematory Ownership** with two (2) funeral homes (one main and one branch establishment), and **Closed Funeral Homes and Crematories** with nothing to report.
- 3) (Bedene-Melby) To approve the **FY 2017 first quarter (July 1-September 30, 2016) report** of KSBMA Funeral Home-Crematory Inspector Francis F. Mills. Carried. 182 inspections were conducted during the first quarter of FY 2017 with three (3) violations noted. 5,465 miles were traveled involving visits to forty-eight (48) counties.
 - 4) Reviewed the **current roster of apprentice embalmers and funeral directors**. A total of thirty-three (33) apprentices are currently registered with the board, including: sixteen (16) embalmer-funeral director apprentices, one (1) embalmer apprentice and sixteen (16) funeral directors.
 - 5) Discussion of articles/information involving the agency, licensure, regulation and the funeral profession were provided to board members and legal counsel.
 - 6) **Board meeting dates for 2017**: January 12, April 13, July 13 and October 12.
 - 7) A brief discussion was held regarding the policy concerning the expungement of criminal convictions. The Board decided they would review future cases to determine if the underlying facts warrant further action.
 - 8) Due to an increased number of complaints and inquiries **involving a lack of communication** between funeral homes and consumers, a **letter dated Friday, August 19, 2016**, was sent **to funeral homes in an effort to bring this ongoing problem to their attention**.
 - 9) **Board Member Appointment**—Nothing new to report at this time.
 - 10) Information from the July 14, 2016 Board Meeting pertaining to an assistant funeral director license application was provided.
 - 11) **Board Member Email Addresses**—Individual Board Member email addresses through the State of Kansas have been purchased by the agency and assigned to Board Members.
 - 12) The board signed travel vouchers.

V. Executive Secretary's Report:

- 1) **Budget Information**—The Board reviewed and discussed the following:
 - a) The September 15, 2016 KSBMA Budget Submission document was reviewed and discussed with the Board given an opportunity to ask questions.
 - b) **FY 2017** (July 1, 2016–June 30, 2017) A budget of \$317,503 (down \$1,141 from \$318,644) was approved by the Legislature and Governor. No additional funds were requested by the agency with their budget request submitted September 15, 2016.
 - c) **FY 2018** Budget Request—The agency budget request submitted to the Division of the Budget (DOB) by September 15, 2016 was for \$292,617— a decrease of 7.8% from FY 2017.
 - d) **FY 2019** Budget Request—The agency budget request submitted to the Division of the Budget (DOB) by September 15, 2016 was for \$321,958.

This request includes a replacement automobile for the agency and represents an increase of 9.1% from FY 2018.

- e) Performance Based Budgeting (PBB)—A discussion was held regarding this process. PBB drafts are due to be submitted to the Division of the Budget and Legislative Research by Monday, October 17, 2016.
- 2) Information regarding the **International Conference of Funeral Service Examining Boards (ICFSEB)**:
 - a) *National Board Examination (NBE) results* were provided and discussed.
 - b) Mr. Smith attended an *ICFSEB Board Meeting and Strategy Refresh (Strategic Planning) Meeting* in September. The Board discussed a *press release* resulting from that meeting.
 - c) The *2016-2017 Professional Directory of the ICFSEB* that includes information on the Board of Directors, Staff, State Licensing Boards and ABFSE Accredited Mortuary Programs was provided.
- 3) No new information from the **Council on Licensure, Enforcement and Regulation (CLEAR)** was provided/discussed.
- 4) **Federation of Associations of Regulatory Boards (FARB.)**
 - a) Information in the *August 2016 FARB Focus newsletter* was reviewed and discussed. Page two (2) has FARB's Top Regulatory Cases, which can be found at: www.FARB.org/Top_Cases and page three (3) has an excellent article titled: "*Random Thoughts From a Public Protection Administrator*" written by Brian Carnahan, who is the Executive Director of the Ohio Counselor, Social Worker & Marriage and Family Therapist Board.
 - b) The Board reviewed the newly released **FARB Model Board Member Code of Conduct**.
- 5) Updated information for the **Kansas Funeral Directors and Embalmers Association (KFDA)**:
 - a) **2016 Fall District Meetings**—Mr. Smith presented a Board Update at these meetings. KSBMA Board Members Cozine, Bedene and Melby attended a district meeting as did KSBMA Inspector Mills.
 - b) The July 2016 edition of the KFDA Journal was discussed.
 - c) The August 2016 edition of the KFDA Journal was discussed.
 - d) The September-October 2016 KFDA Journal was discussed.
- 6) The **KSBMA's website**, <http://ksbma.ks.gov/> continues to be updated on a regular basis by KSBMA Office Manager Sherry Fergel and Executive Secretary Mack Smith with assistance from the Office of Information Technology Services (OITS.)
- 7) Update information from the **National Funeral Directors Association (NFDA)**:
 - a) The 2016 NFDA International Convention & Expo is scheduled for October 23-26, 2016 in Philadelphia, Pennsylvania. Kansas funeral director Ashley Cozine, son of KSBMA President Bill Cozine, is scheduled to be installed the NFDA President.
- 8) No new information from the **Federal Trade Commission (FTC)** regarding the **FTC Funeral Rule** was provided/discussed.
- 9) No new information from the **American Board of Funeral Service Education (ABFSE)** was provided/discussed.

- 10) Updated information from **Cremation Society of North America (CANA)**:
 - a) The August 18, 2016 edition of the CANA Update that contained statistics on cremation was reviewed and discussed.
- 11) No new information from the **Funeral Consumer's Alliance (FCA)** was provided/discussed.
- 12) **Funeral Consumer's Alliance of Greater Kansas City (FCA-GKC)**:
 - a) The 2016 FCA-GKC was provided/discussed.
- 13) No new information from **Funeral Ethics Organization (FEO)** was provided/discussed.
- 14) No new Information from the **Kansas Department of Health and Environment (KDHE), Office of Vital Statistics (OVS)** was provided/discussed.
- 15) **Kansas City Kansas Community College (KCKCC) Mortuary Science Program**:
 - a) Mr. Smith met with KCKCC Mortuary Science Director Wiley Wright on Tuesday, September 6, 2016, while traveling and attending KFSA District Meetings. The college is scheduled to meet with the Committee on Accreditation (COA) of the American Board of Funeral Service Education (ABFSE) on October 23, 2016 in Philadelphia, Pennsylvania.
- 16) No new information was provided from the **Kansas Mass Fatality Planning Task Force**.
- 17) No new information from **Kansas Ebola Preparedness and Response Plan** was provided or discussed.
- 18) The agency's **Continuity of Operations Planning System (COOP)** continues to be updated quarterly or more often as is needed. This is the system utilized by the State of Kansas for state agencies.
- 19) Mr. Smith discussed the **Non-Cabinet Agency Heads Meetings**. The next meeting is scheduled for Thursday, October 27, 2016.

VI. The board met with *Applicants for Licensure* to discuss their applications and apprenticeships:

Embalmer-Funeral Director Applicant: Ms. Cassandra L. "Cassie" Tracy

(Bedene-Schwartz) To grant an embalmer license upon completion of apprenticeship and payment of an initial license fee of \$77.00 and to grant a funeral director license upon completion of apprenticeship and passing of the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$22.00. Carried. With continuous employment, Ms. Tracy is scheduled to complete her apprenticeships on October 19, 2016 at Dengel and Son Mortuary in Ottawa, Kansas. Once issued, the renewal date for the licenses would be August 31, 2017. Ms. Tracy was awarded an Associate of Applied Science Degree in Mortuary Science at Kansas City Kansas Community College in Kansas City, Kansas.

Embalmer-Funeral Director Applicant: Ms. Jennifer Jo Woods

(Melby-Schwartz) To grant an embalmer license upon payment of an initial license fee of \$98.00 and to grant a funeral director license upon passing of the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$28.00. Carried. Ms. Woods completed her apprenticeships on October 8, 2016 at Campanella-Evans Mortuary in Wamego, Kansas. Once issued, the renewal date for the licenses would be November 30, 2017. Ms. Woods was awarded an Associate of Science Degree in Funeral Service at American Academy McAllister Institute in New York, New York.

Funeral Director Applicant: Mr. Aaron L. Stoelting

(Melby-Schwartz) To grant a funeral director license upon completion of apprenticeship, passing of the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$20.00. Carried. With continuous employment, Mr. Stoelting is scheduled to complete his apprenticeship on October 21, 2016 at Countryside Funeral Home in Chanute, Kansas. Once issued, the renewal date for the license would be July 31, 2017. Mr. Stoelting was awarded a Bachelor of Science Degree in Liberal Arts at Indiana State University in Terre Haute, Indiana.

Funeral Director Applicant: Ms. Amy M. Richmond

(Bedene-Steil) To grant a funeral director license upon passing of the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$18.00. Carried. Ms. Richmond completed her apprenticeship on September 17, 2016 at Zeiner Funeral Home in Marion, Kansas. Once issued, the renewal date for the license would be June 30, 2017. Ms. Richmond was awarded a Bachelor of Science Degree in Rehabilitation Services Education at Emporia State University in Emporia, Kansas.

Funeral Director Applicant: Ms. Allison S. Walden

(Schwartz-Steil) To grant a funeral director license upon passing of the written funeral directors' examination, which will be administered later today, completion of apprenticeship and payment of an initial license fee of \$26.00. Carried. With continuous employment, Ms. Walden is scheduled to complete her apprenticeship on November 1, 2016 at Downing and Lahey Mortuary in Wichita, Kansas. Once issued, the renewal date for the licenses would be November 30, 2017. Ms. Walden was awarded a Bachelor of Science Degree in Family Studies and Human Services at Kansas State University in Manhattan, Kansas.

Embalmer-Funeral Director Applicant: Mr. Lance H. Jones

(Melby-Steil) To grant an embalmer license upon payment of an initial license fee of \$175.00 and to grant a funeral director license upon passing of the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$50.00. Carried. Mr. Jones completed his apprenticeships on September 24, 2016 at Jones Funeral Home in Burlington, Kansas and Campbell Funeral Home in Yates Center, Kansas. Once issued, the renewal date for the licenses would be October 31, 2018. Mr. Jones was awarded an Associate of Applied Science Degree in Mortuary Science at Arapahoe Community College in Littleton, Colorado.

Embalmer-Funeral Director Applicant: Ms. Brandi R. McKenzie

(Schwartz-Steil) To grant an embalmer license upon payment of an initial license fee of \$28.00 and to grant a funeral director license upon passing of the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$8.00. Carried. Ms. McKenzie completed her apprenticeships on October 5, 2016 at Brennan-Mathena Funeral Home in Topeka, Kansas. She also served portions of her apprenticeships at Johnson County Funeral Chapel in Overland Park, Kansas and at Penwell-Gabel Funeral Home & Crematory Mid-Town Chapel in Topeka, Kansas. Once issued, the renewal date for the licenses would be January 31, 2017. Ms. McKenzie was awarded an Associate of Applied Science Degree in Mortuary Science at Kansas City Kansas Community College in Kansas City, Kansas.

Funeral Director Applicant: Mr. John C. Decker

(Bedene-Schwartz) To grant a funeral director license upon passing of the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$18.00. Carried. Mr. Decker completed his funeral directing apprenticeship on September 14, 2016 at Lanman Funeral Home in Kiowa, Kansas. Once issued, the renewal date for the license would be April 30, 2018. Mr. Decker was issued a Kansas reciprocal embalmers' license on October 8, 2015. Mr. Decker was awarded a Bachelor of Science Degree in Funeral Service at the University of Central Oklahoma in Edmond, Oklahoma.

Reciprocal (Missouri) Funeral Director Applicant: Mr. James T. "Jim" Radovich

(Bedene-Melby) To grant a reciprocal funeral director license upon passing of the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$85.50. Carried. Mr. Radovich is licensed in the State of Missouri and is employed by Charter Funerals who has locations in both Missouri and Kansas. Once issued, the renewal date for the license would be June 30, 2017. He was awarded a Bachelor of Science Degree in Business Administration at Kansas State University in Manhattan, Kansas. Mr. Radovich is employed as the General Manager with Charter Funerals in the Metro Kansas

City area.

Reciprocal (Oklahoma) Embalmer-Funeral Director: Ms. Heidi M. Evans

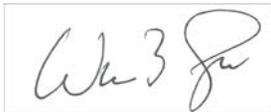
(Schwartz-Steil) To grant a reciprocal embalmer license upon payment of the initial license fee of \$133.00 and to grant a funeral director license upon passing of the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$180.50. Carried. Ms. Evans is licensed in the State of Oklahoma and has passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB.) Once issued, the renewal date for the license would be May 31, 2018. She was awarded a Bachelor of Science Degree in Funeral Service at the University of Central Oklahoma in Edmond, Oklahoma. Ms. Evans will be employed at Penwell-Gabel Funeral Home and Crematory Mid-Town Chapel in Topeka, Kansas.

VII. New/Old/Remaining Business/Adjournment

(Steil-Melby) To adjourn—subject to recall by the president, vice president or executive secretary. Carried. The date of the next regularly scheduled board meeting is Thursday, January 12, 2017.

At approximately 1:30 p.m. Executive Secretary Smith read instructions to the funeral directors' examinee applicants prior to the administration of the funeral directors' examination which was proctored by Inspector Francis Mills in the Florentine Room of the Jayhawk Tower. The results of that examination are a part of these minutes.

Respectfully submitted:



William L. Cozine, President
Thursday, January 12, 2017
(Date)



Mack Smith, Executive Secretary
Thursday, January 12, 2017
(Date)
