

**KANSAS STATE BOARD OF MORTUARY ARTS
700 SW JACKSON, SUITE #904
TOPEKA, KANSAS**

**The Board Meeting of Thursday, October 8, 2020
Senate Room, Jayhawk Tower Building**

Board Mailing #1 (8/27/2020), #2 (10/2/2020) & #3 (10/6/2020)

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 8, 2020:

- I. **9:00 a.m.** The meeting of the Kansas State Board of Mortuary Arts (KSBMA) was called to order by President Bedene.

Roll call by Executive Secretary J.W. Carey found the following board members in attendance: President Barry W. Bedene, Arma, Licensee; Vice President Amy Elliott, Lenexa, Consumer; Craig Boomhower, Garden City, Licensee; Robert J. "Bob" Steil, Lawrence, Consumer; Bridgette A. Tinsley, Salina, Licensee. Executive Secretary J.W. Carey and Assistant Attorney General Jan Arndt were also in attendance.

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 *Upcoming Meetings*. **(2-19)**

(-) To approve a final agenda for this meeting. Carried. **(3-01)**

(-) To adopt the July 23, 2020 regularly rescheduled board meeting minutes. Carried. These minutes will be signed by President Bedene and Executive Secretary Carey, then displayed on the board's website. **(1-06)**

The board reviewed results of the written funeral directors' examination administered on July 23, 2020 noting that 100% (all three applicants) were successful. **(1-01)**

The board reviewed results of the written assistant funeral directors' examinations administered in August, September and October 2020 noting that roughly 45% (five **(5)** of eleven **(11)** applicants) were successful. **(3-03)**

The board reviewed the 'Interview Times' and the 'List of Licensure Applicants' scheduled to interview with the board at this meeting, noting that seven (7) applicants are scheduled to meet with the board: four (4) embalmer-funeral director applicants, two (2) embalmer applicants and one (1) reciprocal embalmer applicant. Following approval by the Board, four (4) applicants are scheduled to be administered the written funeral directors' examination in conjunction with this meeting. (2-02)

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- II. **9:15 a.m.** 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 Office Manager, Kim Cottrell at 1:30 p.m. this afternoon in the Florentine Room of the Jayhawk Tower.

Quarterly apprentice progress reports of embalmer/funeral director apprentices and supervising licensees that were due September 15, 2020 were summarized by the executive secretary with copies of the individual reports available for board members to review. (2-03, 2-04, 2-05, 2-06, 2-07, 2-08, 2-09)

III. **9:30 a.m. Investigative Committee (IC) Report:**

Five (5) files were closed with eleven (11) files remaining open at this time.

IV. **9:45 a.m. Board Business:**

- 1) (-) To approve the quarterly lists of continuing education. Carried. Lists approved were: Scheduled (On-Site) Programs (Listing by Date of Program from the KSBMA web site), Ongoing Programs, Home-Study/Correspondence Programs and the list of Crematory Operator Programs. These items are updated regularly and are available on the board's website. (2-10, 2-11, 2-12, 2-13)
- 2) (-) To approve the list of lapsed licenses. Carried. This list contains the names of individuals whose license renewals are past due for longer than six months, who have requested that their licenses be dropped or 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 three (3) assistant funeral director licenses, four (4) crematory operator licenses, eleven (11) embalmer licenses and fourteen (14) 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 on death certificates. (2-14)
- 3) The board reviewed the draft 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. Due to the Governor's Executive Order #20-64 (2-18), any license that was in good standing as of March 12, 2020 remains valid at

this time due to the State Disaster Emergency currently scheduled to expire on October 15, 2020. This draft list includes fifteen **(15)** embalmer licenses, fourteen **(14)** funeral director licenses, seven **(7)** crematory operator licenses, two **(2)** establishment licenses and two **(2)** branch establishment licenses for license renewals due through September 30, 2020. **(2-15)**

- 4) The board reviewed the following lists of information for the quarter: Changes in Funeral Home and Crematory Ownership with one **(1)** crematory, one **(1)** funeral establishment and two **(2)** branch funeral establishments noted. **(2-16)** The list of Closed Funeral Homes and Crematories to report this quarter consists of zero **(0)** funeral homes or crematories.
 - 5) (-) To approve the FY 2021 First Quarter (July 1–September 30, 2020) report of KSBMA Funeral Home-Crematory Inspector Francis F. Mills. Carried. In the First Quarter of FY 2021, two hundred and seven **(207)** inspections were conducted with zero **(0)** violations noted and three thousand, seven hundred and ten **(3,710)** miles traveled involving visits to twenty eight **(28)** counties despite being unable to travel for part of the quarter. **(3-02)**
 - 6) The Board reviewed the current roster of apprentice embalmers and funeral directors. A total of twenty **(20)** apprentices are currently registered with the board, including: fourteen **(14)** embalmer-funeral director apprentices, two **(2)** embalmers and four **(4)** funeral director apprentices. **(2-17)**
 - 7) Articles/information of interest involving the agency, licensure, regulation and the funeral profession in general were provided to board members and legal counsel regarding articles on a wide range of subjects, including: reciprocal/military licensure **(1-05)**
 - 8) Board Meeting dates for 2021, include: January 14, April 8, July 8, and October 14.
 - 9) The Board discussed the updated situation involving license renewals and continuing education and the following Executive Orders from Kansas Governor Laura Kelly relating to COVID-19:
 - a) Executive Order No. 20-39 extending professional and occupational licenses that were in good standing as of March 12, 2020.
 - b) Executive Order No. 20-49 extending several existing Orders (including 20-39 listed above) until September 15, 2020.
 - c) Executive Order No. 20-64 extending several existing Orders (including 20-39 listed above) until October 15, 2020 or until the Statewide State of Disaster Emergency extended by House Bill 2016 enacted during the June 2020 Special Legislative Session relating to COVID-19 expires, whichever is earlier, unless a separate expiration date is noted. **(2-18)**
 - 10) Former Consumer Board Member Charlie Smith passed away on Tuesday, July 21, 2020. Charlie served on the Board from 2000–2012 and served as the KSBMA President in 2011-2012, **(1-03)**
 - 11) The Board discussed KAR 16-20-1: compliance with the Kansas Open Meetings Act (KOMA) during an emergency declaration. **(1-13)**
 - 12) Updated information pertaining to Board Members and Administrative Staff was provided and discussed. **(1-02, 1-04, 1-07, 1-08)**
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V. 10:10 a.m. Executive Secretary's Report:

- 1) Updated Budget Information **(2-01)**:
 - a) Current FY 2021 (July 1, 2020–June 30, 2021) The amount approved by the 2020 Kansas Legislature is \$325,571.
 - b) FY 2022–A request of \$304,038 was submitted to the Division of the Budget.
 - c) FY 2023–A request of \$308,394 was submitted to the Division of the Budget.
The Division of the Budget’s recommendations should be provided in early November.
 - d) Performance Based Budgeting (PBB)–Nothing new to report at this time.
- 2) Information regarding the International Conference of Funeral Service Examining Boards (ICFSEB):
 - a) District Six (6) Meeting–Information was provided and discussed. **(1-10)**
 - b) National Board Examination (NBE) Results were reviewed and discussed. **(1-11)**
- 3) There was no new information to report from the Council on Licensure, Enforcement and Regulation (CLEAR).
- 4) There was no new information regarding the Federation of Associations of Regulatory Boards (FARB).
- 5) Information from the Kansas Funeral Directors Association (KFDA):
 - a) The Board reviewed the August 2020 edition of the KFDA Journal. **(1-12)**
 - b) 2020 Virtual Convention–The convention will run from September 3 through October 27, 2020. **(1-09)** Very positive feedback with over 200 attending.
 - c) Fall District Meeting will be held, but virtually. October 13, 2020, 3:30-4:15 p.m.
- 6) The KSBMA’s website, located at <http://ksbma.ks.gov/>, continues to be regularly updated by the KSBMA’s administrative staff.
- 7) There was no new information to report from the National Funeral Directors Association (NFDA).
- 8) There was no new information to report from the Federal Trade Commission (FTC) Funeral Rule.
- 9) There was no new information to report from the American Board of Funeral Service Education (ABFSE.)
- 10) There was no new information to report from the Cremation Society of North America (CANA.)
- 11) There was no new information to report from the Funeral Consumer’s Alliance (FCA.)
- 12) There was no new information to report from the Funeral Consumer’s Alliance of Greater Kansas City (FCA-GKC.)
- 13) There was no new information to report from the Kansas Department of Health and Environment (KDHE), Office of Vital Statistics (OVS).
- 14) The Mortuary Science Program at Kansas City Kansas Community College (KCKCC.) In session and in person with **20** attending now and **15** more to attend in January.
- 15) There was no new information to report from the Kansas Mass Fatality

Planning Task Force.

- 16) 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 in cases of emergencies by the State of Kansas for state agencies. COOP also sends monthly planning topics to all state agencies—including the KSBMA.
- 17) No new information from Non-Cabinet Agency Heads Meetings.
- 18) No new information from Smaller State Agencies Administrator's Meetings (SSAAM).

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

10:30 a.m. Embalmer-Funeral Director Applicant: Mr. Joseph D. Blecha

(-) To grant an embalmer license upon payment of an initial license fee of \$119.00 and to grant a funeral director license upon passing the written funeral director examination, which will be administered later today and payment of an initial license fee of \$34.00. Carried. Mr. Blecha completed his embalmer and funeral director apprenticeships on September 17, 2020 at Tibbetts-Fischer Funeral Home located in Belleville, Kansas. Once issued, the renewal date for the licenses would be February 28, 2022. Mr. Blecha was granted an Advance Standing Diploma in Mortuary Science at Des Moines Area Community College (DMACC) located in Des Moines, Iowa and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB.) **(2-03)**

10:40 a.m. Embalmer Applicant: Ms. Jade M. Joyce

(-) To grant an embalmer license upon payment of an initial license fee of \$175.00. Carried. Ms. Joyce completed her embalmer apprenticeship on October 7, 2020 at Mid America Mortuary Service, LLC located in Kansas City, Kansas. Once issued, the renewal date for the license would be October 31, 2022. Ms. Joyce was granted an Associate in Applied Science Degree in Mortuary Science at Kansas City Kansas Community College (KCKCC) located in Kansas City, Kansas and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB.) **(2-04)**

10:50 a.m. Embalmer Applicant: Mr. Zachary E. Uthe

(-) To grant an embalmer license upon payment of an initial license fee of \$84.00. Carried. Mr. Uthe completed his embalmer apprenticeship on October 7, 2020 at Mid America Mortuary Service, LLC located in Kansas City, Kansas. Once issued, the renewal date for the license would be September 30, 2021. Mr. Uthe was granted an Associate in Applied Science Degree in Mortuary Science at Kansas City Kansas Community College (KCKCC) located in Kansas City, Kansas and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB.) **(2-05)**

11:00 a.m. Embalmer-Funeral Director Applicant: Ms. Faylee R. Sanford

(-) To grant an embalmer license upon payment of an initial license fee of \$70.00 and to grant a funeral director license upon passing the written funeral director examination, which will be administered later today and payment of an initial license fee of \$20.00. Carried. Ms. Sanford completed her embalmer and funeral director apprenticeships on October 7, 2020 at D.W. Newcomer's Sons Crematory (embalming apprenticeship) located in Kansas City, Missouri and Chapel Hill-Butler Funeral Services (funeral directing) in Kansas City, Kansas. Once issued, the renewal date for the licenses would be July 31, 2021. Ms. Sanford was granted an Associate in Applied Science Degree in Mortuary Science at Kansas City Kansas Community College (KCKCC) located in Kansas City, Kansas and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB.) **(2-06)**

11:10 a.m. Embalmer-Funeral Director Applicant: Mr. Christopher W. Karn

(-) To grant an embalmer license upon completion of apprenticeship, payment of an initial license fee of \$175.00 and to grant a funeral director license upon completion of apprenticeship, passing the written funeral director examination, which will be administered later today and payment of an initial license fee of \$230.00. Carried. With continuous employment, Mr. Karn is scheduled to complete his embalmer and funeral director apprenticeships on October 30, 2020 at Carlson Colonial Funeral Home located in El Dorado, Kansas. Once issued, the renewal date for the licenses would be November 30, 2022. Mr. Karn was granted an Associate Degree in Funeral Service Art and Sciences at the Pittsburgh Institute of Mortuary Science located in Pittsburgh, Pennsylvania and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB.) **(2-07)**

11:20 a.m. Embalmer-Funeral Director Applicant: Mr. Isaiah A. White

(-) To grant an embalmer license upon payment of an initial license fee of \$70.00 and to grant a funeral director license upon passing the written funeral director examination, which will be administered later today and payment of an initial license fee of \$20.00. Carried. Mr. White completed his embalmer and funeral director apprenticeships on September 6, 2020 at Schmitt Funeral Home in WaKeeney, Kansas. Once issued, the renewal date for the licenses would be July 31, 2021. Mr. White was granted an Associate in Arts Degree in Funeral Service Education at John A. Gupton College located in Nashville, Tennessee and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB.) **(2-08)**

11:30 a.m. Reciprocal (Oklahoma) Embalmer Applicant: Ms. Bethany M. Watson-Jaquis

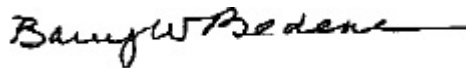
(-) To grant a reciprocal embalmer license upon payment of an initial license fee of \$98.00. Carried. Once issued, the renewal date for the license would be November 30, 2021. Ms. Watson-Jaquis was granted an Associate in Applied Science Degree in Mortuary Science at Arapahoe Community College located in Littleton, Colorado and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB.) She is employed at Resthaven Mortuary in Wichita, Kansas and is currently a licensed assistant funeral director serving a funeral directing apprenticeship. **(2-09)**

VII. 11:40 a.m. New/Old/Remaining Business/Adjournment

(-) 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 14, 2021.

At approximately 1:30 p.m. Executive Secretary Carey read instructions to the funeral director examinee applicants prior to the administration of the funeral directors' examination which was proctored by Office Manager, Kim Cottrell in the Florentine Room of the Jayhawk Tower.

Respectfully submitted:



Barry W. Bedene, President
Thursday, January 14, 2021
(Date)



J.W. Carey, Executive Secretary
Thursday, January 14, 2021
(Date)