

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

**The Board Meeting of Thursday, October 13, 2022
Florentine Room, Jayhawk Tower Building**

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, 2022:

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

Roll call by Executive Secretary J.W. Carey found the following board members in attendance: President Amy Elliott, Lenexa, Consumer; Vice President Craig Boomhower, Garden City, Licensee; Barry W. Bedene, Arma, Licensee; Robert J. "Bob" Steil, Lawrence, Consumer; Phillip F. Ziegler, Dodge City, Licensee. Executive Secretary J.W. Carey, Assistant Attorney General Laine Barnard and Jane Weiler 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*.

(Bedene-Steil) To approve a final agenda for this meeting. Carried.

(Bedene-Zigler) To adopt the July 14, 2022 board meeting minutes. Carried. These minutes will be signed by President Bedene and Executive Secretary Carey, then displayed on the board's website.

The board reviewed results of the written funeral directors' examination administered on July 14, 2022 noting that 100% (six of six applicants) were successful.

The board reviewed results of the written assistant funeral directors' examinations administered in August, September, and October 2022 noting that 66.67% twelve of the eighteen applicants were successful.

The board reviewed the 'Interview Times' and the 'List of Licensure Applicants' scheduled to interview with the board at this meeting, noting that eight applicants

are scheduled to meet with the board: three embalmer-funeral director applicants, one embalmer only applicant, two funeral director only applicants, one reciprocal embalmer-funeral director applicant and one reciprocal funeral director applicant. Following approval by the Board, seven applicants are scheduled to be administered the written funeral directors' examination in conjunction with this meeting.

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- II. 9:10 a.m.** 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 and Inspector Michael Kelley 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, 2022 were summarized by the executive secretary with copies of the individual reports available for board members to review.

Reviewed one paid reciprocal license application and reciprocal license verification from the California Cemetery and Funeral Bureau for a reciprocal embalmer-funeral director and one paid reciprocal license application and reciprocal license verification from the Missouri State Board of Embalmers and Funeral Directors for a reciprocal funeral director applicant.

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- III. 9:20 a.m. Investigative Committee (IC) Report:**

Nine files were closed with five files remaining open at this time.

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- IV. 9:25 a.m. General Counsel Legal Update:**

No new information/update at this time.

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- V. 9:35 a.m. Board Business:**

- 1) (Bedene-Steil) 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) (Boomhower-Ziegler) 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 four assistant funeral director licenses, seven crematory operator licenses, twelve embalmer licenses, fourteen funeral director licenses and zero establishment/branch establishment 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.

- 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. This draft list includes nine embalmer licenses, eleven funeral director licenses, zero assistant funeral director licenses, five crematory operator licenses, zero establishment licenses and zero branch establishment licenses for license renewals due through May 31, 2022.
- 4) The board reviewed the following lists of information for the quarter: Changes in Funeral Home and Crematory Ownership with zero crematories, zero funeral establishments and one branch funeral establishment noted. The list of Closed Funeral Homes and Crematories to report this quarter consists of two funeral homes and zero crematories.
- 5) The Board reviewed the current roster of apprentice embalmers and funeral directors. A total of twenty eight apprentices are currently registered with the board, including: twenty one embalmer-funeral director apprentices, one embalmer and six funeral director apprentices.
- 6) The Board reviewed and discussed news articles and related information involving the agency, licensure/regulation, funeral service & related areas
 - a) The Board reviewed a Press Release from the KSBMA, about the election of Board Member Amy E. Elliott as President.
 - b) The Board reviewed a Press Release from the KSBMA, about the election of Board Member Craig Boomhower as Vice President.
- 7) Board Meeting dates for 2023, include: January 12, April 13, July 20 and October 19.
- 8) Updated information pertaining to Board Members and Administrative Staff was provided and discussed.
- 9) (Ziegler-Steil)Review and Approval of Investigator/Inspector Michael J. Kelley Funeral Home/Crematory Reports
 - a) First Quarter Report

VI. 9:55 a.m. Executive Secretary's Report:

- 1) Updated Budget Information for FY 2023, 2024 and 2025 that was submitted by Secretary Carey on September 15, 2022:
 - a) FY 2023 adjusted estimated budget request (\$317, 670).
 - b) FY 2024 estimated budget request (\$322, 934).
 - c) FY 2025 estimated budget request (\$324, 494).
- 2) Information regarding the International Conference of Funeral Service Examining Boards (ICFSEB):
 - a) National Board Examination (NBE) Results were reviewed and discussed.
- 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 2022 edition of the KFDA Journal.
 - b) The Board reviewed the Update of the KSBMA given at the KFDA Fall

- District Meetings by Secretary Carey.
- 6) The KSBMA's website, located at <http://ksbma.ks.gov/>, continues to be regularly updated by the KSBMA's administrative staff and is still under re-configuration by the Office of Information and Technology Services (OITS).
 - 7) There was no new information to report from the National Funeral Directors Association (NFDA).
 - 8) There was no new information from the Federal Trade Commission.
 - 9) There was no new information 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) There was no new information to report from the Mortuary Science Program at Kansas City Kansas Community College (KCKCC.)
 - 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).

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

10:10 a.m. Funeral Director Applicant: Ms. Katelin Anderson

Ms. Anderson completed her funeral director apprenticeship on October 7, 2022 at Campanella-Stewart Funeral Home located in Wamego, Kansas. Once issued, the renewal date for the license would be January 31, 2024. Ms. Anderson was granted an Associate in Applied Science Degree in Mortuary Science at Des Moines Area Community College (DMACC) located in Ankeny, Iowa.

(Boomhower-Steil) 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 \$24.50. Carried.

10:20 a.m. Embalmer-Funeral Director Applicant: Ms. Cynthia Rodriguez.

Ms. Rodriguez completed her embalmer and funeral director apprenticeships on September 2, 2022 at Highland Park Funeral Home & Crematory located in Kansas City, Kansas. Once issued, the renewal date for the licenses would be June 30, 2023. Ms. Rodriguez 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).

(Boomhower-Bedene) To grant an embalmer license upon payment of an initial license fee of \$63.00, 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 \$18.00. Carried.

10:30 a.m. Embalmer-Funeral Director Applicant: Ms. Rachel McGuire

Ms. McGuire will complete her embalmer and funeral director apprenticeships on November 18, 2022 at Broadway Mortuary located in Wichita, Kansas. Once issued, the renewal date for the licenses would be January 31, 2023. Ms. McGuire was granted an Associate in Applied Science Degree in Mortuary Science at Arapahoe Community College (ACC) located in Littleton, Colorado and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB).

(Bedene-Boomhower) To grant an embalmer license upon payment of an initial license fee of \$14.00, 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 \$23.00. Carried.

10:40 a.m. Funeral Director Applicant: Ms. Jillian Johnson

Ms. Johnson completed her funeral director apprenticeship on September 27, 2022 at Countryside Funeral Home located in Fredonia, Kansas. Once issued, the renewal date for the license would be October 31, 2024. Ms. Johnson was granted a Bachelor of Science Degree in Business Administration at McPherson College located in McPherson, Kansas.

(Ziegler-Bedene) 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 \$228.00. Carried.

10:50 a.m. Embalmer Applicant: Mr. James L. Williams

Mr. Williams completed his embalmer apprenticeship on September 10, 2022 at Prairie Rose Funeral Home located in Anthony, Kansas. Once issued, the renewal date for the license would be November 30, 2023. Mr. Williams was granted an Associate in Applied Science Degree in Funeral Services at Des Moines Area Community College (DMACC) located in Ankeny, Iowa and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB). He is currently a licensed Kansas Funeral Director.

(Boomhower-Steil) To grant a embalmer license upon payment of an initial license fee of \$98.00. Carried.

11:00 a.m. Embalmer-Funeral Director Applicant: Mr. Warren Prochnow

Mr. Prochnow completed his embalmer and funeral director apprenticeships on September 8, 2022 at Price & Sons Funeral Home located in Scott City, Kansas. Once issued, the renewal date for the licenses would be April 30, 2023. Mr. Prochnow was granted an Associate in Applied Science Degree in Funeral Services at Des Moines Area Community College (DMACC) located in Ankeny, Iowa and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB).

(Boomhower-Ziegler) To grant an embalmer license upon payment of an initial license fee of \$49.00, 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 \$14.00. Carried.

11:10 a.m. Reciprocal (California) Embalmer-Funeral Director Applicant: Mr. Steven Z. Marcom

Mr. Marcom was granted a Certificate in Mortuary Science at Cypress College located in Cypress, California in August of 1999 and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB) in 1999. He is currently a licensed embalmer and licensed funeral director in the State of California. He is currently employed at Mrs. J.W. Jones Memorial Chapel located in Kansas City, Kansas. Once issued, the renewal date for the licenses would be January 31, 2023.

(Ziegler-Steil) To grant a embalmers license upon payment of an initial license fee of \$28.00, 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 \$38.00. Carried.

11:20 a.m. Reciprocal (Missouri) Funeral Director Applicant: Ms. Madeline G. Keane

Ms. Keane was granted a Bachelor of Arts Degree in Journalism/Advertising at Marquette University located in Milwaukee, Wisconsin. She is currently a licensed Missouri funeral director employed at Mt. Moriah, Newcomer and Freeman Funeral Home located in Kansas City, Missouri. Once issued, the renewal date for the license would be December 31, 2022.

(Bedene-Steil) 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 \$19.00. Carried.

VIII. 11:30 a.m. Applications Review and Discussion/Interview

Ayes and Nays recorded at the request of Craig Boomhower.

- 1) Donald L. Koelliker, Application for a Kansas Crematory Operator's License with a felony.

(Elliott-Boomhower-Bedene-Steil-Ziegler) Aye, To deny the Application due to lack of information of the felony convictions, letters of recommendation that demonstrate to the Board that the Applicant has been rehabilitated to warrant the public trust, and failure to appear at the October 13, 2022, regularly scheduled Board meeting, for a potential interview. Carried.

- 2) Jay Dean Unruh, Application for a Kansas Crematory Operator's License with a felony.

(Elliott-Boomhower-Bedene-Steil-Ziegler) Aye, To deny the Application due to lack of information of the felony convictions, letters of recommendation that demonstrate to the Board that the Applicant has been rehabilitated to warrant the public trust, and failure to appear at the October 13, 2022, regularly scheduled Board meeting, for a potential interview. Carried.

- 3) Glen David Mollick, Application for a Kansas Crematory Operator's License and Application for Licensure as an Assistant Funeral Director with a felony.

(Elliott-Boomhower-Bedene-Steil-Ziegler) Aye, Applications incomplete due to no longer being employed by a supervising funeral director or funeral home. Carried.

- 4) Haley Lynn Henderson, Application for Licensure as an Assistant Funeral Director with a felony.

(Elliott-Boomhower-Bedene-Steil-Ziegler) Aye, To approve the Application and grant the Applicant to be administered the Assistant Funeral Director Examination. Applicant to be granted licensure with conditions upon passing the Assistant Funeral Director Examination. Carried.

12:45 p.m. President Elliott left the meeting.

- 5) Ian B. Hubbard, Application for licensure as an Assistant Funeral Director and a Kansas Crematory Operator's License with a felony.

(Bedene-Steil-Ziegler) Aye, (Boomhower) Nay, To deny the Applications due to the Applicant not demonstrating to the Board's satisfaction that he has been sufficiently rehabilitated to warrant the public trust. Carried.

- 6) Melody Theus, Application for licensure as an Assistant Funeral Director with a felony.

(Boomhower-Steil-Ziegler) Aye, (Bedene) Nay, To grant the Application. Carried.

- 7) Duane E. Harvey, Application for licensure as an Assistant Funeral Director with a felony.

(Boomhower-Bedene-Steil-Ziegler) Aye, To deny the Application due to the Board's determination that the Applicant made a misleading, deceptive, untrue and fraudulent statement on his Application when answering "NO" on question #3 of the Application. Carried.

- 8) Robert J. Hizey, Application for a Kansas Crematory Operator's License with a felony.

(Boomhower-Bedene-Steil-Ziegler) Aye, To table the Application due to lack of information. Secretary Carey to send the Applicant a letter requesting the Applicant to appear at the January 12, 2023, regularly scheduled Board meeting, for a potential interview. Carried.

IX. 1:20 p.m. New/Old/Remaining Business/Adjournment

(Bedene-Steil) 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, 2023.

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 and Investigator-Inspector, Michael Kelley in the Florentine Room of the Jayhawk Tower.

Respectfully submitted:



Amy Elliott, President
Thursday, January 12, 2023
(Date)



J.W. Carey, Executive Secretary
Thursday, January 12, 2023
(Date)