

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

**The Board Meeting of Thursday, April 13, 2023
Senate 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, April 13, 2023:

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

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 and Assistant Attorney General Paul Keithley were also in attendance.

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

(Elliott-Steil) To adopt the January 12, 2023 board meeting minutes. Carried. These minutes will be signed by President Elliott and Executive Secretary Carey, then displayed on the board's website.

(Ziegler-Bedene) To adopt the February 3, 2023 board meeting minutes. Carried. These minutes will be signed by President Elliott and Executive Secretary Carey, then displayed on the board's website.

The board reviewed results of the written funeral directors' examination administered on January 12, 2023 noting that 100% (five of five applicants) were successful.

The board reviewed results of the written assistant funeral directors' examinations administered in February, March, and April 2023 noting that 64.29% nine of the fourteen 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 four applicants

are scheduled to meet with the board: with four embalmer-funeral director applicants. Following approval by the Board, four applicants are scheduled to be administered the written funeral directors' examination in conjunction with this meeting.

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- II. **9:15 a.m.** Update of the Kansas Funeral Directors Association (KFDA) by Pam Scott, Executive Director, with discussion about the proposed KFDA amendment of K.A.R. 63-2-3. (Boomhower-Ziegler) To approve the proposed amendment. (Steil-Elliott-Bedene, Aye) Carried.

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- III. **9:30 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 apprentice and supervising licensee that were due March 15, 2023 were summarized by the executive secretary with copies of the individual reports available for board members to review.

Applications and supporting documentation of reciprocal embalmer/funeral director applicants that were due by March 15, 2023 were summarized by the executive secretary.

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- IV. **9:40 a.m. Investigative Committee (IC) Report:**

Three files were closed with three files remaining open at this time.

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- V. **9:45 a.m. General Counsel Legal Update:**

Paul Keithley updated the Board about the possible appointment of William J. Skepnek, as Litigation Attorney, by the Office of the Kansas Attorney General.

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- VI. **9:55 a.m. Board Business:**

- 1) (Bedene-Elliott) 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) (Steil-Bedene) 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 assistant funeral director licenses, two crematory operator licenses, six embalmer licenses, eight 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 five embalmer licenses, eight funeral director licenses, zero assistant funeral director licenses, four 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 crematory, one funeral establishment and two branch funeral establishments noted. The list of Closed Funeral Homes and Crematories to report this quarter consists of one funeral home and zero crematories.
 - 5) The Board reviewed the current roster of apprentice embalmers and funeral directors. A total of twenty seven apprentices are currently registered with the board, including: nineteen embalmer-funeral director apprentices, zero embalmer and eight funeral director apprentices.
 - 6) The Board reviewed and discussed news articles and related information involving the agency, licensure/regulation, funeral service & related areas.
 - 7) Board Meeting dates for 2023, include: April 13, July 20 and October 19.
 - 8) Updated information pertaining to Board Members and Administrative Staff was provided and discussed.
 - 9) (Boomhower-Bedene) Review and Approval of Investigator/Inspector Michael J. Kelley Funeral Home/Crematory Reports:
 - a) Third Quarter Report

VII. 10:15 a.m. Executive Secretary's Report:

- 1) Legislative update for FY 2023 summarized by Secretary Carey:
 - a) House Bill 2239.
 - b) House Bill 2262.
 - c) House Bill 2388.
 - d) House Bill 2449.
- 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 KSBMA Update at the KFDDA 2023 Spring Regional Meetings given by Secretary Carey.
 - b) The Board reviewed the February 2023 edition of the KFDDA Journal.
- 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).

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

10:30 a.m. Embalmer-Funeral Director Applicant: Ms. Terra Egan

Ms. Egan completed her embalmer and funeral director apprenticeships on April 11, 2023 at Maple Hill Funeral Home located in Kansas City, Kansas. Once issued, the renewal date for the license would be May 31, 2024. Ms. Egan 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-Elliott) To grant an embalmer license upon payment of an initial license fee of \$98.00, 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 \$28.00. Carried.

10:40 a.m. Reciprocal (Texas) Embalmer-Funeral Director Applicant: Mr. Lionel C. Noel

Mr. Noel was granted an Associate in Applied Science Degree in Funeral Service at the University of Arkansas Hope-Texarkana located in Hope, Arkansas in May

of 2017 and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB) in 2017. He is currently a licensed embalmer and licensed funeral director in the State of Texas. Mr. Noel is also a licensed Kansas assistant funeral director and is currently employed at Wulf-Ast Mortuary located in Garden Plain, Kansas. Once issued, the renewal date for the licenses would be February 28, 2025.

(Bedene-Steil) To grant an embalmer license upon payment of an initial license fee of \$161.00, 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 \$46.00. Carried.

10:50 a.m. Reciprocal (Texas) Embalmer-Funeral Director Applicant: Ms. Lisa R. Noel

Ms. Noel was granted an Associate in Applied Science Degree in Funeral Service at the University of Arkansas Hope-Texarkana located in Hope, Arkansas in May of 2018 and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB) in 2018. She is currently a licensed embalmer and licensed funeral director in the State of Texas. Ms. Noel is also a licensed Kansas assistant funeral director and is currently employed at Wulf-Ast Mortuary located in Garden Plain, Kansas. Once issued, the renewal date for the licenses would be February 28, 2025.

(Elliott-Ziegler) To grant an embalmer license upon payment of an initial license fee of \$161.00, 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 \$46.00. Carried.

11:00 a.m. Reciprocal (Arizona) Embalmer-Funeral Director Applicant: Mr. Jerome J. Miratsky

Mr. Miratsky was granted an Associate in Arts Degree in Mortuary Science at Kansas City Kansas Community College (KCKCC) located in Kansas City, Kansas in May of 1987 and passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB) in 1988. He is currently a licensed embalmer and licensed funeral director in the State of Arizona. Mr. Miratsky plans to become employed at Carlson Funeral Home located in Manhattan, Kansas. Once issued, the renewal date for the licenses would be January 31, 2025.

(Boomhower-Elliott) To grant an embalmer license upon payment of an initial license fee of \$154.00, 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 \$209.00. Carried.

IX. 11:10 a.m. Applications Review and Discussion

- Tara M. Koch, Application for a Kansas Assistant Funeral Director License and Apprenticeship with a felony.

(Elliott-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 July 20, 2023, regularly scheduled Board meeting, for a potential interview. Carried.

X. 11:30 p.m. New/Old/Remaining Business/Adjournment

(Bedene-Elliott) 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, July 20, 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, July 20, 2023
(Date)



J.W. Carey, Executive Secretary
Thursday, July 20, 2023
(Date)