

**Massachusetts Board of Registration in Embalming and Funeral Directing
Minutes**

Meeting of 4/21/15

Held at
1000 Washington Street, Boston, MA, 02118
at 10:00 a. m.
Room 1D

Board Members Present:

Peter Stefan
Thomas O'Donnell
Paul Phaneuf

Staff Members Present:

Michael Hawley, Executive Director
Colleen Cavanaugh, Associate Executive Director
Rachael Pauze, Board Counsel
Robert Williams, Investigator
Yadi Rivera, Board Staff

Others Present:

George Faggas	Elizabeth Methuen
Oliver Reitz	Sandra Ward
Raya Gildor	Toni Walter
Ben Bideau	Allison Zimmer
John Keohane	Bill Bohlin
Faith Hallett	Kevin Mack
William Hathaway	Arthur Paul
Thomas Sousa	Andrew Frates
Alan Waktkus	Pamela Fortier
Mason Sojia	Shane McNamara
Brendan McNamara	Corey Amaro
Frank Forastiere	Joann Skiba
Roger Grondin	John Bresnahan
Michael Usher	Suzanne Keenan
Brian Hafey	Wayne Mitchell

Call to Order: Mr. O'Donnell called the meeting to order at 10:33 a. m. Board staff reviewed building evacuation procedures and noted the location of restrooms.

Report from Executive Director Michael Hawley

Mr. Hawley is still working on gathering the data of licensees who have been on a disciplinary status for what seems to be an extended period of time.

Report from Legal Counsel, Rachael Pauze

Ms. Pauze discussed Executive Order 562. The board will resume review of Board regulations in light of the criteria outlined in EO 562. The deadline for completion of this review is March 31, 2016.

Minutes:

Mr. Phaneuf moved to accept the minutes from the December 2, 2014, January 20, 2015, and February 19, 2015 meetings. Mr. Stefan seconded.

Motion passed unanimously.

Discussion:

M.E. Office – tabled for next meeting

Plonowski Funeral Home – Board staff informed the Board that the Plonowski Funeral Home submitted a widow's clause notice. Noted by the Board.

Pre Need Report PDF

A PDF form of the Pre Need Report was presented to the board for approval to be posted to the Board website. Mr. O'Donnell expressed concerns regarding the content of the form. Board Counsel explained that the content was previously approved by the Board and complies with the Board's regulations. Board Counsel explained that Mr. O'Donnell's requested changes to the content can be addressed during the regulation review process and have already been noted by the Board Counsel.

Mr. Phaneuf moved to post the PDF version of the form on the Board website. Mr. Stefan seconded.

Motion passed unanimously.

Application review, vote, and swearing-ins:
Type 6s – Review and vote on applications, swearing-ins:

The Board met with Thomas Walsh of Conway, Cahill Brodeur Funeral Home and Pamela Fortier of Agawam Funeral Home.

A motion was made by Mr. Phaneuf, seconded by Mr. Stefan, and it was:

Voted unanimously to accept the above referenced applicants.

The Board met with Oliver Reitz of Douglass Funeral Service, his type 3 sponsor did not appear.

A motion was made by Mr. Phaneuf, seconded by Mr. Stefan, and it was:

Voted unanimously to accept the above referenced applicant on the condition that his Type 6 Certification of Employment is returned to the Board..

Apprentices - Review and vote on applications

The board met with Shane McNamara of McNamara Sparrell Funeral Home (sponsor was not present), Allison Herman-Zimmer of Keohane Funeral Home, Elizabeth Methven of Faggas Funeral

A motion was made by Mr. Phaneuf, seconded by Mr. Stefan, and it was:

Voted unanimously to accept the above referenced applicants.

Funeral Assistants - review and vote on applications

The Board met with Arthur Paul Jr. of Hathaway Funeral Services, Thomas Sousa of Hathaway Funeral Services, William Bohlin of Hallett Funeral Home, and Alan Waletkus of Shepherd Funeral Home and

A motion was made by Mr. Phaneuf, seconded by Mr. Stefan, and it was:

Voted unanimously to accept the above referenced applicants.

Thomas Vitro of Forastiere Family Funeral Service and George Kiakis of Brunelle Funeral Home previously appeared before the Board. Their licensure was contingent on the licensing of their respective establishments

A motion was made by Mr. Phaneuf, seconded by Mr. Stefan, and it was:

Voted unanimously to accept the above applicants.

Wall certificates were signed for:

- Roche Funeral Home
- Edward J Racicot Funeral Home
- Davis Funeral & Cremation
- Stanetsky Memorial Chapels, Inc (Canton)
- Wilbraham Funeral Home

Funeral Establishments:

Fiske Funeral Home Inc

A motion was made by Mr. Stefan, seconded by Mr. Phaneuf, and it was: Unanimously voted to approve this application.

Forastiere Family Funeral Services Inc

- Forastiere Family Funeral & Cremation
- Forastiere Smith Funeral Home & Cremation
- Byron Keenan Funeral Home & Cremation Tribute Center
- Colonial Forastiere Funeral & Cremation
- Haey Funeral Service & Cremation
- Southwick Forastiere Funeral & Cremation

Board Counsel briefed the Board on the application received from the above funeral homes, all of which require accessibility compliance plans and Board approval of the preneed notification letters. The Establishment Certificates may be granted on the condition that the funeral homes come into compliance in a time frame prescribed in the

agreement with the Board. The establishment certificates may be issued once these conditional licensure agreements are signed.

The board previously met with Funeral Assistant applicant Thomas Vitro of Forastiere Smith Funeral Home & Cremation at the March 24, 2015 board meeting. He could be granted a license once the establishment is approved.

A motion was made by Mr. Stefan, seconded by Mr. Phaneuf, and it was:

Unanimously voted to approve the above application.

CSI Funeral Services of Massachusetts, Inc.

- Tylunas Funeral Home
- Brunelle Funeral Home
- Devanny-Condron funeral Home
- Messier Funeral Home
- Ratell Funeral Home

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The Board previously met with Funeral Assistant applicant George Kiakis of Brunelle Funeral Home at the March 24, 2015 board meeting. He could be granted a license once the establishment is approved.

Scholssberg-Solomon Memorial Chapel (Accessibility Update):

Board Counsel briefed the Board that at the January 20, 2015 Board meeting, the Board granted the funeral home license contingent on the fact that the funeral home was compliant with the Board's accessibility regulations by March 24, 2015. The funeral home failed to meet the March deadline and appeared before the Board to request an extension. Representatives from the funeral home and the funeral home's architect explained that, due to the inclement weather, the funeral home has been unable to meet the March deadline. The funeral home is confident it can complete the work within three months.

**A motion was made by Mr. Phaneuf, seconded by Mr. Stefan, and it was:
Voted to approve the above request. Mr. O'Donnell abstained.**

CEU Provider Applications:

NFDA
Insight Institute
Waring-Sullivan Funeral Home
Selected Independent Funeral Homes
Kenmore Square Institute LLC
Massachusetts Funeral Directors Association

**A motion was made by Mr. Phaneuf, seconded by Mr. Stefan; and it was:
Unanimously voted to approve the above continuing education courses.**

Open Session for topics not reasonably anticipated 48 hours in advance of meeting:

Ms. Sandy Ward and Ray Gildor appeared before the Board from the Funeral Consumer Alliance. They introduced themselves to the Board and informed them that they were looking forward to working with them.

Closed – Executive Session pursuant to M.G.L c. 30A, § 21(a)(1)

A motion was made by Mr. Stefan, seconded by Mr. Phaneuf, to go into executive session pursuant M.G.L. c. 30A, § 21(a)(1). A roll call vote was taken:

Members in favor: Mr. Stefan, aye, Mr. Phaneuf, aye, Mr. O'Donnell, aye.

Members opposed: none

The chair announced that the Board would enter in executive session for the purpose of discussing character rather than competence of an applicant and that he expected the open meeting to resume in 20 minutes.

The Board resumed open session.

Investigative Session Case, Investigative Conferences, Settlement Offers: Closed session pursuant to M.G.L. c. 112, § 65C

A motion was made by Mr. Phaneuf, seconded by Mr. Stefan and it was so

Voted: To enter Investigative Conference: Closed session pursuant to M.G.L. c. 112, § 65C at 1:17 pm.

Public Session resumed at 2:17 pm.

During the Investigative Conference the Board took the following actions:

EM-14-006 – dismiss

EM-15-011 – table until next meeting

EM-15-014 – table until next meeting

EM-15-019 – forward to prosecutions

EM-15-003 – dismiss

FE-15-005 – forward to prosecutions

2.19 p.m. Adjournment

Mr. Stefan moved to adjourn the meeting. Motion seconded by Mr. Phaneuf. Motion passed unanimously

Respectfully submitted,



Colleen Cavanaugh
Associate Executive Director