

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

Meeting of 6/16/15

Held at

1000 Washington Street, Boston, MA, 02118

At 10:00 a.m.

Room 1D

Board Members Present:

Dahria Williams-Fernandes

Peter Stefan

Thomas O'Donnell

Paul Phaneuf

Carolyn Lindsay

Staff Members Present:

Michael Hawley, Executive Director

Colleen Cavanaugh, Associate Executive Director

Rachael Pauze, Board Counsel

Robert Williams, Investigator

Yadi Rivera, Board Staff

Robert Fortes, Deputy Director

Others Present:

Edward Roche

Jody D. Newcomb

Nicole Faggas

Melissa Madden

Charles Merrill

Tim O'Brien

Marty O'Brien

John Lane III

Ann Faggas

Carol Coan

Erroll Trainor

Kim Perry

John Arena

Amy Baczek

Arthur Magni

Stephen McGoldrick

Daniel Shea

Kevin Wade

Ronald Driscoll

Scot Masamery

John McDonough

Kenneth Casper

Paul Cranfill

Mary O'Brien

Jerome Jozak

Adrienne Faggas

Sandra Ward

Joann Skiba

Steven Beauregard

Dane Scherling

Charles Dee Jr

Jen Imprescia

Margaret Nolan

Frank Murphy

Thomas Murray

Susan Madden

Call to Order

Ms. Williams-Fernandes called the meeting to order at 10:05 a.m. Board staff reviewed building evacuation procedures and noted the location of restrooms.

The listening session was held pertaining to Executive Order 562. The Board staff introduced themselves and Mr. Hawley explained the purpose of the listening session. The following individuals offered comments John McDonough, Sandra Ward, and Kim Perry.

Minutes

Mr. O'Donnell moved to accept the amended public minutes from the April 21, 2015 and May 19, 2015 meetings and to accept the Executive Session minutes from the May 19, 2015 meeting. Mr. Stefan seconded.

Motion passed unanimously.

Report from Executive Director Michael Hawley

Mr. Hawley reported to the Board that we had currently received 157 of the annual pre-need reports that are due by June 30th. Reminders will be sent out by the end of next week for any funeral home that has not submitted the pre-need report.

Mr. Hawley reported that we have received 83 reports from local boards of health pursuant to the annual reporting requirement under M.G.L. c. 114 § 49.

Mr. Hawley informed the Board that both Stanetsky Funeral Home and Stanetsky Hymanson Memorial Chapels fulfilled the terms of their conditional licensure agreements which contained a compliance deadline of June 30, 2015.

Mr. Hawley informed the Board that DPL is working to set up an outreach meeting with the Medical Examiners Office. The Board Chair has been asked to participate. The Board members have been asked to submit any questions or concerns for that meeting.

By request, DPL will also be meeting with the Boston Public Health Commission. They have submitted a few tentative dates and some questions to DPL. The Board chair has asked if she could participate or at least know the date and time of the meeting. Mr. Hawley will look into this and get back to her.

Report from Legal Counsel, Rachael Pauze

Ms. Pauze had nothing further to report.

Adjudicatory hearing scheduled

Mr. Hawley will be circulating four dates in October for adjudicatory hearings in the event a Board member wishes to attend.

Application review, vote, and swearing-ins:

Funeral Assistants - Review and vote on applications

The Board met with Charles Merrill of Casper Funeral Home, Steven Beauregard of Boles Funeral Home, Erroll Trainor of Boles Funeral Home, Paul Cranfill of Casper Funeral Home, and Thomas Murray of Murphy Funeral Home.

Ms. Lindsay moved to accept the above referenced applicants. Mr. O'Donnell seconded.

Motion passed unanimously.

Mr. James Scott did not appear before the Board.

Type 3 Applicants - Review and vote on applications

The Board met with Dane Scherling of Nickerson Bourne Funeral Home.

Mr. O'Donnell moved to accept the above referenced applicant. Mr. Phaneuf seconded.

Motion passed unanimously.

Type 6s - Review and vote on applications, swearing-ins

The Board met with Stephen McGoldrick of Forastiere Funeral, John Arena II of Dee Funeral Home, Amy Baczek of Roche Funeral Home, Melissa Madden of John Lane Funeral Home, Daniel Shea of Hathaway Funeral Home, and Nicole Faggas of Faggas Funeral Home. The Board also reviewed an transition application from David Quinn Sr of Kidder Funeral Home who did not appear before the Board.

Mr. O'Donnell moved to accept the above referenced applicants. Mr. Phaneuf seconded.

Motion passed unanimously.

The applicants were sworn in by the Board.

Apprentices - Review and vote on applications

The Board met with Mary O'Brien of Curran O'Brien Funeral Home, Darren Newcomb of Avalon Life Celebration Center, and Martin O'Brien of Curran Jones Funeral Home.

Mr. O'Donnell moved to accept the above referenced applicants. Ms. Lindsay seconded.

Motion passed unanimously.

Funeral Establishments:

O'Keefe Wade Funeral Home

Board Counsel briefed the Board on the establishment certificate application.

Mr. O'Donnell moved to accept this funeral establishment application. Mr. Phaneuf seconded.

Motion passed unanimously.

The Board met with Kevin Wade of O'Keefe Wade Funeral Home.

Ms. Lindsay moved to accept the above referenced applicant. Mr. O'Donnell seconded.

Motion passed unanimously.

Wall certificates were signed for:

- Higgins O'Connor Funeral Home FE 857
- Stanetsky-Hymanson Memorial Chapel FE 858

- Stanetsky Memorial Chapels Inc FE 859
- Mitchell B Steinborn EM 50911
- Tracy Best EM 50969

CEU Provider Applications:

NFDA

- NFDA Home Study Course: Can Your Funeral Home Pass OSHA Scrutiny?
- Tech Tools & Tips for the 21st Century Funeral Home

ICCFA

- 2015 ICCFA University

Kates-Boylston Publications

- 5th Annual Cremation Strategies Conf.
- 10th Annual Funeral Service Business Plan

Dodge

- The 2015 Dodge Wreaths across America Project
- The Dodge Technical Seminar ~ Las Vegas – 2015

International Order of the Golden Rule

- Regional Workshop: Fresh Approaches to Funeral & Memorial Services

New Jersey Funeral Service Education Corporation

- Thirty Years and Thirty Laws & Lawsuits: The Shaping of NJ Funeral Practice 1985-2015

Mr. O'Donnell moved to accept the above continuing education courses, except "New Jersey funeral Service Education Corporation Thirty Years and Thirty Laws & Lawsuits: The Shaping of NJ Funeral Practice 1985-2015" which Mr. O'Donnell moved to deny. Ms. Lindsay seconded.

Motion passed unanimously.

Regulatory Sub-committee

Mr. Hawley recommended a sub-committee to discuss regulations. The Board preferred to hold additional regulation review meetings with all members present. The Board agreed to have one additional meeting per month to discuss only regulations. Board staff will send out a schedule.

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

Mr. Phaneuf raised the topic of whether two businesses may operate out of one establishment. Any licensee wishing to receive guidance on this issue from the Board should submit an inquiry in writing.

Mr. Phaneuf raised the topic of having a Board status for individuals who no longer practice due to illness

The Board members would like Board counsel to send to them a copy of the regulations and the changes that had previously been discussed. Ms. Rivera will keep track of any correspondence that the Board receives regarding regulation changes and/or updates.

Investigative Session to review cases, conduct investigative conferences, and review settlement offers: Closed session pursuant to M.G.L. c. 112, § 65C.

A motion was made by Mr. O'Donnell, seconded by Ms. Lindsay and it was so

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

During the Investigative Conference the Board took the following actions:

EM-15-006 – referred to prosecutions

EM-15-013 – referred to prosecutions

EM-15-014 – Mr. Phaneuf recused himself and left the room, tabled

EM-15-015 – referred to prosecutions

EM-15-022 –dismiss

FE-15-006 – Mr. Stefan and Ms. Williams-Fernandes recused themselves and left the room, dismissed

3:05 p.m. Adjournment

**Ms. Lindsay moved to adjourn the meeting. Mr. Phaneuf seconded.
Motion passed unanimously**

Respectfully submitted,



Colleen Cavanaugh
Associate Executive Director

List of Documents used at the meeting:

Agenda for the June 16, 2015 meeting

Applications

Type 3's

Dane C Scherling

Type 6s

Stephen McGoldrick

John Arena III

Amy Baczek

Melissa Madden

Daniel Shea

David Quinn Sr

Nicole Faggas

Apprentices

Mary O'Brien

Jody Darren Newcomb

Martin O'Brien

Funeral Assistants

Charles Merrill

Steven Beauregard
James Scott
Erroll Trainor
Paul Cranfill
Thomas Murray

Funeral Establishments

- Kevin Wade Funeral Home

CEU Provider Applications

NFDA

- NFDA Home Study Course: Can Your Funeral Home Pass OSHA Scrutiny?
- Tech Tools & Tips for the 21st Century Funeral Home

ICCFA

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Kates-Boylston Publications

- 5th Annual Cremation Strategies Conf.
- 10th Annual Funeral Service Business Plan

Dodge

- The 2015 Dodge Wreaths across America Project
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