

**MASSACHUSETTETS BOARD REGISTRATION IN EMBALMING AND
FUNERAL DIRECTING**

PUBLIC SESSION MINUTES

Tuesday, December 1, 2015 10:00 a.m.

1000 Washington Street, Boston

Conference Room 1D

Board Members Present:

Paul Phaneuf
Peter Stefan
Thomas O'Donnell
Carolyn Lindsay
Patrick Driscoll

Staff Members Present:

Michael Hawley, Executive Director
Colleen Cavanaugh, Assoc. Exec. Director
Charles Kilb, Board Counsel
Christopher Carroll, Chief Investigator

Meeting Called to order at 10:12 a.m.

Evacuation Procedure:

Ms. Cavanaugh discussed safety procedures in the event of emergency.

Board Business:

- Board Officer Election

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

Voted unanimously to accept Mr. O'Donnell as Board Chair.

The Chair requested a roll call vote: PS – Yes, PD– Yes, PP –Yes, CL – Yes.

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

Voted unanimously to accept Ms. Lindsay as 1st Vice Chair.

A motion was made by Mr. O'Donnell, seconded by Mr. Driscoll, and it was:

Voted unanimously to accept Mr. Phaneuf as 2nd Vice Chair.

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

Voted unanimously to accept Mr. Stefan as Board Secretary.

- Review Minutes

A motion was by Mr. Phaneuf, seconded by Ms. Lindsay, and it was:

Voted unanimously to accept the minutes from October 13, 2015 and November 17, 2015.

Report from Board Counsel, Charles Kilb:

- Outstanding Establishment Certificates

Mr. Kilb reported we received the Pre-Need notification letter from Cuffe-McGinn. Currently the only pending establishment he has is South Coast Memorial Chapel LLC.

- Sanction Rubric

Mr. Kilb had previously drafted a guide line for disciplinary actions back in 2011. This will be reviewed again when there are cases to be discussed.

- Regulation Change Update

Mr. Kilb is waiting for approval to hold the public hearing regarding EO 562. He is hoping for early January.

- Draft Advisory regarding non registrants Pre-Need notifications letter

The board was given a draft copy to review. This item will be put on the next agenda.

Report from Executive Director, Michael Hawley:

- ME meeting update

All questions and comments have been sent to the Deputy Director. Mr. Hawley will follow up with him again. The board wanted to reiterate they are looking to open up dialogue between them and the ME's office.

- DPH Notification

Mr. Hawley reiterated that fact that if someone is disciplined during the course of the year, the local Board of Health would be notified. This is not something that is done automatically on a monthly basis. Mr. Hawley also handed out a list of all licenses who are currently on some form of discipline.

- Apprentice to Funeral Assistant Transitions

Mr. Hawley will work on gather numbers for this transition for the next meeting.

- E-Licensing Status

Mr. Hawley explained that the EM board would not be going live in February, but that the next release date would be in October. He also explained how he was adding the Pre-Need Annual Report to the new system so it could be done online.

- PCS Processing

Mr. Hawley informed the board that board staff had a conference call with PCS regarding their procedures. Ms. Cavanaugh explained to the board how the applications were handled. It was confirmed by PCS, that the applicants due receive communication from PCS during the application process.

- Administrative Housekeeping

Mr. Hawley informed the board that the housekeeping of the unit is consistently being worked on.

Report from Christopher Carroll, Chief Investigator:

- Mandates Inspections

Mr. Carroll reminded that board that the Director of the Agency, Charles Borstel, had implemented that all funeral homes in Massachusetts be inspected within 18 months. The investigative unit will meet this goal.

- Number of Funeral Homes Out of Compliance

Currently there are 537 funeral establishments. The total number of licensees (all type classes) is 1632. During the course of the last two years, 17 complaints or docket fines have come from funeral home inspections.

- Funeral Home Prior Inspections

In the last five years, there have been 1042 site visits. Some of these did not result in a complete inspection as sometimes locations are closed or in the middle of a service.

Closed – Executive Session pursuant to M.G.L c. 30A, § 21; M.G.L. c. 4, §7(Twenty-sixth)(l); and M.G.L. c.66A§§1 to 3

A motion was made by Mr. Phaneuf, seconded by Mr. Driscoll, to go into executive session pursuant to M.G.L c. 30A, § 21; M.G.L. c. 4, §7(Twenty-sixth)(l); and M.G.L. c.66A§§1 to 3 for the purpose of discussing and evaluating information/examination question and answer exams. A roll call vote was taken:

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

Members opposed: none

The chair announced that the Board would enter in executive session for the purpose of discussing and evaluating information/ examination question and answer exams and that he expected the open meeting to resume in 120 minutes.

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

Mr. O'Donnell stated that he would like a tour of the facility. He thinks this should be allowed for himself and any other member of the board who would like it.

Mr. O'Donnell wanted it noted that Dahria Williams Fernandez did a great job with the regulations.

The Board wanted the Board staff to draft a letter stating that they would like Charles Kilb to be the permanent Board Counsel for the Board of Embalming and Funeral Directing for the upcoming year.

Mr. O'Donnell would like to be included in the next Board member orientation.

3:30 p.m. Adjournment

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

Respectfully submitted,



Colleen Cavanaugh
Associate Executive Director

List of Documents used at the meeting:

Agenda for the December 1, 2015 meeting

Minutes from 10/13/15 & 11/17/15

Copy of the Board's Exam