

**Massachusetts Board of Registration in Embalming and Funeral Directing  
Public Session Minutes  
Meeting of 7/17/18**

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

**Board Members Present:**

Patrick Driscoll  
Paul Phaneuf  
Peter Stefan  
Richard Gormley  
Janet Leombruno

**Staff Members Present:**

Michael Hawley, Executive Director  
Thomas Burke, Associate Executive Director  
Peter Kelley, Board Counsel  
Robert Williams, Investigator  
Christopher Carroll, Chief Investigator

**Members of the Public Present:**

Meghan M. Bennett  
Scott Cartwright  
Erica Deninni  
Kristina Sargent  
John Reen  
John E. Keohane  
Richard Monighetti

Tara J. McCarron  
Frederick J. Dolan  
Daniel Casali  
Nathan Price  
Jean Kolling  
Leon Hertzendorf

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**Call to Order**

Mr. Phaneuf called the meeting to order at 10:08 a.m. Board staff reviewed building evacuation procedures and noted the location of restrooms.

**Review of Minutes**

The Board reviewed staff prepared open session minutes of the meeting held on June 19, 2018.

**Mr. Gormley moved to accept staff prepared open session minutes of the meeting held on June 19, 2018. Mr. Driscoll seconded the motion. Ms. Leombruno abstained, all others in favor, and the motion passed.**

**Report from Executive Director Michael Hawley**

Mr. Robert Williams reported to Mr. Michael Hawley and the board that he received all but two late preneed reports for the past year. The remaining two funeral establishments who did not submit reports will be sent to prosecutions. Executive Director Michael Hawley stated that there continue to be communications issues with the vendor regarding background checks for applicants and has notified PCS to contact board staff with questions regarding this matter. Board chair Paul Phaneuf inquired about the status of fixing incorrect address information on license cards. Mr. Hawley will present his findings at the August Board meeting and noted that staff is making an effort to correct the error prior to the upcoming renewal period. He also reported that staff will be preparing correspondence to embalmer apprentices in their sixth year to indicate that their apprenticeship is over and they are no longer eligible to renew their registration. Mr. Phaneuf asked for a report on

the number of online renewals for the past year. Mr. Thomas Burke replied that he will provide the number of online renewals as well as the number of funeral assistant and apprentice applications since the beginning of the calendar year.

#### **Report from Legal Counsel, Peter M. Kelley**

Attorney Kelley reported to the Board that he sent letters to the Vermont, Rhode Island, Connecticut and New Hampshire Boards to confirm reciprocity agreements for conducting funerals and other related activities across state lines pursuant to G. L. c. 112, § 85A. He will report back his findings at the September board meeting. He stated that he will draft language that will accompany the memorandum introducing the new pre-need funeral contract report format, sent to all funeral establishments, confirming the abrogation of Rule 39 as indicated by the Board's decision at the June 2018 meeting. He noted that pending Massachusetts legislation for the disposition of unclaimed dead is still under legislative consideration.

#### **Report from Christopher Carroll, Chief Investigator**

No report.

#### **Correspondence**

The Board reviewed a letter from Adrien Hunter of MedCure Inc. regarding the removal and transport of the deceased through whole body donation programs. The Board provided advice and requested that Attorney Kelley compose a written response to Mr. Hunter.

#### **Application Review:**

##### **Type 6 – Review and vote on applications**

- Kristina Sargent
- Nathan Price
- Meghan M Bennett
- Daniel Casali
- Tara McCarron (Reciprocity)

**Mr. Driscoll moved to approve the above candidates for licensure. Mr. Gormley seconded. The motion passed unanimously by all present board members.**

##### **Type 3 - Review and vote on applications**

- Richard Monighetti

##### **Establishments – Review and vote on applications**

- Neptune Cremation Services

**After meeting with Mr. Monighetti and representatives of Neptune Cremation Services, the Board requested that the establishment present the Board with an accurate price list and additional consumer disclosure documentation for review. As a result, the Board tabled the review of both the**

**Type 3 and Establishment application until the August, 2018 meeting. Ms. Leombruno motioned to table and Mr. Stefan seconded. The motion passed unanimously by all present board members.**

**Reinstatement – Review of application**

- Manolito Diaz

**After discussion of Mr. Diaz’s application, the Board requested to meet with Mr. Diaz and his Type 3 Funeral Director to address his application for licensure at a future Board meeting.**

**Review and Approval of Updated Policy regarding Removal of Personal Materials**

The Board reviewed the proposed policy for removing personal materials from dead human bodies. The policy extends the ethical obligations by which funeral directors abide when treating the deceased in their care to the removal of personal items. The policy calls for the explicit prior consent of the next of kin or legal representative of the decedent to remove personal materials and requires funeral directors to state the purpose for said removals. After further discussion, Mr. Driscoll moved to adopt the policy, seconded by Mr. Gormley. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Stefan: “Yes”, Mr. Gormley: “Yes”, Ms. Leombruno: “yes”, and Mr. Driscoll: “Yes”.

**Continuing Education Provider Applications:**

The Board reviewed the following applications:

**National Funeral Directors Association**

- NFDA Online Course: Embalming Risk Management 4.0

**Mr. Driscoll moved to approve and accept all continuing education courses. The motion was seconded by Ms. Leombruno. The motion passed unanimously.**

**Closed session, Investigative Conferences and Adjudicative Conference [Closed pursuant to M.G.L. c. 112, § 65C; c. 30A, § 18, ¶ 5(d)]**

At 12:38 p.m., Mr. Driscoll moved to suspend the open meeting and enter into closed session to conduct investigative conferences and to discuss disciplinary cases and to conduct an adjudicative conference, both pursuant to M.G.L. c. 112, § 65C; c. 30A, § 18, ¶ 5(d). The motion was seconded by Ms. Leombruno. **The motion passed unanimously.**

At 12:55 p.m. Ms. Leombruno left the meeting.

At 2:55 p.m. Mr. Driscoll moved to exit closed session. The motion was seconded by Mr. Driscoll. **The motion passed unanimously among present Board members.**

During the closed session, the Board took the following actions:

- Preneed Reports 2017 – Forwarded to Prosecutions

- EM-2018-000342-IT-ENF – Dismissed. Mr. Stefan took no part in the discussion of or deliberation on this matter.
- EM-2018-000150-IT-ENF – Dismissed. Mr. Gormley took no part in the discussion of or deliberation on this matter.
- EM-2018-000343-IT-ENF – Dismissed
- EM-2018-000422-IT-ENF – Dismissed. Mr. Stefan took no part in the discussion of or deliberation on this matter.
- EM-2017-001364-IT-ENF – Close the Staff Assignment
- FE-2016-000001-IT-ENF – Dismissed. Mr. Driscoll took no part in the discussion of or deliberation on this matter.
- EM-2016-000002-IT-ENF – Dismissed. Mr. Driscoll took no part in the discussion of or deliberation on this matter.

### **Adjournment**

At 1:04 p.m. Mr. Gormley moved to adjourn the meeting. Mr. Driscoll seconded the motion. **Motion passed unanimously.** Due to conflicting schedules in August, 2018, the Board decided to move the meeting date to August 29, 2018.

### **List of Documents used at the meeting:**

1. Agenda
2. Minutes from previous meeting(s) where applicable
3. Applications for personal registration
4. Continuing education provider applications

Respectfully submitted,




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Michael Hawley  
Executive Director