

**Massachusetts Board of Registration in Embalming and Funeral Directing
Public Session Minutes
Meeting of 10/15/19**

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

Board Members Present:

Paul Phaneuf
Patrick Driscoll
David Brezniak

Staff Members Present:

Michael Hawley, Executive Director
Thomas F. Burke, Assoc. Executive Director
Peter Kelley, Board Counsel

Board Members Absent:

Janet Leombruno
Richard Gormley

Members of the Public Present:

Kenneth Casper
Leigh Cartland
Arline Figueroa
Christopher Ellis
Dayle Magrath
Deborah Dwyer
Michael Martin
Robert E. Dwyer, Jr.

Gerard J. Grondin, Jr.
Kevin P. Culloo
Jen Carroll Hafey
Duane E. Goddard, II
Joel Solimine
Brian A Hafey
Cassandra Fett
Frank Forastiere

Call to Order:

Mr. Phaneuf called the meeting to order at 10:34 a.m. Board staff reviewed building evacuation procedures and noted the location of restrooms.

Application Review:

Type 6

- Duane Goddard (Transition to Type 6)
- Christopher Ellis
- Cassandra Fett
- Leigh Cartland

Mr. Phaneuf moved to approve the remaining candidates for licensure. Mr. Brezniak seconded. The motion passed unanimously by the Board members present.

Type 3

- Jennifer Hafey

Mr. Driscoll moved to approve the above candidate for licensure. Mr. Brezniak seconded. The motion passed unanimously.

Apprentice Extension Requests:

- Arline Figueroa
- Gerard Grondin

Mr. Brezniak moved to grant a one-year license extension for the above candidates. Mr. Driscoll seconded. The motion passed unanimously by the Board members present.

Funeral Establishment Applications Review:

- Magrath Funeral Home

The Board reviewed the Magrath Funeral Home establishment certificate application. Mr. Williams reported to the Board that upon inspection the funeral establishment is in compliance and ready to be approved.

After brief discussion, Mr. Brezniak moved to approve the establishment certificate application for Magrath Funeral Home and Mr. Driscoll seconded. The motion passed unanimously.

- Dwyer-Wellington Funeral Home

The Board reviewed the funeral establishment application for the Dwyer-Wellington Funeral Home. Mr. Williams reported that the establishments was duly inspected and Board staff noted that the application was in order.

Mr. Driscoll moved to approve the establishment application for Dwyer-Wellington Funeral Home. Mr. Brezniak seconded. The motion passed unanimously.

- Dwyer-Wellington Dalton Funeral Home

The Board reviewed the Dwyer-Wellington Dalton Funeral Home establishment certificate application with Type 3 Funeral Director Mr. Robert E. Dwyer, Jr. Mr. Williams reported that upon inspection the funeral establishment is undergoing renovation in order to comply with the accessibility requirements of the Massachusetts Architectural Access Board, see title 521 of the Code of Massachusetts Regulations, and the United States Occupational Safety and Health Administration . Mr. Dwyer, and his attorney, Mr. Michael Martin, proposed a timeframe to submit drawings to the board illustrating the design plans and a completion date for such compliance.

After discussion, Mr. Driscoll motioned to approve the Dwyer-Wellington Dalton Funeral Home on the condition that that Mr. Dwyer submit appropriate architectural design drawings to the Board for its review and acceptance on or before February 1, 2020 and all construction, permits and inspections be completed on or before March 1, 2021. Mr. Brezniak seconded. The motion passed unanimously.

Application Review (cont.):

Type 6

- Wendy Story (Transition to Type 6)
- Douglas Shepherd (Transition to Type 6)

Mr. Driscoll moved to approve Mr. Shepherd and Ms. Story for licensure *in absentia*. Mr. Brezniak seconded. The motion passed unanimously.

Closed Session: Investigatory Conferences, pursuant to G.L. c. 112, §65C.

At 12:01 p.m., Mr. Driscoll moved to suspend the open meeting and enter into closed session to conduct investigatory conferences, pursuant to G.L. c. 112, §65C. Mr. Brezniak seconded the motion. **The motion passed unanimously by Board members present.**

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

- 2019-001039-IT-ENF – Provided guidance to the Investigator.
- 2019-001040-IT-ENF – Provided guidance to the Investigator.
- 2019-001034-IT-ENF – Referred to Prosecutions.
- 2019-001035-IT-ENF – Referred to Prosecutions.
- 2019-000562-IT-ENF – Dismissed.

At 1:34 p.m., Mr. Driscoll moved to exit closed session and enter open session. Mr. Brezniak seconded the motion. **The motion passed unanimously by Board members present.**

Continuing Education Provider Applications:

NFDA

- Tips and Tricks for OSHA Compliance

MFDA

- Speak for Funeral Service: Communication Skills for Funeral Professionals

ICCFA

- Crematory Operator and Cremation Arranger Certification Class

Mr. Brezniak moved to approve and accept all continuing education courses. The motion was seconded by Mr. Driscoll. The motion passed unanimously by Board members present.

Correspondence

The Board received, reviewed, and filed the correspondence dated October 2, 2019 from Cape Cod Community College.

Review of Minutes

The Board reviewed staff prepared public session minutes of the meeting held on September 17, 2019.

Mr. Driscoll moved to accept staff prepared public session minutes of the meeting held on September 17, 2019. Mr. Brezniak seconded the motion. Motion passed unanimously by Board members present.

Report from Executive Director, Michael Hawley

Mr. Hawley reported that the renewal of licenses for all funeral registrants will be conducted online beginning with the renewal period in July 2020. He noted that the agency has created an email box for the Board of Registration of Embalmers and Funeral Directors for general mail delivery to provide a more timely response to inquiries. Mr. Hawley proposed that current Type 3 Funeral Directors who want to transition to Type 6 be permitted to practice without appearing before the Board at its regular monthly meeting. In place of the meeting, Board staff would provide the Type 6 transition applicants with a letter to explain the employment relationship and note that Type 6 Funeral Directors cannot sign death certificates.

After brief discussion, Mr. Driscoll moved to approve the proposal that Type 3 Funeral directors seeking to transition to Type 6 license registration no longer be required to attend the Board meeting. Mr. Brezniak seconded the motion. The motion passed unanimously by Board members present.

Report from Board Counsel, Peter Kelley

In response to a general inquiry, Mr. Kelley indicated to the Board that the regulations require that funeral assistants may only work during visiting hours while under the supervision of a Type 3 or 6 funeral director, who is on the premises.

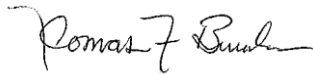
Adjournment

At 2:01 p.m., Mr. Driscoll moved to adjourn the meeting. Mr. Brezniak seconded the motion. Motion passed unanimously.

List of Documents used at the meeting:

1. Agenda
2. Minutes from September 17, 2019 meeting.
3. Applications for personal registration
4. Continuing education provider applications
5. Correspondence dated October 2, 2019 from Cape Cod Community College

Respectfully submitted,



Thomas F. Burke
Associate Executive Director