

**Massachusetts Board of Registration in Embalming and Funeral Directing
Public Session Minutes
Meeting of 9/17/19**

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

Board Members Present:

Paul Phaneuf
Richard Gormley
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

Members of the Public Present:

James L. Trayers
Thomas P. Murphy
David J. Hunter
Bill Chapman
Sharon Stacy

Erin Young
Amanda LeBlanc
Joshua Adams
Jill C. Adams
James Adams

Call to Order

Mr. Phaneuf called the meeting to order at 10:17 a.m. Board staff reviewed building evacuation procedures and noted the location of restrooms.

Review of Minutes

The Board reviewed staff prepared public session minutes of the meeting held on August 20, 2019.

Mr. Gormley moved to accept staff prepared public session minutes of the meeting held on August 20, 2019. Mr. Brezniak seconded the motion. Motion passed unanimously.

Report from Executive Director, Michael Hawley

Mr. Hawley reported that board members are expected to complete online ethics training courses and submit copies of certificates to board staff for record keeping. He noted that ethics training is required for board members every two years. Mr. Hawley stated that funeral registrants may now complete renewals online although paper renewals will continue to be processed by board staff.

Report from Board Counsel, Peter Kelley

No Report.

Application Review:

Type 6

- Sharon Stacy
- Joshua Adams
- Erin C. Young
- David J. Hunter
- James Trayers, Jr. (Transition)

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

Discussion:

- **Board Meeting Dates Schedule 2020**

Board members reviewed the upcoming annual board meeting dates. After brief discussion, the board requested to transfer the March 17, 2020 meeting date to March 24, 2020.

Mr. Driscoll moved to approve the board meeting dates calendar as amended. Mr. Gormley seconded. The motion passed unanimously by the Board members present.

- **Establishment Certificate Application Review**

Mr. Kelley reported to the board that after a review of the regulations there is no requirement that applicants submit photocopies of establishment applications to each board member for review. He noted that board members receive copies of establishment applications as part of monthly board packets prepared by board staff

Mr. Brezniak moved to remove the requirement to send funeral establishment certificate applications to board members at the time of application submission. Mr. Driscoll seconded. The motion passed unanimously by the Board members present.

- **Preneed Contract Transfer**

Mr. Kelley reviewed a question regarding the transfer of preneed contracts between funeral establishments when a contract has lost value since the time of purchase. Mr. Kelley reported that board regulations state that the receiving funeral home must accept the contract with the attrition, although the matter may be handled privately between the funeral establishments.

- **“Borrowed Servant” Practice**

The board discussed whether funeral assistants may work for other funeral establishments, to whom they are not employed, in the removal and transfer of dead human bodies. Mr. Kelley stated that current board regulations do not permit a disaggregation of the funeral assistant from his or her place of employment in order to carry out this activity, After further discussion, the board requested that Mr. Kelley review the matter and propose regulations that would permit funeral assistants to engage in this type of service.

Continuing Education Provider Applications:

Funeral CE

- Cremation Prearrangement Conference Best Practices

Massachusetts Funeral Directors Association

- Massachusetts Right of Disposition Update

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

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

At 12:35 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. The motion was seconded by Mr. Brezniak. **The motion passed unanimously by Board members present.**

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

- 2019-000293-IT-ENF – Dismissed with Advisory.
- 2019-000294-IT-ENF – Dismissed with Advisory.
- 2019-001039-IT-ENF – Referred to Prosecutions.
- 2019-001040-IT-ENF – Referred to Prosecutions.
- 2019-000908-IT-ENF – Dismissed with Advisory

At 2:25 p.m. Mr. Gormley moved to go out of investigative session. The motion was seconded by Mr. Brezniak. **The motion passed unanimously by Board members present.**

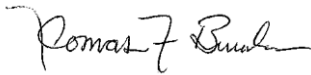
Adjournment

At 2:29 p.m. Mr. Brezniak moved to adjourn the meeting. Mr. Gormley seconded the motion. Motion passed unanimously.

List of Documents used at the meeting:

1. Agenda
2. Minutes from August 20, 2019 meeting.
3. Applications for personal registration
4. Continuing education provider applications

Respectfully submitted,



Thomas F. Burke
Associate Executive Director