

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN EMBALMING AND FUNERAL DIRECTING
MINUTES OF THE JANUARY 21, 2025, OPEN PUBLIC MEETING

Board Members Present in person:

Paul Phaneuf, Chair
Rebecca Ridley, Member

Board Members Remotely Attending:

Patrick Driscoll, Secretary
Janet Leombruno, Public Member

Board Members Unable to Attend:

Richard Gormley, Member

DOL Staff Present in person at various times during the meeting:

Peter Kelley, Board Counsel
Marjorie Campbell, Executive Director
John Hill, Board Administrator
Robert Williams, Investigator
Salvatore Ciulla, Prosecutor

Board Members and Staff attended as noted.

1. The Executive Director called the meeting to order at 10:03 am and advised as to the recording of the public meeting. Board members and staff introduced themselves.
2. The Board Chair advised as to room procedures, exits, and fire alarm procedures.

Approval of Meeting Minutes: The Board members reviewed the public session minutes from the December 28, 2024, meeting. After a brief discussion, a motion to approve the meeting minutes was made by Janet Leombruno, motion seconded by Patrick Driscoll. The Chair called for a roll call vote.

In Favor: Paul Phaneuf, Janet Leombruno, and Patrick Driscoll
Abstain: Rebecca Ridley
Opposed: None
Motion Passes

Welcome and Approval of New Applicants:

1. Funeral Home Assistant Applicants: No new applicants this month for Board appearance

2. Embalming Apprentice Applicants: Board members welcomed the following new Embalming Apprentice Applicants:

- Caroline Burlamachi
- Julianna Cummings
- Andrew Ferreira
- Maddy Boldt
- Breanna Wouters

All applicants appeared with their Type 3 Director sponsors, and the Board members reminded them of their duties and welcomed them into the profession.

3. Funeral Director Type 6 Applicants: Board members welcomed the following new Funeral Director Type 6 Applicant:

- Kali Crowley

Ms. Crowley appeared with her Type 3 Director sponsor. She was duly sworn in by the Board members, reminded of her duties, and welcomed into the profession.

Executive Director Report:

1. Reports on Administratively Approved License Registrations and Continuing Education Course Providers: The Board members were given the lists of Administratively Approved License Registrations and Continuing Education Course Providers for review. After a brief discussion, a motion was made to accept both lists, the License Registrations and the Continuing Education Course Providers; Motion made by Rebecca Ridley, and seconded by Janet Leombruno. The Chair called for a roll call vote.

In Favor: Paul Phaneuf, Rebecca Ridley, Janet Leombruno, and Patrick Driscoll

Opposed: None

Motion Passes

2. Update from the Registry of Vital Records and Statistics regarding MAVRIC: Due to the importance of all data partners participating electronically in MAVRIC, as well as the upcoming holidays, the Registry of Vital Records and Statistics (RVRS) is postponing go-live to early 2025. The MAVRIC team is working hard to make additional modifications to the new system so that it meets the needs of all data partners at go live.
3. Nomination and Election of Board Member Officers: Motion was made by Patrick Driscoll to nominate Paul Phaneuf for Board Chair. Motion was seconded by Rebecca Ridley, and the Board Chair called for a roll call vote:

- In Favor: Paul Phaneuf, Rebecca Ridley, Janet Leombruno, and Patrick Driscoll
- Opposed: None
- Motion passes

A Motion was then made by Paul Phaneuf to nominate Patrick Driscoll for Board Secretary. Motion was seconded by Rebecca Ridley, and the Board Chair called for a roll call vote:

- In Favor: Paul Phaneuf, Rebecca Ridley, Janet Leombruno, and Patrick Driscoll
- Opposed: None
- Motion passes

Board Counsel Report: Attorney Kelley informed the Board that he will be drafting a memo regarding Funeral Director Type 6 scope of practice, and that will be presented at an upcoming meeting when completed. Attorney Kelley's draft amendments regarding Continuing Education (CE) requirements for licensees will be discussed below under "Discussion" items.

Discussion Items

1. Draft of Regulation Change for CE requirements: for Embalming Apprentices and Funeral Assistants: 239 Code Mass Regs. Sec. 5.00: Attorney Kelley presented an updated draft of this regulation revision. This draft proposes that Embalming Apprentices and Funeral Assistants would only be required to complete 2 CE's each year, versus the current requirement of 8 CE's. The Board members agreed that it would still be a requirement that one of those hours would be the completion of OSHA education each year. There was some discussion regarding whether the second CE hour should be in a specific educational subject matter, be more general, or limited to the single OSHA hour. Following discussion, Board tabled, and Attorney Kelley will bring a revised draft to the February Board Meeting for review and vote, limited to the single OSHA continuing education hour for apprentices and assistants.

Request for Extension of Embalming Apprentice License

1. Shannon Murphy: Apprentice License #6172. Ms. Murphy appeared before the Board in person with her Type 3 sponsor. This is her second extension request. Initial apprenticeship was in 2017, but she then moved out of state, and allowed apprentice license to expire. She is currently enrolled in the Funeral Service Program at North Shore Community College, with an intent to graduate in May of 2025 and with the goal of becoming a licensed Funeral Director.
 - Motion made by Rebecca Ridley to approve and accept Ms. Murphy's request for an extension of her Apprenticeship for one year, to October 20, 2025.
 - Motion seconded by Patrick Driscoll
 - Board Chair called for a roll call vote
 - In Favor: Paul Phaneuf, Rebecca Ridley, Janet Leombruno, and Patrick Driscoll
 - Opposed: None
 - Motion passes

License Application Review

1. Conditional FE license request from Bill McDonald: McDonald Finnigan and Anderson-Bryant Funeral Home: Mr. McDonald was present before the Board with his Attorney. He is purchasing the Anderson-Bryant Funeral Home which is located right behind the McDonald Finnigan Home. Bob Williams has completed the inspections of both buildings. The issue before the Board is that the Anderson-Bryant Home will need a handicap bathroom. Mr. McDonald did point out that in the new building there will not be any funeral services held, just offices for the arrangement of cremation services. Both buildings will need separate FE licenses. While Mr. McDonald did provide some of the construction plans, the Board members noted that they needed additional documents that would show how long this project will take for the handicap bathroom to be completed. This matter was Tabled to allow time for Mr. McDonald to obtain these additional documents.

Investigative Update on Licensed Establishments: Bob Williams informed the Board that he is focusing his inspections on the Northshore at this time. He is reminding Funeral Home Directors to file their pre-need reports, and that they must be filed online.

Topics Not Reasonably Anticipated 48 Hours in Advance of Meeting: No Items

Public Comment: Attorney Chris Carroll requested to be heard by the Board. Attorney Carroll is representing Mr. Robert Fournier in a pending Board matter, and he is seeking some guidance from the Board. Mr. Fournier has 4 Funeral Homes in Connecticut and a Crematorium, and he is looking to acquire a funeral home in Massachusetts. The Board members have discussed at previous meetings, that this situation may conflict with Massachusetts Embalming regulations related to prohibited ownership of funeral-related businesses, including cemeteries and crematoria. According to Attorney Carroll, in Connecticut, if someone were to try and transfer ownership of a Crematorium, it would be very difficult, and Attorney Carroll is hoping to look at other business models in Massachusetts. Specifically, Attorney Carroll and Mr. Fournier are hoping to be able to purchase this Massachusetts funeral home and possibly keep his interest in the Connecticut Crematorium. Attorney Carroll is going to do some more research and present the Board with a memo at an upcoming meeting.

At 11:23 am, the Board moved to exit Public Session and to enter into Executive Session, pursuant to M.G. L. c. 30A, §21(a) (1) to discuss an individual's character or reputation, rather than professional competence.

- Motion made by Rebecca Ridley to exit Public Session and enter Executive Session.
- Motion seconded by Janet Leombruno
- Board Chair called for a roll call vote
- In Favor: Paul Phaneuf, Rebecca Ridley, Janet Leombruno, and Patrick Driscoll
- Opposed: None
- Motion passes

At 11:53 am, the Board moved to exit the Executive Session and enter Closed Session for the purpose of conducting settlement and investigatory conferences per G. L. c. 112, sec. 65C and adjudicatory conferences per G. L. c. 30A, § 18, ¶ 5(d).

- Motion made by Rebecca Ridley to exit Executive Session and enter Closed session for the purpose of conducting investigatory, settlement, and adjudicatory conferences
- Motion second by Janet Leombruno
- Board Chair called for a roll call vote
- In Favor: Paul Phaneuf, Rebecca Ridley, Janet Leombruno, and Patrick Driscoll
- Opposed: None
- Motion passes

During closed session the Board took the following actions.

- 2024-000675-IT-ENF: Dismiss
- 2023-000417-IT-ENF: Dismiss
- 2024-000976-CP-ENF: Dismiss

At 12:43 pm, the Board moved to exit closed session, to enter open session, and thereupon to adjourn the meeting:

- Motion made by Patrick Driscoll
- Motion seconded by Rebecca Ridley
- Chair called for a roll call vote
- In Favor: Paul Phaneuf, Rebecca Ridley, Janet Leombruno, and Patrick Driscoll
- Opposed: None
- Motion passes

Documents used in public session:

- Agenda for the January 21, 2025, Open Meeting
- Public Session Minutes for the December 18, 2024, Board Meeting
- List of Funeral Home Assistant Applicants, Embalming Apprentice Applicants, and Funeral Director Type 6 Applicants, scheduled to appear before the Board at today's meeting
- Swearing in Statement for Type 6 Funeral Director applicants
- Report on Administratively Approved License Registrations for January 2025
- Report on Administratively Approved Continuing Education Course Providers for January 2025
- Update from the Registry of Vital Records and Statistics regarding MAVRIC
- 2024 Draft of the Model Practice Act from the Conference
- Draft of Regulation Change for CE Requirements: for Apprentices and Funeral Assistants: 239 Code Mass. Regs sec. 5.00
- Documents supporting the Embalming Apprentice License Request: 6172-EM-A
- Documents supporting the conditional FE license request for the McDonald-Finnigan and Anderson Bryant Funeral Home

