

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN EMBALMING AND FUNERAL DIRECTING
MINUTES OF THE DECEMBER 19, 2023, OPEN PUBLIC MEETING

Board Members Present in person:

Paul Phaneuf, Chair
David Brezniak, Member
Richard Gormley, Member

Board Members Present remotely:

Patrick Driscoll, Secretary
Janet Leombruno, Member

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

Jenna Hentoff, Board Counsel (JH)
Charles Kilb, Board Counsel (CK)
Kathleen McNally, Executive Director (KM)
Robert Williams, Office of Investigations (RW)

DOL Staff Present remotely at various times during the meeting:

Colleen Maloney, DOL Deputy Commissioner of Board and Policy
Bryan Freitas, Supervisor, Office of Investigations

Public Attendees present in person at various times during the meeting.

Leslie Cartier
Frank Cartier
John Paul Bellerose-Stevens

Public Attendees Remotely:

Margie Nolan, Tara McGrath, Sandy Ward, Ron Lashway, Nancy Adler

Board Members and Staff attended as noted, with members of the public attending as noted in person and remotely.

1. KM made note of the Board Members, Staff, and the public in attendance.
2. KM advised as to the recording of the public meeting.
3. The Chair called the meeting to order at 10:02 AM with advisement as to the location of Rest Rooms, Exits, and Fire alarm procedures for this location.
4. The Chair led the discussion of the Open Public Meeting Minutes from November 21, 2023.

A MOTION to approve the minutes as submitted was made by DB. Seconded by RG. The Chair called for a roll call vote:

Paul Phaneuf - Yes
Patrick Driscoll - Yes
Richard Gormley - Yes
David Brezniak – Yes
Janet Leombruno – Yes

The Motion passed.

5. The Chair led the discussion of the Closed Executive Session Minutes from November 21, 2023.

A MOTION to approve the minutes as submitted was made by DB. Seconded by RG. The Chair called for a roll call vote:

Paul Phaneuf - Yes
Patrick Driscoll - Yes
Richard Gormley - Yes
David Brezniak – Yes
Janet Leombruno – Ye

The Motion passed.

6. The Administratively Approved License Registrations Report was provided to the Board for acceptance:

Sandra Stella, Gillooly Funeral Home, Norwood, 10-25-23(11-29-23) – 51434-EM-6
Kurt Nordstrom-Mangsen, Miles Funeral Home, Holden, 11-27-23 – 51439-EM-6
John Anderson, Long – dba Goodrich Funeral Home, Lynn, 11-27-23 – 51440-EM-3
Isabella Robinson, Stanetsky Memorial Chapel, Brookline, 11-28-23 – 51441-EM-6
Michael Chiampa, Chiampa Funeral Home, Shrewsbury, 11-28-23 – 51442-EM-3
Jesus Rojas, Chapman Funeral & Cremations, Harwich, 11-29-23 – 51443-EM-6
Thomas Paquette, Dyer-Lake Funeral Home & Cremations, Attleboro Falls, 12-1-23 – 51444-EM-6
Lauren Campbell, Campbell Funeral Home, Beverly, 12-4-23 – 51445-EM-6
Jaime Heath, Shaw Majercik Funeral Home, Webster, 12-5-23 – 1060-EM-FA
Chanel Robinson, Campbell Funeral Home, Beverly, 12-7-23 – 1061-EM-FA
Allen Schuldman, Stanetsky Memorial Chapel, Canton, 12-7-23 – 1062-EM-FA
Mark Murabito, Comeau-Berube Funeral Home, Haverhill, 12-7-23 – 1063-EM-FA
Shannon George, Dirsia-Morin Funeral Home, Worcester, 12-13-23 – 51446-EM-6
Stephanie Dobrev, Cartwright Funeral Home, Randolph, 12-18-23 – 6560-EM-

After a brief discussion, a **MOTION** to approve the Administratively Approved License Registrations as submitted was made by DB. Seconded by JL. The Chair called for a roll call vote:

Paul Phaneuf - Yes
Patrick Driscoll - Yes
Richard Gormley – Yes
David Brezniak – Yes
Janet Leombruno – Yes

The Motion passed.

7. The Administratively Approved Continuing Education Course Report was provided to the Board for acceptance:

CANA

- 2024 CANA Symposium 7.00 Hours

ALL STAR TRAINING, INC.

- General Topics for Funeral Directors/Embalmers 8.00 Hours

NFDA

- Navigating the Future of Funeral Service:
 - Strategies for Recruiting and Retaining Top Talent,
 - February 7, 2024 1 – 2 PM, CST 1.00 Hour
- Arrangement Skills Masterclass 8.00 Hours
- Arrangement Solutions Academy 6.00 Hours
- Consumer Trends Conference
 - Catch Up or Fall Behind 6.00 Hours
- Cremation Certification Program 7.00 Hours

SELECTED INDEPENDENT FUNERAL HOMES

- 2024 NextGen Seminar – January 28 to February 1, 2024 8.00 Hours

MFDA

- Caring for Families & Caring for Yourself –
 - A Self-Care Handbook for Funeral Svc Professionals 2.00 Hours
- Complying with the FTC Funeral Rule on Third Party Merchandise 6.00 Hours
- Controlling your Accounts Receivable 4.00 Hours
- Creutzfeldt-Jakob Disease:
 - A Report to Embalmers Preparation Guidelines 4.00 Hours
- The Disposition of Medical Devices 1.00 Hour
- Distracted Driving – Cell Phone Policies for Funeral Homes:
 - Is It Time to Ban Employee's Use of Cell Phones While Driving 2.00 Hours
- Due Diligence for Funeral Homes Using Third-Party Crematories 6.00 Hours
- Funeral Ethics 6.00 Hours
- Expanding Funeral Ethics 6.00 Hours

- Funeral Home Confidentiality Policies & Practices 1.00 Hour
- Funeral Home Customer Service A-Z 4.00 Hours
- Screening & Hiring:
 - An Expert Guide to Making the Right Hire 5.00 Hours
- Grieving Alone & Together – Responding to the Loss of Your Loved One During the COVID-19 Pandemic 2.00 Hours
- Opioid Epidemic: How Funeral Directors Can Respond 1.00 Hour
- Pregnancy in the Prep Room 1.00 Hour
- Supporting Survivors of Suicide Loss:
 - A Guide for Funeral Directors 2.00 Hours
- Youth & Funerals – Understanding the Important Role Funerals and Memorialization Play in the Lives of Youth 1.00 Hour

After a brief discussion, a **MOTION** to accept the Administratively Approved Continuing Education Report as presented was made by PD, Seconded by JL. The Chair called for a roll call vote:

Paul Phaneuf - Yes
 Patrick Driscoll - Yes
 Richard Gormley - Yes
 David Brezniak - Yes
 Janet Leombruno – Yes

The Motion passed.

8. Board Counsel JH reported to the Board that she (JH) provided information to DOL's General Counsel about the memorandum between the Office of the Chief Medical Examiner (OCME) and the Department of Transitional Assistance (DTA). JH will report to the Board when she has additional information to present. No Board action was taken at this time.
9. An Application for Reinstatement Request for Leslie Cartier whose license was previously revoked by default was presented to the Board. Board Counsel Charles Kilb advised the Board regarding this matter as JH recused herself due to a conflict. Leslie Cartier attended the meeting in person, with her brother, Frank Cartier, a Type 3 Funeral Director who will be Ms. Cartier's Type 3 sponsor during the reinstatement process, if allowed. Counsel CK advised the Board, that if the Board is inclined to reinstate Ms. Cartier's license, then Ms. Cartier needs to show that she did not actively practice during the time her license was revoked, Ms. Cartier needs to enter into a consent agreement placing her on probation for one year, she must pay a fine of \$600.00 (six hundred dollars), and she must take and pass the two exams required by statute to become licensed in Massachusetts. The Chair stated that the pathway to Ms. Cartier's license being reinstated, as she has not held a license for three renewal cycles, is to take and pass the two required exams.

After a discussion, a **MOTION** to allow Leslie Cartier to be placed on probation, and pay the \$600.00 fine, and to take the two exams to reinstate her license was made by RG, Seconded by DB. The Chair called for a roll call vote:

Paul Phaneuf - Yes
Patrick Driscoll - Yes
Richard Gormley - Yes
David Brezniak - Yes
Janet Leombruno – Yes

The Motion passed.

10. The Type 3 License Application for Ronald Lashway, who holds a current Type 6 license, and is applying for a Type 3 Funeral Director License was presented to the Board to review prior disciplinary action. JH recused herself due to a conflict. Attorney Charles Kilb advised the Board that Mr. Lashway had a disciplinary issue when he held an apprentice license; however, Mr. Lashway paid a fine, and has had no issues since that incident. CK advised the Board to approve Mr. Lashway's Type3 license application.

After a brief discussion, a **MOTION** to approve Mr. Roanld Lashway's Type 3 application was made by DB, Seconded by RG.

The Chair called for a roll call vote:

Paul Phaneuf – Yes
Patrick Driscoll – Yes
Richard Gormley – Yes
David Brezniak – Yes
Janet Leombruno – Yes

The Motion passed.

11. The Funeral Assistant License application of Attorney Nancy Adler was presented to the Board for review. Ms. Adler submitted proof of her attendance at law school in lieu of proof of her high school diploma, as she was unable to obtain those records. JH advised the Board that their statute generally requires completion of a four year high school course or the educational equivalent for licensing and their regulatory requirements for a Funeral Assistant license requires satisfactory written proof that the applicant holds a high school diploma or its equivalent. Ms. Adler told the Board that she is a registered attorney and a member of the Attorneys' bar in Massachusetts, Ohio, and Florida. The Board discussed the documents Ms. Adler provided in the context of equivalency.

After a discussion, a **MOTION** to allow Nancy Adler to proceed with her funeral assistant application with the credentials she has provided was made by RG. Seconded by PP.

The Chair called for a roll call vote:

Paul Phaneuf - Yes
Patrick Driscoll - Yes
Richard Gormley - Yes
Janet Leombruno – Yes
David Brezniak-Abstained.

The Motion passed.

12. An Application request by Daniel Healey for Reinstatement and License Downgrade Request – From at Type 3 to Type 6 license was presented to the Board for review. Mr. Daniel Healey did not attend the Board meeting. Mr. Healy is currently licensed in New Hampshire. His Massachusetts license has been expired for more than one year. JH advised the Board that the Board's statute requires that Mr. Healey retake the exam to become licensed as a Type 6 because his license has been lapsed for more than one year.

After discussion, a **MOTION** to allow Daniel Healey to move to take the next steps to reinstate his Massachusetts license was made by RG. Seconded by DB.

The Chair called for a roll call vote:

Paul Phaneuf – No
Patrick Driscoll - No
Richard Gormley – Yes
David Brezniak-Yes
Janet Leombruno - Not present for vote.

The Motion failed with a vote of two in favor and two opposed.

After additional discussion of the requirements to reinstate a license lapsed for more than one year, a **MOTION** was made by DB that Daniel Healey needs retake the exam to have his license reinstated. Seconded by RG.

The Chair called for a roll call vote:

Paul Phaneuf – Yes
Patrick Driscoll - No
Richard Gormley – Yes
David Brezniak-Yes
Janet Leombruno - Not present for vote.

The Motion passed by majority vote.

13. Investigator Robert Williams gave an Investigative Update on the Robert J. Miller Funeral Establishment ("Miller Funeral Home"). Investigator Williams reported that the funeral home is no longer being sold, and the website is still active with a note to contact the attorney. Mr. Williams reported that the 45 (forty-five) Pre-need Contracts entered into with the Miller Funeral Home were not transferred to another funeral home, as was previously reported by Miller's attorney. The Chair directed Board Counsel JH to draft a letter to the Attorney for the Miller Funeral Home to transfer the 45 Pre-Need Contracts and inform the buyer/beneficiaries of the Pre-Need Contracts of their rights. The Chair directed JH to inform the attorney that his failure to do this may result in the Board taking further action.

A **MOTION** was made by DB that Board Counsel JH send a letter to the Attorney for the Miller Funeral Home of the above-described information. The motion was seconded by RG.

The Chair called for a roll call vote:

Paul Phaneuf – Yes
Patrick Driscoll - Yes
Richard Gormley – Yes
David Brezniak-Yes
Janet Leombruno - Not present for vote.

The Motion passed.

14. A **MOTION** to close the Open meeting and enter closed Executive Session to discuss an individual's reputation or character rather than competence pursuant to G.L. c. 30A, § 21(a)(1) and not return to an Open Meeting was made by DB. Seconded by RG. After a brief discussion, the Chair called for a roll call vote:

Paul Phaneuf - Yes
Patrick Driscoll - Yes
Richard Gormley - Yes
David Brezniak- Yes
Janet Leombruno - Not present for vote.

The Motion passed and the Open Public meeting closed at approximately 11:45 A.M.

15. The Board voted to exit the closed Executive Session and enter the Closed Investigative Conference pursuant to G.L. c. 112, § 65C at 12:10 P.M.

The following actions took place during the Closed Investigative Conference:

- 2023-000699-IT-ENF Dismissal
- 2023-000700-IT-ENF Dismissed with Advisory Letter
- 2023-000712-IT-ENF Dismissed
- 2023-000744-IT-ENF Dismissed
- 2023-207308-FI-ENF Dismissed with Advisory Letter

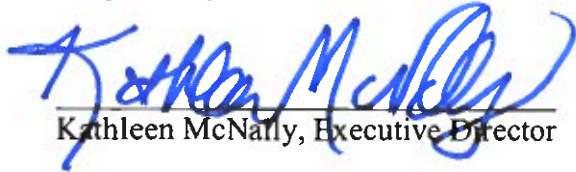
16. A **MOTION** to adjourn and close the meeting was made by DB. Seconded by RG. The Chair called for a Roll Call Vote:

Paul Phaneuf - Yes
Patrick Driscoll – Yes
Richard Gormley - Yes
David Brezniak- Yes
Janet Leombruno – Not present for vote.

The Motion passed and the Meeting was closed at approximately 12:40 AM.

The above minutes were taken at the meeting held on December 19, 2023.

Respectfully submitted,



Kathleen McNally, Executive Director

Documents used in public session:

- Agenda for the December 19, 2023, Open Meeting
- Draft minutes of the November 21, 2023, Open Meeting
- Draft minutes of the November 21, 2023, Closed Executive Session Meeting
- List of Approved License Registrants and Establishments
- List of Approved Continuing Education Courses
- Cartier request for reinstatement and disciplinary documents
- Lashway license application and disciplinary documents
- Adler license application and email request
- Healy request for reinstatement