

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN EMBALMING AND FUNERAL DIRECTING
MINUTES OF THE MARCH 19, 2024, OPEN PUBLIC MEETING

Board Members Present in person:

Paul Phaneuf, Chair (PP)

David Brezniak, Member (DB)

Board Members Remotely Attending:

Patrick Driscoll, Secretary (PD)

Janet Leombruno, Member (JL)

Board Members Absent:

Richard Gormley, Member (RG)

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

Colleen Maloney, Deputy Commissioner of Boards and Policy

Jenna Hentoff, Board Counsel (JH)

Kathleen McNally, Executive Director (KM)

John Hill, Board Administrator (JEH)

Robert Williams, Investigator, Office of Investigations (RW)

DOL Staff Present remotely at various times during the meeting:

Bryan Freitas, Supervisor, Office of Investigations

Anika Rosengarten, Intern, DOL Staff

Public Attendees Remotely:

Margaret (Margie) Nolan, Tara McGrath, Barbara Kazmierczak, Sandy Ward, Tim O'Brien, Mark Cedarfield

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 10:08 AM with advisement as to the location of Rest Rooms, Exits, and Fire alarm procedures for this location.
4. Review of the February 20, 2024 public session minutes was tabled.
5. The Administratively Approved License Registrations Report was provided to the Board for acceptance:

Kenneth Allan, Quealy Funeral Home, Abington, 2-23-2024 – 51456-EM-6

Philip N. Bellini, Driscoll Funeral Home, Haverhill, 2-23-2024 - 6564-EM-A,
Breanna N. Smock, Wright Roy Funeral Home, Leominster, 2-23-2024 - 6565-EM-A,
Kayla M. Mcleod, Lombard Funeral Home, Monson, 2-23-2024 – 6566-EM-A
Robert Fournier, Shaw Majercik Funeral Home, Webster, 2-28-2024 – 51457-EM-6
Rachel Pina, CC Shepherd Funeral Home, S. Weymouth, 3-1-2024 – 51458-EM-6
Daniel MacDonald, Barile Family Funeral Homes, Stoneham, 3-1-2024 – 51459-EM-6
Francesca DeVito, Keohane Funeral Home, Quincy, 3-4-2024 – 51460-EM-6
John J. O'Connor and Son Funeral Home, Dorchester, New Ownership, 3-5-2024 – 1092-FE-FE
Alycia Spargo, MacDonald Keohane Funeral Home, Weymouth, 3-7-2024 – 6567-EM-A
Michael Alpert, Rock Funeral Home, New Bedford, 3-7-2024 – 1079-EM-FA
Seif Osman, ISBCC Funeral Services, Roxbury, 3-7-2024 – 1080-EM-FA
Matthew Oliveira, Duffy-Poule Funeral Home, Canton, 3-7-2024 – 1081-EM-FA
Patrick Lecuc, Silva Funeral Home, Swansea, 3-7-2024 – 6568-EM-A
Jovan Benjamin, Crapo-Hathaway Funeral Home, Taunton, 3-7-2024 – 6569-EM-A
Philip Jordan, Louis M Isabelle Funeral Home, Fitchburg, 3-7-2024 – 1082-EM-FA
Stephen J. Duke, Joseph W. Casper Funeral Home, South Boston, 3-7-2024 – 1083-EM-FA
Nicole Kamishlian, Consigli-Ruggerio Funeral Home, Inc., Milford, 3-8-2024 – 51461-EM-3
John Luevano, Chapman, Cole & Gleason Funeral Home, Mashpee, 3-11-2024 – 1084-EM-FA
Susan Talkowski, McDonald Keohane Funeral Home, Weymouth, 3-11-2024 – 6570-EM-A
Samantha Egan, Lehman Reen Funeral Home, Boston, 3-11-2024 – 6571-EM-A
Michael Plaute, Buma Sareant Funeral Home, Milford, 3-11-2024 – 1085-EM-FA
Ruth Haringa, Buma Sareant Funeral Home, Milford, 3-11-2024 – 1086-EM-FA
Andrew Gourdeau, Methuen Memorial Chapel, Inc., Methuen, 3-11-2024 – 1087-EM-FA
DeAnna Velozo, Fairhaven Funeral Home, Fairhaven, 3-11-2024 – 1088-EM-FA
Jason Cantara, Daniel T. Morrill Funeral Home, W. Brookfield, 3-11-2024 – 1089-EM-FA
Nicholas D'Elia Verrocci, A.J. Spadafora Funeral Home, Malden, 3-11-2024 – 1090-EM-FA
Brittany Echeverria, Morin Funeral Home, Spencer, 3-11-2024 – 51462-EM-6
Stephen Monti, Short & Rowe Funeral Home, Marlborough, 3-18-2024 – 1091-EM-FA

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

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

The Motion passed.

6. The Administratively Approved Continuing Education Units (CEU) Report was provided to the Board for acceptance:

National Funeral Directors Association

- Embalming & Restorative Arts Seminar 8.50
Hours
- The Gravity of Cavity Embalming 1.00
Hour
- Human Resources 101:
 - Core Essentials to Protect your Funeral Home 1.00
Hour
- Certified Preplanning Consultant Program-Correspondence Option 15.00
Hours
- Leading with Excellence and Compassion 1.00
Hour
- Mastering the Art of Advocacy 1.50
Hours
- Advocating for Yourself:
 - Assertiveness Training for Women Funeral Service Professionals 1.00
Hour
- Recognizing and Responding to Suicide Risk Within Deathcare Professionals 2.00
Hours
- Your Move:
 - A Workshop on Consumer Change and How it Will Transform 1.00 Hour
 - Funeral Planning and Purchasing 1.00 Hour
- Awakening Your Colleagues, Communities, and Cemetery to
 - the Beauty of Green Burials 1.00 Hour
- It Means More Than You Know,
 - Giving the Family a Last Chance to Say Goodbye 1.00 Hour
- Funeral Service, the Next Ten Years of Change and Opportunity 1.00 Hour
- Seize Your Life: Live a Vision-Driven Life 1.00 Hour

COLIBRI

- Modern Restorative Arts and Embalming Techniques, 2nd Edition 3.00 Hours
- Opioids: Contributing to Both Health and Death, 2nd Edition 2.00 Hours

ICCFA Annual Convention

- April 10 – 13, 2024 13.00 Hours

Wilburt Funeral Services

- Teamwork Through Crisis 1.00 Hour
- Best Known is Better Than Best:
 - What Funeral Homes Need to Know About Social Media Content 1.00 Hour

DENIED:

NFDA

- Online Cremation Certification Program 6.00 Hours
 - "...best practices for safe, proper, and ethical crematory operations."

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

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

The Motion passed.

7. Executive Director Kathleen McNally reported on the 2023 Pre-Need Report submissions. Executive Director Kathleen McNally reported on the number of Pre-need reports that were submitted timely, the number that were submitted late, and the number that did not submit their report for 2023. There are currently 501 Licensed Funeral Establishments in Massachusetts. For the 2022 calendar year, 50 Funeral Establishments did not submit Pre-need reports as required by regulation and complaints were opened by the Board. For the 2023 calendar year, as of the January 31, 2024, submission deadline, approximately 101 Funeral Establishments did not submit their Pre-need Reports timely or did not submit them at all. Of those establishments, approximately 30 did not submit their 2022 Pre-Need reports. Colleen Maloney, Deputy Commissioner, suggested that letters be sent to the 101 licensees who did not file their 2023 Pre-need report and give them until April 12, 2024, to submit the reports electronically via the form on the DOL website.

A **MOTION** to send a letter to licensees who failed to file a Pre-need report for 2023 to and notify

them to submit their report by April 12, 2024 was made by DB. Seconded by JL. The Chair called for a roll call vote:

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

The Motion passed.

8. Executive Director Kathleen McNally updated the Board on the status of the transition to the new vendor, PSI, for applications and testing for the Board. The Board was notified that there would be more information later in the Spring. The Chair again raised that he would like the Board to discuss allowing applicants to sit for the funeral director licensing exam immediately after the applicant completes and graduates from mortuary school instead of requiring them to wait until they have completed their apprenticeship. After a brief discussion, no action was taken by the Board and this matter was tabled to a future meeting.

9. The Board reviewed and discussed the draft template letters for purposes of the notification required by Board regulation to buyers and/or beneficiaries of a Pre-need contract in the event of the closure or sale of the Licensed Funeral Establishment which maintains such contracts. The Board also reviewed public comment on the draft letters received from Ms. Nolan of the MFDA.

After discussion, **A MOTION** to approve the draft letters with the addition of the additional sentence proposed by Ms. Nolan was made by PD. Seconded by DB. The Chair called for a roll call vote:

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

The Motion passed.

10. The Board discussed the CEU Requirements for funeral assistant licensees and apprentice licensees still attending mortuary school. Board Counsel Hentoff discussed with the Board the option to draft a policy, while also working to amend the regulations on continuing education, in order to clarify the requirements for such licensees. After a discussion regarding the work of funeral assistant licensees and its relation to continuing education as well as regarding requiring continuing education for apprentices who are still enrolled in mortuary school, the Board took no action at this time and this matter was tabled to a future meeting in order to review a proposed draft policy.

11. **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 JL. Seconded by DB. After a brief discussion, the Chair called for a roll call vote:

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

The Motion passed and the Open Public meeting closed at approximately 11:14 A.M.

12. The Board voted to exit the closed Executive Session and enter closed Quasi-Judicial Session pursuant to G.L. c. 30A, § 18, ¶ 5(d) at 11:32 A.M.

13. A **MOTION** to exit closed Quasi-Judicial Session at 11:36 A.M. and enter closed Investigative Conference pursuant to G.L. c. 112, § 65C was made by JL. Seconded by PD. The Chair called for a roll call vote:

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

The Motion passed.

The following actions took place during the Closed Investigative Conference:

- 2023-000843-IT-ENF Refer to Prosecutions
- 2023-000844-IT-ENF Refer to Prosecutions
- 2024-000010-IT-ENF Dismiss
- 2023-000800-IT-ENF Dismiss

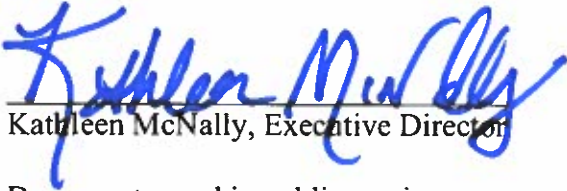
14. A **MOTION** to adjourn and close the meeting was made by JL. Seconded by PD. The Chair called for a Roll Call Vote:

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

The Motion passed and the Meeting was closed at approximately 12:03 AM.

The above minutes were taken at the meeting held on March 19, 2024.

Respectfully submitted,



Kathleen McNally, Executive Director

Documents used in public session:

- Agenda for the March 19, 2024, Open Meeting
- List of Approved License Registrants and Establishments
- List of Approved and Denied Continuing Education Courses
- Draft template letter for Pre-need contract notice to consumers if Funeral Home closes.
- Draft template letter for Pre-need contract notice to consumers if Funeral Home is sold.
- Correspondence and comments on draft template letters submitted by Margie Nolan