

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN EMBALMING AND FUNERAL DIRECTING
MINUTES OF THE APRIL 16, 2024, OPEN PUBLIC MEETING

Board Members Present in person:

Paul Phaneuf, Chair (PP)

Board Members Remotely Attending:

Patrick Driscoll, Secretary (PD)

Janet Leombruno, Member (JL)

Richard Gormley, Member (RG)

Board Members Absent:

David Brezniak (DB)

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

Colleen Maloney, Deputy Commissioner of Boards and Policy

Richard Holz, Deputy General Counsel (RH)

Jenna Hentoff, Board Counsel (JH)

Kathleen McNally, Executive Director (KM)

John Hill, Board Administrator (JEH)

Robert Williams, Investigator, Office of Investigations (RW)

Nick Velonis, DOL

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, Sandy Ward, Kevin Cotter

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 10:05 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 to the May 21, 2024 Board meeting.
5. The March 19, 2024, Public Meeting Minutes were provided to the Board for approval.

After a brief discussion, a **MOTION** to approve the March 19, 2024 Public Meeting Minutes as submitted 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 – Absent
Janet Leombruno – Yes

The Motion passed.

6. The March 19, 2024, Executive Session Meeting Minutes were provided to the Board for approval.

After a brief discussion, a **MOTION** to approve the March 19, 2024 Executive Session Meeting Minutes as submitted 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 – Absent
Janet Leombruno – Yes

The Motion passed.

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

Stephen Monti, Short & Rowe Funeral Home, Marlborough, 3-18-2024 – 1091-EM-FA
Brooke Hubley, Deru Funeral Home, Pittsfield, 3-21-2024 – 51466-EM-6
Sean McQuillan, FPG Beers - Story, Palmer, 3-27-2024 – 1092-EM-FARabecca Moscone,
Richardson Gaffey Funeral Home, Scituate, 3-27-2024 – 1093-EM-FA
Alexandria McClanahan, Keohane Funeral Home, Quincy, 3-27-2024 – 6572-EM-A
John C. Marinelli, Sansoucy Funeral Home, Southbridge, 4-8-2024 – 1094-EM-FA

After a brief discussion, a **MOTION** to approve the Administratively Approved License Registrations as submitted 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 – Absent
Janet Leombruno – Yes

The Motion passed.

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

National Institute of Funeral Services

- Burial at Sea Hours 2.00

NFDA

- Consumers are Talking – Are You Listening, International Perspective 1.00 Hour
- Digital Afterlife: Revolutionizing Funeral Services with AI 1.00 Hour

Education Workers Group / aka: FuneralContinuingEducation.com

- Green Burials: Environmentally Friendly Funerals 2.00 Hours

Colibir Healthcare, LLC

- Above Ground: Anatomical Embalming Roles in Society, 2nd Edition 1.00 Hour

FuneralVision.com

- Funeral IQ – 9/20/2024 5.00 Hours

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 – Absent
- Janet Leombruno – Yes

The Motion passed.

9. Executive Director Kathleen McNally reported on the 2023 Pre-Need Report submissions, including the number of Pre-need reports that were submitted timely, the number that were submitted late, and the number that did not submit their pre-need report for 2023. For the 2022 calendar year, 50 Funeral Establishments did not submit Pre-need reports as required by regulation. Complaints were opened by the Board. For the 2023 calendar year, as of the January 31, 2024, submission deadline, approximately 101 Funeral Establishments had not submitted their Pre-need Report. After a letter was sent by Deputy Commissioner Colleen Maloney and Board Counsel Jenna Hentoff to those Funeral Establishment that did not submit a pre-need report, less than 50 Funeral Establishments had not submitted a 2023 Pre-Need Report as of the date of the Board meeting. It was noted that approximately 20 of those Funeral Establishments also did not submit a 2022 Pre-Need Report.

After discussion, a **MOTION** to open complaints against any Funeral Establishment licensees which did not file a 2023 Pre-need report to be sent to the Office of Prosecutions 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 – Absent
Janet Leombruno – Yes

The Motion passed.

8. DOL Deputy Commissioner of Boards and Policy, Colleen Maloney, 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 PSI is aiming for mid to end of May 2024 for completion of the transition., The Chair requested information regarding the issue of allowing apprentice licensees to take the exams upon completion of mortuary school. Board Counsel Jenna Hentoff advised the Board that this timing of the exams is based on statutory requirements, and we need to wait for the transition to PSI, and there will 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 Board meeting in June of 2024.

9. Board Counsel Hentoff reported to the Board that the draft template letters for purposes of the notification required by Board regulations, to buyers and/or beneficiaries of a Pre-need contract, in the event of the closure or sale of the Licensed Funeral Establishment, were sent for agency review and approval.

10. Board Counsel Hentoff reported to the Board that she is reviewing and drafting a policy for the Board's review regarding continuing education requirements for funeral home assistant licensees and apprentices who are enrolled in school. A draft will be provided for review at the next Board meeting.

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

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

The Motion passed.

The Open Public meeting closed at approximately 10:35 A.M.

12. The Board voted to exit the closed Executive Session and enter closed Investigative Conference pursuant to G.L. c. 112, § 65C at 10:51 A.M.

The following actions took place during the Closed Investigative Conference:

- 2024-000090-IT-ENF Refer to Prosecutions
- 2024-000091-IT-ENF Dismiss with Advisory Letter

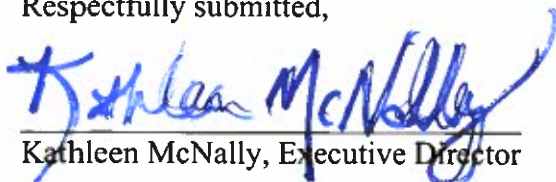
14. A **MOTION** to adjourn and close the meeting was made by PD. Seconded by JL. The Chair called for a Roll Call Vote:

Paul Phaneuf - Yes
Patrick Driscoll – Yes
Richard Gormley – Not Present for the Vote.
David Brezniak- Absent
Janet Leombruno – Yes

The Motion passed and the Meeting was adjourned at approximately 11:32 AM.

The above minutes were taken at the meeting held on April 16, 2024.

Respectfully submitted,


Kathleen McNally, Executive Director

Documents used in public session:

- Agenda for the April 16, 2024, Open Meeting
- List of Approved License Registrants and Establishments
- List of Approved Continuing Education Courses
- March 19, 2024, Public Session Minutes
- March 19, 2024, Executive Session Minutes
- Sample letter from Board Counsel to licensees regarding failure to file 2023 Pre-Need Report.