

COMMONWEALTH OF MASSACHUSETTS
BOARD OF REGISTRATION IN EMBALMING AND FUNERAL DIRECTING
MINUTES OF THE JUNE 18, 2024, OPEN PUBLIC MEETING

Board Members Present in person:

Paul Phaneuf, Chair (PP)
Rebecca Ridley, Member (RR)
Patrick Driscoll, Secretary (PD)
Richard Gormley, Member (RG)

Board Members Remotely Attending:

Janet Leombruno, Member (JL)

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

Jenna Hentoff, Board Counsel (JH)
Marjorie Campbell, Executive Director (MC)
Keith Gleason, Executive Director (KG)
John Hill, Board Administrator (JEH)
Robert Williams, Investigator, Office of Investigations (RW)

DOL Staff Present remotely at various times during the meeting:

Ann Barry, Prosecuting Counsel, Office of Prosecutions

Board Members and Staff attended as noted.

1. MC made note of the Board Members, Staff, and the Public in attendance.
2. MC advised as to the recording of the public meeting.
3. The Chair called the meeting to order at 10:04 AM with advisement as to the location of Rest Rooms, Exits, and Fire alarm procedures for this location.

Executive Director Report:

1. The Board Chair thanked former Board member David Brezniak for his many years of service on the Board. David's last meeting was the May 2024 meeting.
2. Paul Phaneuf also welcomed new Board member Rebecca Ridley. Rebecca gave a background of her education and professional experience, having worked in the business for 34 years. She stated that she is looking forward to support the work of the Board.
3. Report on Administratively Approved License Registrations for May and June: The Board members were given the list of license registrations for both May and June which was awaiting acceptance by the Board. After a brief discussion, a motion to accept the report for May and June was made by Patrick Driscoll, seconded by Richard Gormley. The Chair called for a roll call

vote.

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

Motion passes.

4. Report on Administratively Approved Continuing Education Course (CEU) Providers for May and June: The Board members were given the list of CEU Providers for both May and June which was awaiting acceptance by the Board. After a brief discussion, a motion to accept the report for May and June was made by Janet Leombruno, seconded by Patrick Driscoll. The Chair called for a roll call vote.

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

Motion passes.

5. Update on the Transition to New Testing Vendor: The Board was notified that individuals are now able to apply for licensure through PSI. It was also noted that information on the Board's website will be updated to reflect the name and information of the new vendor.

Board Counsel Report: JH noted that she did not have any information to report this month.

Approval of Meeting Minutes: The Board members reviewed the public Board Meeting minutes for last month's meeting on May 21, 2024. After a brief discussion, a motion to approve the May 21, 2024 Board Minutes was made by Patrick Driscoll, seconded by Richard Gormley. The Chair called for a roll call vote.

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

Motion passes.

Investigative Update on Licensed Establishments: No Report this month.

Discussion Items:

1. Continuing Education Request from ICCFA: John Hill provided the Board members with an outline of courses provided by ICCFA for an upcoming conference and asked the members to review the courses as it appeared that some may not meet the Board's CEU requirements. Board Counsel reminded the Board members that they should only approve courses that fall within the subject matter covered in 230 CMR 5.04(6) and that generally, the Board has not approved courses involving cremation itself.

Following the discussion, a motion to approve course numbers 5, 6, 10, 11, 13, 14, 15 and 16

as noted on the ICCFA documentation for a total of 11.5 CEU credits was made by Patrick Driscoll, seconded by Rebecca Ridley. The Chair called for a roll call vote.

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

Motion passes.

2. Continuing Education Request from New York State Funeral Directors Association: Operating a Cremation Business Model: The Board members reviewed a proposed CEU course from this Association titled “Operating a Cremation Business Model.” The Board members determined that the course described subject matters that were consistent with what Licensed Funeral Directors may want to learn, and that this course could be approved for two CEU hours. A motion to approve this course for two CEU hours was made by Rebecca Ridley, seconded by Patrick Driscoll. The Chair called for a roll call vote.

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

Motion passes.

3. Continuing Education Request from New Jersey Funeral Service Education Corp.: How to be Known, Trusted and Celebrated on Facebook: The Board members reviewed this proposed CEU course. This course addressed marketing for the funeral home business, and the Board members did agree that this course could be approved for one CEU hour of credit. A motion to approve this course for one CEU hour was made by Patrick Driscoll, seconded by Rebecca Ridley. The Chair called for a roll call vote.

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

Motion passes.

4. Policy on Continuing Education Requirements for Licensed Funeral Home Assistants and Apprentice Licensees Enrolled in School: Board Counsel presented a draft policy which would serve to clarify the CEU requirements for licensed funeral home assistants and apprentice licensees who are enrolled in school. This policy would only require that such licensees take one CEU credit course annually, such course to be one that meets the annual OSHA requirements. Board Counsel emphasized that should the Board approve this policy, it would still require further Agency review and approval before it could be finalized. A motion to approve this policy as presented by Board Counsel was made by Patrick Driscoll, seconded by Janet Leombruno. The Chair called for a roll call vote.

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

Motion passes.

5. Timing of Licensure Exam for Funeral Director Applicants: Board Counsel addressed the Board's interest in allowing applicants to take the funeral director exam upon graduation from mortuary school rather than after all other requirements, including the completion of the required two year apprenticeship, are met. Board Counsel stated that after further review of the statutory requirements for licensure, the Board would not be permitted to move forward with their desired change. The Board's statute is written in such a way as to require that an applicant must complete all the requirements necessary for licensure, including the two year apprenticeship, prior to being able to sit for the funeral director licensing exam. The Board members, as well as some members of the public present for the meeting, expressed their frustration with this language, stating that the gap between graduation from mortuary school and the time when they can sit for the exam, which many applicants have, is making it difficult for them to pass the exam. The Board discussed the current exam that is offered by the Board in comparison with the National Exam offered by The Conference which the Board no longer requires for licensure purposes. Board Counsel stated her understanding of the Board's frustration but again emphasized that because this requirement is set by statute, it would require a different path to change than the passage of a policy or a review of regulations. The Board members agreed to table further discussion to a future Board meeting.

Public Comment: The following individuals were recognized by the Chair for public comments:

1. Margie Nolan stated the quality of this remote meeting was very good.
2. Dalene from The Conference stated that she would try and provide statistics to MC about the National Exam which the Board does not currently require for licensure though it may be accepted for purposes of licensure by endorsement consistent with the Board policy.

At 11:30 am, a motion to close the open session of the Board Meeting and enter closed Investigative Conference pursuant to G.L. c. 112, § 65C and not return to an open meeting was made by Patrick Driscoll, seconded by Rebecca Ridley. The Chair called for a roll call vote.

In Favor: Paul Phaneuf, Patrick Driscoll, Richard Gormley, Rebecca Riley, and Janet Leombruno

Motion passes.

Investigative Conference: Closed Session:

The following actions took place during the Closed Investigative Conference:

2024-000321-IT-ENF - refer to prosecutions (Rebecca Ridley recused)

A motion to adjourn and close the meeting was made by Patrick Driscoll, seconded by Richard Gormley. The Chair called for a roll call vote.

In Favor: Paul Phaneuf, Patrick Driscoll, and Richard Gormley

Motion passes. The Meeting was adjourned at approximately 12:00 PM.

The above minutes were taken at the meeting held on June 18, 2024.

Respectfully submitted,

Marjorie Campbell, Executive Director

Documents used in public session:

- Agenda for the June 28, 2024, Open Meeting
- Report on Administratively Approved License Registrations for May and June
- Report on Administratively Approved Continuing Education Course Providers for May and June
- Public Session Minutes for the May 21, 2024 Board Meeting
- Continuing Education Request from the ICCFA Conference and attached documents
- Continuing Education Request from the New York State Funeral Director Association and attached documents
- Continuing Education Request from the New Jersey Funeral Service Education Corp. and attached documents
- Draft policy on Continuing Education Requirements for Licensed Funeral Home Assistants and Apprentice Licensees Enrolled in School