

**Massachusetts Board of Registration in Embalming and Funeral Directing  
Public Session Minutes  
Meeting of 3/24/20**

Held at  
1000 Washington Street, Boston, MA, 02118  
At 10:00 a.m.  
Room 1D

**Board Members Present:**

Paul Phaneuf  
Patrick Driscoll  
Janet Leombruno  
David Brezniak  
Richard Gormley

**Staff Members Present:**

Michael Hawley, Executive Director  
Thomas F. Burke, Assoc. Executive Director  
Peter M. Kelley, Board Counsel  
Robert Williams, Board Investigator

**Members of the Public Present:**

C.R. Lyons

Margie Nolan

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**Call to Order:**

Mr. Phaneuf called the meeting to order at 10:08 a.m. Board staff reviewed building evacuation procedures and noted the location of restrooms.

**Discussion:**

- Impact of COVID-19

C.R. Lyons and Margie Nolan of the Massachusetts Funeral Directors Association (“MFDA”) presented a letter to the Board for review. The letter will be distributed to MFDA members and communities of the Commonwealth regarding limiting the spread of the COVID-19 virus. The letter encouraged funeral directors to practice social distancing and limit funeral gatherings to fewer than ten persons per Governor Baker’s emergency order. After discussion, the Board requested that MFDA include reference to the CDC guidelines regarding prevention of the spread of the coronavirus. The Board stressed that, in conjunction with DPH and CDC guidelines, funeral directors must follow the Rules and Regulations for proper use of Personal Protective Equipment (“PPE”) when disposing of bodies infected with COVID-19 as specified in 239 CMR 3.12. The Board encouraged funeral directors to contact local cemeteries and town boards of health regarding burial and direct cremation services. Finally, the Board moved to suspend the provision of food and drink in Massachusetts Funeral Establishments in light of the COVID-19 virus.

**Mr. Driscoll moved to accept the MFDA statement with recommended revisions. Mr. Brezniak seconded. The motion passed unanimously by all members present.**

**Review of Minutes:**

The Board reviewed staff prepared public session minutes of the meeting held on February 18, 2020.

**Mr. Driscoll moved to accept staff prepared public session minutes of the meeting held on February 18, 2020. Ms. Leombruno seconded the motion. Motion passed unanimously by all members present.**

#### **Report from Board Counsel, Peter Kelley**

Mr. Kelley requested that the agenda be amended to reflect the correct citation of the Massachusetts General Law regarding Executive Conference. In response to Mr. Kelley's query about transporting dead human bodies infected with COVID-19, the Board members stated that they are not aware of funeral directors refusing said transportation and noted that hospital and medical center staff are exercising caution in such matters.

#### **Application Review:**

##### **Type 6**

- Jeanne Roach
- Kelsey McCulloch
- Jason L. Fraher
- Ashtyn Haskins
- David McDonald

**Because the oath is an essential element of Type 6 funeral registration and cannot be suspended, Board Counsel suggested that the Board delegate to the Executive Director or Associate Executive Director the administration of the oath to approved applicants via telephone until the emergency order of social distancing is over. Mr. Brezniak moved to approve such delegation of the administration of the oath and to approve these candidates for licensure under this procedure. Ms. Leombruno seconded. The motion passed unanimously by all members present.**

Richard Gormley joined the Board meeting at 11:13 a.m.

##### **Type 3**

- Priscilla Mathis

**Ms. Leombruno moved to approve Ms. Mathis for licensure. Mr. Driscoll seconded. The motion passed unanimously.**

#### **Funeral Establishment Certificate**

- Riendeau-Mulvey Funeral Home

**Ms. Leombruno moved to approve Riendeau-Mulvey Funeral Home for licensure. Mr. Brezniak seconded. The motion passed unanimously.**

#### **Report from Executive Director, Michael Hawley**

Mr. Hawley reported to the Board that Type 3 Funeral Directors who failed to renew their license registration are no longer licensed or have downgraded to Type 6 registration. He noted that he will present an accounting of pre-need reports received by Board staff at a subsequent Board meeting. Mr. Hawley stated that, in light of the coronavirus state of emergency, Board staff and other agency employees are teleconferencing for work and there may be delays in processing mail and other intra-office documents. He reported that Board staff has received questions about waiving continuing education requirements in light of the coronavirus pandemic. The Board agreed to maintain the requirement at present and to review at subsequent meetings if needed.

#### **Compliance Monitoring**

The Board reviewed the first monitoring report for March 2020 from Affiliated Monitors, Incorporated (“AMI”) and Mr. John Bresnahan on the status of Graham, Putnam & Mahoney Funeral Parlors (GP&M) and Peter Stefan’s license. Mr. Bresnahan presented a review of records and licensing matters, and provided a list of recommendations to ensure compliance for Board review. After discussion, the Board took the following action:

**Ms. Leombruno moved to accept the recommendations of the monitoring report. Mr. Brezniak seconded. The motion passed unanimously.**

#### **Correspondence**

The Board reviewed the recently submitted design plans for the Dwyer-Wellington Dalton Funeral Home as part of the conditional licensure agreement for establishment record 1046-FE-FE. The architectural design plans illustrate the renovation plans required to meet the requirements of the Massachusetts Architectural Access Board in compliance with 521 Code of Massachusetts Regulations and the U.S. Department of Occupational Safety and Health Administration.

**After discussion, Ms. Leombruno moved to accept the architectural design plans. Mr. Brezniak seconded. The motion passed unanimously.**

#### **Continuing Education Provider Applications:**

##### **NFDA**

- NFDA Embalming & Restorative Arts
- Future’s Forum
- All-Staff Annual FTC Funeral Rule Review

### **Kates-Boylston Publications**

- Cremation Innovators Summit – Renaissance Nashville Hotel, Nashville Tennessee – December 2, 2020
- Funeral Service Business Plan Conference – Renaissance Nashville Hotel, Nashville Tennessee – December 2, 2020

### **Selected Independent Funeral Homes**

- 2020 Spring Management Summit – Tampa, Florida

### **Warring-Sullivan Funeral Homes**

- A Wise Management of Grief Seminar: Beyond Gender – Understanding the Ways Men and Women Grieve

### **American Academy McAllister Institute of Funeral Service**

- OSHA Annual Compliance Guidance for Funeral Homes
- Ethics of Embalming
- Ethics of Final Disposition
- Digital Marketing and Social Media Exploration 101
- How Knowledge of Death and Dying Will Help us Become Better Funeral Directors
- Restorative Justice
- Hostile Work Environments
- Task Orientation v. Focus Results

**Mr. Driscoll moved to approve and accept all continuing education courses. Ms. Leombruno seconded. The motion passed unanimously.**

**Executive Session: Ms. Leombruno moved to exit open session and enter executive session under G. L. c. 30A, § 21(a)(7), to comply with the provisions of the public record law, G. L. c. 30A, § 21(a)(7), ¶ 26(a) and to preserve the confidentiality of criminal record information pursuant to G. L. c. 6, § 172. Mr. Driscoll seconded the motion. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Brezniak: “Yes”, Mr. Gormley: “Yes”, Ms. Leombruno, “Yes”, and Mr. Driscoll: “Yes”.**

**Mr. Driscoll moved to exit executive session and enter open session. Mr. Gormley seconded the motion. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Brezniak: “Yes”, Mr. Driscoll: “Yes”, Ms. Leombruno: “Yes”, Mr. Gormley: “Yes”.**

**Closed Session: Investigatory Conferences, pursuant to G.L. c. 112, §65C, and Adjudicatory Conference, pursuant to G.L. c. 30A, §18, ¶ (5)(d).**

At 12:16 p.m., Ms. Leombruno moved to suspend the open meeting and enter into closed session to conduct investigatory conferences, pursuant to G.L. c. 112, §65C and

Adjudicatory Conference, pursuant to G.L. c. 30A, §18, ¶ (5)(d). Mr. Brezniak seconded the motion. **The motion passed unanimously by Board.**

During the closed session, the Board took the following actions:

- 2020-000146-IT-ENF – Dismissed.
- The Board opened an investigation of the respondent.

At 12:34 p.m., Mr. Brezniak moved to exit closed session and enter open session. Ms. Leombruno seconded the motion. **The motion passed unanimously.**

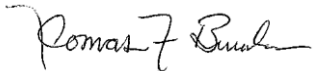
### **Adjournment**

**At 12:35 p.m., Mr. Brezniak moved to adjourn the meeting. Ms. Leombruno seconded the motion. Motion passed unanimously.**

### **List of Documents used at the meeting:**

1. Agenda
2. Minutes from February 18, 2020 meeting.
3. Applications for personal registration
4. Continuing Education provider applications
5. Compliance Monitoring Report
6. Conditional Licensure Agreement documents
7. MFDA Letter to Members and Communities

Respectfully submitted,



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Thomas F. Burke  
Associate Executive Director