

Massachusetts Board of Registration in Embalming and Funeral Directing
Public Session Minutes
DATE: January 18, 2022
TIME: 10:00 a.m.

A regularly scheduled open public meeting of the Massachusetts Board of Registration of Embalmers and Funeral Directors (“the Board”) was held via Videoconference and Conference Call.

.

Board Members Present:

Paul Phaneuf
Patrick Driscoll
David Brezniak
Janet Leombruno
Richard Gormley

Staff Members Present:

Thomas F. Burke, Executive Director
Peter M. Kelley, Board Counsel

Call to Order:

Mr. Phaneuf called the meeting to order at 10:12 a.m. Evacuation procedures were tabled. Mr. Burke advised members of the public to mute volume and utilize hand function to address the Board.

Review of Minutes:

The Board reviewed staff prepared public session minutes of the meeting held on December 21, 2021.

Tabled.

Report from Executive Director, Thomas Burke:

Mr. Burke acknowledged that in-person meeting will resume beginning April 1 pending further guidance. He stated that approximately twenty-five funeral establishments and directors failed to submit preneed reports for 2020 calendar year and, pending final review, will be submitted to the Office of Investigations. He reminded the Board that the deadline to submit 2021 pre-need reports is January 31, 2022. Mr. Burke reported that the following applicants and continuing education course offerings have been administratively approved:

EM Board Licensed Registrants

Thomas J. Vacirca (51337-EM-6) at Joseph Russo & Brothers Funeral Home in Roslindale on December 22, 2021.

Chandler Ross (51338-EM-6) at Ross Funeral Home in Wrentham, MA on January 7, 2022.

Continuing Education Courses

Selected Independent Funeral Homes

2022 NextGen Seminar January 31 – February 3, 2022 at The Confidante Miami Beach

8.00 CE Hours

Wilbert Funeral Services

Overview of OSHA Compliance – webinar February 3, 2022

1.00 CE Hours

British Funeral Customs – webinar February 17, 2022

1.00 CE Hours

The Science of Shopping: How to Set Your Selection Room to Sell
Webinar March 3, 2022

1.00 CE Hours

National Funeral Directors Association (NFDA)

2022 NFDA Online Learning Courses

- Approaching Trauma Cases with Confidence (3.0 CE)
- Conflict Management for Funeral Directors (4.0 CE)
- Deathcare Marketing: 25 FAQs (6.0 CE)
- Demonstration of Soft Tissue Repair (4.0 CE)
- Do-It-Yourself Memorials (2.0 CE)
- Embalming Perspectives and Paradigms Challenged (6.0 CE)
- Embalming Risk Management 4.0 (3.0 CE)
- Embalming the Obese Case (3.0 CE)
- Funeral Service Ethics (2.0 CE)
- Marketing a Funeral home for Long-Term Profitability (3.0 CE)
- Mastering the Art of Funeral Home Etiquette (1.0 CE)
- Offering Funeral Packages in Compliance with FTC Funeral Rule (2.0 CE)
- Professional Ethics in Funeral Service: NFDA's Code of Professional Conduct (1.0 CE)
- Relevance of Restorative Art (3.0CE)
- RSVE: I'll See you at My Living Funeral (2.0 CE)
- Supporting Pregnancy Loss Families (3.0 CE)
- Ten Tools for Stress Relief (3.0 CE)
- The Funeral: A Chance to Touch, A Chance to Serve, A Chance to Heal (4.0 CE)
- Understanding a Child's Grief: Insights for Funeral Home Owners, Directors, Staff (3.0 CE)
- Understanding and Managing Grief (6.0 CE)
- Understanding the Practice of the FTC Funeral Rule (3.0 CE)
- 2022 OSHA Safety Course (3.0 CE)

Certified Preplanning and Consultant Program (2022 Self-Study)

15.0 CE Hours

Leveraging Technology: How to Get More Calls in 2022 – Online Course on February 3, 2022

1.00 CE Hours

Cremation Certification Program – Various Dates 2022 in person/online	7.00 CE Hours
Arranger Training – Various Dates 2022 in person/online	8.00 CE Hours
Online Cremation Certification Program – Various Dates 2022	6.00 CE Hours
Cremation Success Seminar – February 15-16, 2022/Online	6.00 CE Hours

Cremation Association of North America (CANA)

CANA's ONLINE Crematory Operations Certification Program – Various Dates 2022/online	8.00 CE Hours
--	---------------

After discussion, Ms. Leombruno moved to accept the Executive Director's Report. Mr. Brezniak seconded. Motion passed by a roll call vote: Mr. Phaneuf: "Yes.", Mr. Driscoll: "Yes.", Mr. Brezniak: "Yes.", Mr. Gormley: "Yes.", Ms. Leombruno: "Yes".

Report from Board Counsel, Peter Kelley:

Mr. Kelley proposed that his report will be included in subsequent Board topics on the agenda. There was no discussion or vote.

Apprenticeship Extension Request:

- L. Forastiere

Mr. Brezniak moved to grant a one-year license extension for Ms. Forastiere to October 20, 2022. Mr. Driscoll seconded. Motion passed by a roll call vote: Mr. Phaneuf: "Yes", Mr. Driscoll: "Yes.", Mr. Brezniak: "Yes.", Mr. Gormley: "Yes.", Ms. Leombruno: "Yes".

Correspondence:

- J. Ruggiero

Mr. Kelley addressed the Board on the topic of accreditation for North Shore Community College ("NSCC") with the following recommendation. NSCC is in the process of seeking full accreditation and the individuals in this correspondence graduated during the stage of provisional accreditation. If and when NSCC receives full accreditation it will be applied to these and other candidates for licensure. Pending applications will not be denied but remain pending status until the condition of final accreditation is determined.

Mr. Brezniak moved to accept Mr. Kelley's recommendation. Mr. Gormley seconded. Motion passed by a roll call vote: Mr. Phaneuf: "Yes", Mr. Driscoll: "Yes.", Mr. Brezniak: "Yes.", Mr. Gormley: "Yes.", Ms. Leombruno: "Yes".

The Board chair requested board staff to contact NSCC on the accreditation approval process.

Discussion:

- Consumer Fact Sheet – Update

Mr. Kelley recommended that the middle section of page three be edited to read as follows: “For those next of kin or legal representatives who wish to handle the disposition and internment of a body without the benefit of a licensed funeral director, the Federal Consumers Alliance of Eastern Massachusetts provides the following guidance:” The Board chair requested that additional resources be included in the Fact Sheet, such as the Massachusetts Funeral Directors Association and the Cremation Association of North America. The Board tabled further discussion until the following meeting and no vote was taken.

- Requirements for Funeral Directors by endorsement

The Board discussed the requirement for out-of-state applicants to complete the examinations as part of the application for funeral director registration in Massachusetts. Mr. Kelley stated that 239 CMR 3.02 (7) – Registration by Endorsement requires that out-of-state applicants be “permitted to take the Massachusetts examination” which is understood to include the written practical and jurisprudence examinations as interpreted by Board staff and third-party vendors. The Board questioned under what conditions an out-of-state applicant could forego the written practical examination requirement. The Board agreed to table and include as an ongoing topic for further discussion. Board requested draft policy for treatment of practitioners with five or more years’ experience and passing score on national qualifying examination.

Open session for topics not reasonably anticipated 48 hours in advance of meeting:

Closed Session: Investigatory Conferences, pursuant to G.L. c. 112, §65C.

At 11:22 a.m., Ms. Leombruno moved to exit open session and into closed session to conduct investigatory conferences, pursuant to G.L. c. 112, §65C. Mr. Brezniak seconded the motion. **Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Driscoll: “Yes.”, Mr. Brezniak: “Yes.”, Mr. Gormley: “Yes.”, Ms. Leombruno: “Yes”.**

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

- Advertising by corporately owned funeral establishments – No action taken.

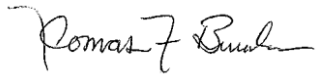
At 12:07 p.m., Ms. Leombruno moved to exit closed session and thereafter to adjourn the meeting. Mr. Gormley seconded the motion. **Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Driscoll: “Not Present.”, Mr. Brezniak: “Yes.”, Mr. Gormley: “Yes.”, Ms. Leombruno: “Yes”.**

List of Documents used at the meeting:

1. Agenda
2. ED Report of administratively approved registrants and CE provider courses

3. Apprentice Extension Request
4. Correspondences
5. Draft of Consumer Fact Sheet

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Thomas F. Burke". The signature is written in a cursive, flowing style.

Thomas F. Burke
Executive Director