

Massachusetts Board of Registration in Embalming and Funeral Directing
Public Session Minutes
DATE: June 21, 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.

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Board Members Present:

Paul Phaneuf
David Brezniak
Janet Leombruno
Richard Gormley

Staff Members Present:

Thomas F. Burke, Executive Director
Peter Kelley, Board Counsel
Robert Williams, Board Investigator
Andrew Lutynski, Investigations Supervisor
Jason Wentworth, Executive Director

Board Members Not Present:

Patrick Driscoll

Call to Order:

Mr. Phaneuf called the meeting to order at 10:10 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 amended staff prepared public session minutes of the subcommittee meeting held on April 8, 2022.

Ms. Leombruno moved to approve the amended April 8, 2022 subcommittee minutes. Mr. Brezniak seconded. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Driscoll: “Not Present.”, Mr. Brezniak: “Yes”, Mr. Gormley: “Not Present.”, Ms. Leombruno: “Yes”.

The Board reviewed amended staff prepared public session minutes of the subcommittee meeting held on April 14, 2022.

Ms. Leombruno moved to approve the amended April 14, 2022 subcommittee minutes. Mr. Brezniak seconded. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Driscoll: “Not Present.”, Mr. Brezniak: “Yes”, Mr. Gormley: “Not Present.”, Ms. Leombruno: “Yes”.

The Board reviewed staff prepared public session minutes of the meeting held on May 17, 2022.

Ms. Leombruno moved to approve the May 17, 2022 public session minutes. Mr. Brezniak seconded. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Driscoll: “Not Present.”, Mr. Brezniak: “Yes”, Mr. Gormley: “Not Present.”, Ms. Leombruno: “Yes”.

Report from Executive Director, Thomas Burke:

- Mr. Burke reported that the following applicants and continuing education course offerings have been administratively approved:

EM Board Licensed Registrants and Establishments

Cartmell-Davis Funeral Home & Cremation Service (1069-FE-FE) in Plymouth on June 2, 2022
 Cartmell-Davis Funeral Home & Cremation Service (1070-FE-FE) in Plymouth on June 2, 2022
 Cartmell-Davis Funeral Home & Cremation Service (1071-FE-FE) in Plymouth on June 2, 2022
 Dawn Qualls (51357-EM-6) at Crapo-Hathaway Funeral Home in Taunton on June 8, 2022
 Morris Johnston Funeral Home, Inc (1072-FE-FE) in Southborough on June 14, 2022
 Western Mass Transfer and Trade Service, Inc (1073-FE-FE) in Springfield on June 17, 2022

Continuing Education Courses

Wilbert Funeral Home

Embalming the Edematous Case	1.00 Hours
June 23, 2022 – via webinar	

Line of Duty Deaths: Funeral Home & Protocols	1.00 Hours
July 21, 2022 – via webinar	

New Jersey State Funeral Directors Association, Inc. (NJSFDA)

2022 Funeral Directors Convention and Expo, Atlantic City, New Jersey
 September 20-22, 2022

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| • Well, To Tell You the Truth | 1.00 Hours |
| • Leveraging the Internet in Funeral Service | 1.00 Hours |
| • Revisiting the Right Way of Death | 1.00 Hours |
| • Supporting the LGBTQ+ Community in Funeral Service | 1.00 Hours |
| • Why It Matters | 1.00 Hours |
| • 1918 Flu Epidemic Perspectives Following the 2020 Pandemic | 1.00 Hours |

Cremation Association of North America (CANA)

2022 CANA Convention, Omni Hotel – Atlanta, Georgia	7.00 Hours
August 17-19, 2022	

National Funeral Directors Association (NFDA)

Future's Forum, Brookfield, Wisconsin 12.0 Hours
July 28-29, 2022

Bridging the Gap: Connecting with Your Community in Meaningful Ways 1.00 Hours
Online/Live Webinar, August 11, 2022

Conveying Value: Are You Connected – Online/Live Virtual Roundtable 1.00 Hours
September 8, 2022

Selected Independent Funeral Homes

Focus Forum 2022, Live Webinar 3.00 Hours
May 5, 2022

Mr. Burke reminded the Board that in-person meetings will resume in July. He will follow up with Board members to confirm the location for the subsequent meeting. Mr. Burke reported that the Division has hired a new staff person for the Board, and he welcomed Mr. Jason Wentworth to the meeting.

Mr. Gormley arrived at 10:18 a.m.

After discussion, Ms. Leombruno moved to accept the Executive Director's Report. Mr. Gormley seconded. Motion passed by a roll call vote: Mr. Phaneuf: "Yes.", Mr. Driscoll: "Not Present.", Mr. Brezniak: "Yes.", Mr. Gormley: "Yes.", Ms. Leombruno: "Yes".

Report from Board Counsel, Peter Kelley:

Mr. Kelley reported that while a permanent extension to the open meeting law is still pending in the legislature, the Board must return to in-person meetings beginning July 15, 2022. He noted that the Board will be in compliance with the in-person requirement if a quorum of members is physically present. He acknowledged that remote participation would be permissible if the quorum of three members is physically present.

After discussion, Mr. Brezniak moved to allow remote participation provided that a quorum of Board members is physically present. Ms. Leombruno seconded. Motion passed by a roll call vote: Mr. Phaneuf: "Yes.", Mr. Driscoll: "Not Present.", Mr. Brezniak: "Yes.", Mr. Gormley: "Yes.", Ms. Leombruno: "Yes".

Mr. Brezniak moved to accept Mr. Kelley's report and Mr. Gormley seconded. Motion passed by a roll call vote: Mr. Phaneuf: "Yes.", Mr. Driscoll: "Not Present.", Mr. Brezniak: "Yes.", Mr. Gormley: "Yes.", Ms. Leombruno: "Yes".

Discussion:

- Preneed Reports 2021 – Update

Mr. Burke reported that Board staff has received approximately 25 preneed reports in response to letters mailed to over one hundred funeral establishments. He reminded the Board that establishments must submit reports no later than July 15, 2022. The Board instructed Director Burke to provide an updated number of missing reports at the subsequent meeting.

The Board expressed concern that some funeral home establishments may be closing their facilities without meeting preneed reporting requirements. The Board instructed staff to include a discussion topic on requirements for closing funeral establishments with respect to preneed reports and changes affecting preneed funeral contracts.

Ms. Leombruno motioned to instruct the Board to include topic for discussion. Mr. Brezniak seconded. Motion passed by a roll call vote: Mr. Phaneuf: “Yes.”, Mr. Driscoll: “Not Present.”, Mr. Brezniak: “Yes.”, Mr. Gormley: “Yes.”, Ms. Leombruno: “Yes”.

- Investigative Update on Licensed Establishments – Robert Williams

Mr. Williams provided an update to the Board on the following funeral establishments:

1. Faye-McCabe Funeral Home, Lowell – Mr. Williams reported that the funeral establishment has been sold and Jane McKenna continues to serve as the covering Type 3 funeral director until the transfer of ownership is complete.
2. Graham Putnam & Mahoney Funeral Home – Mr. Robert Miller continues to work as the covering Type 3 funeral director until the transfer of ownership is complete.
3. Short Funeral Home – The establishment has been sold. The new Type 3 owner will submit an establishment certificate application to Board staff due to transfer of ownership.
4. Westfield Funeral Home – The establishment has been sold. The Type 3 funeral director will submit an establishment certificate application to the Board for transfer of ownership.
5. Ahearn Funeral Home – Mr. Roberts reported that the transfer of ownership is pending final agreement to purchase the funeral establishment. He will continue to provide regular updates to the Board.
6. Douglass Funeral Home – Mr. Ron Lashway has agreed to be the covering Type 3 funeral director.
7. Amedee Archambault Sons – The establishment will be closing the funeral home. Mr. Williams will guide on requirements for closing in respect to assets and preneed contracts.

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

- None

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

At 11:14 a.m., Ms. Leombruno moved to exit open session and enter into closed session to conduct investigatory conferences, pursuant to G.L. c. 112, §65C. 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”.**

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

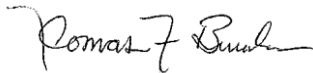
- 2021-0001078-IT-ENF – Dismissed. (Mr. Brezniak took no part in the discussion or deliberation)
- 2021-0001080-IT-ENF – Dismissed.

At 11:37 a.m., Ms. Leombruno moved to exit closed session and thereafter to adjourn the meeting. Mr. Brezniak 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. Board Public Session Minutes
3. ED Report of administratively approved registrants and establishment & CE provider courses

Respectfully submitted,



Thomas F. Burke
Executive Director