

**Massachusetts Board of Registration in Embalming and Funeral Directing
Public Session Minutes
Meeting of 3/20/18**

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

Board Members Present:

Patrick Driscoll
Paul Phaneuf
Peter Stefan
Richard Gormley
Janet Leombruno

Staff Members Present:

Michael Hawley, Executive Director
Thomas Burke, Associate Executive Director
Peter Kelley, Board Counsel
Robert Williams, Investigator
Christopher Carroll, Chief Investigator

Members of the Public Present:

Curtis Moraes
Francesco Lobo
Cameo Lobo
James P. O'Halloran
Pamela Lobo
Jarel Fields
Petpita Barros
Darrin Galuao

Michelle Barboza
Michael Barboza
Brianna Bennett
Anthony O'Donnell
William Grogan
Geoffrey Bryant Leard
Cynthia F. Bryant

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.

Review of Minutes

The Board reviewed staff prepared open session minutes of the meeting held on February 20, 2018. Mr. Kelley requested that the second line of page 2 be edited to read "might" instead of "will". Executive session minutes for December 12, 2017, January 16, 2018, and February 20, 2018 were reviewed. Mr. Phaneuf directed that the December, 2017 minutes be amended to show that Mr. Gormley and Ms. Leombruno were present.

Mr. Driscoll moved to accept staff prepared open session minutes of the meeting held on February 20, 2018, as amended, and the executive minutes of the meetings held on December 12, 2017, January 16, 2018, and February 20, 2018. Mr. Stefan seconded the motion. Motion passed unanimously.

Report from Executive Director Michael Hawley

Executive Director Hawley reported that staff has reviewed approximately one hundred preneed reports for the 2017 calendar year and reported incomplete data to Mr. Williams for follow up. Board staff will provide a complete report at the April Board meeting. Mr. Burke raised a question to the Board regarding the acceptance of college transcripts/diploma in lieu of a high school diploma. After brief discussion, the Board provided guidance to conclude that a college transcript was sufficient evidence, along with the applicant's attestation, of a high school diploma or its equivalent.

Report from Legal Counsel, Peter M. Kelley

Attorney Kelley provided the board a draft of the right of disposition law with suggested changes and edits which he discussed with the board. Mr. Phaneuf suggested that a provision be included to permit the individual to execute appropriate orders, including an order of cremation, on themselves.

Mr. Driscoll moved to authorize Attorney Kelley to make changes to the draft legislation as were approved by the Board. Mr. Gormley seconded. The motion passed unanimously by all present board members.

Report from Christopher Carroll, Chief Investigator

No report.

Correspondences:

The Board reviewed a request from Pollard Funeral Home seeking the board's advice on billing for post-burial/post-cremation life celebrations. The Board deemed these celebrations to be a matter of event planning and agreed that such matters should be left to the discretion of the funeral establishment, but that such planning and preparation would fall within the scope of practice of the profession and business of embalming and funeral directing. The board approved Pollard Funeral Home's request to provide an off-site facility to provide meal to families and friends following funeral services. The board determined that such use of a facility would not constitute a business which is related to the disposition of human remains, as is prohibited by 239 Code Mass. Regs. § 3.13(1). The board authorized Attorney Kelley to write correspondence to Pollard Funeral Home.

Application Review:

Type 6 – Review and vote on applications

- Brianna Bennett
- Pamela Lobo

Mr. Driscoll moved to approve the above candidates for licensure. Mr. Stefan seconded. The motion passed unanimously by all present board members.

Continuing Education Provider Applications:

The Board reviewed the following applications:

American Academy McAllister Institute of Funeral Service, Inc.

- Preventing Sexual Harassment in the Workplace: Fostering a Culture of Respect
- Trauma-Informed Emotional Support

Academy of Professional Funeral Service Practice (APFSP)

- Do-It-Yourself Facebook & Social Media Marketing for Funeral Directors
- Do-It-Yourself SEO & Google Optimization for Funeral Directors
- Cremation Innovations Summit

Selected Independent Funeral Homes

- 2018 Spring Management Summit

National Funeral Directors Association

- PWC – Funerals Build Resilient Kids
- PWC – Providing Concierge Services
- PWC – RSVP: I'll See You at My Living Funeral
- PWC – The pH Shift
- PWC – Digital Marketing Done Right: The Secret to Getting 5 to 50 New Calls
- PWC – Passion! 8 Steps to Reignite Yours
- Green Perspectives from Two Generations

Mr. Stefan moved to accept all continuing education courses presented. The motion was seconded by Mr. Gormley. The motion passed unanimously.

At 11:47 a.m., Mr. Driscoll moved to go into executive session to comply with the provisions of the public record law, G. L. c. 30A, §21(a)(7); G. L. c. 66, § 10, to review reputation or character rather than professional competence of applicants, pursuant to G. L. c. 30A, § 21(a)(1). Ms. Leombruno seconded the motion. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Stefan: “Yes”, Mr. Gormley: “Yes”, Ms. Leombruno: “Yes”, and Mr. Driscoll: “Yes”.

At 12:02 p.m., Mr. Driscoll moved to exit executive session and enter open session. Mr. Stefan seconded the motion. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Stefan: “Yes”, Mr. Gormley: “Yes”, Ms. Leombruno: “Yes”, and Mr. Driscoll: “Yes”.

Closed session, Investigative Conferences [Closed pursuant to M.G.L. c. 112, § 65C]

At 12:02 p.m., Mr. Driscoll moved to suspend the open meeting and enter into closed session to conduct investigative conferences to discuss disciplinary cases pursuant to M.G.L. c. 112, § 65C. The motion was seconded by Ms. Leombruno. **The motion passed unanimously.**

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

- EM-2017-001152-IT-ENF Forwarded to Prosecutions (Mr. Stefan recused himself.)
- EM-2018-000025-IT-ENF Dismissed
- EM-2018-000227-IT-ENF Forwarded to Prosecutions (Mr. Gormley recused himself.)

At 1:19 p.m. Mr. Driscoll moved to exit closed session. The motion was seconded by Ms. Leombruno. **The motion passed unanimously.**

Adjournment

At 1:20 p.m. Ms. Leombruno moved to adjourn the meeting. Mr. Driscoll seconded the motion. **Motion passed unanimously.**

List of Documents used at the meeting:

1. Agenda
2. Minutes from previous meeting(s) where applicable
3. Applications for personal registration
4. Continuing education provider applications

Respectfully submitted,



Michael Hawley
Executive Director