



STATE OF WASHINGTON
DEPARTMENT OF LICENSING

FUNERAL & CEMETERY BOARD
MEETING MINUTES
REGULAR BOARD MEETING

DATE: May 3, 2016
TIME: 9:00 am
LOCATION: ESD 113/Capital Event Center
6005 Tye Dr SW
Tumwater, WA 98512

BOARD MEMBERS PRESENT: Ronald Messenger, Cemetery Member & Chair
Jim Letson, Cemetery Member & Vice Chair
Jeffrey Wilson, Funeral/Embalmer Member
Pete Cameron, Funeral/Embalmer Member
Cameron Smock, Cemetery Member
Todd Shifflett, Funeral/Embalmer Member

STAFF PRESENT: Lorin Doyle, Administrator
Rick Storvick, Assistant Administrator
Lily Reinecke, Administrative Assistant
Elizabeth Thompson-Lagerberg, AAG
Jeremy Gelms, AAG

OTHERS PRESENT: Members of the public and other staff

1. Call to Order 9:00AM

1.1. Introductions
Board members, staff, and guests introduced themselves.

1.2. Order of Agenda

The order of the agenda was amended as follows:

- Case #2016-03-2400-00CEM (Smock) was added as item 5.1.3
- Case #2014-06-2600-00FDE (Letson) was added as item 5.1.4
- Case #2015-09-2603-00FDE (Cameron) was added as item 5.1.5
- Case #2015-12-2602-00FDE (Cameron) was added as item 5.1.6
- Case #2015-12-2603-00FDE (Wilson) was added as item 5.1.7

Mr. Smock made a MOTION to accept the agenda as amended. Mr. Shifflett seconded the MOTION and it passed.

1.3. Approval of minutes: February 2, 2016

Mr. Letson made a MOTION to approve the minutes as presented. Mr. Smock seconded the MOTION and it passed.

1.4. Review Communications – Mr. Storvick reported The International Conference of Funeral Service Examining Boards is soliciting volunteers to serve on their Model Practice Act Review Committee. An application form is included in the packet.

2. Public Comment Opportunity

Mr. Samuel Roder, Mr. Clive Stewart, and Ms. Amanda Roberts, students from The Evergreen State College, presented information about a project exploring alternative burial options and a proposed outreach program to educate people about sustainable alternatives to burial. They will be collecting data from death care industry members and will present their findings in a final research paper.

3. New Business

3.1 Election of Officers

Mr. Wilson nominated the following board members to serve, as follows:

- Jim Letson, Chair
- Cameron Smock, Vice Chair

Mr. Wilson made a MOTION to approve the election of officers as nominated. Mr. Cameron seconded the MOTION and it passed.

3.2 Guidelines for Funeral Establishments, Cemeteries and Licensees

Mr. Storvick proposed the board consider an online guidance document, since board members and staff receive numerous questions from the public and cannot provide legal advice. He referenced other regulatory programs' online guidelines, which include frequently asked questions, links to pertinent laws, etc. He asked the board to form a committee to develop these guidelines.

The following board members volunteered to serve on the Guidelines for Funeral Establishments, Cemeteries and Licensees Committee:

- Pete Cameron
- Todd Shifflett
- Cameron Smock

Action Item: Staff will schedule a meeting of the Guidelines for Funeral Establishments, Cemeteries, and Licensees Committee.

4. Old Business

Review Master Action Items List

The master action items list was reviewed and updated.

5. Complaint Cases for Review*

5.1. Case Manager Recommendations

5.1.1. 2015-09-2602-00FDE (Shifflett)

The complaint alleged the funeral establishment failed to offer scattering of cremated remains at sea as requested by an individual who had secured a pre-arrangement trust for themselves based on that understanding. The case manager found there was no violation of law or rule and recommended closure. Mr. Smock made a MOTION to accept the recommendation. Mr. Letson seconded the MOTION and it passed.

5.1.2. 2015-01-2604-00FDE (Shifflett)

The complaint alleged unprofessional conduct for failure to file a death certificate within 3 business days of passing. The case manager found there was no substantial violation of law or rule. Mr. Letson made a MOTION to accept the case manager's recommendation to close the case. Mr. Smock seconded the MOTION and it passed.

5.1.3. 2016-03-2400-00CEM (Smock)

The complaint alleged the cemetery failed to honor a verbal commitment from a staff person that the rights of interment could be re-sold or transferred to a different individual. The case manager found no violation of law or rule and recommended the case be closed with no further action. Mr. Shifflett made a MOTION to accept the case manager's recommendation to close the case with no further action. Mr. Letson seconded the MOTION and it passed.

5.1.4. 2014-06-2600-00FDE (Letson)

The complaint alleged misrepresentations regarding the service and merchandise items provided in fulfilling a pre-need sale. The case manager said remedial counseling is being scheduled with the licensee and recommended the case be closed with no further action. Mr. Wilson made a MOTION to close the case with no further action. Mr. Shifflett seconded the MOTION and it passed.

5.1.5. 2015-09-2603-00FDE (Cameron)

The complaint alleged that, on a pre-arranged funeral contract, the funeral home charged a family for a memorial service which included use of staff at an off-site location and then sent an unlicensed person to the service who acted as and performed duties of a licensed funeral director. The case manager recommended the case be closed with no further action. Mr. Letson made a MOTION to close the case with no further action. Mr. Cameron seconded the MOTION and it passed.

5.1.6. 2015-12-2602-00FDE (Cameron)

The incident, which was self-reported, involved one instance of cremating the wrong body before obtaining a signed cremation authorization form and burial permit as required; and one instance of inadvertently co-mingling the cremated remains of two separate people. The case manager reported the funeral establishment immediately terminated the employee responsible for

the first incident. The staff separated the remains as best they could and immediately notified both families in the second incident. The case manager recommended the case be closed with no further action. Mr. Wilson made a MOTION to close the case with no further action. Mr. Shifflett seconded the MOTION and it passed.

5.1.7. 2015-12-2603-00FDE (Wilson)

The complaint alleged a funeral home harbored a veteran's headstone from being set at the cemetery and, in another incident, did not provide enough cosmetics for a proper visitation. The case manager found no violation of law or rule and recommended the case be closed with no further action. Mr. Shifflett made a MOTION to close the case with no further action. Mr. Cameron seconded the MOTION and it passed.

6. Legal Issues for Deliberation*

6.1. Orders To Be Presented - None

7. Disciplinary & Investigation Items

7.1. Closed Session Deliberation Report (only necessary if closed session is held)
No business.

7.2. Disciplinary Cases Report
Packet item; no action.

8. Assistant Attorney General's Report - None

9. Committee/Task Force Reports - None

10. Board Staff Report

10.1. Program Operations

Mr. Storvick reported Autumn Dryden has accepted a promotional opportunity, and recruitment to fill her position has begun. He introduced Jenni Lingle, who was recently hired as an Administrative Assistant and mentioned Julie Hamilton has been hired as the new Management Analyst 3 to handle charging documents and other duties. He also reported the Regulatory Board Section moved downstairs last month, a survey asking for feedback about the multi-board event held last month was sent to all board members, and Southwick dba Forest Memorial Cemetery appealed the board order issued late last year to the Superior Court, with a July 15 hearing date scheduled.

Action Item: Staff will notify board members of the Superior Court hearing schedule.

10.2. Legislative Update
No business.

10.3. Other Items
No business.

11. Other Business

11.1. Action Items From This Meeting

- Schedule Guidelines for Funeral Establishments, Cemeteries, and Licensees Committee meeting
- Send link to Superior Court hearing schedule to board members

11.2. Agenda Items For Next Meeting

- Timely Filing Of Death Certificates
- Guidelines for Funeral Establishments, Cemeteries, and Licensees Committee Report

11.3. Any Other Business

No business.

12. Adjournment 9:54AM

Submitted by:

Rick Storvick, Assistant Administrator Date

Approved by:

Ron Messenger, Board Chair Date