

APPROVED MINUTES

Vermont Board of Funeral Service
National Life Building North Fl 2,
Montpelier, VT 05620-3402

September 13, 2011
8:30 a.m. – Curriculum Committee
9:00AM – Board Meeting

Board Members present: Lyndon Mann, Chairman; Robert Covey, Peter Beck, Larry Gile and Mary Alice Bisbee

Staff Attending: Terry Gray, Unit Administrator; Aprille Morrison, Administrative Assistant; Colin Benjamin, Board Counsel, and Carla Preston, Case Manager

Visitors: Lisa Carlson, Greg Camp, Lucien Hays, Amanda Bechtel, and Mark Kenney

1. Meeting called to order at 9:01 am by Chairman Mann.

Chairman Mann welcomed the newest member, Mary Alice Bisbee, who will be replacing Ercel Harvey.

2. Mr. Covey moved to approve the minutes of the September 13, 2011 meeting, with amendments, seconded by Mr. Gile. The motion passed unanimously.

3. Case Manager Report:

Mrs. Preston reported to the Board there are five (5) pending cases, three (3) are currently under investigation and two (2) are ready for Investigative Team meetings. Mrs. Preston announced the new prosecutor has been hired, his name is Chad Bonanni, and will be introduced to the Board at the next meeting in November.

4. Applications:

- A. Williams River Services – Establishment License – Mr. Beck moved to approve the establishment license for Williams River, seconded by Chairman Mann, Mary Alice Bisbee abstained from voting, the motion passed and licensure was granted by the Board.
- B. Scott Casella – Funeral Director and Embalmer – The Board reviewed Mr. Casella's applications for Funeral Director and Embalmer licensure. Mr. Beck made a motion seconded by Mr. Gile to approve Mr. Casella for licensure in Vermont as a Funeral Director and Embalmer. The motion passed unanimously.

5. Discussion:

- A. Education Committee Report – Mr. Gile, Mr. Covey and Mr. Beck met to review the continuing education presented to the Board for review. Mr. Beck reported that the Committee reviewed several courses. Mrs. Morrison will update the website and notify the providers of the Committee's decisions.
- B. Inspection Report – Dan Vincent – Mr. Vincent was absent from the Board meeting, his report was presented by Mrs. Gray who reported to the Board there were five (5) establishments scheduled for inspection within the last two months. Out of the five inspections two passed with no discrepancies, two of the inspections were done so recently that Mr. Vincent did not have time for summaries before the Board meeting and one establishment had discrepancies.
- C. Letter from Lisa Carlson – A letter was presented to the Board from Lisa Carlson regarding State Law changes in 2009 regarding insurance and assurance companies that funeral establishments currently use. Ms. Carlson requested the Board send out a survey to all establishments to see which ones currently have pre-need contracts that are either with a trust company, insurance company or assurance company to make sure the contracts are guaranteed. Mrs. Gray suggested posting a link on the OPR website where establishments can check to make sure the insurance or assurance company they are using is part of the Guarantee Fund. Mr. Gile made a motion for Mr. Benjamin to research all providers for pre-need insurance funding from the Banking and Insurance Division, seconded by Mr. Beck. The motion passed unanimously. Mr. Benjamin will be speaking with Board members and contacting the Banking and Insurance division to see how the Board can obtain the information regarding companies with the Guarantee Fund.
- D. UVM applying for Establishment Licensure – Amanda Bechtel is requesting the Board approve an establishment licensure for the embalming facility at UVM. Currently the facility is specifically for embalming and would not meet current establishment requirements for inspection. The Board recommended that Ms. Bechtel apply for embalming and funeral director licensure as well as establishment licensure for UVM. Once the applications are complete the Board will review the materials submitted and refer to the Rules regarding licensure. Mr. Covey made a motion, seconded by Mr. Gile requesting Mr. Benjamin review the Laws and Administrative Rules for Funeral Establishments to see if UVM would qualify for licensure.
- E. Mr. Covey requested if there were had been any quarterly updates filed from the ACA stipulation and consent orders. Mrs. Gray stated they had not been received, however she would look into them.
- F. Mr. Covey checked with Mrs. Gray to see if she had received a response from Mr. Haven's regarding applying for licensure in Vermont. Mrs. Gray reported she had not, however she would be checking Alabama's

licensure requirements for reciprocity.

- G. Mr. Benjamin spoke to the Board regarding the application process. Currently the Board reviews all complete applications whether they are Funeral Director, Embalmer or Establishments and determines licensure. The Board has requested they receive all complete applications prior to the meeting by regular mail as well as e-mail. This would also pertain to the Board packets sent out the week prior to the meeting.
- H. Ms. Bisbee brought up the topic of "Green" funerals. This is a topic that Mr. Benjamin would like as a discussion item on the agenda for the next meeting.
- I. Election of Officers – Mr. Covey made a motion, seconded by Mr. Gile, to approve that the current officers remain in their posts for the next year. The motion passed unanimously.

6. Public Comments:

- A. Lucien Hayes addressed the Board and wanted to thank them for the discussion at the July meeting regarding the stipulation and consent orders in the ACA cases. As well as he questions whether the proper procedures were followed for the ACA hearings. Mr. Benjamin stated that the proper hearing procedures were followed for those cases.

7. Adjournment at 11:37 am

8. Next Meeting – November 8, 2011

Respectfully Submitted,

Aprille Morrison, Administrative Assistant