

UNAPPROVED MINUTES

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

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

Board Members present: Robert Covey, Peter Beck, Larry Gile and Mary Alice Bisbee

Board Member absent: Lyndon Mann

Staff Attending: Terry Gray, Unit Administrator; Aprille Morrison, Administrative Assistant; Colin Benjamin, Board Counsel; Christopher Winters, OPR Director; Carla Preston, Case Manager, and Daniel Vincent, OPR Inspector

Visitors: Lisa Carlson, Greg Camp, Ron Slabaugh

1. Meeting called to order at 9:03 am by Mr. Covey.
2. Mr. Gile moved to approve the minutes of the September 13, 2011 meeting, with amendment, seconded by Mr. Beck. The motion passed unanimously.

3. **Report of Concluded Investigation**

A report of concluded investigation was presented to the Board in the matter of case numbers 2010-428 and 2010-429. Mr. Beck made a motion to accept the closing report, seconded by Mr. Gile. The motion passed unanimously. Mr. Covey abstained from voting as he was the investigative team member for the complaints.

4. **Case Manager Report:**

Mrs. Preston was unavailable to report to the Board. Mrs. Gray reported there were five pending cases. Three are ready for Investigative Team meetings and two came in front of the Board today in a closing report.

5. **Discussion:**

- A. Education Committee Report – Mr. Beck informed the Board that the education committee reviewed 29 courses, 13 were approved and 16 were denied. Mr. Gile asked the Board if they would approve of Greg Camp adding the information that is in the Administrative Rules section 4.3 regarding the continuing education requirements. The Board approved this request.
- B. Budget Updated – Director Winters reviewed the current budget with the Board. He informed the Board that they will monitor the budget closely over the next year and at that time they will discuss any possible fee changes.
- C. Board Counsel Report – Mr. Benjamin wanted to address the Board on tasks that were assigned to him at the September Board meeting. The Board requested Mr. Benjamin review the Laws and Rules pertaining to establishment licensure and whether UVM would be able to obtain an establishment license. Mr. Benjamin stated that the establishment as well as it's funeral director would need to file applications to be presented to the Board. Once the applications are complete the Board should review them and make a decision at that time. No decision should be made until a complete application is presented to the Board.

The task Mr. Benjamin was assigned was to contact the Banking and Insurance Division regarding ACA and get a status check. Mr. Benjamin informed the Board that there will be a meeting with Secretary of State, James Condos; Director of OPR, Christopher Winters; Board Counsel, Colin Benjamin and representatives from the Banking and Insurance Division. Mr. Benjamin will report to the Board his findings from this meeting.

- D. Traditional vs. Limited Licensure – Mr. Covey posed a question to the Board regarding establishment licensure and whether the Board should consider creating a limited licensure for establishments that may not perform all of the services stated in the Administrative Rules. Mr. Covey would like the Board to discuss this issue with Chairman Mann. He will also recommend to Chairman Mann to appoint a working committee that would explore the options of a limited licensure and present their findings to the Board.
- E. Inspection Report and VFDA Presentation – Dan Vincent addressed the Board regarding an education course that he will be offering through the Vermont Funeral Directors Association regarding the inspections he performs on funeral establishments. Mr. Vincent presented the Board with an outline of what his presentation would entail.

Mr. Vincent reported to the Board that since September he has done seven inspections. He gave the Board a packet of his findings in the deficient reviews. Mr. Vincent posed a question to the Board regarding a particular inspection he had done where the establishment was not using

a statement of goods and services that modeled the outline provided in the Administrative Rules. Mr. Vincent informed the funeral director of this and the funeral director requested a waiver of using the outline in the Administrative Rules as he currently uses the National approved outline distributed by Peachtree. Mr. Vincent had not had this request before and presented the request for waiver to the Board. Mr. Benjamin explained to the Board and Mr. Vincent the proper procedure that should be taken regarding inspections and requests for waivers. Mr. Vincent will contact the funeral director to explain what needs to be done.

- F. Audit Review – Aprille requested the Board review the continuing education audits that had been received from the last renewal. Mr. Covey recommended the education committee review the audits at the end of the Board meeting. The Board agreed and the audit documentation submitted was reviewed and approved.

6. **Public Comments:**

- A. Mr. Covey addressed the guests stating he would entertain brief comments regarding “Green Burials”. Mr. Slabaugh addressed the Board regarding his thoughts on this process as well as home burials.

Lisa Carlson informed the Board that she was working with a new representative regarding burial permits and changing the wording in the law to make it legal to use green burial sites.

- 7. Mr. Beck made a motion to adjourn, seconded by Mr. Gile. The motion passed unanimously and the meeting was adjourned at 11:20 am.
- 8. Next Meeting – January 10, 2012

Respectfully Submitted,

Aprille Morrison, Administrative Assistant