

UNAPPROVED MINUTES

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

November 9, 2010
8:30 a.m. – Curriculum Committee
9:00AM – Board Meeting

Board Members present: John Coffin, Chairman, Lyndon Mann, Robert Covey, Ercel Harvey, Peter Beck
Staff Attending: Dan Vincent, OPR Inspector, Terry Gray, Unit Administrator, Christopher Winters, Director, Diane Lafaille, Administrative Assistant, Michael Lipson, Acting Board Attorney, and Carla Preston, Case Manager.

Visitors: Greg Camp and James Johnston

1. Meeting called to order at 9:00AM by Chairman Coffin.
2. Mr. Covey moved, seconded by Mr. Mr. Beck to table the minutes of the September 7, 2010 meeting until the Board meets in January. Approved.
3. Concluded Reports:

2010-38 – Mr. Covey presented this case for closure. Mr. Beck moved, seconded by Mr. Mann, to close this case. Approved.

2010-80 – Ms. Preston presented this case for closure. Mr. Mann moved, seconded by Mr. Covey, to close this case. Approved.

2008-131 – Mark Shea – The Board heard a Stipulation and Consent Order. Mr. Mann moved, seconded by Ms. Harvey, to accept the Stipulation and Consent Order as presented. Approved. Mr. Beck signed the Stipulation and Consent Order as acting Chair.
4. Director Winters came to speak with the Board regarding its budget. He stated that the fees will need to be increased in order to keep the Board's budget in the black. The Board requested that Mr. Winters send them a line item of expenses, an allocated formula and detail and the pros and cons of requiring a respondent to pay for expenses for a case that has resulted in disciplinary action. The Board will hold a brief meeting on the 6th of December to discuss this further.

Mr. Winters notified the Board that Kevin Leahy has resigned from his position as legal counsel and the Office is recruiting for this job.

Mr. Winters honored Mr. Coffin for his years of service to the Board.
5. Applications:

James Reed, III – Embalmer and Funeral Director licenses – Approved.
Tyler Troxell – Embalmer and Funeral Director licenses – Approved.
Brian Martin – Embalmer and Funeral Director licenses – Mr. Beck moved, seconded by Mr. Covey, that additional information is needed and he needs to successfully complete the embalmer practical before a decision can be made on his applications. Approved.

6. Discussion:
 - a. 8:30 CE Committee Report – Lyndon Mann reported on the CE Committee Report.
 - b. Dan Vincent discussed the following with the Board:
 - 1) Entering into an arrangement/contract – The Board affirmed that this needs to be done by a licensed funeral director and a non-licensed person cannot do this even if working under a funeral directors license.
 - 2) Mr. Vincent stated that when talking to funeral directors about pre-paid funeral contracts he advises them that a prepaid funeral (guaranteed or non-guaranteed) requires an itemized statement of goods and services at the time payment is made for a prepaid funeral contract. He notified the Board that he does not issue a discrepancy letter if a funeral director tells him there would be some in the files; but generally does issue a discrepancy letter if he comes across these types of contracts when examining records. The Board agreed that it was fine to write a letter.
 - 3) Pre-Need Contract which is currently on the web needs to be formatted differently. Mr. Vincent, Mr. Camp and Ms. Gray will work on this.
 - c. Review of Funeral Reimbursement Claim Form – The Board has requested that the prosecuting attorney review this form. Once this has taken place, the Board will review the form again. The Board has determined however, that this form can be used as is for now.
 - d. Election of Officers:

Mr. Covey moved, seconded by Ms. Harvey, to elect Mr. Mann as Chair. Approved.
Mr. Beck moved, seconded by Mr. Mann, to elect Mr. Covey as Vice-Chair. Approved.
Mr. Mann moved, seconded by Ms. Harvey, to elect Mr. Beck as Secretary. Approved.
7. Adjournment at 12:10PM
8. Next Meeting – January 11, 2011

Respectfully Submitted,

Diane Lafaille, Administrative Assistant