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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

**STATE BOARD OF FUNERAL DIRECTORS
VIA MICROSOFT TEAMS**

TIME: 10:40 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
2601 North Third Street
One Penn Center, Board Room C
Harrisburg, Pennsylvania 17110

May 11, 2022

State Board of Funeral Directors
May 11, 2022

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ALSO PRESENT: (cont.)

Kathleen K. Ryan, Esquire, Pennsylvania Funeral
Directors Association
Lauren Thomas, Member Services Manager, International
Conference of Funeral Services Examining Boards
Jen Smeltz, Republican Executive Director, Senate
Consumer Protection & Professional Licensure
Committee

1 ***

2 State Board of Funeral Directors

3 May 11, 2022

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
6 9:00 a.m. the Board entered into executive session
7 with C. William Fritz II, Esquire, Board Counsel, for
8 the purpose of conducting quasi-judicial
9 deliberations. The Board entered into public session
10 at 10:30 a.m.]

11 ***

12 The regularly scheduled meeting of the State
13 Board of Funeral Directors was held on Wednesday, May
14 11, 2022. Milian E. Rodriguez, Vice Chairperson,
15 Professional Member, called the meeting to order at
16 10:40 a.m.

17 ***

18 Pledge of Allegiance

19 [The Pledge of Allegiance was recited.]

20 ***

21 Roll Call

22 [Vice Chair Rodriguez requested Ms. Imburgia take a
23 roll call of Board members.]

24 ***

25 Approval of minutes of the March 30, 2022 meeting

1 ***

2 [C. William Fritz II, Esquire, Board Counsel, noted
3 the Board met in executive session and conducted
4 quasi-judicial deliberations prior to open session.

5 Mr. Fritz also informed everyone that the meeting
6 was being recorded, and voluntary participation
7 constitutes consent to be recorded.]

8 MR. FRITZ:

9 The Board would entertain a motion to
10 approve the Consent Agreement at Case
11 Nos. 21-48-010248 & 21-48-010249.

12 MR. DUPREE:

13 So moved.

14 VICE CHAIR RODRIGUEZ:

15 Second.

16
17 Milian Rodriguez, aye; Carmella
18 Imburgia, aye; Kenneth Dupree, aye;
19 Francis McCusker, aye; Jennifer Kirk,
20 nay; Arion Claggett, aye.

21 [The motion carried. Jennifer Kirk opposed the
22 motion. The Respondent's name is Edward M. Herrick,
23 F.D., F.S., and Herrick Compassionate Funeral Service
24 PC.]

25 ***

1 Report of Board Counsel

2 MR. FRITZ:

3 The Board would entertain a motion to
4 grant the following Motion to Deem Facts
5 Admitted and direct Board counsel to
6 draft an Adjudication and Order in the
7 matter of Galen R. Betzer Funeral
8 Service, Case No. 21-48-019112.

9 MR. DUPREE:

10 So moved.

11 VICE CHAIR RODRIGUEZ:

12 Second.

13

14 Milian Rodriguez, aye; Carmella
15 Imburgia, aye; Kenneth Dupree, aye;
16 Francis McCusker, aye; Jennifer Kirk,
17 aye; Arion Claggett, aye.

18 [The motion carried unanimously.]

19

20 MR. FRITZ:

21 The Board would entertain a motion to
22 approve the Final Adjudication and Order
23 in the matter of BKG Funeral Home, Inc.,
24 Case No. 17-48-13836.

25 ACTING COMMISSIONER CLAGGETT:

1 So moved.

2 VICE CHAIR RODRIGUEZ:

3 Second.

4

5 Milian Rodriguez, aye; Carmella
6 Imburgia, aye; Kenneth Dupree, recuse;
7 Francis McCusker, aye; Jennifer Kirk,
8 aye; Arion Claggett, aye.

9 [The motion carried. Kenneth Dupree recused himself
10 from deliberations and voting on the motion.]

11 ***

12 Report of Board Counsel - Miscellaneous

13 [C. William Fritz II, Esquire, Board Counsel, provided
14 a current case list for the Board's review. He
15 requested Board members inform him of recusals from
16 any of the cases. He noted 14 open cases, and Mr.
17 Dupree informed him of several cases where he would
18 need to recuse.]

19 ***

20 Regulatory Issues

21 [C. William Fritz II, Esquire, Board Counsel, had
22 nothing new to discuss regarding regulations.]

23 ***

24 Report of Acting Commissioner

25 [Arion R. Claggett, Acting Commissioner, Bureau of

1 Professional and Occupational Affairs, informed Board
2 members that the department is currently in the
3 process of replacing the Pennsylvania Licensing System
4 (PALS) and should have the new system identified and
5 in place by the end of 2023.]

6 ***

7 Report of Board Chair

8 [Milian E. Rodriguez, Vice Chairperson, Professional
9 Member, noted Chairman Harris is absent but sends his
10 regards.]

11 Vice Chair Rodriguez mentioned being happy to see
12 things slowly coming back to normal and seeing
13 everyone in the audience.]

14 ***

15 Report of Board Administrator - No Report

16 ***

17 Miscellaneous

18 [Kristel Hennessy Hemler, Board Administrator,
19 referred to the biyearly Funeral Directors Newsletter
20 and asked whether the Board would like to continue the
21 newsletter. She discussed an article that could be
22 included in the newsletter.]

23 Mr. Fritz questioned whether the Board would like
24 to reinstate the newsletters provided to licensees.
25 Board members agreed to reinstate the newsletter. He

1 noted the newsletter could include articles and topics
2 regarding applicants and licensees. He recommended
3 Chairman Harris submit an article and the Board
4 discuss other topics. He addressed the newsletter
5 process, where it would require approval from the
6 commissioner's office and counsel and then come to the
7 Board for approval as a whole before sent out as an
8 email blast.]

9

10 Matters for Discussion

11 [Kristel Hennessy Hemler, Board Administrator, noted
12 the 2022 Pennsylvania Funeral Directors Association
13 (PFDA) Convention and Expo June 12-15, 2022, in
14 Lancaster, PA. She informed Board members that
15 Chairman Harris expressed interest in attending the
16 convention.]

17 MR. FRITZ:

18 The Board would entertain a motion to
19 approve Mr. Harris to attend the PFDA
20 2022 Annual Convention.

21 MR. DUPREE:

22 So moved.

23 VICE CHAIR RODRIGUEZ:

24 Second.

25

1 Milian Rodriguez, aye; Carmella
2 Imburgia, aye; Kenneth Dupree, aye;
3 Francis McCusker, aye; Jennifer Kirk,
4 aye; Arion Claggett, aye.

5 [The motion carried unanimously.]

6 ***

7 Requests For Review

8 MR. FRITZ:

9 The Board would entertain a motion to
10 approve the Applications for Licensure
11 by Endorsement under Act 41 for
12 Michelle Nicole Helt and Christopher
13 Deats.

14 MR. DUPREE:

15 So moved.

16 VICE CHAIR RODRIGUEZ:

17 Second.

18
19 Milian Rodriguez, aye; Carmella
20 Imburgia, aye; Kenneth Dupree, aye;
21 Francis McCusker, aye; Jennifer Kirk,
22 aye; Arion Claggett, aye.

23 [The motion carried unanimously.]

24 ***

25 Public Comments

1 [Ernie Heffner, President, Heffner Funeral Chapel &
2 Crematory, asked Acting Commissioner Claggett whether
3 there was a reason for changing the Pennsylvania
4 Licensing System (PALS).

5 Acting Commissioner Claggett explained that there
6 were multiple deficiencies within PALS identified over
7 the years that required it to be replaced, including
8 renewals.

9 Jason Benion, Esquire, Shareholder and Chair of
10 the Death Care Group, Saxton & Stump, LLC, requested
11 the status of the Act 21 regulations.

12 Mr. Fritz informed Mr. Benion that the
13 regulations are active and moving along but did not
14 have anything new to report today.

15 Danie Bendesky, Director of Intergovernmental
16 Affairs, Department of State, offered her assistance
17 to Board members and stakeholders.

18 James Erikson, CAE, Assistant Executive Director
19 and Chief Operations Officer, Pennsylvania Funeral
20 Directors Association, commented that the change in
21 PALS would be welcomed and offered to share
22 information with members.

23 Shawn Jayman, Esquire, Pennsylvania Department of
24 Transportation, informed the Board that he would be
25 transferring to the Department of State and joining

1 the State Board of Funeral Directors on May 31.]

2 ***

3 Adjournment

4 VICE CHAIR RODRIGUEZ:

5 I would like to have a motion to adjourn
6 this meeting.

7 MR. DUPREE:

8 So moved.

9 VICE CHAIR RODRIGUEZ:

10 Second.

11

12 Please join us Thursday, June 23. Thank
13 you. Have a great day.

14 ***

15 [There being no further business, the State Board of
16 Funeral Directors Meeting adjourned at 11:06 a.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Funeral Directors meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Funeral Directors meeting.



Brian D. O'Hare,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF FUNERAL DIRECTORS
REFERENCE INDEX

May 11, 2022

	TIME	AGENDA
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4		
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7		
8		
9	9:00	Executive Session
10	10:30	Return to Open Session
11		
12	10:40	Official Call to Order
13		
14	10:40	Pledge of Allegiance
15		
16	10:40	Roll Call
17		
18	10:41	Approval of Minutes
19		
20	10:42	Report of Prosecutorial Division
21		
22	10:46	Report of Board Counsel
23		
24	10:49	Regulatory Issues
25		
26	10:50	Report of Acting Commissioner
27		
28	10:50	Report of Board Chair
29		
30	10:51	Miscellaneous
31		
32	10:55	Matters for Discussion
33		
34	10:57	Requests for Review
35		
36	10:58	Public Comments
37		
38	11:06	Adjournment
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