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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 VIDEOCONFERENCE**

TIME: 10:32 A.M.

PENNSYLVANIA DEPARTMENT OF STATE

October 25, 2021

1                    State Board of Funeral Directors  
2                    October 25, 2021

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5 BOARD MEMBERS:  
6

7 William G. Harris, Chairman, Professional Member  
8 Milian E. Rodriguez, Vice Chairperson, Professional  
9 Member  
10 Carmella M. Imburgia, Secretary, Professional Member  
11 K. Kalonji Johnson, Commissioner, Bureau of  
12 Professional and Occupational Affairs  
13 Kenneth C. DuPree, Professional Member - Absent  
14 Thomas G. Kukuchka, CFSP, Professional Member - Absent  
15 Francis McCusker, Public Member  
16 Jennifer Jane Kirk, Esquire, Senior Deputy Attorney  
17 General, Antitrust Section, Office of Attorney  
18 General  
19  
20

21 BUREAU PERSONNEL:  
22

23 Jaime D. Black, Esquire, Board Counsel  
24 Timothy A. Fritsch, Esquire, Board Prosecution  
25 Liaison  
26 Dean F. Picarella, Esquire, Senior Board Counsel  
27 Kristel Hennessy Hemler, Board Administrator  
28 Andrew LaFratte, MPA, Executive Policy Specialist,  
29 Department of State  
30  
31

32 ALSO PRESENT:  
33

34 James Erikson, CAE, Assistant Executive Director and  
35 Chief Operations Officer, Pennsylvania Funeral  
36 Directors Association  
37 Jason G. Benion, Esquire, Saxton & Stump  
38 Jen Smeltz, Republican Executive Director, Senate  
39 Consumer Protection & Professional Licensure  
40 Committee  
41 Kathleen K. Ryan, Esquire, Pennsylvania Funeral  
42 Directors Association  
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2 State Board of Funeral Directors

3 October 25, 2021

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 Jaime D. Black, Esquire, Board Counsel, to have  
8 attorney-client consultation and for the purpose of  
9 conducting quasi-judicial deliberations on items on  
10 the agenda that are currently pending before the Board  
11 and to receive advice of counsel. The Board entered  
12 into public session at 10:30 a.m.]

13 \*\*\*

14 The regularly scheduled meeting of the State  
15 Board of Funeral Directors was held on Monday, October  
16 25, 2021. William G. Harris, Chairman, Professional  
17 Member, called the meeting to order at 10:32 a.m.

18 \*\*\*

19 Roll Call

20 [Chairman Harris requested a roll call of Board  
21 members.]

22 \*\*\*

23 [Jaime D. Black, Esquire, Board Counsel, informed  
24 everyone that the Board met in Executive Session to  
25 conduct quasi-judicial deliberations on items on the

1 agenda that are currently pending before the Board and  
2 to receive advice of counsel.

3 Ms. Black also reminded everyone that the meeting  
4 was being recorded, and those who continued to  
5 participate in the meeting are giving their consent to  
6 be recorded.]

7 \*\*\*

8 Approval of minutes of the September 15, 2021 meeting

9 CHAIRMAN HARRIS:

10 We'll move to number 1 on the agenda,  
11 and that will be to approve the meeting  
12 minutes from September 15, 2021.

13 If there are no changes or updates  
14 on that meeting, I would ask someone to  
15 make a motion to approve?

16 MR. MCCUSKER:

17 So moved.

18 MS. IMBURGIA:

19 Second.

20 CHAIRMAN HARRIS:

21 We have a motion and a second. All in  
22 favor, signify by saying aye. Anybody  
23 opposed?

24 [The motion carried unanimously.]

25 \*\*\*

1 Report of Prosecutorial Division  
2 [Timothy A. Fritsch, Esquire, Board Prosecution  
3 Liaison, had nothing to report from the prosecutorial  
4 division but offered to answer any questions from  
5 Board members.]

6 \*\*\*

7 Report of Board Counsel

8 MOTIONS

9 MS. BLACK:

10 Moving on to item 2. I believe the  
11 Board would entertain a motion to deny  
12 the Motion to Deem Facts Admitted and  
13 Entry of Default for BPOA v. BKG Funeral  
14 Home & Cremation, Inc., Case No. 17-48-  
15 13836.

16 CHAIRMAN HARRIS:

17 Do we have a motion on number 2?

18 MS. IMBURGIA:

19 I motion.

20 MS. KIRK:

21 Second.

22 CHAIRMAN HARRIS:

23 We have a motion and a second. All in  
24 favor, signify by saying aye. Anyone  
25 opposed?

1 [The motion carried unanimously.]

2 \*\*\*

3 MS. BLACK:

4 Would the Board entertain a motion to  
5 approve the 2023 and 2024 Board meeting  
6 schedule?

7 CHAIRMAN HARRIS:

8 Do we have a motion on that?

9 MS. IMBURGIA:

10 I motion.

11 CHAIRMAN HARRIS:

12 Do we have a second?

13 MS. KIRK:

14 I second.

15 CHAIRMAN HARRIS:

16 We have a motion and a second. All in  
17 favor, signify by saying aye. Anyone  
18 opposed?

19 [The motion carried unanimously.]

20 \*\*\*

21 MS. BLACK:

22 Moving on to number 4. Would the Board  
23 entertain a motion to ratify the  
24 approval of the request by Judith  
25 Rairigh?

1 CHAIRMAN HARRIS:

2 Do we have a motion on that?

3 MS. RODRIGUEZ:

4 I make a motion.

5 CHAIRMAN HARRIS:

6 I will second that. We have a motion  
7 and a second. All in favor, signify by  
8 saying aye. Anybody opposed?

9 [The motion carried unanimously.]

10 \*\*\*

11 MS. BLACK:

12 Moving on to item 5. I believe the  
13 Board would entertain a motion to  
14 approve the Application under Act 41 for  
15 George Spears.

16 CHAIRMAN HARRIS:

17 Do we have a motion, please?

18 MS. KIRK:

19 So moved.

20 CHAIRMAN HARRIS:

21 Do we have a second?

22 COMMISSIONER JOHNSON:

23 Second.

24 CHAIRMAN HARRIS:

25 We have a motion and a second. All in

1 favor, signify by saying aye. Any  
2 opposed?

3 [The motion carried unanimously.]

4 \*\*\*

5 MS. BLACK:

6 The last thing I have is items 9 and 10.  
7 I believe the Board would entertain a  
8 motion to approve the Additional  
9 Employment Requests of Justin Keiper and  
10 Dina Cantelmi.

11 CHAIRMAN HARRIS:

12 I will make the motion to approve that.  
13 Do we have a second?

14 MS. RODRIGUEZ:

15 I second.

16 CHAIRMAN HARRIS:

17 We have a motion and a second. All in  
18 favor for approval, please say aye. Is  
19 there anyone opposed?

20 [The motion carried unanimously.]

21 \*\*\*

22 Report of Commissioner

23 [K. Kalonji Johnson, Commissioner, Bureau of  
24 Professional and Occupational Affairs, addressed the  
25 extension of regulatory waivers through March 31,



1 2022. He noted the extension includes virtual  
2 allowance of Board meetings and that the Board will  
3 continue to operate in the same fashion as it has for  
4 the last 18 months. He thanked the Board for their  
5 continued patience.

6 Commissioner Johnson urged Board members to  
7 strongly consider the virtual option when offered for  
8 their own health and safety. He mentioned a new  
9 process regarding physical travel requests for  
10 accommodations to national or regional conventions  
11 through a new travel portal.

12 Commissioner Johnson discussed statutory  
13 amendments to the Sunshine Act requiring actions be on  
14 the agenda and formally voted upon and finalized  
15 before any administrative approvals for travel  
16 requests. He recommended everyone submit travel  
17 requests to Ms. Hemler or Ms. Black as soon as  
18 possible for processing because of national shortages  
19 and difficulties procuring accommodations.]

20 \*\*\*

21 Report of Board Chairperson - No Report

22 \*\*\*

23 Items for Discussion

24 [Kristel Hennessy Hemler, Board Administrator,  
25 addressed a new process in place for establishments

1 when holding human remains. She stated that funeral  
2 establishments would have to fill out a form that  
3 should be typed and emailed to the Board Resource  
4 Account at ra-funeral@pa.gov.

5 Ms. Hemler explained that Board staff will review  
6 the requests and assign a Board member to the request  
7 for review. She noted the request would then be  
8 uploaded to the establishment's file in the  
9 Pennsylvania Licensing System (PALS), and the  
10 establishment would be notified of approval. She  
11 commented that Board staff would reply with the  
12 request to the establishment if additional information  
13 was required before approval by the Board member.

14 Ms. Hemler emphasized that the 10-day time period  
15 starts once an establishment receives the remains.  
16 The 10 days is not counted from the time of death.  
17 Establishments that need to hold a body for more than  
18 10 days after its receipt of the human remains should  
19 make its request through PALS.

20 Ms. Hemler noted the form is on the Department of  
21 State website at [www.dos.pa.gov/funeral](http://www.dos.pa.gov/funeral) under general  
22 board information and applications and forms.

23 Ms. Hemler referred to the Funeral Consumers  
24 Alliance and Consumer Federation of America Report for  
25 the Board's information.

1 Ms. Hemler noted the International Conference of  
2 Funeral Service Examining Boards would be holding a  
3 conference in Houston in February 2022 and offering a  
4 grant to one of their Board members, which would be  
5 discussed at the next Board meeting.

6 Chairman Harris thanked Ms. Hemler for all of her  
7 help and reminded everyone to type those forms for  
8 clarity.

9 Commissioner Johnson echoed sentiments from  
10 Chairman Harris, noting that the process was  
11 spearheaded by Ms. Hemler and Ms. Black who recognized  
12 the need and a concern. He noted it to be a great  
13 example of good governance and actions and thanked  
14 both of them and Board members for all of their help  
15 with the operational implementation.]

16 \*\*\*

17 Legislative Initiatives

18 [William G. Harris, Chairman, Professional Member,  
19 reminded everyone of the legislation regarding  
20 cremation and lowering the temperature of operating a  
21 crematory in Pennsylvania.

22 Chairman Harris commented that continuing  
23 education (CE) is continuing to work well. He  
24 mentioned attending the National Funeral Directors  
25 Association Convention (NFDA) in Nashville. He noted

1 receiving credits after attending an arranger course  
2 and one on embalming and restorative art.]

3 \*\*\*

4 Public Comment

5 [Dean F. Picarella, Esquire, Senior Board Counsel,  
6 noted attending meetings to observe and make sure the  
7 counsel office can best serve each individual board.

8 James Erikson, CAE, Assistant Executive Director  
9 and Chief Operations Officer, Pennsylvania Funeral  
10 Directors Association, requested more information  
11 regarding the 10-day extension process.

12 Ms. Hemler commented that the process is going  
13 smoothly. She noted receiving questions about where  
14 to find the form but mostly just keeping track of  
15 everything and making sure all of the requests are  
16 equally distributed amongst Board members.

17 Mr. Erikson requested clarification in terms of  
18 the process and whether the applicant is notified by  
19 email of their approval.

20 Ms. Hemler stated the establishment would be  
21 emailed the approval back, letting them know that the  
22 request has been approved and that Board staff will be  
23 uploading the request and approval directly to the  
24 establishment's file in PALS.

25 Jason G. Benion, Saxton & Stump, echoed comments

1 from Chairman Harris regarding pending crematory  
2 legislation that is before the General Assembly. He  
3 referred to the relevant bills at House Bill 1464 and  
4 Senate Bill 765 for further information and review.

5 Chairman Harris mentioned receiving a call  
6 concerning how to file a complaint and asked Ms.  
7 Hemler to share the process with those attending this  
8 meeting.

9 Ms. Hemler explained that the best way for  
10 somebody to make a complaint is on the PALS website at  
11 [www.pals.pa.gov](http://www.pals.pa.gov) under the file a complaint tab on the  
12 home page. She mentioned that every complaint  
13 submitted is assigned a complaint number. She noted a  
14 1-800 number would also be provided that can be used  
15 along with the complaint number to receive an update  
16 on the status if someone has not heard anything within  
17 two to three weeks.]

18 \*\*\*

19 Adjournment

20 CHAIRMAN HARRIS:

21 I will make a motion to adjourn the  
22 meeting.

23 Do we have a second?

24 COMMISSIONER JOHNSON:

25 Second.

1 CHAIRMAN HARRIS:

2 All in favor, signify by saying aye.

3 Anyone opposed?

4 [The motion carried unanimously.]

5 \*\*\*

6 [There being no further business, the State Board of  
7 Funeral Directors Meeting adjourned at 10:56 a.m.]

8 \*\*\*

9

10 CERTIFICATE

11

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

18

19

20



21

Samantha Sabatini,

22

Minute Clerk

23

Sargent's Court Reporting

24

Service, Inc.

25

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STATE BOARD OF FUNERAL DIRECTORS  
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October 25, 2021

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| TIME  | AGENDA                  |
|-------|-------------------------|
| 9:00  | Executive Session       |
| 10:30 | Return to Open Session  |
| 10:32 | Official Call to Order  |
| 10:33 | Roll Call               |
| 10:33 | Approval of Minutes     |
| 10:34 | Report of Board Counsel |
| 10:39 | Report of Commissioner  |
| 10:43 | Items for Discussion    |
| 10:47 | Legislative Initiatives |
| 10:49 | Public Comment          |
| 10:56 | Adjournment             |