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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

TIME: 10:45 A.M.

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

January 17, 2018

1 State Board of Funeral Directors

2 January 17, 2018

3 ***

4 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
5 9:30 a.m. the Board entered into Executive Session
6 with Wesley Rish, Esquire, Board Counsel, for the
7 purpose of conducting quasi-judicial deliberations and
8 to receive legal advice. The Board entered into
9 public session at 10:30 a.m.]

10 ***

11 The regularly scheduled meeting of the State
12 Board of Funeral Directors was held on Wednesday,
13 January 17, 2018. William G. Harris, Professional
14 Member, Chairman, called the meeting to order at 10:45
15 a.m. following an Executive Session of the Board. The
16 Pledge of Allegiance was recited. Roll call was
17 taken. A quorum was noted to be present.

18 ***

19 [Heidy M. Weirich, Board Administrator, reviewed the
20 emergency evacuation procedures for One Penn Center.]

21 ***

22 Election of Officers

23 MR. RISH:

24 For the election of offices, then I
25 would open the for nominations for

1 Chairman of the Funeral Board. Are
2 there any nominations?

3 MR. NEELY:

4 Bill Harris.

5 MR. RISH:

6 Okay. There is a nomination for Mr.
7 Harris. Are there any further
8 nominations? If not, then I would look
9 for a motion to close the nominations?

10 MR. NEELY:

11 So moved.

12 MR. RISH:

13 Okay, and then I would call for a vote
14 on Mr. Harris as Chairman of the Funeral
15 Board. All in favor? Any opposed? Mr.
16 Harris abstained from that vote.

17 [The motion carried. Chairman Harris abstained from
18 voting on the motion.]

19 ***

20 MR. RISH:

21 I would open the floor for nominations
22 for Vice Chairman of the Funeral Board.

23 CHAIRMAN HARRIS:

24 I nominate Milian Rodriguez as Vice
25 Chairman.

1 MR. RISH:

2 Are there any further nominations for
3 the Vice Chair? I would look for a
4 motion to close the nominations for Vice
5 Chair.

6 MS. MAITLAND:

7 So moved.

8 MR. RISH:

9 All in favor? All in favor of Ms.
10 Rodriguez as the Vice Chairman of the
11 State Board of Funeral Directors? Any
12 opposed? So that is unanimous.

13 [The motion carried unanimously.]

14 ***

15 MR. RISH:

16 I think that the final position that
17 Board fills is Secretary for the Board.
18 That has actually been vacant since Mr.
19 Baldwin resigned, so I would open the
20 floor for nominations for Secretary of
21 the State Board of Funeral Directors.

22 CHAIRMAN HARRIS:

23 I would make a motion that we appoint
24 Robert Neely as Secretary.

25 MS. RODRIGUEZ:

1 So moved.

2 MR. RISH:

3 Are there any further nominations? I
4 would look for a motion to close the
5 nominations.

6 CHAIRMAN HARRIS:

7 So moved.

8 MR. RISH:

9 All in favor? The nomination is closed.
10 Now, all in favor of Mr. Neely as
11 Secretary of the State Board of Funeral
12 Directors? Once again, it is unanimous.

13 [The motion carried unanimously.]

14 ***

15 MR. RISH:

16 I would also note for the record that
17 the State Board of Funeral Directors
18 held an Executive Session from 9:30 a.m.
19 to 10:30 a.m. this morning to conduct
20 quasi-judicial deliberations and to
21 receive legal advice regarding the
22 following matters: Item No. 2 on the
23 Board's agenda and Items 5 through 20 on
24 the Board's agenda.

25 ***

1 Funeral Budget Report

2 [Kimberly A. Mattis, Finance and Operations Manager,
3 Bureau of Finance and Operations, Division of Fiscal
4 Management, introduced Julie Snader, Chief, Finance
5 and Operations Manager, Bureau of Finance and
6 Operations, Division of Procurement. Ms. Mattis
7 provided information on the Board's licensee
8 population. She stated the Board currently has 6260
9 licensees, approximately 235 more licensees compared
10 to Fiscal Year 2015-2016.

11 Ms. Mattis referred to the biennial renewal
12 periods for Fiscal Year 2015-2016 and 2016-2017. She
13 noted the last renewal fee increase was in 2014.

14 Ms. Mattis explained expenses from a direct
15 charge, timesheet-based charges, and licensee
16 population charge. She reviewed the 2017-2018 budget
17 and expenses as of January 8, 2018. Ms. Mattis noted
18 an increase in prosecution costs.

19 Ms. Mattis reviewed revenue and expenses,
20 anticipating the Board will have approximately
21 \$2.4 million in the reserve account at the end of the
22 Fiscal Year 2017-2018.

23 Ms. Mattis noted that the Board member expense
24 budget for Fiscal Year 2017-2018 was \$20,000. She
25 noted expenses as of January 8, 2018, of \$1,590.70 and

1 projects Fiscal Year 2018-2019 at the same amount.]

2 ***

3 Elder Abuse Guide

4 [Christina W. Kotsalos, Director, Investor Education
5 and Consumer Outreach, PA Department of Banking and
6 Securities, introduced Denise Getgen, Director,
7 Protective Services Office, PA Department of Aging.

8 Ms. Kotsalos stated the Department of Aging and
9 Banking and Securities are working together to fight
10 elder financial exploitation. A video regarding this
11 matter was presented to the Board.

12 Ms. Getgen noted a significant increase in elder
13 abuse over the past ten years. She discussed red
14 flags including isolation, medication issues, change
15 in behavior, and self-neglect.

16 Ms. Getgen provided a phone number for citizens
17 who suspect elder abuse at 1-800-490-8505. Ms. Getgen
18 stated their local Area Agency on Aging will assess
19 the situation and perform a comprehensive, thorough
20 investigation. She stated all aging services are
21 lottery funded which helps with transportation, meals,
22 medical needs, and additional services for older
23 adults.

24 Ms. Kotsalos and Ms. Getgen offered materials to
25 Board members, including contact information.]

1 ***

2 Report of Prosecutorial Division

3 [Steven A. Mimm, Esquire, Board Prosecutor, presented
4 a Consent Agreement for File No. 17-48-06669.]

5 ***

6 MOTIONS

7 MR. RISH:

8 Based on discussions in Executive
9 Session, I would recommend a motion
10 approving the Consent Agreement and
11 Order to File No. 17-48-06669.

12 MS. RODRIGUEZ:

13 So moved.

14 CHAIRMAN HARRIS:

15 We have a motion. Do we have a second?

16 MR. NEELY:

17 Second.

18 CHAIRMAN HARRIS:

19 Motion and second. All in favor,
20 signify by saying aye?

21 [The motion carried unanimously. That matter involved
22 Robert L. D'Anjolell, F.D.]

23 ***

24 Approval of Minutes of the November 8, 2017 meeting

25 CHAIRMAN HARRIS:

1 We need to approve the minutes of the
2 November 2017 meeting, so I entertain a
3 motion to approve those minutes.

4 MR. NEELY:

5 So moved.

6 CHAIRMAN HARRIS:

7 We have a motion. Do we have a second?

8 MS. RODRIGUEZ:

9 Second.

10 CHAIRMAN HARRIS:

11 Motion and a second. All in favor,
12 signify by saying aye?

13 [The motion carried unanimously.]

14 ***

15 Report of Board Counsel

16 MR. RISH:

17 For the Board's information, the status
18 of cases is attached under Item No. 3 of
19 the Board's agenda and a status of
20 regulations is attached under Item No. 4
21 of the Board's agenda.

22 Item No. 5 is before the Board for
23 consideration of a possible delegation
24 to the Hearing Examiner. This is the
25 Commonwealth vs. Theodore F. Hawkins Jr.

1 and Catherine B. Laws Funeral Home, Inc.
2 It is File No. 17-48-01922 and 17-48-
3 01923.

4 Based upon discussions in Executive
5 Session, I would recommend a motion
6 directing Board Counsel to schedule a
7 hearing before the Board on this matter.

8 MR. NEELY:

9 So moved.

10 CHAIRMAN HARRIS:

11 We have a motion. Do we have a second?

12 MS. MAITLAND:

13 Second.

14 CHAIRMAN HARRIS:

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

18 [The motion carried unanimously.]

19 ***

20 MR. RISH:

21 The next matter was Item No. 6 on the
22 Board's agenda. It is the Commonwealth
23 vs. Robert C. Klimke, F.D., File No. 17-
24 48-06534.

25 Based on discussions in Executive

1 Session, I would recommend a motion
2 granting the Commonwealth's Motion to
3 Deem Facts Admitted.

4 CHAIRMAN HARRIS:

5 Do we have a motion?

6 MS. MAITLAND:

7 Motion.

8 CHAIRMAN HARRIS:

9 We have a motion. Do we have a second?

10 MR. NEELY:

11 Second.

12 CHAIRMAN HARRIS:

13 We have a motion and a second. All in
14 favor, signify by saying aye? Any
15 opposed?

16 [The motion carried unanimously.]

17 ***

18 MR. RISH:

19 The next matter is Item No. 7, the
20 Request for Reinstatement and
21 Installment Payment Plan from John M.
22 Price Jr., F.D., in the Price Funeral
23 Home, Inc.

24 Based upon discussions in Executive
25 Session, I would recommend a motion

1 approving the request.

2 MS. RODRIGUEZ:

3 So moved.

4 CHAIRMAN HARRIS:

5 We have a motion. Do we have a second?

6 MR. NEELY:

7 Second.

8 CHAIRMAN HARRIS:

9 We have a motion and a second. All in
10 favor, signify by saying aye? Any
11 opposed?

12 [The motion carried unanimously.]

13 ***

14 Report of Commissioner

15 [Ian Harlow, Commissioner of Professional and
16 Occupational Affairs, noted that Katelin Lambert,
17 Director of Operations, Bureau of Professional and
18 Occupational Affairs, will provide a presentation
19 regarding the renewal process.]

20 ***

21 Report of Board Chairman

22 [Chairman Harris thanked the Board for their
23 confidence and offered his best efforts to the Board.]

24 ***

25 Report of Board Administrator - No Report

26 [Chairman Harris offered Heidi the Board's sympathy in

1 the death of her mom.]

2 ***

3 MR. RISH:

4 Under Applications for Review, Item No.
5 8 is a Request for Approval of Outside
6 Employment of Kylee Nichole Ensminger.

7 Based upon discussions in Executive
8 Session, I would recommend a motion
9 approving the request.

10 MR. NEELY:

11 So moved.

12 CHAIRMAN HARRIS:

13 We have a motion. Do we have a second?

14 MS. MAITLAND:

15 Second.

16 CHAIRMAN HARRIS:

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

20 [The motion carried unanimously.]

21 ***

22 MR. RISH:

23 The next matter was an Application for a
24 Funeral Intern of Michael L. Shuman.

25 Based upon discussions in Executive

1 MS. MAITLAND:

2 Second

3 CHAIRMAN HARRIS:

4 We have a motion and a second. All in
5 favor, signify by saying aye? Any
6 opposed?

7 [The motion carried unanimously.]

8 ***

9 MR. RISH:

10 Item No. 11 is an Application for
11 Approval of Outside Employment of David
12 M. Shaw.

13 Based upon discussions in Executive
14 Session, I would recommend a motion
15 approving the application.

16 MS. RODRIGUEZ:

17 So moved.

18 CHAIRMAN HARRIS:

19 We have a motion. Do we have a second?

20 MS. MAITLAND:

21 Second

22 CHAIRMAN HARRIS:

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

25 [The motion carried unanimously.]

1 ***

2 MR. RISH:

3 There are some miscellaneous items. Mr.
4 Chairman, Item No. 12 involved a review
5 of the funeral supervisor application
6 form and that is an administrative
7 matter that does not require a Board
8 vote.

9 The next matter was Item 13. It is
10 a Request for Approval of Outside
11 Employment of Elena Austin.

12 Based upon discussions in Executive
13 Session, I would recommend a motion
14 directing the Board Administrator to
15 issue a discrepancy letter to Ms. Austin
16 requesting additional information
17 regarding her outside employment.

18 CHAIRMAN HARRIS:

19 Do we have a motion?

20 MS. RODRIGUEZ:

21 So moved.

22 CHAIRMAN HARRIS:

23 We have a motion. Do we have a second?

24 MS. MAITLAND:

25 Second.

1 CHAIRMAN HARRIS:

2 We have a motion and a second. All in
3 favor, signify by saying aye?

4 [The motion carried unanimously.]

5 ***

6 MR. RISH:

7 The next matter is Item 14. Mr.
8 Chairman, this involves the attendance
9 of the Board's Administrator at the
10 Annual PFDA Conference in June 2018.

11 Based upon discussions, I would
12 recommend a motion approving the
13 attendance of the Board Administrator at
14 the Pennsylvania Funeral Directors
15 Association Annual Conference.

16 CHAIRMAN HARRIS:

17 I will make that motion. Do we have a
18 second?

19 MR. NEELY:

20 Second.

21 CHAIRMAN HARRIS:

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

24 [The motion carried unanimously.]

25 ***

1 MR. RISH:

2 The next matter, Item 15, was a
3 personnel and administrative matter and
4 does not require Board action.

5 That would conclude the items for
6 discussion.

7 ***

8 Continuing Education Report

9 [Chairman Harris reviewed the report on continuing
10 education applications including Hospice & Community
11 Care's Pathways Center for Grief for Grief & Loss, the
12 Cremation Association of North America, the National
13 Funeral Directors Association, the Maryland State
14 Funeral Directors Association, and Funeral Continuing
15 Education.com.

16 Chairman Harris stated, after Committee review,
17 the applications were approved.]

18 ***

19 Appointment - Information Technology Issues

20 [Ian J. Harlow, Commissioner of Professional and
21 Occupational Affairs, provided a breakdown of the
22 renewal process with 1,293 individuals successfully
23 completing the renewal online, roughly 21 percent.
24 250 applications were being actively reviewed, 4
25 percent. 1,643 applications or 26 percent were

1 pending. 3,108 applications or 50 percent have not
2 yet started the process.

3 Commissioner Harlow suggested allowing at least
4 24 hours after an addition to a record to be reflected
5 in the system. He discussed PFDA login issues and the
6 clarification of the instructions.

7 Commissioner Harlow addressed an issue with
8 linking different licenses. He informed the Board
9 that the matter was being handled manually and that
10 developers were working on a long-term fix.

11 Commissioner Harlow stated there was no plan to
12 extend the deadline but will continue to monitor it.
13 He found the self-help functionality under Contact Us
14 in the Pennsylvania Licensing System (PALS) was very
15 useful, showing that 84 percent of the individuals who
16 go to self-help were able to resolve their issue.

17 Ms. Lambert presented a demonstration on the
18 Funeral Board's renewals. She compared the old and
19 new systems, noting different logins for each license
20 with the old system and only one for the new system.

21 Ms. Lambert reviewed renewal, linking, and
22 unlinking processes after logging onto
23 www.pals.pa.gov.

24 Commissioner Harlow discussed third-parties
25 providing software, as well as call centers providing

1 information that individuals successfully completed
2 courses, the uploading of the certificate and
3 reporting to the Board.

4 Commissioner Harlow addressed concerns with the
5 validity of a web-based system.]

6 ***

7 Adjournment

8 CHAIRMAN HARRIS:

9 Motion to adjourn. We have a motion.

10 MR. NEELY:

11 Second.

12 CHAIRMAN HARRIS:

13 All in favor? We are adjourned.

14 ***

15 [The State Board of Funeral Directors meeting
16 adjourned at 12:29 p.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.



Haley J. Neumeister,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF FUNERAL DIRECTORS
REFERENCE INDEX
January 17, 2018

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7	9:30	Executive Session
8	10:30	Return to Open Session
9		
10	10:45	Official Call to Order/Pledge of
11		Allegiance
12		
13	10:45	Roll Call
14		
15	10:46	Evacuation Announcement
16		
17	10:47	Election of Officers
18		
19	10:50	Appointment - Bureau of Finance and
20		Operations/Department of Banking
21		
22	11:00	Appointment - Department of
23		Banking/Department of Aging
24		
25	11:21	Report of Prosecutorial Division
26		
27	11:21	Motions
28		
29	11:22	Approval of Minutes
30		
31	11:23	Report of Board Counsel
32		
33	11:26	Report of Board Chairman
34		
35	11:27	Report of Board Administrator
36		
37	11:34	Appointment - Report of Director of
38		Operations
39		
40	12:21	Adjournment
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