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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: 10:30 A.M.

Held at

PENNSYLVANIA DEPARTMENT OF STATE

2601 North Third Street

One Penn Center, Board Room C

Harrisburg, Pennsylvania 17110

as well as

VIA MICROSOFT TEAMS

September 13, 2023

State Board of Funeral Directors
September 13, 2023

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BOARD MEMBERS:

Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs
Carmella M. Imburgia, Chairperson, Professional Member
Kenneth C. DuPree, Vice Chairperson, Professional Member
Milian E. Rodriguez, Secretary, Professional Member
Eric D. Ruggeri, Public Member
Jennifer Jane Kirk, Esquire, Senior Deputy Attorney General, Antitrust Section, Bureau of Consumer Protection Representative - Absent
Gregory K. Furlong, Professional Member

BUREAU PERSONNEL:

Shawn J. Jayman, Esquire, Board Counsel
Ray Michalowski, Esquire, Senior Board Prosecutor
Timothy A. Fritsch, Esquire, Board Prosecution Liaison
J. Leslie Warner, Acting Board Administrator
Marc Farrell, Esquire, Regulatory Counsel, Office of Chief Counsel, Department of State
Michael McDonald, Policy Director, Department of State

ALSO PRESENT:

Jason Benion, Esquire, Shareholder and Chair, Death Care, Saxton & Stump, LLC
Irisha Spartley
Jorganna Showers

1 ***

2 State Board of Funeral Directors

3 September 13, 2023

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,
6 at 9:00 a.m. the Board entered into Executive Session
7 with Shawn J. Jayman, Esquire, Board Counsel, for the
8 purpose of conducting quasi-judicial deliberations on
9 a number of matters currently pending before the
10 Board and to receive the advice of counsel. The
11 Board entered into public session at 10:30 a.m.]

12 ***

13 The regularly scheduled meeting of the State
14 Board of Funeral Directors was held on Wednesday,
15 September 13, 2023. Carmella M. Imburgia,
16 Chairperson, Professional Member, called the meeting
17 to order at 10:30 a.m.

18 ***

19 Roll Call/Introduction of Attendees

20 [Carmella M. Imburgia, Chairperson, Professional
21 Member, requested a roll call of Board members and
22 introduction of attendees.]

23 ***

24 [Shawn J. Jayman, Esquire, Board Counsel, noted the
25 meeting was being recorded and continued

1 participation constituted consent to be recorded.

2 Mr. Jayman also noted the Board entered into
3 Executive Session with Board Counsel to have
4 attorney-client consultations and for the purpose of
5 conducting quasi-judicial deliberations.]

6 ***

7 Approval of minutes of the August 2, 2023 meeting

8 CHAIR IMBURGIA:

9 Do I have an approval of the minutes
10 from the last meeting? Anyone have any
11 changes? No, okay.

12 Could I have a motion to approve
13 the minutes?

14 MR. DUPREE:

15 So moved.

16 CHAIR IMBURGIA:

17 Second?

18 MR. FURLONG:

19 I second.

20 MS. WARNER:

21 Arion Claggett, aye; Carmella Imburgia,
22 aye; Kenneth DuPree, aye; Milian
23 Rodriguez, aye; Eric Ruggeri, abstain;
24 Gregory Furlong, aye.

25 [The motion carried. Eric Ruggeri abstained from

1 voting on the motion.]

2

3 Report of Prosecutorial Division

4 [Timothy A. Fritsch, Esquire, Board Prosecution

5 Liaison, presented the Consent Agreement and Order

6 for Case No. 19-48-007957.]

7 MR. JAYMAN:

8

Based on Executive Session

9

deliberations, I believe the

10

Chairperson would entertain a motion to

11

reject the Consent Agreement for Case

12

No. 19-58-007957 as too lenient.

13 CHAIR IMBURGIA:

14

Could I get a motion?

15 MR. DUPREE:

16

So moved.

17 CHAIR IMBURGIA:

18

Second?

19 MR. FURLONG:

20

Second.

21 MS. WARNER:

22

Arion Claggett, aye; Carmella Imburgia,

23

aye; Kenneth DuPree, aye; Milian

24

Rodriguez, abstain; Eric Ruggeri, aye;

25

Gregory Furlong, aye.

1 [The motion carried. Milian Rodriguez abstained from
2 voting on the motion.]

3 ***

4 Report of Board Counsel

5 MR. JAYMAN:

6 Based on Executive Session
7 deliberations, I believe the
8 Chairperson would entertain a motion to
9 grant the Motion for Withdrawal of
10 Citation Nunc Pro Tunc and direct Board
11 Counsel to prepare an order in
12 accordance with discussions in
13 Executive Session in the matter of Case
14 No. 22-48-002066.

15 CHAIR IMBURGIA:

16 Do I have a motion?

17 MR. DUPREE:

18 So moved.

19 CHAIR IMBURGIA:

20 Do I have a second?

21 MR. FURLONG:

22 I'll second it.

23 CHAIR IMBURGIA:

24 Roll call.

25

1 Arion Claggett, aye; Carmella Imburgia,
2 aye; Kenneth DuPree, aye; Milian
3 Rodriguez, abstain; Eric Ruggeri, aye;
4 Gregory Furlong, aye.

5 [The motion carried. Milian Rodriguez abstained from
6 voting on the motion.]

7 ***

8 Report of Board Counsel - Miscellaneous

9 [Shawn J. Jayman, Esquire, Board Counsel, provided a
10 Status of Cases Report for the Board's review. He
11 noted the Board has 12 active cases at various
12 levels.]

13 ***

14 Regulatory Issues

15 [Shawn J. Jayman, Esquire, Board Counsel, informed
16 Board members that there were no updates to
17 regulatory issues addressed at past meetings.

18 Mr. Jayman informed Board members that Marc
19 Farrell would be assisting as senior counsel with
20 regulatory issues involving funeral regulations.]

21 ***

22 Report of Acting Commissioner - No Report

23 ***

24 Report of Board Chairperson - No Report

25 ***

1 Report of Board Administrator - No Report

2 ***

3 Appointment - Introduction

4 [Michael McDonald, Policy Director, Department of
5 State, introduced himself and provided a brief
6 history of his personal and professional background.
7 He informed everyone that the policy office works
8 with the secretary of the department, governor's
9 office and administration, and all of the program
10 areas, including all of the licensing boards. He
11 noted they help set the policy agenda, review and
12 analyze legislation, and assess the interest the
13 impact on the licensee population and citizens across
14 the Commonwealth of Pennsylvania.

15 Mr. McDonald noted that they work closely with
16 counsel to review and draft regulations and implement
17 new policies and research the impact.

18 Mr. McDonald mentioned that he also works closely
19 with Acting Commissioner Claggett and counsel and
20 encouraged Board members to reach out to him or
21 Deputy Policy Director Andrew LaFratte as a resource
22 for any questions or concerns.

23 Mr. McDonald thanked Board members for their
24 service to the licensees and citizens of the
25 Commonwealth of Pennsylvania.]

1 ***

2 Public Comments

3 [Jason Benion, Esquire, Shareholder and Chair, Death
4 Care, Saxton & Stump, LLC, requested an update
5 regarding Board vacancies.

6 Acting Commissioner Claggett informed Mr. Benion
7 that the department is actively looking to fulfill
8 the public member and professional member positions.]

9

10 ***

11 [Carmella M. Imburgia, Chairperson, Professional
12 Member, noted the next Board meeting date is
13 Wednesday, October 25.]

14

15 Adjournment

16 CHAIR IMBURGIA:

17 Can I have a motion to close the
18 meeting?

19 MR. DUPREE:

20 So moved.

21 CHAIR IMBURGIA:

22 Second?

23 ACTING COMMISSIONER CLAGGETT:

24 Second.

25 CHAIR IMBURGIA:

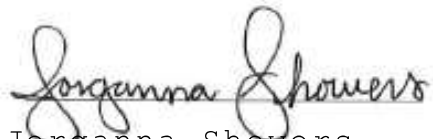
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Thank you everybody. See you next
month.

[There being no further business, the State Board of
Funeral Directors Meeting adjourned at 10:45 a.m.]

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.



Jorganna Showers,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

STATE BOARD OF FUNERAL DIRECTORS
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| TIME | AGENDA |
|-------|---|
| 9:00 | Executive Session |
| 10:30 | Return to Open Session |
| 10:30 | Official Call to Order |
| 10:30 | Roll Call/Introduction of Attendees |
| 10:32 | Approval of Minutes |
| 10:33 | Report of Prosecutorial Division |
| 10:36 | Report of Board Counsel |
| 10:38 | Regulatory Issues |
| 10:40 | Appointment - Michael McDonald, Policy Director, Department of State |
| 10:44 | Public Comments |
| 10:45 | Adjournment |