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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

November 23, 2021

1                    State Board of Funeral Directors  
2                    November 23, 2021

3  
4  
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  
11 Member - Absent  
12 K. Kalonji Johnson, Commissioner, Bureau of  
13 Professional and Occupational Affairs  
14 Kenneth C. DuPree, Professional Member  
15 Thomas G. Kukuchka, CFSP, Professional Member  
16 Francis McCusker, Public Member  
17 Jennifer Jane Kirk, Esquire, Senior Deputy Attorney  
18 General, Antitrust Section, Office of Attorney  
19 General  
20

21  
22 BUREAU PERSONNEL:

23  
24 Dean F. Picarella, Esquire, Senior Board Counsel  
25 Jaime D. Black, Esquire, Board Counsel  
26 Timothy A. Fritsch, Esquire, Board Prosecution  
27 Liaison  
28 Kristel Hennessy Hemler, Board Administrator  
29 Amanda Richards, Acting Fiscal Chief, Bureau of  
30 Finance and Operations, Department of State  
31 Andrew LaFratte, MPA, Executive Policy Specialist,  
32 Department of State  
33 Marc Farrell, Deputy Director, Office of Policy,  
34 Department of State  
35

36  
37 ALSO PRESENT:

38  
39 Lauren Thomas, Member Services Manager, International  
40 Conference of Funeral Services Examining Boards  
41 James Erikson, CAE, Assistant Executive Director and  
42 Chief Operations Officer, Pennsylvania Funeral  
43 Directors Association  
44 Jen Smeltz, Republican Executive Director, Senate  
45 Consumer Protection & Professional Licensure  
46 Committee  
47 Marlene A. Wilson, Democratic Executive Director,  
48 House Professional Licensure Committee  
49 Morgan Plant, Pennsylvania Cemetery, Cremation, and  
50 Funeral Association

1 \*\*\*

2 State Board of Funeral Directors

3 November 23, 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, for the  
8 purpose of conducting quasi-judicial deliberations on  
9 the items on the agenda that are currently pending  
10 before the Board and to receive the advice of counsel.  
11 The Board entered into public session at 10:32 a.m.]

12 \*\*\*

13 The regularly scheduled meeting of the State  
14 Board of Funeral Directors was held on Tuesday,  
15 November 23, 2021. William G. Harris, Chairman,  
16 Professional Member, called the meeting to order at  
17 10:32 a.m.

18 \*\*\*

19 Roll Call

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

22 \*\*\*

23 Approval of minutes of the October 25, 2021 meeting  
24 CHAIRMAN HARRIS:

25 Number 1 on the agenda is the approval

1 of the minutes of the Board meeting on  
2 October 25, 2021.

3 If there are no updates or any  
4 issues with that, I would call for a  
5 motion to approve?

6 MR. DUPREE:

7 I move for the adoption of the minutes  
8 from October 25, 2021, with any  
9 necessary corrections.

10 COMMISSIONER JOHNSON:

11 Second.

12 CHAIRMAN HARRIS:

13 We have a motion and a second. All in  
14 favor, signify by saying aye. Any  
15 opposed? Are there any abstentions or  
16 recusals?

17 [The motion carried unanimously.]

18 \*\*\*

19 Report of Prosecutorial Division

20 [Timothy A. Fritsch, Esquire, Board Prosecution  
21 Liaison, had nothing to report from the prosecutorial  
22 division but offered to answer questions from the  
23 Board members.]

24 \*\*\*

25 Report of Board Counsel

1 [Jaime D. Black, Esquire, Board Counsel, informed  
2 everyone that the Board met in Executive Session for  
3 the purpose of conducting quasi-judicial deliberations  
4 on the items on the agenda that are currently pending  
5 before the Board and to receive the advice of counsel.

6 Ms. Black also reminded everyone that the meeting  
7 was being recorded, and those who continued to  
8 participate in the meeting are giving their consent to  
9 being recorded.

10 Ms. Black provided an update of House Bill 1464  
11 and Senate Bill 765. These are bills that aim to  
12 reduce the temperature by which crematories operate.  
13 She noted House Bill 1464 proposes reducing the  
14 temperature from 1800 to 1400 degrees Fahrenheit. She  
15 stated Senate Bill 765 proposes to reduce the  
16 temperature to 1600 Fahrenheit and was referred to the  
17 Environmental Resources & Energy Committee in June but  
18 had not seemed to move.

19 Ms. Black also stated House Bill 1465 was  
20 referred to the House Professional Licensure Committee  
21 in May and moved out of the committee and was tabled,  
22 which is essentially a holding place before going to  
23 the floor for discussion and vote or could potentially  
24 go nowhere. She mentioned that the licensed community  
25 may want to contact their legislators to move this

1 from the tabled area to hopefully get a vote.]

2 \*\*\*

3 Requests for Review

4 MS. BLACK:

5 I believe the Board would entertain a  
6 motion to approve the Additional  
7 Employment Request of Eric Parry.

8 MR. DUPREE:

9 I move for approval of the Additional  
10 Employment Request of Eric Parry.

11 COMMISSIONER JOHNSON:

12 Second.

13 CHAIRMAN HARRIS:

14 We have a motion and a second. All in  
15 favor, signify by saying aye. Any  
16 opposed? Are there any abstentions or  
17 recusals?

18 [The motion carried unanimously.]

19 \*\*\*

20 Items for Discussion

21 [Kristel Hennessey Hemler, Board Administrator,  
22 addressed the delegate grant for one Board member to  
23 attend the 118th Annual Meeting of the International  
24 Conference of Funeral Services Examining Boards  
25 February 23-24, 2022, in Houston, TX.]

1           Lauren Thomas, Member Services Manager,  
2 International Conference of Funeral Services Examining  
3 Boards, stated The Conference Board of Directors had a  
4 goal of full participation of the delegate assembly at  
5 the annual meeting and decided to award a travel grant  
6 to one Board member or acute staff member to attend  
7 from each member board.

8           Ms. Thomas explained that the grant would cover  
9 all travel expenses and sent Ms. Hemler a copy of the  
10 agenda, which was also available on their website.  
11 She mentioned the focus is on regulatory-based topics  
12 each year that are pertinent to the industry and that  
13 The Conference was thrilled to be back in person.

14           Commissioner Johnson asked Ms. Thomas whether  
15 there was any plan to offer a streaming opportunity or  
16 virtual participation.

17           Ms. Thomas stated there would be a virtual day  
18 one month after the in-person annual meeting and is  
19 slated for Wednesday, March 30, 2022. She noted their  
20 legal counsel, Dale Atkinson, would be participating  
21 with regulatory topics, cases, and interactive  
22 forums, along with some overlap of the annual meeting.

23           Ms. Hemler noted there is a Board of Funeral  
24 Directors Meeting scheduled for March 30, 2022. She  
25 asked whether the Board member training on Tuesday,

1 February 22, 2022, would be for one of the Board  
2 members to attend as well.

3 Ms. Thomas explained that the Board member  
4 training is not included in the grant but offered at a  
5 discounted rate of \$200 to Board members as well. She  
6 offered to cover the hotel night on behalf of The  
7 Conference Board if a Board member chooses to attend.

8 Chairman Harris asked whether any Board members  
9 were interested in participating, and Mr. DuPree noted  
10 being interested.

11 Commissioner Johnson stated, in light of the fact  
12 of the subsidy available for one of the members to  
13 attend and typically a two-member limit with regard to  
14 expenses related to events, if a Board member were  
15 interested in making a request for an exception to  
16 that two-person limit so a third person may attend, he  
17 believed the Department would be amenable to that  
18 request.

19 Chairman Harris asked whether anybody else was  
20 interested, noting he may consider that or the day  
21 before for the learning experience.

22 Commissioner Johnson mentioned Board counsel or  
23 the Board administrator could use the Board member  
24 training as a learning opportunity, noting he would be  
25 happy to entertain that.



1 Chairman Harris noted the previous Board  
2 administrator attended the Board member training a few  
3 times and found it very interesting and educational  
4 and encouraged either Ms. Hemler or Ms. Black to think  
5 about attending.]

6

\*\*\*

7 Report of Commissioner

8 [K. Kalonji Johnson, Commissioner, Bureau of  
9 Professional and Occupational Affairs, again noted the  
10 virtual platform has been extended through March 31,  
11 2022. He noted being happy the Board has done  
12 everything they were supposed to do regarding travel  
13 requests, where it has been Sunshined on the agenda  
14 for public notification.

15 Commissioner Johnson addressed a new process for  
16 travel requests through the Commonwealth Out-of-State  
17 Travel Application (COSTA) portal. He mentioned  
18 everyone would need their commonwealth user name and  
19 password to start the request for travel.

20 Commissioner Johnson wished everybody a safe and  
21 peaceful holiday season.

22 Chairman Harris thanked Commissioner Johnson for  
23 taking part in the State Board of Funeral Directors  
24 meetings.]

25

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1 Appointment - 50 State Comparison Report  
2 [Andrew LaFratte, MPA, Executive Policy Specialist,  
3 Department of State, informed the Board of funding  
4 from a United States Department of Labor grant for a  
5 three-year project to study the effects of  
6 occupational licensing and exploring alternatives that  
7 maintain public health and safety but also reduce  
8 burdens and barriers related to occupational  
9 licensing.

10 Mr. LaFratte addressed projects funded by the  
11 grant, including the 50 State Licensure Comparison for  
12 all 29 boards comparing Pennsylvania licensure  
13 requirements to the other 49 states. He also noted  
14 creating snapshots that are available on all of the  
15 boards' websites laying out the basic requirements to  
16 gain initial licensure.

17 Mr. LaFratte stated a survey and study on  
18 veterans and military spouses related to the  
19 challenges being faced with occupational licensing was  
20 produced and led to the drafting of House Bill 1868.  
21 He noted the bill just passed the House last week and  
22 is being voted on in the Senate, which would expedite  
23 licensure for veterans and accept their military  
24 credentials and experience into Pennsylvania licensure  
25 requirements.

1 Mr. LaFratte also mentioned releasing a report on  
2 immigrants and refugees and their experience with  
3 occupational licensure on the Department of State  
4 (DOS) website in the next few weeks.

5 Mr. LaFratte noted that the study was done on all  
6 professions and found overall that Pennsylvania's  
7 occupational licensure requirements were either  
8 equivalent or even stringent compared to other states,  
9 where licensing fees were lower than the national  
10 average, especially on the initial side of fees.

11 Mr. LaFratte explained that the report was broken  
12 down for the State Board of Funeral Directors by each  
13 profession, starting with funeral directors and  
14 provided an educational overview of degree  
15 requirements in other states.

16 Mr. LaFratte reported that a lot of other states  
17 do not require a specific degree but do require  
18 mortuary science education similar to Pennsylvania,  
19 where an applicant must obtain a certificate of  
20 mortuary education from a school of mortuary science.  
21 He noted some states require a degree.

22 Mr. LaFratte addressed examination requirements  
23 for funeral directors, noting Pennsylvania is in line  
24 with most of the neighboring states. He noted it to  
25 be pretty standard across the board, where a few

1 states have three and a few states have only one.

2 Mr. LaFratte addressed training and experience  
3 requirements for funeral directors, stating that the  
4 United States average is just over one year.  
5 Regarding continuing education requirements, he noted  
6 Pennsylvania is well under the United States average  
7 at 6 C.E. hours but pretty much in line with  
8 neighboring states regarding continuing education. He  
9 mentioned that most states are similar to Pennsylvania  
10 with a two-year reporting cycle for continuing  
11 education.

12 Mr. LaFratte addressed initial and renewal fees  
13 for funeral directors. He stated Pennsylvania's  
14 initial fees are one of the lowest compared to the  
15 United States average, but renewal fees are  
16 substantially higher. He reported a trend for most of  
17 the professions, where Pennsylvania was much lower on  
18 the initial side and either within the United States  
19 average or higher on the renewal side.

20 Mr. LaFratte commented that Pennsylvania keeps  
21 barriers to entry low and then charges the  
22 professionals once they get a little more seasoned  
23 into their careers. He noted that most states are on  
24 the biennial side and similar to Pennsylvania  
25 regarding renewal cycles.

1 Mr. LaFratte provided a breakdown of which states  
2 have some sort of endorsement or reciprocity language  
3 within their regulations, noting that Pennsylvania has  
4 Act 41, which is a third option beyond endorsement and  
5 reciprocity.

6 Mr. LaFratte addressed funeral resident interns,  
7 noting that most states do not require a degree, just  
8 some level of high school diploma or General  
9 Educational Development (GED). He mentioned that  
10 Pennsylvania requires a certificate of mortuary  
11 education, which is pretty standard across the board.

12 Mr. LaFratte noted that most states do not  
13 require an examination for funeral resident interns  
14 and is similar to Pennsylvania. He mentioned not  
15 being able to find any training, experience, or  
16 continuing education requirements and that a number of  
17 states do not even license that occupation.

18 Mr. LaFratte stated Pennsylvania is lower than  
19 the national average on the initial side and much  
20 lower than the national average on the renewal side  
21 for funeral resident interns. He noted that a number  
22 of states do not offer renewals for funeral resident  
23 interns and the ones that do offer one are on the  
24 annual side rather than biennial. He mentioned not  
25 finding much language in terms of endorsement or

1 reciprocity.

2       Mr. LaFratte addressed funeral trainees, noting  
3 it to be similar to the funeral intern information,  
4 where a lot less states license the profession. He  
5 stated Pennsylvania requires applicants to present a  
6 certificate of mortuary education with their  
7 application, which is pretty standard, and most of the  
8 boards just have some provision for a high school  
9 diploma or GED and no examination requirement. He  
10 noted that Texas is the only state requiring an  
11 examination for funeral trainees.

12       Mr. LaFratte reported Pennsylvania to be the  
13 lowest for funeral trainees regarding initial and  
14 renewal fees. He noted that the states offering  
15 renewals only offer it for one or two cycles with most  
16 states being on an annual basis. He also mentioned  
17 not finding many states with language related to  
18 funeral trainees regarding endorsement or reciprocity  
19 language.

20       Mr. LaFratte addressed funeral supervisors,  
21 noting it to be the only license type familiar to  
22 Pennsylvania and just put the definition in there for  
23 the regulations.

24       Mr. LaFratte provided a map showing states that  
25 license both funeral directors and embalmers. He

1 reported almost 30 states or so do that, noting  
2 Colorado does not license funeral directors but offer  
3 title protection. He noted a handful of states,  
4 including Pennsylvania, only license funeral  
5 directors. He reported Hawaii to be the only state  
6 that licenses embalmers and a few states that have a  
7 catch-all license for funeral service practitioners.

8 Mr. LaFratte noted finding some other funeral  
9 director and funeral board-related professions that  
10 some of the other states license that Pennsylvania  
11 does not. He mentioned that Arizona and California  
12 have cemetery sales people, brokers, and managers all  
13 under funeral directors but are recognized under the  
14 Real Estate Commission in Pennsylvania.

15 Mr. LaFratte noted a link to all of the funeral  
16 boards in the different states for reference. He  
17 offered to provide more specific data from all of the  
18 states if the Board wanted more information.

19 Mr. LaFratte informed the Board that the link  
20 went out to the Board last week of the 50-State Report  
21 for funeral directors, but there is also a much larger  
22 report that includes all 29 boards and all of the  
23 findings on the professional licensing page on the DOS  
24 website in the quick link section.]

25

\*\*\*

1 Miscellaneous - Bureau of Finance and Operations

2 Annual Budget Presentation

3 [Amanda Richards, Acting Fiscal Chief, informed the  
4 Board that the Bureau of Finance and Operations (BFO)  
5 looks at the licensee population on a biennial basis  
6 and that the Board renews in January of even years.  
7 She noted a licensee count of 6,260 in FY17-18, a  
8 licensee count of 6,203 in FY18-19, and 6,141 in FY20-  
9 21.

10 Ms. Richards noted the total biennial revenue with  
11 97.57% of revenue coming from renewals and  
12 applications.

13 Ms. Richards referred to the breakdown of expenses  
14 for the Board, noting administrative and legal costs.  
15 She stated expenses incur through direct charges,  
16 timesheet charges, and licensee population. She  
17 reported on the expenses for FY19 and FY20, the budget  
18 for FY21, and actual expenses for FY21 as of November  
19 12, 2021. She reported a recent increase in expenses.

20 Ms. Richards reviewed revenues and expenses. She  
21 noted the projected balance at the end of the fiscal  
22 year. She stated the Board is maintaining a healthy  
23 balance when projecting out the next three fiscal  
24 years.

25 Ms. Richards noted Board member expenses in FY19



1 and FY20, along with the current budget for FY21. She  
2 reported current expenses as of November 12, 2021, for  
3 FY21. She also noted the budget for FY22.

4 Ms. Richards mentioned that anything not spent is  
5 rolled over into the restricted account for the  
6 Board's use.]

7 \*\*\*

8 Report of Board Chairperson

9 [William G. Harris, Chairman, Professional Member,  
10 referred to House Bill 1464 regarding cremation  
11 legislation, noting it to be very important for  
12 funeral directors and encouraged Board members to  
13 contact House members.]

14 \*\*\*

15 Report of Board Administrator

16 [Kristel Hennessy Hemler, Board Administrator,  
17 reminded everybody that renewals will go live the  
18 first week of December. She noted everyone will be  
19 able to renew their license as soon as they receive an  
20 email from the Pennsylvania Licensing System (PALS).

21 Ms. Hemler mentioned that there are helpful  
22 suggestions for funeral directors and funeral  
23 supervisors renewing their license on the Department  
24 of State website at [www.dos.pa.gov/funeral](http://www.dos.pa.gov/funeral). She  
25 suggested contacting the Board office if anyone has

1 any questions.

2 Chairman Harris encouraged new Board members to  
3 follow Ms. Hemler's instructions for a smooth renewal  
4 process.

5 Chairman Harris asked Ms. Hemler whether the  
6 continuing education courses for Pittsburgh Institute  
7 of Mortuary Science had been resolved.

8 Ms. Hemler noted receiving an email this morning  
9 from the education provider, where they will have to  
10 become approved as a new provider, along with the  
11 course, but are on the right path now. She mentioned  
12 providing them with applications for committee review  
13 to make sure they are approved.]

14 \*\*\*

15 Introduction of Attendees

16 [Kristel Hennessy Hemler, Board Administrator,  
17 provided an introduction of attendees.]

18 \*\*\*

19 Public Comments

20 [Dean F. Picarella, Esquire, Senior Board Counsel,  
21 commented that he monitors Board meetings to make  
22 sure Board counsels are providing the best service  
23 possible for the Boards.

24 James Erikson, CAE, Assistant Executive Director  
25 and Chief Operations Officer, Pennsylvania Funeral

1 Directors Association, thanked the Board and wanted to  
2 reiterate the importance of House Bill 1464. He  
3 commented that the Pennsylvania Funeral Directors  
4 Association (PFDA) has been working with other groups  
5 in terms of trying to make that move and were hopeful  
6 on that front.

7 Mr. Erikson wished everyone a Happy Thanksgiving.  
8 He thanked the Board for the information on the  
9 renewal process and is planning on helping get the  
10 word out to all their members.

11 Morgan Plant, Pennsylvania Cemetery, Cremation,  
12 and Funeral Association, noted working closely with  
13 PFDA on House Bill 1464. She mentioned having  
14 meetings with staff from the Department of  
15 Environmental Protection (DEP) on November 3 and  
16 November 10 regarding concerns they raised about air  
17 quality issues.

18 Ms. Plant believed an agreement was reached on  
19 the 1600 degrees Fahrenheit temperature but is waiting  
20 to hear back from whoever was checking with the front  
21 office in the policy and legislative divisions. She  
22 noted being hopeful with moving forward on the bill as  
23 quickly as possible and thanked the Board for their  
24 interest.]

25

\*\*\*

1 [Jaime D. Black, Esquire, Board Counsel, referred to  
2 the prior discussion regarding the International  
3 Conference of Funeral Services Examining Boards grant  
4 and recommended the Board make a motion to solidify  
5 Mr. DuPree's interest in attending. She stated the  
6 issue could be placed on the January agenda to discuss  
7 filling the two other positions.]

8 CHAIRMAN HARRIS:

9 I would make a motion to prepare to send  
10 Kenneth to this conference, and I would  
11 ask for a second.

12 MS. RODRIGUEZ:

13 Second.

14 CHAIRMAN HARRIS:

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

18 [The motion carried unanimously.]

19 \*\*\*

20 [William G. Harris, Chairman, Professional Member,  
21 wished everyone a healthy and wonderful Thanksgiving  
22 and Christmas.]

23 \*\*\*

24 Adjournment

25 CHAIRMAN HARRIS:

1 Do I hear a motion to conclude the  
2 meeting today?

3 MR. KUKUCHKA:

4 So moved.

5 CHAIRMAN HARRIS:

6 Do we have a second?

7 COMMISSIONER JOHNSON:

8 Second.

9 CHAIRMAN HARRIS:

10 We have a motion and a second. All in  
11 favor, signify by saying aye. Is  
12 anybody opposed to concluding this  
13 meeting?

14 [The motion carried unanimously.]

15 \*\*\*

16 [There being no further business, the State Board of  
17 Funeral Directors Meeting adjourned at 11:22 a.m.]

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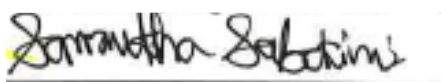
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CERTIFICATE

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.



Samantha Sabatini,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF FUNERAL DIRECTORS  
REFERENCE INDEX

November 23, 2021

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8		
9	9:00	Executive Session
10	10:30	Return to Open Session
11		
12	10:32	Official Call to Order
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14	10:32	Roll Call
15		
16	10:33	Approval of Minutes
17		
18	10:34	Report of Prosecutorial Division
19		
20	10:34	Report of Board Counsel
21		
22	10:36	Requests for Review
23		
24	10:36	Items for Discussion
25		
26	10:47	Report of Commissioner
27		
28	10:49	Appointment - 50 State Comparison Report
29		
30	11:06	Appointment - Bureau of Finance and
31		Operations Annual Budget Presentation
32		
33	11:11	Report of Board Chair
34		
35	11:12	Report of Board Administrator
36		
37	11:16	Introduction of Attendees
38		
39	11:16	Public Comments
40		
41	11:22	Adjournment
42		
43		
44		
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