

These minutes have been approved by the Board on 7.23.2020

**MINUTES OF THE MEETING OF THE
BOARD OF FUNERAL DIRECTING AND EMBALMING**

January 23, 2020

1. ROLL CALL

The meeting of the Board of Funeral Directing and Embalming was called to order by Leo Seger, Chair, at 8:30 a.m., in the Nebraska State Office Building, Lower Level Conference Room C, Lincoln, Nebraska. Copies of the agenda were mailed to the Board Members and other interested parties in accordance with the Open Meetings Law.

Members Present: The following members answered roll call:

Lawrence Battaglia, Vice-Chair

Steven Brunken, Member

Leo Seger, Chair

Arvid Wiest, Secretary

Others Present:

Kris Chiles, Program Manager, Licensure Unit

Heidi Weiland, Health Licensing Coordinator

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Brunken moved, seconded by Wiest, to adopt the agenda. A voice vote was taken. Voting aye: Battaglia, Brunken, Seger, Wiest (4). Voting nay: None (0). Absent: None (0). Motion carried.

3. APPROVAL OF MINUTES (10.24.2019)

MOTION: Battaglia moved, seconded by Brunken, to approve the minutes of 10.24.2019. A voice vote was taken. Voting aye: Battaglia, Brunken, Seger, Wiest (4). Voting nay: None (0). Absent: None (0). Motion carried.

4. INVESTIGATIONAL REPORTS & OTHER CONFIDENTIAL INFORMATION – CLOSED SESSION

MOTION: Battaglia moved, seconded by Wiest, to enter into closed session at 8:33 a.m. to hear discussions of an investigative/confidential nature, and for the prevention of needless injury to the reputation of the individuals. Seger repeated the motion purpose. A roll call vote was taken. Voting aye: Battaglia, Brunken, Seger, Wiest (4). Voting nay: None (0). Absent: None (0). Motion carried.

MOTION: Brunken moved, seconded by Battaglia, to return to open session at 8:45 a.m. A roll call vote was taken. Voting aye: Battaglia, Brunken, Seger, Wiest (4). Voting nay: None (0). Absent: None (0). Motion carried.

5. REVIEW AND RECOMMENDATIONS – OPEN SESSION

Logan Schneider – Apprentice Applicant

MOTION: Brunken moved, seconded by Battaglia, to recommend issuance of the license with no terms and conditions. A roll call vote was taken. Voting aye: Battaglia, Brunken, Seger, Wiest (4) Voting nay: None (0). Absent: None (0). Motion carried.

6. UPDATES AND REPORTS

a. Regulation Update, Chapters 67, 68, 69

There were a public hearing on 12.11.2019. No comments or testimonies were made by the public. Chiles provided the steps in the regulation changes:

1. Board of Health review (meeting will be held 10.28.19)
2. Director of Public Health review
3. Attorney General review
4. Governor review
5. File with Secretary of State
6. 5 days following filing with the Secretary of State, the regulations are effective

Chapter 67 – Regarding continuing education, every renewal, funeral directors and embalmers will be required to take the jurisprudence examination and the hours required will change from 16 to 12, of those 12, 8 can be home study.

Battaglia disagrees with the decrease in continuing education hours as he feels they need more education as funeral directors.

Chiles and board will work on new questions for the jurisprudence exam as they work on this every 2 years to revise the test questions.

Chapter 68 – Changes will be made removing details in the embalming room and body refrigeration within 24 hours as specified in 006.04(A).

Chapter 69 – Changes have been sent to the Board of Health, once approved will be sent to Attorney General's office. No action needed at this time.

b. Nebraska Funeral Directing Association (NEFDA) <http://nefda.org>

Seeger would like their representation at the Funeral Directing and Embalmers board meetings. Wiest suggested they are put on the agenda so their representation is scheduled. This way NEFDA can update the members on updated topics prior to the meeting. Chiles will contact them and obtain information for upcoming agendas. Brunken encourages NEFDA to come present ideas.

c. International Conference of Funeral Service Examination Board, Inc. (ICFSEB)

Wiest received a grant to attend the next conference in Palm Coast, Florida, on February 19-20, 2020. Chiles advised the board has finances for another board member to attend as she nor Seeger could go. Wiest needs to submit travel request.

d. Disciplinary and Non-Disciplinary Actions, Administrative Penalties, and License and Examination Statistics

Chiles reported on the Disciplinary and Non-Disciplinary Actions, Licensure and Examination Statistics:

Examinations since January 1, 2019:

Jurisprudence – 10 pass, 2 fail
Vital Statistics – 11 pass
Jurisprudence (CE) – 34 pass
National Arts – 8 pass, 1 fail
National Science – 9 pass

Active license statistics:

Apprentice, full – 11
Apprentice, split 1 – 2
Apprentice, split 2 - 0
Branch Establishment – 102
Embalmer – 0
Funeral Director – 2
Funeral Director and Embalmer – 415
Funeral Establishment – 171

With renewal coming, Brunken suggested an email to all of the licensees to remember to finish their continuing education and complete the renewal.

Chiles inquired about the percentage of licensees we should be auditing. In 2018, it was 5% of the licensees.

MOTION: Brunken moved, seconded by Battaglia, to audit 5% of the licensees for the upcoming 2020 renewal. A roll call vote was taken. Voting aye: Battaglia, Brunken, Seger, Wiest (4). Voting nay: None (0). Absent: None (0). Motion carried.

7. NEW BUSINESS

- a. **2020 Legislative Session** – Current session has ended, Chiles didn't see anything for Funeral Director and Embalmer

Future legislative items to be introduced includes:

- Initial education hours especially in Chemistry
- Combining establishment licenses instead of having a separate license for a branch and funeral establishment
- Composting bodies

Seger stated he was getting frustrated with physicians not signing the death certificate in a reasonable amount of time.

- b. **Approval of Method of Noticing Meeting Agendas**

Current process is post the agendas on the website, in the lobby of the department or have individuals on a mailing list.

MOTION: Battaglia moved, seconded by Wiest, to approve the current method of meeting agendas. A roll call vote was taken. Voting aye: Battaglia, Brunken, Seger, Wiest (4). Voting nay: None (0). Absent: None (0). Motion carried.

- c. **Elections and Appointments**

Current Officers: Seger – Chair, Battaglia – Vice Chair, Wiest – Secretary

MOTION: Battaglia moved, seconded by Wiest to assign new officers as the following: Brunken – Chair, Wiest – Vice Chair and Battaglia – Secretary. A roll call vote was taken. Voting aye: Battaglia, Brunken, Seger, Wiest (4). Voting nay: None (0). Absent: None (0). Motion carried.

Investigative Consultant – Seger

8. CLOSED SESSION: Review and Score Examinations

No licensees have finished testing at this time.

The board members advised there is a potential conflict in the meeting for April. There is a Funeral Director and Embalmer convention in Kearney. They need to change the meeting from 4.30.20 to 4.23.20.

9:42 a.m. - Break

9. ADJOURNMENT

There being no further business, the chair declared the meeting adjourned at 10:16 a.m.

Lawrence Battaglia, Secretary
Board of Funeral Directing and Embalming

Summarized by: Heidi Weiland, Health Licensing Coordinator, Licensure Unit