

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

July 26, 2018

These minutes were approved by the board on October 25, 2018
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1. ROLL CALL

The meeting of the Board of Funeral Directing and Embalming was called to order by Leo Seger, Chair, at 8:31 a.m., in the Nebraska State Office Building, Lower Level Conference Room A, Lincoln, Nebraska. Copies of the agenda were mailed to the Board Members and other interested parties in accordance with the Open Meetings Law. The following members answered roll call:

Members Present

Lawrence Battaglia	Vice-Chair
Steven Brunken	Member
Leo Seger	Chair

Members Absent

Arvid Wiest	Secretary
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Others Present

Ami Huff	Assistant Attorney General
Kris Chiles	Program Manager, Licensure Unit
Larry Wiehn	Investigator

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Brunken moved, seconded by Battaglia, to adopt the agenda. A roll call vote was taken. Voting aye: Battaglia, Brunken, Seger (3). Voting nay: None (0). Absent: Wiest (1). Motion carried.

3. APPROVAL OF MINUTES (5-3-18)

MOTION: Brunken moved, seconded by Battaglia, to approve the minutes of 5-3-18. A roll call vote was taken. Voting aye: Battaglia, Brunken, Seger (3). Voting nay: None (0). Absent: Wiest (1). Abstain: None (0). Motion carried.

4. INVESTIGATIONAL REPORTS & OTHER CONFIDENTIAL INFORMATION – CLOSED SESSION

MOTION: Brunken moved, seconded by Battaglia, 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 this motion purpose. A roll call vote was taken. Voting aye: Battaglia, Brunken, Seger (3). Voting nay: None (0). Absent: Wiest (1). Motion carried.

8:41 a.m.	-	Brunken departed meeting (conflict)
8:52 a.m.	-	Brunken entered meeting
		Battaglia departed meeting (conflict)
8:54 a.m.	-	Battaglia entered meeting
		Wiehn departed meeting

MOTION: Battaglia moved, seconded by Brunken, to return to open session at 8:55 a.m. A roll call vote was taken. Voting aye: Battaglia, Brunken, Seger (3). Voting nay: None (0). Absent: Wiest (1). Motion carried.

5. REVIEW AND RECOMMENDATIONS – OPEN SESSION

There were no applications for review.

6. UNFINISHED BUSINESS

- a. Regulation Process and Suggested Regulation/Statutory Revisions (refrigeration duration, pre-mortuary educational areas, other)

Chiles advised the Board that their draft regulations were on the second priority list. The Nebraska Funeral Directing Association (NEFDA) appears to support changes in the suggested education areas. Seger suggested giving a personal invitation to the NEFDA to attend Board meetings to foster relationships and maybe some Board members attend the NEFDA meetings. This may help understanding of the role of this Board which is public protection. Also discussed sharing information with the Association such as Board minutes.

It was discussed that during inspections, inspectors need to inform managers that the regulations may be revised in the future.

7. UPDATES AND REPORTS

a. 2018 Legislative Session

LB 299 – This bill passed and allows a person, who has a criminal conviction, to submit to the licensing board a preliminary application for a determination as to whether the individual's criminal conviction would disqualify the individual from obtaining the license. Beginning in 2019, each standing committee of the legislature will annually review approximately 20% of the occupational regulations and submit an annual report to the Clerk of the Legislature by 12/15 of each year.

LB 743 – This is an insurance bill which Battaglia discussed.

b. Inspection Report

There was a discussion about inspecting and perhaps contracting for inspections.

c. Nebraska Funeral Directing Association (NEFDA)

At NEFDA's May 8-10 meeting, members discussed possible changes, such as, reducing continuing education hours and changing the educational hours required for initial licensure. Brunken suggested providing a news article for the NEFDA newsletter. Topics suggested were: reminder of some inspection issues, mandatory reporting, providing a link to the DHHS discipline list

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

Brunken commented he was tentatively looking into going to the ICFSEB meeting in February or March.

MOTION: Brunken moved, seconded by Battaglia, to expend funds for a member to attend the upcoming ICFSEB conference. A roll call vote was taken. Voting aye: Battaglia, Brunken, Seger (3). Voting nay: None (0). Absent: Wiest (1). Motion carried.

e. Disciplinary and Non-Disciplinary Action Report / Licensure and Examination Statistics

Chiles circulated the Disciplinary and Non-Disciplinary Action Report.

Chiles provided the following examination results since January 2018:

Jurisprudence – 4 pass
Vital statistics – 4 pass
Jurisprudence, CE – 16 pass
National Arts Exam – 2 pass
National Science Exam – 2 pass

Chiles provided the following active license statistics:

Apprentice, full – 7
Apprentice, split 1 – 4
Apprentice, split 2 - 1
Branch Establishment – 100
Embalmer – 0
Funeral Director – 2
Funeral Director and Embalmer – 397
Funeral Establishment – 168

8. METHOD FOR ADMINISTRATING JURISPRUDENCE/VITAL STATISTICS EXAMINATIONS

Chiles suggested that the Board consider whether there might be another method to administer the jurisprudence/vital statistics examinations. She discussed that it can be burdensome for the applicant to incur the expense and time of traveling to Lincoln to take these examinations. Some Board members expressed that it allowed them the opportunity to meet the applicants and go over the test with them. It was agreed to continue to discuss this at future meetings.

9. SCORE JURISPRUDENCE/VITAL STATISTICS EXAMINATIONS

MOTION: Brunken moved, seconded by Battaglia, to enter into closed session at 10:01 a.m. for discussions of a confidential nature and scoring the licensure examination. A roll call vote was taken. Voting aye: Battaglia, Brunken, Seger (3). Voting nay: None (0). Absent: Wiest (1). Motion carried.

10:01 p.m. - Huff departed meeting

MOTION: Battaglia moved, seconded by Brunken, to return to open session at 10:46 a.m. A roll call vote was taken. Voting aye: Battaglia, Brunken, Seger (3). Voting nay: Wiest (1). Absent: None (0). Motion carried.

10. ADJOURNMENT

MOTION: Battaglia moved, seconded by Brunken, to adjourn. A roll call vote was taken. Voting aye: Battaglia, Brunken, Seger (3). Voting nay: Wiest (1). Absent: None (0). Motion carried.

There being no further business, the chair declared the meeting adjourned at 10:47 a.m.

Respectfully submitted, _____ Arvid Wiest, Secretary Board of Funeral Directing and Embalming
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Next Meeting: 10-25-18

Summarized by: Nancy Herdman, Health Licensing Coordinator