



NOTICE OF MEETING and AGENDA BOARD OF FUNERAL DIRECTING AND EMBALMING

This meeting will be held in-person. The public is welcome to attend any Open Session discussion in the Lower Level, Goldenrod Room. This meeting will also be available to the **public** to participate by WEBEX using this link: <https://sonvideo.webex.com/sonvideo/j.php?MTID=mma21993f7a37788250e6068b370c822>

or call in information is 1-408-418-9388 using meeting number of 2480 231 9550

AGENDA		Date Posted: 2.2.2024
<p>Date: Monday February 22, 2024 8:30 a.m.</p> <p>Location: State Office Building (14th & M st) 301 Centennial Mall S. Lower Level, Morrill Room Lincoln</p> <p>Contact: Carrie Oldehoft, Health Licensing Coordinator, 402-471-4918 or Dhhs.licensure2117@nebraska.gov</p> <p>Nebraska Open Meetings Act: 84-1407 through 84-1414 https://ago.nebraska.gov/open-meetings</p>	1	Call Meeting to Order and Roll Call Announcement: There is a current copy of the Open Meetings Act posted on the door to the meeting room.
	2	Adoption of Agenda
	3	Approval of Minutes
	4	CLOSED SESSION (approx 8:45 am): Investigative Reports & Other Confidential Information Purpose: To hear discussions of investigative/confidential nature, and for the prevention of needless injury to the reputation of the individuals
	4	OPEN SESSION (approx 9:00 am): Application Review and Recommendations a. Convictions / Reinstatements / Unlicensed Practice or Operation
	5	Updates and Reports a. 2024 Legislation b. Regulation updates c. Nebraska Funeral Directing Association (NEFDA) http://www.nefda.org d. International Conference of Funeral Service Examination Board, Inc. (ICFSEB) http://www.theconferenceonline.org e. Disciplinary and Non-Disciplinary Action Reports, Renewal, License and Examination Statistics (attached)
	6	Public Comment
	7	Annual Business a. Meeting dates for 2024 b. Board Goals for 2024 c. Elections and Appointments (officers, investigative consultant, ICFSEB delegate) d. Approval of Method of Noticing Meeting Agendas https://ago.nebraska.gov/open-meetings (attached to agenda) e. Per Diem Payments (Neb. Rev. Stat. §38-171 – attached to agenda)
8	Adjournment (approx. 10:00 am)	
<p>All items known at the time of distribution of this agenda are listed. A current agenda is available in the Licensure Unit and at the following website: https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx If auxiliary aids or reasonable accommodations are needed for attendance at a meeting, please call the Licensure Unit at (402) 471-2117 (voice), or for persons with hearing impairments, please call the Nebraska Relay System, 711 TDD, prior to the meeting date. Advance notice of seven days is needed when requesting an interpreter.</p>		<p>2024 Meeting Dates:</p> <p>1.29.2024-cancelled 2.22.2024 4.29.2024 7.29.2024 10.28.2024</p>

Agenda Items 5c

License Statistics:

		SUMMARY COUNT OF LICENSES B	
Profession	License Statuses: License Types	Active	Active-Military
Funeral Directing	Apprentice-Full	4	
	Apprentice-Split 1		
	Apprentice-Split 2	3	
	Branch Establishment	86	
	Embalmer		
	Funeral Director	1	
	Funeral Director and Embalmer	363	1
	Funeral Establishment	148	
	Grand Total	605	1

Disciplinary/Non-Disciplinary Actions Since: (no reports in 2024 as of 2.2.24)

COMPLIANCE LISTING REPORT						
Profession: Funeral Directing Action Start Date Range: 01/01/2023 to 01/12/2024					Run Date: 01/12/2024 Page No: Page 1 of 1	
Licensee Name	License No	License Type	License Status	Disciplinary Action	Action Start	Action End
Colonial Chapel Funeral Home	2201	Funeral Establishment	Active	Nondisciplinary Assurance of Compliance	09/01/2023	
Kremer Funeral Home	2231	Funeral Establishment	Revocation	Amended Petition	08/22/2023	09/13/2023
Kremer Funeral Home	2231	Funeral Establishment	Revocation	Petition for Disciplinary Action Filed	07/11/2023	08/22/2023
Kremer Funeral Home	2231	Funeral Establishment	Revocation	Revocation	09/23/2023	
Nabity, Gregory L	997	Funeral Director and E	Active	Other	03/01/2023	04/30/2023
Nabity, Gregory L	997	Funeral Director and E	Active	Censure	03/01/2023	
Nabity, Gregory L	997	Funeral Director and E	Active	Petition for Disciplinary Action Filed	02/24/2023	03/01/2023
Seger, Paul Andrew	1425	Funeral Director and E	Active	Nondisciplinary Assurance of Compliance	09/19/2023	
Sheffield, Travis W	1399	Funeral Director and E	Revocation	Revocation	09/23/2023	
Sheffield, Travis W	1399	Funeral Director and E	Revocation	Petition for Disciplinary Action Filed	07/11/2023	09/13/2023
Sievers-Sprick Funeral Home	2415	Funeral Establishment	Active	Probation	03/16/2023	03/16/2024

Examinations: (no reports in 2024 as of 2.2.24)

EXAMINATION STATISTICS SUMMARY REPORT			
Profession: Funeral Directing Date Range: 01/01/2023 to 1/12/2024			Run Date: 01/12/2024 Page No: Page 1 of 1
Exam Battery	Exam Name	Result Status	Number of Candidates per Result Status
Funeral Directing and	1-JURISPRUDENCE	Pass	11
	2-VITAL STATISTICS	Pass	9
National Arts Exam	3-ARTS TOTAL	Pass	10
National Science Exam	4-SCIENCE TOTAL	Pass	11
Jurisprudence - CE	Jurisprudence - CE	Pass	19
	Jurisprudence - CE	Fail	2
Jurisprudence -	Jurisprudence - CE	Pass	2

Renewals:

46 Funeral Director and Embalmer licenses not renewed yet

Agenda Item #3

These minutes have not been approved by the Board

**MINUTES OF THE MEETING OF THE
BOARD OF FUNERAL DIRECTING AND EMBALMING
October 26, 2023**

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 Lower Level Goldenrod Room, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. In accordance with § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were 1) emailed to the Board members and other interested parties, and 2) posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and on the bulletin board in the Licensure Unit Lobby on 10.13.2023.

The following members answered roll call:

Members Present (4):

Steven Brunken, Member
Arvid Wiest, Secretary
Leo Seger, Chairperson

Members Absent (0):

Lawrence Battaglia, Vice Chair

Others Present (7):

TJ O'Neill, Assistant Attorney General
Abigail Hoy Nissen, Assistant Attorney General
Dina Mekic, Program Manager, Licensure Unit
Carrie Oldehoeft, Health Licensing Board Coordinator
Danielle Sund, DHHS Attorney
Sarah Bohnenkamp-Vital Records
Sean Loving-Vital Records

Public (vis WebEx and in room)

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: Brunken, Wiest, Seger(3). Voting nay: None (0). Absent: Battaglia (1). Motion carried.

3. APPROVAL OF MINUTES

MOTION: Arvid moved, seconded by Brunken, to approve the minutes of 7.27.2023. A voice vote was taken. Voting aye: Brunken, Wiest, Seger(3). Voting nay: None (0). Absent: Battaglia (1). Motion carried.

4. Vital Statistics/online death certifications

Board discussion with vital records staff regarding the online death certificate system and paper filing for fetal death certificates. Vital Records reported that they are working towards an updated system, which will change the fetal death certificate filing system.

8:47 am public exited room

8:49 am public entered room

8:54 am Nissen exited room

9:11 am Vital Records exited room

9:11 am O'Neill exited room

9:13 am O'Neill entered room

5. UPDATES AND REPORTS

Updates and Reports

- b. Nebraska Funeral Directing Association (NEFDA) <http://www.nefda.org>
No representation at the meeting. Seger reported they did have a scholarship meeting, there were 3 scholarship applications and all 3 were given, no additional reports.
Discussion on death certification forms, transit permits and electronic versus handwrote records moving toward online forms, licensee applicant will complete electronic form print and mail in for the exam.

10:20 am public exited

- c. International Conference of Funeral Service Examination Board, Inc. (ICFSEB) <http://www.theconferenceonline.org>
Exam candidate portal launched (see attached information)

MOTION: Brunken moved, seconded by Seger, to approve Board to cover 1 person to attend conference. Wiest will be option with Brunken as a secondary. A voice vote was taken. Voting aye: Brunken, Wiest, Seger(3). Voting nay: None (0). Absent: Battaglia (1). Motion carried

- d. Disciplinary and Non-Disciplinary Action Reports, Renewal, License and Examination Statistics (attached)

6. CANA Crematory Operations Certification Program (online version)

Board discussion that they will accept the online version.

7. Disinterring Cremated remains

Board discussion on determining date of death when a patient is kept alive by machine. Determined it should be date of death not date taken off support. Board discussion with Vital Records regarding need for disinterment to move cremains.

8. Public comments

Public expressed concern regarding the amount of time that applications are taking to be processed. Mekić explained that the Department is working on the situation.

9. INVESTIGATIONAL REPORTS & OTHER CONFIDENTIAL INFORMATION – CLOSED SESSION

MOTION: Brunken moved, seconded by Weist, to enter into closed session at 10:26 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 voice vote was taken. Voting aye: Brunken, Wiest, Seger(3). Voting nay: None (0). Absent: Battaglia (1). Motion carried

Public moved to lobby of WebEx and exited the room

Board agreed to move to open session at 10:31 am

5. REVIEW AND RECOMMENDATIONS – OPEN SESSION

No applications for review

12. ADJOURNMENT

The next meeting is scheduled for 1.29.2024. There being no further business, the chair declared the meeting adjourned at 10:35 a.m.

Arvid Wiest, Secretary
Board of Funeral Directing and Embalming

Summarized by: Carrie Oldehoeft, Health Licensing Coordinator, Licensure Unit

Agenda Item #7

38-171. Board; advisory committee or body; compensation; limitation; expenses.

Each member of a board shall, in addition to necessary traveling and lodging expenses, receive a per diem for each day actually engaged in the discharge of his or her duties, including compensation for the time spent in traveling to and from the place of conducting business. Traveling and lodging expenses shall be on the same basis as provided in sections 81-1174 to 81-1177. The compensation per day shall not exceed fifty dollars and shall be determined by each board with the approval of the department. Persons serving on an advisory committee or body under section 38-161 shall receive remuneration of expenses as provided in sections 81-1174 to 81-1177, including compensation for time spent in traveling to and from the place of conducting business, and a per diem of fifty dollars.

Some Samples for consideration:

1. \$50 For 1 day of preparation for each meeting (investigations/applications).
2. \$50 Attending the Board meeting (in person or by conference call).
3. \$50 Each day of travel where overnight arrangements have been made (board meeting or national meeting).
4. \$50 Each day the member is representing the board at a national meeting of state licensing boards.
5. \$50 Regulation Hearing, Legislative Hearing, or other board related meetings when representing the Board (prior board approval required).

PUBLIC MEETINGS: NOTICE AND AGENDA REQUIRED

<https://ago.nebraska.gov/open-meetings>

E. Section 84-1411 sets out several requirements for the notice which must be given for a public meeting and for the agenda which must be prepared: (1) the public body must give reasonable advance publicized notice of the time and place of each meeting, (2) that notice must be transmitted to all members of the body and to the public, (3) the notice must contain an agenda of subjects known at the time of the publicized notice, or a statement that such an agenda, which must be kept continually current, is readily available for inspection at the principal office of the public body during normal business hours.

1. **Notice.** 2020 Neb. Laws LB 148, § 3 placed restrictions on certain public bodies with respect to publication of meeting notices. Under § 84-1411(1)(b)(i)-(iii), governing bodies of political subdivisions and their advisory committees must publish notice in a newspaper of general circulation within the public body's jurisdiction and, if available, on the newspaper's web site. Governing bodies of cities of the second class or villages and their advisory committees must either publish notice in a newspaper of general circulation within the public body's jurisdiction and, if available, on the newspaper's web site, or by posting written notice in three conspicuous public places in the city or village. The posting locations shall remain the same for each meeting. For all other public bodies, notice shall be given by a method designated by the public body. Governing bodies of political subdivisions and their advisory committees may, in addition to the requirements set out above, provide notice of their meetings by any other appropriate method designated by the public body. Section 84-1411(1)(c). Section 84-1411(1)(d) requires each public body to record the method(s) and date(s) of such notice in its minutes. Public bodies holding meetings by videoconferencing and telephone conference call, as provided in § 84-1411(2) and (3) respectively, must follow the meeting notification requirements in § 84-1411(1).