

These minutes have been approved by the Board as of 07.21.2022

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

May 5, 2022

1. ROLL CALL

The meeting of the Board of Funeral Directing and Embalming was called to order by Steven Brunken, Chair, at 8:30 a.m., in the Lower Level B, 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 04.25.2022.

The following members answered roll call:

Members Present (3):

The following members answered roll call:

Lawrence Battaglia, Secretary (on call)
Steven Brunken, Chairperson (in person)
Arvid Wiest, Vice Chair (on call)

Members Absent (1):

Leo Seger, Member

Others Present (3):

Kris Chiles, Program Manager, Licensure Unit (in room)
Joe Neuhaus, Assistant Attorney General (in room)

A quorum was present and the meeting convened.

8:42 am Seger entered call

2. ADOPTION OF AGENDA

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

8:50 am Public-Paul Seger, NFDA member entered call

3. APPROVAL OF MINUTES (1.27.2022)

MOTION: Seger moved, seconded by Battaglia, to approve the minutes of 01-27-2022, with corrections, to item 4.2022 legislation. A voice vote was taken. Voting aye: Battaglia, Brunken, Seger, Wiest (4). Voting nay: None (0). Absent: (0). Motion carried.

9:00 am Public entered room

4. 2022 Legislation

Chiles reported on March 14, the Governor signed LB 704. To assist in the implementation of this bill, we need to start identifying what courses may be included in the '12 hours of business' to assure we are all on the same page, that students and applicants know what the expectation is, and to consider including such information in regulations in the near future. In addition to the business definition, perhaps we should also provide examples of classes/topics that may also fit the other specified course work areas.

LB 704 Statute References with new legislation in **RED**:

38-1414. Funeral directing and embalming; license; requirements. (1) The department shall issue a single license to practice funeral directing and embalming to applicants who meet the requirements of this section. An applicant for a license as a funeral director and embalmer shall: (a) Present satisfactory proof that the applicant has earned the equivalent of ~~sixty~~ **FORTY** semester hours of college credit in addition to a full course of instruction in an accredited school of mortuary science. Such hours shall include the equivalent of (i) six semester hours of English, (ii) ~~six~~ **TWELVE** semester hours of ~~accounting~~ **BUSINESS**, (iii) ~~eight~~ **FOUR** semester hours of chemistry, (iv) twelve semester hours of a biological science relating to the human body, and (v) six semester hours of psychology or counseling; and (b) Present proof to the department that he or she has completed the following training: (i) A full course of instruction in an accredited school of mortuary science; (ii) A twelve-month apprenticeship under the supervision of a licensed funeral director and embalmer practicing in the State of Nebraska, which apprenticeship shall consist of arterially embalming twenty-five bodies and assisting with twenty-five funerals; and (iii) Successful completion of the licensure examination approved by the board.

38-1416. Apprenticeship; apprentice license; examination. (1) Before beginning an apprenticeship, an applicant shall apply for an apprentice license. The applicant shall show that he or she has completed ~~thirty-nine~~ **TWENTY** of the ~~sixty~~ **FORTY** hours required in subdivision (1)(a) of section 38-1414

The Board reviewed the following examples and agreed this is a good reference; it courses can be added as reviewed and approved by the Board.

6 semester hours of English. Examples of courses may include, but are not limited to:

- public speaking
- composition
- English
- *language classes????'

12 semester hours of Business. Examples of courses may include, but are not limited to:

- management
- business law/ethics
- business administration
- business communication
- accounting
- finance
- economics
- statistics
- marketing
- information systems/technology
- computer science
- human resources

4 semester hours of Chemistry. Examples of courses may include, but are not limited to:

- organic chemistry
- inorganic chemistry
- general chemistry
- biochemistry
- physical chemistry

12 semester hours of Biology relating to the human body. Examples of courses may include, but are not limited to:

- general biology
- genetics
- microbiology
- physiology
- kinesiology
- anatomy
- immunology
- virology

6 semester hours of Psychology or Counseling. Examples of course may include, but are not limited to:

- sociology
- psychology
- counseling
- social work
- gender and multicultural issues
- marriage and family therapy

Chiles suggested reviewing apprentice transcripts/files for apprentices and provide feedback to licenses as to any deficiencies.

Paul Seger will ask Sarah Bohnenkamp, Administrator for Vital Records, what the plan is for the July casket sales reports, given the removal of such in LB 704; they will send out a news blast when further information is available.

5. Nebraska Funeral Directing Association (NEFDA)

- a. Nebraska Funeral Directing Association (NEFDA) <http://www.nefda.org>
Paul Seger suggest a change to the regulations, section .007, to require 8 hours of CE and pass the Jurisprudence
- b. Licensing Establishments in Residences - Neb. Rev. Stat. 38-1411 does not prohibit establishments in residences, concerns were voiced and perhaps further discussion should occur.
- c. Assistant to Funeral Directors – would like to see legislation introduced before 2024, perhaps consider expanding duties for those services that do not required a license (172 NAC 68, section 005.02).

9:43 am Seger off call
9:48 am Houston off call
9:49 am Public, Paul Segar off call

6. Inspections

Send out listings with inspection forms, look into contractual inspectors or state employee.

7. Updates and Reports

National average 76%, Science section 75% - 286 took 215 failed
1st time takes 45% failed, repeat takes 75% failed

Brunken will reach out to the International Conference of Funeral Service Examining Boards to see what schools have failures (online vs traditional)

8. ADJOURNMENT

The next meeting is scheduled for 7.21.2022 as a conference call. There being no further business, the chair declared the meeting adjourned at 10:01 a.m.

Lawrence Battaglia, Secretary
Board of Funeral Directing and Embalming

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