

BOARD MEETING MINUTES

September 28, 2018

The North Carolina Board of Funeral Service met for a duly scheduled Board Meeting at 9:01 a.m. on September 28, 2018, by conference call.

Present: Matt Staton, President; Charles Graves, Vice President; Steve Herndon, Secretary; Valdus Lockhart; Chris Watson; Don Brown; Mike Stone; Mark Blake; and Craig Olive all joined by teleconference.

Also Present: Stephen Davis, Executive Director; Catherine Lee, General Counsel; and Amy Mauldin, Assistant Director.

CONTINUING EDUCATION REPORT:

All members of the Continuing Education Committee met by conference call on September 7, 2018, and discussed the following:

Committee members heard a presentation from the Executive Director concerning a proposed initiative to convene a project team to study the current practices associated with the Board's Continuing Education Program and to recommend improvements including the following objectives:

- Where possible, create on-line or digital forms to eliminate cumbersome paper forms and documents
- Revise and update the current Instructions and Guidelines for prospective Sponsors
- Eliminate Form CE4, Continuing Education Class Report
- Combine the two forms currently required for Course Approval
- Combine the two forms currently required for Sponsor/Provider Approval
- Identification of program measures and other metrics to enable evaluation of the CE program

Mr. Brown noted that his involvement with the Funeral Directors and Morticians Association of NC as well as other national funeral service organizations reminded him that scanning technology and other technology applications are widely used and would be good opportunities for the project team to study and consider in its deliberations.

Mr. Davis drew attention to an Executive Summary that he had prepared for the Committee's review prior to the meeting which included additional details. Mr. Graves expressed support for the concept and led a discussion of the need to review the existing program to determine how it might become more efficient especially with the application of technology and other streamlining measures. Mr. Graves also noted that the proposed improvements would be less cumbersome for both licensees as well as those providing the instruction.

Recommendation: The Committee unanimously approved a recommendation to the full Board for Mr. Davis to proceed with the development of a study team and to develop a comprehensive proposal for restructuring the Continuing Education program to include sample auditing of CE courses.

Mr. Blake asked for clarification on no longer using the three-part cards for licensees who attend continuing education courses. Discussion ensued.

Mr. Blake recommended that the CE study team look into adding a barcode onto licensee pocket cards to better track continuing education credits.

Mr. Lockhart offered additional information regarding how other states track continuing education credits. Discussion ensued.

Mr. Lockhart made a motion to approve a staff study team, Mr. Brown seconded, and the motion carried.

TRAINEESHIP COMMITTEE:

All members of the Traineeship Committee met by conference call on August 15, 2018, and made the following recommendations:

Recommendation 1:

Trainee Megan Reese requested that she be allowed to amend and resubmit prior trainee work reports. The Committee was unanimous in its decision to recommend to the full Board that Ms. Reese's request to amend her Monthly Report be denied.

Mr. Blake offered additional information regarding recommendation 1. Discussion ensued.

Recommendation 2:

Trainee Ronald Murray requested that he be allowed to amend the hours and resubmit prior trainee work reports. The Committee was unanimous in its conclusion that the Board should disallow Mr. Murray's request to amend the Monthly Report that he submitted. The Committee noted that it would be receptive to reviewing additional documentation that would substantiate the hours he failed to report.

Mr. Blake made a motion to accept the recommendations. Mr. Lockhart seconded, and the motion carried.

PRENEED COMMITTEE:

All members of the Preneed Committee met on September 6, 2018 and made the following recommendations:

Discussion No. 1: Preneed Bond Waiver Request

Members discussed a letter from a licensed funeral establishment requesting waiver of the requirement for a pre-need bond based on financial information submitted with the request. The licensed funeral establishment provided a balance sheet prepared by a certified public accountant that is not more than 90 days old and shows solvency by the establishment.

Recommendation 1: The Committee recommended that the full Board approve the request for a waiver.

Discussion No. 2: Request for Order of Revocation

Members discussed a request for an Order of Revocation from a consumer holding an irrevocable preneed contract in North Carolina. The consumer has moved to South Carolina and has submitted a written copy of a new preneed funeral contract executed in South Carolina, contingent upon the Board's approval of the revocation of the irrevocable preneed contract in North Carolina.

Recommendation 2: The Committee recommended that the full Board issue an Order of Revocation for said consumer.

Discussion No. 3 Education and Outreach Efforts with Pro Bono Service Entities Regarding Obtaining Orders of Revocation from the General Courts

Ms. Lee offered additional information regarding Recommendation 1.

Ms. Lee offered additional information regarding recommendation 3.

Mr. Lockhart asked for clarification regarding guidance not only for pro bono attorneys, but for the general public as well. Discussion ensued.

Mr. Blake made a motion to accept recommendations 1 and 2. Mr. Brown seconded, and the motion carried.

All members of the Preneed Committee met by conference call on September 27, 2018, and made the following recommendations:

Recommendation 1: Approve Preneed Recovery Fund Claim # P18-005 in the amount of \$5,000.00.

Ms. Lee offered additional information regarding recommendation 1.

Recommendation 2: Deny Preneed Recovery Fund Claim # P18-0012 because the alleged financial loss was not the result of the actions of an individual or entity licensed under Article 13D of Chapter 90 of the North Carolina General Statutes, as required by N.C. Gen. Stat. § 90-210.66(a).

Ms. Lee offered additional information regarding recommendation 2.

Mr. Blake made motion to accept both recommendations. Mr. Brown seconded, and the motion carried.

DISCIPLINARY COMMITTEE:

All members of the Disciplinary Committee met by conference call and made the following recommendations:

Dismissals – C18-0042; C18-0055; C18-0056; C18-0059; C18-0061; C18-0062

Letters of Caution – C18-0054; C18-0057*; M18-0037; M18-0047; M18-0049; M18-0050; M18-0052; M18-0053; M18-0054; M18-0055; M18-0056; M18-0057; M18-0058

Notice of Hearing – C18-0046

Other – M18-0048

*Mr. Blake recused himself from C18-0057.

Mr. Lockhart made a motion to accept recommendations with the exception of C18-0057. Mr. Graves seconded, and the motion carried.

Mr. Lockhart made a motion to accept the recommendation for C18-0057, Mr. Olive seconded, and the motion carried.

Ms. Lee recommended that the Board issue a summary suspension regarding M18-0036. Discussion ensued.

Mr. Lockhart made a motion to issue a summary suspension for M18-0036. Mr. Graves seconded, and the motion carried.

Mr. Blake asked for clarification on how Board staff handles nuisance complaints. Discussion ensued.

FINANCE AND PERSONNEL COMMITTEE REPORT:

All members of the Finance & Personnel Committee met via teleconference on September 7, 2018. The Committee discussed the following items:

- August Profit & Loss Statement
- August Balance Sheet
- Time and Attendance Issues

Mr. Davis offered additional information regarding the Profit & Loss Statement and Balance Sheet.

Mr. Stone asked that Board staff have authority to make major emergency purchases but put a procurement process policy in place. Discussion ensued.

Mr. Herndon made a motion to accept the Profit & Loss Statement and Balance sheet. Mr. Lockhart seconded, and the motion carried.

Mr. Davis offered additional information regarding the time and attendance policy. Mr. Herndon made a recommendation to adopt a standard work schedule of 8:00 am – 5:00pm that applies to all full-time employees who are subject to the provision of the FLSA. Mr. Graves seconded, and the motion carried.

Mr. Davis offered additional information regarding the impact of Hurricane Florence and how to better communicate with licensees regarding resources available to them during times of emergency. Discussion ensued.

Mr. Blake asked for clarification regarding allowing licensees from other states to come in and assist funeral homes during times of mass casualties due to major emergencies. Ms. Lee offered additional information. Discussion ensued.

Mr. Davis offered additional information regarding staff roles in the legal department.

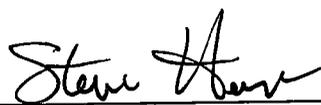
Mr. Herndon made a motion the board go into closed session to discuss personnel matters. Mr. Watson seconded, and the motion carried.

The meeting was brought back into open session.

Mr. Lockhart made a motion to adjourn the meeting. Mr. Olive seconded, and the motion carried.



Matt Staton, President



Steve Herndon, Secretary

October 16, 2018
Date