

NORTH CAROLINA BOARD OF FUNERAL SERVICE

Minutes June 24, 2019 Emergency Board Meeting

The North Carolina Board of Funeral Service met in Emergency Session on June 24, 2019, by conference call at 9:00 a.m. after proper notice in accordance with the NC Open Meetings Law. The meeting took place at the Board's office located at 1033 Wade Avenue, Suite 108, Raleigh, North Carolina.

Present: Steve Herndon, President; Mark Blake, Vice-President; Don Brown, Secretary; Valdus Lockhart; Craig Olive; Mike Stone; Hubert Saunders; and Chris Watson. Charles Graves was not present for the meeting.

Staff: Stephen Davis, Executive Director; Assistant Director Amy Mauldin; and Compliance Officer Brett Lisenbee.

Guests and Visitors: None identified.

Mr. Herndon called the meeting to order at 9:03 a.m. and read the Statement of Ethics. He asked if any members found it necessary to recuse themselves from the meeting. None recused.

Mr. Herndon then asked guests to introduce themselves and invited any public comment. None was offered.

Mr. Herndon recognized Mr. Blake who announced the death of Mr. Rudy Lea, former member and President of the Board and asked that staff assure proper notification and announcement on the Board website.

Mr. Herndon then conveyed the need for the emergency meeting in response to an email that the Executive Director had received on June 18, 2019, on behalf of Representative Jamie Boles. The amendment proposed an exemption for elected officials by creating a provisional licensure category as an alternative to current requirements for licensure as a funeral director. Mr. Herndon summarized the activities and discussions that had occurred since Mr. Davis notified the Board that he had received a proposal for legislation for the exemption. He noted that Mr. Davis met on June 20, 2019, with Representative Boles and Representative Alexander in response to their invitation to meet as a courtesy to the Board. From that meeting, Mr. Davis offered alternative language in an effort to align the proposed legislation with current licensure requirements. Mr. Herndon noted that Mr. Davis had promptly provided the Board with the alternative language simultaneously with sending it to Representative Boles in response to a deadline for submission of amended language to the proposed language. Mr. Stone expressed concern that communication should be approved by the Board prior to submission to legislators. Mr. Davis acknowledged his concern and agreed but reiterated that there was a brief opportunity to rebut the

proposed language. Mr. Herndon noted that Mr. Davis had quickly circulated the alternative language to Board members for their information and review.

Board members discuss the proposed legislation for provisional licensure in terms of its impact of professional standards among funeral service practitioners. Members discussed the role and activities of the NC FDA and the FDMANC in communicating with their membership and in responding to the proposed legislation. It was noted that the NCFDA had circulated Representative Boles' initial email to Mr. Davis among its members but then reconsidered after Representative Boles noted that the communication was confidential. Mr. Herndon noted that the email was a public record and subject to public disclosure.

Mr. Herndon asked members if they had any other thoughts on the matter. Mr. Brown expressed his concerns about a proposed provisional license for funeral directors and stated that such a proposal should not slow or impede the progress of House Bill 554, the technical corrections legislation pending in the Senate to restore the Board's ability to issue the Funeral Director license. Mr. Blake asked if any Board members supported the proposal from Rep. Boles to create a provisional license category for funeral directors. Members were unanimous in stating that they were in opposition to the proposal as presented to Mr. Davis on June 18, 2019.

After further discussion, Mr. Herndon directed Mr. Davis to draft a letter on the Board's behalf stating its position on the proposal for provisional licensure and the basis for the Board's opposition. He further directed Mr. Davis to send the letter to all members of the General Assembly as well as the Governor. Mr. Watson and Mr. Blake echoed Mr. Brown's comments regarding the impact of the proposed legislation on the technical corrections bill pending in the Senate and encouraged Mr. Davis to emphasize the critical need to restore the Board's ability to license Funeral Directors.


Mr. Herndon asked if there were other business items before the Board. Hearing none, he invited a motion for adjournment.

Upon a motion by Mr. Saunders and a second by Mr. Olive, the Board adjourned the emergency session.

Affirmation:



J. Stephen Herndon, President



Don Brown, Secretary

8-14-19

Date