



NORTH CAROLINA BOARD OF FUNERAL SERVICE

Minutes
March 10, 2021, Board Meeting

The North Carolina Board of Funeral Service met for a duly scheduled Board meeting at 9:02 a.m. on March 10, 2021, at the NC Board of Funeral Service office suite at 1033 Wade Avenue, Suite 108, Raleigh, NC 27605. The meeting was livestreamed through YouTube to allow public access and CE credit for licensees.

Present: Don Brown, President; Chris Watson, Vice-President; Steven Lyons, Secretary; Mark Blake; Steve Herndon; Hubert Saunders; Robb Jansen; Darrell McCormick; and Thomas Hilderbrand.

Staff and Counsel: Stephen Davis, Executive Director; Amy Acord, Assistant Director; and Catherine Lee, General Counsel.

Guests and Visitors: Mr. Chase Noble, Executive Administrator, NC Funeral Directors Association.

Mr. Brown called the meeting to order at 9:02 a.m. and read the Statement of Ethics. He then asked Mr. Herndon to offer a prayer. Mr. Brown asked if any members would be recusing themselves. None recused. He then recognized guests in attendance and asked for any public comment. No public comment was offered.

Mr. Brown continued and asked Dr. Lyons to present the minutes from the February 10, 2021, Board meeting.

Approval of Minutes

Upon a motion by Dr. Lyons and a second by Mr. Watson, the Board adopted the February 10, 2021, minutes as presented by unanimous roll-call vote.

Mr. Brown continued the meeting by announcing that a delegation from the NC Department of Health & Human Services/Division of Public Health was joining the meeting at the Board's invitation to offer an update and report on the implementation of the Electronic Death Registration System [EDR]. Attending from the NCDHHS were Dr. ClarLynda Williams-DeVane, Director, State Center for Health Statistics; Mr. Joseph Watkins, Business Systems Manager, State Center for Health Statistics; Ms. Floriece Davis-Jones, Field Services Manager, Vital Records Section; Tina Rodgers, Acting Manager for Birth/Death Registrations; Mr. Tim Oke, NCDHHS Systems Administrator; and Ms. Kesia Williams, Help Desk Supervisor. The NCDHHS presentation explained current progress to date on implementation of the new EDR system and noted that users from Group I are currently undergoing training and education. Dr. Williams-DeVane reported that Group II users would begin in early May concurrently with Group III

through the end of June. Primary items of discussion between the Board and NCDHHS representatives included the interaction with local health departments and Registers of Deeds; a renewed focus on medical certifiers to encourage participation; and new communications strategies to include newsletters and update notifications. Discussion ensued. Board members conveyed concern about medical certifiers having responsibility for completing the Place of Death section on death certificates and the confusion that often results when certifiers do not know the location of death. Other concerns centered on procedures for corrections and amendments to death certificates.

At the conclusion of their presentation, Dr. Williams-DeVane conveyed thanks to the Board for the opportunity to discuss the new Electronic Death Registration System, and Mr. Brown expressed the Board's appreciation for the information presented.

Finance and Personnel Committee Report

Mr. Brown then recognized Mr. Blake for the Finance and Personnel Committee report. Mr. Blake noted that the Committee met by conference call on Thursday, March 4, 2021 and included himself, Mr. Brown and Dr. Lyons. He then called upon Mr. Davis to highlight the financial reports for the period ending January 2021. Mr. Davis summarized the Statement of Net Position and reported that the Preneed Recovery Trust Fund was \$29,144 lower than the previous reporting period as a result of three [3] claims paid that the Board approved in November and December 2020. Mr. Davis continued his report and said that the amounts shown under Deferred Income for the prior reporting period ending December 2020 represented license renewal fees that have since been posted to Revenue on the Statement of Revenue and Expenses. He noted that there were no unusual balances shown for either Assets or Liabilities that would create concern regarding the Board's net position. He emphasized that the reserve operating capital along with investments with First Horizon Bank indicate a robust and strong net position for the Board. Mr. Davis responded to questions and comments from Board members.

He continued his report by summarizing the Statement of Revenues and Expenses. He noted that the Total Revenue collected for the period ending January 2021 was 39.3% which exceeded the amount of Total Revenue collected for the same period in 2020 which was at 36.7%. He reported that the Total Revenue collected in 2020 for the period ending January was \$63,508 compared to \$116,159.83 for the same period in 2021. He also stated that the Board's expenses as of January 2021 were 8.7% of the projected budget for FY2021. For the same period in 2020, the percentage was slightly higher at 9.0%. Brief discussion ensued, and Mr. Davis answered questions from the Board.

Upon a motion by Mr. Blake and a second by Mr. Watson, the Committee voted unanimously to approve the January 2021 Financial Reports.

Mr. Blake then reported that the Committee asked staff about the feasibility of changing the procedures that govern payment of preneed contract fees. He noted concerns regarding the difficulty in assuring timeliness in payment of contract fees particularly for those establishments that may not meet in person with consumers. He expressed interest in the Board's review of current practices to determine any improvements or streamlining that would address these concerns. Ms. Acord reported that staff are working on a major IT initiative for 2021 to create a comprehensive Preneed Program Portal on the Board website. The portal would address whether or not licensees could make online payments for preneed contract fees as well as streamlining the submission of preneed contracts to facilitate compliance with statutory deadlines. Discussion ensued.

Mr. Brown thanked Mr. Blake and staff for the presentation of the Finance and Personnel Committee report. He then recessed the meeting at 9:52 a.m. and reconvened at 10:00 a.m. At 10:00 a.m., Mr. Brown announced a Public Hearing to receive any public comment pertaining to 21 NCAC 34B .0707 and 21 NCAC

34C .0202, Refrigeration. Mr. Chase Noble, Executive Administrator for the NC Funeral Directors Association, stated that the NCFDA was concerned about the potential negative impact on small funeral homes if they might be required to acquire and install refrigeration units. Without further public comment offered, Mr. Brown adjourned the Public Hearing in accordance with the provisions of the Administrative Procedure Act, Chapter 150B, Article 2A of the North Carolina General Statutes.

Mr. Brown continued the meeting and recognized Mr. Blake for the Traineeship Committee report.

Traineeship Committee Report

Mr. Blake reported that Board staff had received a proposal from Fayetteville Technical Community College [FTCC] indicating a plan to seek legislation amending the Funeral Practice Act provisions governing resident traineeships. He stated that the proposal addressed FTCC's concerns about the time required for completion of a traineeship, the appearance and demeanor of trainees, and a reduction in the recordkeeping requirements for trainees. Mr. Blake asked staff to address the proposal. Ms. Acord summarized the content of the proposal and offered a detailed response to each of the concerns that had been presented. She noted that the comparative data included in the FTCC proposal summarizing the statutory requirements for traineeship programs in Virginia, Tennessee and South Carolina was inaccurate.

Ms. Acord noted that North Carolina's traineeship program requirements are equivalent to or less than those of neighboring states. She reported that the FTCC proposal seeks to replace the current requirements in North Carolina for the completion of case hours and cases with a task-based set of requirements. She noted that the proposal also drops the current 12-month minimum for a traineeship to 6 months. Discussion ensued regarding the comparisons with neighboring states and the shift to task-based training requirements from current case hours and caseload requirements for Funeral Service, Funeral Directing or Embalming.

Mr. Blake recognized that the Board and FTCC share a common interest in assuring that prospective licensees are fully competent and well-trained prior to their full-time employment as licensees but noted that the issues are multilayered and potentially complex. He and Mr. Watson agreed that lowering or eliminating current standards for the traineeship program could have negative impacts in terms of the preparedness for trainees to assume roles as a licensed professional. Mr. Blake said that the Committee briefly discussed the proposal's observation that a potential barrier to the employment of trainees as licensed professionals is demeanor and personal appearance. The Committee agreed that these are issues best addressed by FTCC in its academic preparation of prospective licensees and not a matter under the Board's jurisdiction. According to Mr. Blake, the Committee noted that some provisions outlined in the FTCC proposal could have merit and should have the benefit of additional study, review and discussion. One such provision was a recommendation for the Board to consider increasing the number of trainees under the supervision of a single preceptor. The Committee suggested that there might be other opportunities for strengthening the traineeship program and recommended that the Executive Director respond formally to Mr. Ronald Montgomery, Jr., Chair of the Funeral Service Education Department at FTCC, by proposing a study of revisions to the resident traineeship program. Discussion ensued.

Upon a motion by Mr. Blake and a second by Mr. Herndon, the Board voted unanimously by roll call vote to adopt the Traineeship Committee recommendation.

Mr. Brown continued and recognized Mr. Herndon for the Disciplinary Committee report.

Disciplinary Committee Report

Mr. Herndon stated that the Disciplinary Committee met to consider and discuss cases and recommendations from General Counsel Catherine Lee for the following cases. He noted that he and Dr. Lyons were recusing themselves from C21-0004 since they did not review this case.

Dismissals

C21-0004 C21-0005 C21-0007

Letters of Caution

C21-0003 C21-0006 M21-0006 M21-0007 M21-0008 M21-0011
M21-0012 M21-0013 M21-0015 M21-0016

Notices of Hearing

C21-0002 M21-0005/C21-0009 M21-0009 M21-0010 M21-0014

Other:

M21-0017 M21-0018 M21-0019

Mr. Herndon invited any questions or comments from Board members. Mr. Blake asked if the individual referenced in M21-0017 was an applicant for licensure or a traineeship. Ms. Lee offered information regarding the statutory provisions for a Petition for Predetermination and noted that the individual had expressed interest in a traineeship but had not formally applied for licensure. Brief discussion ensued.

Upon a motion by Mr. Herndon and a second by Mr. Saunders, the Board voted in the majority by roll call vote to adopt the recommendations from the Disciplinary Committee as presented with the exception of C21-0004.

Upon a motion by Mr. Watson and a second by Mr. Blake, the Board voted by roll call vote in the majority to adopt the recommendations from the Disciplinary Committee on C21-0004. Mr. Herndon and Dr. Lyons recused.

Mr. Brown then asked Mr. Davis to present the Executive Director’s Report.

Executive Director’s Report

Mr. Davis reported on the following topics:

- 2021 Renewals – Status Report
 - Appr 93% of all license and permit holders renewed online
 - Appr 7% failed to renew – about 418

- The Funeral Consumers Alliance North Carolina [FCANC] has released its first funeral price survey to help make funeral pricing more readily available to consumers.

questioned the impact of these claims particularly regarding a backlog of cases to come before the Preened Committee. Brief discussion ensued.

Ms. Lee concluded her report by reporting that Nichols, Choi and Lee continue to monitor legislative activity in the NC General Assembly for any bills introduced with prospective impact on occupational licensing boards. She reported that thus far in the session, there is no pending legislation with such impact.

Mr. Brown continued and asked for any Old Business items. None were offered. Mr. Brown asked for any New Business items. Mr. Herndon asked staff if there was a proposed schedule for returning to in-person Board meetings. Mr. McCormick agreed that in-person meetings are most effective and recognized staff for their collective efforts throughout 2020 in assuring members' safety and health by relying on remote meetings. Brief discussion ensued. Mr. Blake asked how returning to in-person meetings would impact disciplinary hearings, and Ms. Lee indicated that respondents could still request remote connectivity with an in-person Board meeting. She indicated that decisions would be made on a case-by-case basis.

Mr. Brown thanked members for their attendance and attention to business before the Board. He asked if there were other matters to come before the Board. Hearing none, he invited a motion for adjournment.

Upon a motion by Mr. Herndon and a second by Mr. Watson, the Board voted unanimously by roll call to adjourn the meeting.

Affirmation:



Don Brown, President



Steven Lyons, Secretary

4-14-2021

Date



NORTH CAROLINA BOARD OF FUNERAL SERVICE

Monthly Status Report: LICENSURE REPORT

April 14, 2021

CHAPELS	Horton's Memorial Chapel – Columbia Lambert Chapel – Clemmons
CREMATORY LICENSEES	None
HYDROLYSIS LICENSEES	None
TRANSPORTERS	Ronald F. Goutier – West End Luke J. Kendall – Winston-Salem Rochelle L. Joyner – Winston-Salem Jonathan C. Casas - Stokesdale Reggie A. Parks - Greensboro Jesse D. London – Greensboro Nicholas J. Shaw – Fayetteville
EMBALMING FACILITIES	None
UNAFFILIATED LICENSEES	Keisha LaDale Caldwell Funeral Service Licensee – Charlotte Broderick Rannell Cumbo Funeral Service Licensee – Havelock
FUNERAL ESTABLISHMENTS	Beach River Funeral Home, LLC – Elizabeth City Richmond Funeral Home & Cremation Service, Inc. – Monroe
PRE-NEED ESTABLISHMENTS	None
FUNERAL SERVICE LICENSEES	Terence L. Fonville – New Bern
FUNERAL DIRECTORS	Lauren G. Bonilla – Winston-Salem

North Carolina Board of Funeral Service
 Inspection Report – April 14, 2021

Inspections and Other Duties Performed

	<u>2021</u>	<u>Jan.</u>	<u>Feb.</u>	<u>March</u>	<u>April</u>	<u>May</u>	<u>June</u>	<u>July</u>	<u>Aug.</u>	<u>Sept.</u>	<u>Oct.</u>	<u>Nov.</u>	<u>Dec.</u>	<u>Total</u>
ESTABLISHMENT	21	33	41	0	0	0	0	0	0	0	0	0	0	95
PRENEED	18	30	29	0	0	0	0	0	0	0	0	0	0	77
CREMATORY	3	8	4	0	0	0	0	0	0	0	0	0	0	15
HYDROLYSIS LICENSEE	0	0	0	0	0	0	0	0	0	0	0	0	0	0
UNAFFILIATED	0	0	2	0	0	0	0	0	0	0	0	0	0	2
CHAPEL	1	0	5	0	0	0	0	0	0	0	0	0	0	6
MBA	2	0	2	0	0	0	0	0	0	0	0	0	0	4
EMBALMING FACILITY	0	0	0	0	0	0	0	0	0	0	0	0	0	0
SERVICE OF COMPLAINT	3	2	1	0	0	0	0	0	0	0	0	0	0	6
INVESTIGATION	3	0	2	0	0	0	0	0	0	0	0	0	0	5
SERVICE OF NOTICE OF HEARING	1	0	3	0	0	0	0	0	0	0	0	0	0	4
SERVICE OF FINAL AGENCY DECISION	0	0	0	0	0	0	0	0	0	0	0	0	0	0
TEACH CONTINUING EDUCATION	7	1	0	0	0	0	0	0	0	0	0	0	0	8

Inspection Data Per Region/Inspector

<u>March</u>	<u>FE</u>	<u>PN</u>	<u>CR</u>	<u>HY</u>	<u>UNAF</u>	<u>CH</u>	<u>EMB</u>	<u>MBA</u>	<u>Total</u>
Cagle	6	4	1	0	0	0	0	0	11
D-Brunson	8	4	2	0	1	1	0	0	16
Hamm	16	12	0	0	1	3	0	0	32
Lisenbee	0	0	0	0	0	0	0	0	0
Robinson	7	5	0	0	0	0	0	0	12
Stoessner	4	4	1	0	0	1	0	2	12
	41	29	4	0	2	5	0	2	83