

State Board of Embalmers and Funeral Directors

August 23, 2012
Division of Professional Registration
3605 Missouri Blvd
Jefferson City, MO 65109

OPEN CONFERENCE CALL MINUTES

The meeting of the State Board of Embalmers and Funeral Directors was called to order by D. Todd Mahn, Chairman at 8:15 a.m.

Roll Call

Board Members Present

D. Todd Mahn, Chairman
James Reinhard, Vice Chairman
Gary Fraker
Eric Pitman – left the call at 8:50 a.m.
Archie Camden

Board Members Not Present

John McCulloch, Secretary – recused from the meeting

Staff Present

Sandy Sebastian, Executive Director
Lori Hayes, Inspector
Tabatha Lenzini, Administrative Assistant
Sharon Euler, Division Legal Counsel

Approval of the Agenda

A motion was made by Gary Fraker and seconded by Archie Camden to approve the open agenda. Motion carried with James Reinhard and Eric Pitman voting in favor with no votes in opposition. John McCulloch was not present for the meeting.

Executive Director Report

Sandy reminded the board that the next Board Meeting was September 25, 2012 in Jefferson City and would be at the Missouri Council on School Administrators building.

Legal Counsel Report

Sharon shared with the board that a Pennsylvania court ruled it was unconstitutional for the Pennsylvania board to go in and do inspections without a search warrant. She anticipated an appeal of the case to be filed and would continue to monitor as she believes their statutory language relating to inspections is similar to Missouri's.

The Ronald Marts hearing is scheduled to later this afternoon. There has been a motion for continuance but no ruling at this time. She will continue to monitor.

Move to Close

A motion was made by Jams Reinhard and seconded by Archie Camden to move to closed for #1, 7, 2, 8, 9 of the motions to close. Motion carried.

Adjournment

Meeting adjourned at 8:57 a.m.

Executive Director: Sandy Sebastian

Approved by the Board on: 9.25.2012

MOTIONS TO GO INTO CLOSED SESSION

1. DISCIPLINE
I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (1) RSMo and 324.001.9 RSMo for deliberation on discipline
2. LEGAL ACTIONS/LITIGATIONS/PRIVILEGED COMMUNICATIONS
I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (1) RSMo for discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney
3. PROMOTING/HIRING/DISCIPLINING/FIRING EMPLOYEES
I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (3) RSMo discussing hiring, firing, disciplining or promoting an employee of this agency
4. DIAGNOSIS/TREATMENT OF DISCIPLINED LICENSEES
I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (5) and Section 324.001.8 RSMo. for proceedings required pursuant to a disciplinary order concerning medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment of specific licensees
5. EXAMINATION MATERIALS
I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (7) RSMo for reviewing testing and examination materials
6. EMPLOYEE PERFORMANCE RATINGS
I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (13) RSMo for making performance ratings pertaining to individual employees
7. APPLICATIONS
I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (14) and Section 324.001.8 RSMo for discussing educational transcripts and/or test scores and/or complaints and/or audits and/or investigative reports and/or other information pertaining to the licensee or applicant for licensure
8. CLOSED MINUTES
I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (14) and 324.017 RSMo for the purpose of reviewing and approving the closed minutes of previous meetings
9. COMPLAINTS/ INVESTIGATIVE REPORTS/AUDITS
I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021 subsection (14) and section 620.010.14 subsection (7) RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to a licensee or applicant

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