

## State Board of Embalmers and Funeral Directors

September 22, 2014

Drury Plaza Hotel Chesterfield  
355 Chesterfield Center East  
Chesterfield, MO 63017

### OPEN MINUTES

The meeting of the State Board of Embalmers and Funeral Directors was called to order by James Reinhard, chairman, at 8:06a.m.

#### Roll Call

##### **Board Members Present**

James Reinhard, Chairman  
Collin Follis, Secretary  
Jerald Dickey, Board Member  
Eric Pitman, Board Member  
Gary Fraker, Board Member

##### **Board Members Not Present**

Archie Camden, Public Member, Vice Chairman

##### **Staff Present**

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

##### **Approval of Agenda**

A motion was made by Gary Fraker and seconded by Eric Pitman to approve the open agenda. Motion carried with Collin Follis and Jerald Dickey voting in favor with no votes in opposition. Archie Camden was not present.

##### **Executive Director Report**

Sandy provided the July 31, 2015 Financial Report and discussed with the board how the projections were not yet inserted by the division; provided license reports covering June 20, 2014 to September 11, 2014 for new, closed/ceased, and disciplined licensees; provided an update relating to the change in renewal deadline for preneed agents moving from October 31 to November 30; provided an update that a contract for legal counsel had been signed and entered into with Greg Mitchell of Brydon, Swearingen and England in Jefferson City. Sandy also discussed with the board the following upcoming conferences and asked if any members were interested in attending:

- FARB Regulatory Law Seminar – October 3-5, 2014 – Annapolis, MD
- 2015 FARB Forum – January 22-25, 2015 – Tucson, AZ
- The Conference – February 25-26, 2015 - Dallas Texas

Sandy indicated that she would like to attend The Conference in February and Collin Follis indicated he would also like to attend the same conference. The board also directed Sandy to attend the 2015 FARB Forum. There was no interest expressed in the other conferences by anyone however board members were going to check their availability and notify Sandy of any interest.

**Future Meeting Location**

Upcoming meeting dates/location will be in Kansas City during the first part of December 8-12<sup>th</sup>

**Legal Counsel Report**

Sharon stated that the National Prearranged Services civil case is set for trial in February, 2015. The also reported that the Marts criminal case is set for trial in November.

**Open Session/Discussion**

None

**Move to Closed**

A motion was made by Eric Pitman and seconded by Gary Fraker to move to closed for numbers 1, 2, 7, 8 and 9 of the attached motions to close. Motion carried with

**Adjourn**

A motion was made by Collin Follis and seconded by Gary Fraker to adjourn at 2:18 p.m. Motion carried with Jerald Dickey and Eric Pitman voting in favor with no votes in opposition. Archie Camden was not present.

Approved by the board on: 9/9-10/2015

Executive Director: Sandy Sebastian

## 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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