OPEN MEETING MINUTES
Missouri State Board of Embalmers and Funeral Directors

October 7-8, 2002 – 1:00 p.m.
The Lodge of Four Seasons
State Road HH
Lake Ozark, Missouri

Monday, October 7, 2002

The meeting of the Missouri State Board of Embalmers and Funeral Directors was called to order by Donn James, Chairman, at 1:00 p.m. on October 7, 2002, at the Lodge of the Four Seasons, State Road HH, Lake Ozark, Missouri.

Roll Call
Donn James, Chairman, took roll call and members of the State Board of Embalmers and Funeral Directors were present with the exception of William Stuart and Susie Cunningham.

Board Members Present
Donn James, Chairman
William H. (Bill) Stuart, Vice Chairman
Marcia Shadel, Secretary
Jerry Griffin, Member

Board Member Absent
Susie Cunningham, Member

Staff Present
Patricia Handly, Executive Director
Pamela Schnieders, Clerk IV
Lori Wansing, Inspector
Sharon Euler, Assistant Attorney General
Shannon Hamilton, Assistant Attorney General

Public Present
Marilyn Williams, Division of Professional Registration
Becky Dunn, Division of Professional Registration
Spencer Hedgepath, Edwards Funeral Home
Bill J. Meador, Meador & Son Funeral Home
Greg Russell, CRL
Darlene Russell, CRL
Sherry Anderson, MFDA
Jim Crawford, NPS
Approval of Agenda
Motion was made by Jerry Griffin and seconded by Marcia Shadel to approve the open agenda as submitted. Motion carried unanimously with William Stuart and Susie Cunningham being absent.

Approval of Minutes
- **July 8-9, 2002 Open Meeting Minutes**
  Motion was made by Jerry Griffin and seconded by Marcia Shadel to approve the July 8-9, 2002 Open Meeting Minutes as submitted. Motion carried unanimously with William Stuart and Susie Cunningham being absent.

- **July 19, 2002 Open Mail Ballot Meeting Minutes**
  Motion was made by Jerry Griffin and seconded by Marcia Shadel to approve the July 19, 2002 Open Mail Ballot Meeting Minutes as submitted. Motion carried unanimously with William Stuart and Susie Cunningham being absent.

- **August 12, 2002 Open Mail Ballot Meeting Minutes**
  Motion was made by Jerry Griffin and seconded by Marcia Shadel to approve the August 12, 2002 Open Mail Ballot Meeting Minutes as submitted. Motion carried unanimously with William Stuart and Susie Cunningham being absent.

- **August 19, 2002 Open Mail Ballot Meeting Minutes**
  Motion was made by Jerry Griffin and seconded by Marcia Shadel to approve the August 19, 2002 Open Mail Ballot Meeting Minutes as submitted. Motion carried unanimously with William Stuart and Susie Cunningham being absent.

- **August 22, 2002 Open Mail Ballot Meeting Minutes**
  Motion was made by Jerry Griffin and seconded by Marcia Shadel to approve the August 22, 2002 Open Mail Ballot Meeting Minutes as submitted. Motion carried unanimously with William Stuart and Susie Cunningham being absent.

- **August 29, 2002 Open Mail Ballot Meeting Minutes**
  Motion was made by Jerry Griffin and seconded by Marcia Shadel to approve the August 29, 2002 Open Mail Ballot Meeting Minutes as submitted. Motion carried unanimously with William Stuart and Susie Cunningham being absent.

- **September 11, 2002 Open Mail Ballot Meeting Minutes**
  Motion was made by Jerry Griffin and seconded by Marcia Shadel to approve the September 11, 2002 Open Mail Ballot Meeting Minutes as submitted. Motion carried unanimously with William Stuart and Susie Cunningham being absent.

- **September 13, 2002 Open Mail Ballot Meeting Minutes**
  Motion was made by Jerry Griffin and seconded by Marcia Shadel to approve the September 13, 2002 Open Mail Ballot Meeting Minutes as submitted. Motion carried unanimously with William Stuart and Susie Cunningham being absent.
Executive Director’s Report
Patricia Handly reported on the FY2002 Monthly Fund Balance Sheet. The total revenue received for FY2002 is $1,025,406.41. The FY2002 Ending Fund Balance is $907,054.33. Marilyn Williams, Division Director, indicated that the Governor has reported a shortfall for FY2003 budget and will possibly make withholdings yet this fiscal year, and the FY 2004 budget will have core reductions, but is unclear how that will effect fee funded agencies. Ms Williams also indicated that the Governor announced there will a reorganization of state government, which will include the reorganization of Economic Development. Ms Handly reported travel allowances are being monitored closely. Professional Registration is continuing to move for online renewals. Becky Kilpatrick, Regulatory Counsel for the Department of Economic Development is being moved physically to the Division of Professional Registration and will be supervised by Marilyn Williams. This could speed up the legislation and rule process for the Division. In reference to the Optical Imaging System and the retention of the original documents, the Secretary of State’s Office is not recommending the use of an imaging system as a preservation system, but as an access system only. All documents to be kept over 10 years should be considered long-term records and should be retained for 75 years. The office of the Secretary of State has agreed to provide storage for the records at the State Records Center. A lawbook is currently being printed to include updates to the chapter and rules. A newsletter is in the process of being formatted for printing.

Renewal Update
As of October 2003, the board has 1170 active embalmers and 2540 active funeral directors. Patricia Handly reported that 129 embalmers and 299 funeral directors have not renewed their licenses for the 2002-2004 biennial renewal period.

2003 Legislation
The board reviewed Section 333.041 RSMo. relative to the value of giving the embalmer oral examination prior to licensure but took no action.
The board reviewed Section 333.121.2(18) RSMo. relative to executing and signing the reverse side of a death certificate. The Department of Health has revised the death certificate to one page. This section of the statute will need to be revised when introducing legislative language in the future.
At this time the board is not considering legislation for the upcoming session of the General Assembly.

Rules
The board reviewed 4 CSR 120-2.030 Registration of Licensees with Local Registrars of Vital Statistics, relative to executing and signing of the reverse side of a death certificate as the Department of Health has revised the death certificate to one page. A motion was made by Jerry Griffin and seconded by Marcia Shadel to prepare a draft of proposed amendment 4 CSR 120-2.030 Registration of Licensees with Local Registrars of Vital Statistics, revising section (4) to delete reference to the reverse side of the death certificate.
The board reviewed 4 CSR 120-2.070 Funeral Establishments relative to the uses for which funeral establishment are licensed. The board directed the chairman to appoint a subcommittee to make a recommendation to clarify this rule at the December meeting.

St. Louis Community College
The Department of Funeral Service Education at St. Louis Community College now offers an Internet version of the Certificate of Proficiency in Funeral Directing. Students graduating from this program are eligible to take only the Funeral Service Arts section of the National Boards Examination and the licensing examination for the State of Missouri.

CLEAR 2002 Annual Meeting
Jerry Griffin gave a report on the CLEAR 2002 Annual Meeting held September 12-14, 2002 in Las Vegas, Nevada. Mr. Griffin announced that he was elected to serve on the CLEAR board of directors.

ICFSEB District V Meeting
Jerry Griffin gave a report on the International Conference of Funeral Service Examining Boards Tri-District Meeting held September 27, 2002 in Nashville, Tennessee. Mr. Griffin announced that he was appointed to serve on the Examination Committee for the National Board of Funeral Service Arts section of the examination. Patricia Handly also represented the board at this meeting.

Future Meeting Dates
The next meeting of the board is scheduled for December 2-3, 2002 at the Fairmont, in Kansas City, Missouri. A board meeting has been scheduled for February 25-26, 2003 at Zeno’s Restaurant, in Rolla, Missouri.

Appearance:
Andre Monroe – Probation Violation Hearing
On Monday, October 7, 2002 at 1:30 p.m. a probation violation hearing was scheduled for Andre Monroe. Mr. Monroe was not present for the hearing nor did legal counsel represent him. All members of the State Board of Embalmers and Funeral Directors were present with the exception of Susie Cunningham. Sharon Euler, Assistant Attorney General, served as legal advisor to the board during the hearing and Shannon Hamilton, Assistant Attorney General, represented the State Board of Embalmers and Funeral Directors. The disciplinary hearing was adjourned.

Following the hearing, a motion was made by Jerry Griffin and seconded Marcia Shadel to go into closed session for the purpose of discussion and deliberation of this case. Motion carried with Donn James, William Stuart, Marcia Shadel and Jerry Griffin voting in favor with no votes in opposition. Susie Cunningham was absent.

Closed Meeting
Motion was made by Jerry Griffin and seconded by William Stuart to move into closed session and that all records and votes, to the extent permitted by law, pertaining to and/or
resulting from the closed meeting be closed under Section 610.021 (1), (3), and (14), RSMo., and 620.010.14(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; for discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney; for deliberation on discipline conducted and votes taken after a hearing; for discussing hiring, firing, disciplining or promoting an employee of this agency; for reviewing testing and examination materials; for making performance ratings pertaining to individual employees; and for reviewing and approving the closed minutes of previous meetings.

Adjournment
A motion was made by William Stuart and seconded by Jerry Griffin to adjourn. Motion carried unanimously with Susie Cunningham being absent. The meeting adjourned at 1:00 p.m. on Tuesday, October 8, 2002.

Executive Director: __________________________

Approved by the Board on: ___________________