The meeting of the Missouri State Board of Embalmers and Funeral Directors was called to order by Jerry Griffin, Chairman, at 1:00 p.m. on Monday, June 2, 2003, at the Sheraton Westport Plaza Hotel, 900 Westport Plaza Drive, St. Louis, Missouri.

Roll Call
Board Members Present
Jerry Griffin, Chairman
William H. (Bill) Stuart, Vice Chairman
Kenneth McGhee, Secretary
Marcia Shadel, Member
Donn James, Member
Joy Gerstein, Public Member

Staff Present
Becky Dunn, Executive Director
Lori Wansing, Inspector
Pamela Schnieders, Clerk IV
Tabatha Lenzini, Licensing Technician
Sharon Euler, Assistant Attorney General

Public Present
Marilyn Williams, Division Director
Tim Lueckenhoff, CIU Professional Registration
Greg Russell, CRL
Darlene Russell, CRL
Sherry Anderson, MFDA
Henry Epstein, MFDA
Bobby Dean Wood, MFDA
Rusty Shadel

Approval of Agenda
Motion was made by Donn James and seconded by Kenneth McGhee to approve the open agenda as submitted. Motion carried unanimously with all members participating.
Approval of Minutes

• **March 5-6, 2003 Open Meeting Minutes**
  Motion was made by Donn James and seconded by Kenneth McGhee to approve the March 5-6, 2003 Open Meeting Minutes as submitted. Motion carried unanimously with all members participating.

• **March 13, 2003 Open Mail Ballot Meeting Minutes**
  Motion was made by Donn James and seconded by Kenneth McGhee to approve the March 13, 2003 Open Mail Ballot Meeting Minutes as submitted. Motion carried unanimously with all members participating.

• **March 18, 2003 Open Mail Ballot Meeting Minutes**
  Motion was made by Donn James and seconded by Kenneth McGhee to approve the March 18, 2003 Open Mail Ballot Meeting Minutes as submitted. Motion carried unanimously with all members participating.

• **April 1, 2003 Open Mail Ballot Meeting Minutes**
  Motion was made by Donn James and seconded by Kenneth McGhee to approve the April 1, 2003 Open Mail Ballot Meeting Minutes as submitted. Motion carried unanimously with all members participating.

• **April 7, 2003 Open Mail Ballot Meeting Minutes**
  Motion was made by Donn James and seconded by Kenneth McGhee to approve the April 7, 2003 Open Mail Ballot Meeting Minutes as submitted. Motion carried unanimously with all members participating.

• **April 21, 2003 Open Mail Ballot Meeting Minutes**
  Motion was made by Donn James and seconded by Kenneth McGhee to approve the April 21, 2003 Open Mail Ballot Meeting Minutes as submitted. Motion carried unanimously with all members participating.

• **April 25, 2003 Open Mail Ballot Meeting Minutes**
  Motion was made by Donn James and seconded by Kenneth McGhee to approve the April 25, 2003 Open Mail Ballot Meeting Minutes as submitted. Motion carried unanimously with all members participating.

• **May 7, 2003 Open Mail Ballot Meeting Minutes**
  Motion was made by Donn James and seconded by Kenneth McGhee to approve the May 7, 2003 Open Mail Ballot Meeting Minutes as submitted. Motion carried unanimously with all members participating.

Chairman Griffin introduced Tabatha Lenzini to members of the State Board of Embalmers and Funeral Directors. Ms. Lenzini worked as the Travel Desk Coordinator for the Division prior to her employment as Licensing Technician with the board in November of 2002. Chairman Griffin also announced Marcia Shadel was appointed by Governor Bob Holden to serve a second five-year term on the State Board of Embalmers and Funeral Directors.
Executive Director’s Report
Becky Dunn reported on the FY2002 Monthly Fund Balance Sheet as of April 30, 2003

<table>
<thead>
<tr>
<th></th>
<th>Year-To-Date</th>
<th>Projected</th>
<th>Remaining</th>
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<tbody>
<tr>
<td>FY 2003 Beginning Fund Balance</td>
<td>$907,054.33</td>
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<tr>
<td>Revenue</td>
<td>$145,443.09</td>
<td>$162,994.00</td>
<td>$17,550.91</td>
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<tr>
<td>Expense and Equipment</td>
<td>$46,481.50</td>
<td>$149,634.00</td>
<td>$103,152.50</td>
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<tr>
<td>Total Transfers</td>
<td>$331,478.14</td>
<td>$440,988.72</td>
<td>$109,510.58</td>
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<tr>
<td>Ending Fund Balance</td>
<td>$674,537.78</td>
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</tbody>
</table>

Ms. Dunn provided the board with a 5 year projection of the board’s revenue, expenditures and fund balance for FY2003 – FY2007. A motion was made by Donn James and seconded by Kenneth McGhee to approve the Executive Director Report as reported. Motion carried unanimously with all members participating.

Preneed Provider and Seller Annual Reports
During the 2001-2002 reporting period, registered preneed sellers in Missouri reported a total of 23,765 contracts sold with a total face value of $92,586,175.

Inspection Violations 2002/2003
Since July, 2002 board inspectors wrote 257 violations with 120 of them involving failure to display licenses at each location. Forty-four violation have been written relative to problems with purchase agreements, and twenty-four violations written relative to the embalming log not being current. The board is planning a board inspection training at the Division of Professional Registration in August 2003.

Legislation
Becky Dunn reported on the status of the following bills introduced to the 92nd General Assembly that affects the division and the funeral industry.

HB600 – was truly agreed to and finally passed by the legislature with an emergency clause making its provisions effective July 1st. It is anticipated that the governor will sign the bill, as it contains numerous “revenue enhancements” designed to aid the state budget crisis. All governmental entities issuing professional licenses, certificates, registrations or permits, shall provide the director of revenue with the name and social security number of each applicant for licensure with or licensee of such entities within one month of the date the application is filed or at least one month prior to the anticipated renewal of a licensee’s license. If such licensee is delinquent on any state taxes or has failed to file state income tax returns in the last three years, the director shall then send notice to each such entity and licensee. In the case of such delinquency or failure to file, the licensee’s license shall be revoked within ninety days after notice of such delinquency or failure to file, unless the director of revenue verifies that such delinquency or failure has been remedied or arrangements have been made to achieve such remedy. Tax liability paid in protest or reasonably founded disputes with such liability shall be considered paid.

HB394 – was truly agreed to and finally passed by the legislature but has not been signed by the Governor. This bill defines “next-of-kin”. Deceased persons’ next-of-kin may control final disposition of the remains if they assume all costs for disposition. Funeral directors are entitled to rely and act on the lawful instructions of the claimed next-of-kin. A person can designate any person to be his or her next-of-kin by a verified written instrument, including a will or trust.
SB184 – was truly agreed to and finally passed by the legislature but has not been signed by the Governor. This bill makes various changes in the law relating to criminal records and other records used by law enforcement.

**International Conference of Funeral Service Examining Boards, Inc. 99th Annual Convention**

Jerry Griffin reported on the International Conference of Funeral Service Examining Board, Inc. 99th Annual Convention held April 9-13, 2003, in Garden Grove, California. Beginning January 1, 2004 all candidates who sit for the National Board Examination will be required to obtain a minimum scaled score of 75% on both the Arts and the Science sections to received a passing score. Becky Dunn also represented the board during this meeting.

**Missouri State Funeral Directors and Embalmers Association**

Kenneth McGhee reported on the Missouri State Funeral Directors and Embalmers Association Seminar and Awards Banquet held May 17-18, 2003 in Kansas City, Kansas.

**Future Meeting Dates**

The next meeting of the board is scheduled for August 28-29, 2003, at Country Club Hotel, Lake Ozark, Missouri. A board meeting has been scheduled for December 15-16, 2003, at the Fairmont at the Plaza, Kansas City, Missouri.

**Rules**

A draft of board regulation revisions and clarifications was provided to board members and the public for their review. Chairman Griffin thanked the Executive Director, the Assistant Attorney General, the Administrative Staff and Board Staff for the work involved in reviewing the rules thoroughly for revisions and clarification. Each member of the board, along with members of public, was asked to comment with suggestions, changes and revisions. A Final draft of all proposed amendments to board regulations will be presented to the board prior to filing with the Office of the Secretary of State.

**Douglas Weatherford – Disciplinary Hearing**

Douglas Weatherford requested a continuance for his disciplinary hearing scheduled for today’s date, therefore, no hearing was held.

**Charter Funerals of Missouri, LLC, and Duscan Radovich – Disciplinary Hearing**

The disciplinary hearing of Charter Funeral of Missouri, LLC and Duscan Radovich did not occur due to pending settlement.

**Closed Meeting**

Motion was made by Marcia Shadel and seconded by Donn James 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 pursuant to Section 610.021 Subsection (14) and 620.010.14 Subsection (7) 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; 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; Section 610.021 Subsection
(1) RSMo and 620.010.14 Subsection (8) for deliberation on discipline; Section 610.021 Subsection (3) RSMo discussing hiring, firing, disciplining or promoting an employee of this agency; Section 610.021 Subsection (13) RSMo for making performance ratings pertaining to individual employees; Section 610.021 Subsection (7) RSMo for reviewing testing and examination materials; Section 610.021 Subsection (14) and Section 620.010.14 Subsection (5) RSMo for proceedings required pursuant to a disciplinary order concerning medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment of specific licensees; and Subsection of 610.021 RSMo for the purpose of reviewing and approving the closed minutes of previous meetings. Motion carried with Jerry Griffin, William Stuart, Kenneth McGhee, Marcia Shadel, Donn James and Joy Gerstein voting in favor with no votes in opposition.

**Adjournment**

A motion was made by Donn James and seconded by Kenneth McGhee to adjourn. Motion carried unanimously with all members participating. The meeting adjourned at 11:05 a.m. on Tuesday, June 3, 2003.

**Executive Director:** ________________________________

**Approved by the Board on:** __________________________