The meeting of the Missouri State Board of Embalmers and Funeral Directors was called to order by William Stuart, Chairman, at 12:10 p.m. on Monday, December 5, 2005, at the Fairmont at the Plaza, 401 Ward Parkway, Kansas City, Missouri.

Board Members Present
William H. (Bill) Stuart, Chairman
Kenneth McGhee, Secretary
Marcia Shadel, Member
James Reinhard, Member
Martin Vernon, Member
Joy Gerstein, Public Member

Staff Present
Becky Dunn, Executive Director
Lori Hayes, Inspector
Pamela Schnieders, Administrative Assistant
Sharon Euler, Assistant Attorney General

Public Present:
David Barrett, Board’s Legal Counsel
Rusty Shadel, SCI
Darlene Russell, Capital Reserve Life
Greg Russell, Capital Reserve Life
Don Lakin, Lakin Funeral Chapel
Don Otto, Missouri Funeral Director Association
Jerry Griffin, SCI
Bill Statler, DW Newcomer’s Sons
John McCullouch, APS
Steve Watkins, Missouri Funeral Director Association
Bev McGill, Funeral Consumer Alliance
Paul Nelson, Direct Casket Outlet
Valarie Bayhem - Institute of Justice
Clark Neily - Institute of Justice
Randy Singer, NPS
Rick Alm – KC Star
Approval of Agenda
Motion was made by Marcia Shadel and seconded by Joy Gerstein to approve the open agenda. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

Closed Meeting
Motion was made by Joy Gerstein and seconded by Marcia Shadel 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 (1) RSMo for discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

A motion was made by Joy Gerstein and seconded by Kenneth McGhee to amend Open Agenda to include Election of Officers. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

Election of Officers
A motion was made by Joy Gerstein and seconded by Marcia Shadel to nominate and vote in by acclamation Kenneth McGhee as Vice-Chairman of the State Board of Embalmers and Funeral Directors. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

A motion was made by Joy Gerstein and seconded by Kenneth McGhee to nominate and vote in by acclamation Marcia Shadel as Secretary of the State Board of Embalmers and Funeral Directors. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

Approval of Minutes
- **August 29-30, 2005 Open Meeting Minutes**
  Motion was made by James Reinhard and seconded by Kenneth McGhee to approve the August 29-30, 2005 Open Meeting Minutes as submitted. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

- **September 6, 2005 Open Mail Ballot Meeting Minutes**
  Motion was made by James Reinhard and seconded by Kenneth McGhee to approve the September 6, 2005 Open Meeting Minutes as submitted. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

- **September 9, 2005 Open Conference Call Meeting Minutes**
  Motion was made by James Reinhard and seconded by Kenneth McGhee to approve the September 9, 2005 Open Meeting Minutes as submitted. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.
• **September 13, 2005 Open Mail Ballot Meeting Minutes**
  Motion was made by James Reinhard and seconded by Kenneth McGhee to approve the September 13, 2005 Open Meeting Minutes as submitted. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

• **September 20, 2005 Open Mail Ballot Meeting Minutes**
  Motion was made by James Reinhard and seconded by Kenneth McGhee to approve the September 20, 2005 Open Meeting Minutes as submitted. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

• **September 29, 2005 Open Meeting Minutes**
  Motion was made by James Reinhard and seconded by Kenneth McGhee to approve the September 29, 2005 Open Meeting Minutes as submitted. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

• **October 4, 2005 Open Mail Ballot Meeting Minutes**
  Motion was made by James Reinhard and seconded by Kenneth McGhee to approve the October 4, 2005 Open Meeting Minutes as submitted. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

• **October 13, 2005 Open Committee Meeting Minutes**
  Motion was made by James Reinhard and seconded by Kenneth McGhee to approve the October 13, 2005 Open Meeting Minutes as submitted. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

• **October 17, 2005 Open Mail Ballot Meeting Minutes**
  Motion was made by James Reinhard and seconded by Kenneth McGhee to approve the October 17, 2005 Open Meeting Minutes as submitted. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

• **October 24, 2005 Open Mail Ballot Meeting Minutes**
  Motion was made by James Reinhard and seconded by Kenneth McGhee to approve the October 24, 2005 Open Meeting Minutes as submitted. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

• **October 25, 2005 Open Mail Ballot Meeting Minutes**
  Motion was made by James Reinhard and seconded by Kenneth McGhee to approve the October 25, 2005 Open Meeting Minutes as submitted. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.
November 1, 2005 Open Meeting Minutes
Motion was made by James Reinhard and seconded by Kenneth McGhee to approve the November 1, 2005 Open Meeting Minutes as submitted. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

Executive Director's Report
Becky Dunn reported on the FY2006 Financial Statement as of October 31, 2005

<table>
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<th>Year-To-Date</th>
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<th>Remaining</th>
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FY 2006 OA Cost Allocation
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<th>Board Cost:</th>
<th>OA Expenditures</th>
<th>Auditor Expenditures</th>
<th>DOR Receipts</th>
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<table>
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<th>Division Cost:</th>
<th>OA Expenditures</th>
<th>Auditor Expenditures</th>
<th>DOR Receipts</th>
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FY2006 Total Cost: $10,556.18

Funeral Establishment Inspector Job Classification
Kenneth McGhee reported on the Committee Meeting held October 13, 2005. The committee of board members consisted of Ken McGhee, James Reinhard and Joy Gerstein. They reviewed the job description for the Investigator/Inspection position for modification with the Office of Administration. The committee members revised the Experience and Education Qualifications. The Executive Director drafted the recommendations and presented to the full board on the October 25, 2005 mail ballot. The board voted to approve the proposed modifications as drafted. The Division has began the process of submitting the changes through the Office of Administration for review and approval.

Inspection Form
The board reviewed the Inspection Form currently used for funeral establishment inspections for possible suggestions, revisions and/or additions. The board welcomed comments from the public attendees. A motion was made by Kenneth McGhee and seconded by Joy Gerstein to schedule a special board meeting and invite all inspectors to discuss the inspection report, statutes and rules and regulations. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.
Recognition
Jerry Griffin was recognized for his appointment to the Missouri State Board of Embalmers and Funeral Directors in 1990, reappointed in 1995 and again in 2000. During his tenure with the board, he had served in various offices, including multiple chairmanships. He has been active in the funeral industry for over twenty years. Mr. Griffin was also recognized for his accomplishments with the board due to his involvement, development and leadership throughout his years of service.

Examination Update
The board was provided a report of pass/fail numbers for candidates that took the Missouri Law Examination and Missouri Funeral Service Arts Examination during FY2004 through the present. The report included statistics for candidates with degrees in Mortuary Science, Funeral Director Certifications, High School Diplomas and GED.

Rules
The board reviewed drafts of proposed and amended language to rules as follows:

Draft of Proposed Amendment to CSR 120-2.060 – Funeral Directing

New Proposed Language
(29) No person shall be deemed to be engaged in the practice of funeral directing if one arranges for the disposition of the dead human body of a member of one’s own family including, grandparents, parents, aunts, uncles, cousins and children. Any person arranging for the disposition of a dead human body for a non-family member shall be deemed to be in the practice of funeral directing, as defined in Section 333.011, RSMo., regardless of whether a fee is charged.

A motion was made by Kenneth McGhee and seconded by Joy Gerstein to table the new proposed language for attorney review and clarification. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

Draft of Proposed Amended Language to 4 CSR 120-2.070(6) – Funeral Establishments

Current Rule
(6) Each application for a funeral establishment shall be made in the name of the person or business entity authorized to conduct business in Missouri. No license shall be issued to an establishment that has no legal recognition.

New Proposed Amendment
(6) Each application for a funeral establishment license shall list the owner of the funeral establishment business. The owner of the funeral establishment need not be the same as the owner of the property upon which the funeral establishment is located. An owner of a funeral establishment shall be either an individual or a business entity authorized to conduct business in Missouri. No license shall be issued for a funeral establishment that does not register an owner with legal recognition. If a funeral establishment wishes a name to appear on the license, other than the owner, the application shall specify, on its written application to the board, the name to appear on the license. However, the owner of the funeral establishment shall be the name(s) of the legal person as listed on the application. The funeral establishment will be authorized to conduct business under the name of the owner, the name on the license, plus one additional “doing business as” name that is registered with the board as provided in these regulations. With each application, the funeral establishment shall provide proof, satisfactory to the Board, of the legal right of the establishment to occupy the premises to be licensed such as a copy of a lease, a deed, or other proof of right to occupy the premises.

A motion was made by Kenneth McGhee and seconded by Joy Gerstein to table the new proposed language for attorney review and clarification. Motion carried with Kenneth
McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

**Draft of Proposed Amended Language to 4 CSR 120-2.070 – Funeral Establishments**

**New Proposed Amendment**

(30) The building which houses a funeral establishment may also contain living quarters so long as the following requirements are met:

(A) Each portion of the living quarters shall be separate and apart from the portion of the building used for funeral establishment purposes.

(B) The funeral establishment portions of the building shall be separated from the living quarters of the building by solid floor to ceiling partition or different floors of the building.

(C) No portion of the building shall be used for both living quarters purposes and for funeral establishment purposes.

(D) The funeral establishment portion of the building shall have restroom and drinking water facilities separate and apart from that of the living quarters.

A motion was made by Kenneth McGhee and seconded by Joy Gerstein to table the new proposed language for attorney review and clarification. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

**Draft of Proposed Amended Language 4 CSR 120-2.070(2) (21) (24) – Funeral Establishment**

**Current Rule**

(2) There shall be the following license classifications:

(A) Function A establishments shall have authority to embalm dead human bodies and to transport dead human bodies to and from the funeral establishment.

(B) Function B establishments shall have authority to cremate dead human bodies and to transport dead human bodies to and from the funeral establishment. This establishment must have a cremation chamber.

(C) Function C establishments shall have authority for the care and preparation of dead human bodies, other than by embalming or cremating, authority to transport dead human bodies to and from the funeral establishment, make funeral arrangements, and furnish any funeral services in connection with the disposition of dead human bodies or the sale of funeral merchandise.

(D) Function D establishments shall have authority to conduct visitations and funeral ceremonies only. A Function D license is dependent upon and must be operated under the supervision and ownership of a Function C establishment.

**Additions to Funeral Establishments 4 CSR 120-2.070 – Funeral Establishment**

(2)

- Function E establishments shall have the authority to arrange for funeral ceremonies.

(21)

- Each Function E establishment shall contain a restroom, available drinking water, and shall have on-site equipment necessary for arranging funeral services including tables or desks and chairs and file cabinets for the confidential storage for funeral records.

(24)

- Each Function E funeral establishment shall maintain on the premises the following documents:
  - General Price List;
  - Preneed contracts which have been cancelled or fulfilled;
  - Purchase agreements; and
  - Authorizations to embalm or cremate.

A motion was made by Joy Gerstein and seconded by James Reinhard to study the Additions to Funeral Establishments 4 CSR 120-2.070 – Funeral Establishment with attorney. Motion carried
with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

Draft of Proposed Amended Language 4 CSR 120-2.071(6) – Funeral Establishments Containing a Crematory Area
Clarify that next of kin may authorize cremation only upon the death of their next of kin.

Current Rule
(6) If the deceased gave written authorization to cremate and did not revoke the authorization, that authorization shall satisfy the requirement for authorization to cremate. If the deceased did not give written authorization to cremate, the next of kin of the deceased or the county coroner or medical examiner pursuant to Chapter 58, RSMo, may give authorization to cremate. Authorization to cremate given prior to the death may be in any written document, including a preneed contract. The next of kin, for purposes of this rule, shall be as defined in section 194.119.2, RSMo.

New Proposed Amendment
(6) No dead human body shall be cremated without a signed and dated written authorization to cremate. This authorization may be given by the following methods:

(A) Any individual may execute a written authorization to cremate his or her own body upon death. This authorization, to be valid, must not be revoked at the time of death, and may be contained in any writing which is dated and signed by the decedent and at least two witnesses who are present at the time the authorization to cremate is signed. One witness may be the funeral director assisting with the pre-death planning.

(B) Any person holding a valid power of attorney which contains specific authority to control the disposition of the body, when the principal dies, may execute a written authorization to cremate, on behalf of the principal, as provided in subsection 1 of this rule. The holder of the power of attorney may exercise this right only while the principal is alive.

(C) If the decedent executed no authorization to cremate, before death, the authorization to cremate shall be executed by the next of kin, as defined in section 194.119.2, RSMo. The authorization to cremate shall be dated and signed by the next of kin, the funeral director making the arrangements for disposition, and one witness. The next of kin may not execute the written authorization to cremate prior to the death of the decedent.

A motion was made by Joy Gerstein and seconded by Kenneth McGhee to study the new proposed language with attorney. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

Draft of Proposed Amended Language 4 CSR 120-2.071(13) – Funeral Establishments Containing a Crematory Area

Current Rule:
(13) Each body shall be delivered to the crematory in a cremation container, plastic pouch, cardboard cremation container, casket made of wood or wood product or metal. If a metal container or casket is used the purchaser must be informed of the disposition of the metal container or casket after cremation. The cremation container shall be composed of a combustible, nonexplosive, opaque material which is adequate to assure protection to the health and safety of any person in the crematory area. The casket or container shall be leak resistant if the body enclosed is not embalmed or if death was caused by a contagious disease.

New Proposed Amendment
(13) Each body shall be delivered to the crematory in a cremation container, plastic pouch, cardboard cremation container, casket made of wood or wood product or metal. If a metal container or casket is used, the person making the arrangements must be informed by the Missouri licensed funeral director with whom the arrangements are made of the disposition of the metal container or casket after cremation. The cremation container shall be composed of a combustible, nonexplosive, opaque material which is adequate to assure protection to the health and safety of any person in the crematory area. The casket or container shall be leak resistant if the body enclosed is not embalmed or if death was caused by a contagious disease.

A motion was made by James Reinhard and seconded by Marcia Shadel to table the new proposed language for attorney review and clarification. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.
McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

**Proposed language to include computer based testing**

At the August 2006 board meeting, the board voted to proceed with the proposed amendment to 4 CSR 120-1.010(8) General Organization as follows:

Missouri examinations shall be provided in a computer based testing format. The application and fees for the examinations shall be paid directly to the International Conference of Funeral Service Examining Board’s (Conference) office or designee of the Missouri state board. The Conference or designee of the board shall approve applications upon the board’s verification and approval process. Missouri state board examinations shall be held at the designated locations provided by the Conference or the Board’s designated locations. For a complete listing of examination sites, please visit [http://pr.mo.gov](http://pr.mo.gov) or contact the board office.

The board had questions regarding computerized testing, such as malfunctions, available locations, and will there be a paper/pencil substitution? The Executive Director will contact The Conference relative to these questions and report back to the board at their next meeting. A motion was made by Kenneth McGhee and seconded by Joy Gerstein to proceed with the proposed amendment as drafted above, with a change to the word in the first sentence from “shall” to “may”. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

**Title 4, 120-2.060 – Proposed Amendments from Institute of Justice**

At the August 2005 meeting Valerie Bayham, Staff Attorney for the Institute of Justice presented revisions to board regulation Title 4, 20-2.060(16)(17)(18). The board and legal counsel are reviewing these suggested revisions.

The board again reviewed a letter from Roger Ritchie, sharing several of his thoughts about possible changes to the Missouri funeral rules.

After thanking the public attendees for their input and suggestions, a motion was made by Joy Gerstein and seconded by Marcia Shadel to take the public comments under advisement and further study. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition. The board will discuss holding a special meeting in the very near future to discuss rule changes.

**Legislation**

The board is proposing to revise language in Chapter 333 RSMo. in the 93rd legislative session of the General Assembly, to expand language for the board to employ attorney(s); proposing to bring the board members per diem compensation in alignment with other professions; elimination funeral director limited licensure; and eliminate the Oral Examination for embalmer licensure.

**Preneed Provider and Seller Report**

Lori Hayes reported that as of November 18, 2005, registered preneed sellers in Missouri reported a total of 17,277 contracts sold with a total face value of $76,937,023 for the 2004-2005 reporting period.
Ms. Hayes indicated that thirty-eight (38) preneed providers and twenty-two (22) preneed sellers were delinquent in the filing of their annual report prior to October 31, 2005. A listing was sent to all inspectors notifying them of the facilities that have not sent the proper application to become compliant. The board directed the Executive Director to send letters of compliance to all preneed provider and seller registrations as soon as possible.

**News Release**
The board was provided a copy of the October 17, 2005 issue of the *Funeral Service Insider*. This was provided for informational purposes only.

**Council on Licensure, Enforcement and Regulation Annual Conference**

**National Funeral Directors Association Annual Convention**

**Future Meeting Dates**
The board selected the following meeting dates and locations:
Rules Meeting – February 16, 2006 – Jefferson City
March 6-7, 2006 – Springfield/Branson area
December 4-5, 2006 – Kansas City area

**Owen Wes Rhodes – Disciplinary Hearing**
On Monday, December 5, 2005 at 3:10 p.m., the board held a disciplinary hearing for Owen Wes Rhodes. Owen Wes Rhodes was present for the hearing. Legal counsel was not present. All members of the State Board of Embalmers and Funeral Directors were present. Sharon Euler, Assistant Attorney General, represented the board during the hearing and David Barrett, Boards General Counsel, was advisor to the Board on procedural and evidentiary matters. The disciplinary hearing was adjourned at 3:25 p.m.

**Donald Holt – Probation Violation Hearing**
On Monday, December 5, 2005 at 3:25 p.m., the board held a probation violation hearing for Donald Holt. Mr. Holt 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. Sharon Euler, Assistant Attorney General, represented the board during the hearing and David Barrett, Boards’ General Counsel, was advisor to the Board on procedural and evidentiary matters. The disciplinary hearing was adjourned at 3:45 p.m.

**Final Report from State Government Review Commission**
As charged by Executive Order 05-05 creating and establishing the 2005 Missouri State Government Review Commission, this report was produced to Governor Matt Blunt and the General Assembly to consider opportunities to restructure, retool, reduce, consolidate, or eliminate state government functions in accordance with what will result in the best and most cost-effective service for Missouri citizens. Recommendation #47 is to create the Department
of Financial Regulation and Professional Registration which would encompass the Division of Finance, State Banking Board, State Savings & Loan Commission, Division of Credit Unions, Credit Union Commission, Residential Mortgage Banker Board, Division of Professional Registration and the Securities Division from SOS. This report was provided for informational purposes.

**International Conference of Funeral Service Examining Boards**
Jerry Griffin reported on the International Conference of Funeral Service Examining Boards (ICFSEB), currently serving as Vice Chairman. Mr. Griffin updated the board on the recent occurrences of ICFSEB.

**Closed Meeting**
Motion was made by Kenneth McGhee and seconded by Marcia Shadel to move into closed session 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 Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition.

**Adjournment**
A motion was made by Martin Vernon and seconded by Kenneth McGhee to adjourn. Motion carried with Kenneth McGhee, Marcia Shadel, James Reinhard, Martin Vernon and Joy Gerstein voting in favor with no votes in opposition. The meeting adjourned at 12:35 p.m. on Tuesday, December 6, 2005.

**Executive Director:** ________________________________

**Approved by the Board on:** __________________________
Meeting Notice
Missouri State Board of Embalmers and Funeral Directors

December 5-6, 2005 – 12:00 p.m.
Fairmont at the Plaza
401 Ward Parkway
Kansas City, Missouri

The Missouri State Board of Embalmers and Funeral Directors will be meeting on December 5, 2005 beginning at 12:00 p.m. and on December 6, 2005 beginning at 8:00 a.m. Notification of special needs as addressed by the American with Disabilities Act should be forwarded to the Missouri State Board of Embalmers and Funeral Directors, P.O. Box 423, 3605 Missouri Boulevard, Jefferson City, Missouri 65102 or by calling (573) 751-0813 to ensure available accommodations. The text telephone for the hearing impaired is (800) 735-2966.

Except to the extent disclosure is otherwise required by law, the Missouri State Board of Embalmers and Funeral Directors is authorized to close meetings, records and votes, to the extent they relate to the following: Sections 610.021(1), (3), (5), (7), (13) and (14), RSMo, and Section 620.010.14(7) RSMo.

The Board may go into closed session at any time during the meeting. If the meeting is closed the appropriate section will be announced to the public with the motion and vote recorded in open session minutes.

Please see attached tentative agenda for this meeting.

Attachment

cc: Alison Craighead and Janice Sloca
AMENDED OPEN AGENDA
Missouri State Board of Embalmers and Funeral Directors

December 5-6, 2005 – 12:00 p.m.
Fairmont at the Plaza
401 Ward Parkway
Kansas City, Missouri

Monday, December 5, 2005

Call to Order

Roll Call

1. Approval of Agenda

2. Approval of Minutes
   • August 29-30, 2005 Open Meeting Minutes
   • September 6, 2005 Open Mail Ballot Meeting Minutes
   • September 9, 2005 Open Conference Call Meeting Minutes
   • September 13, 2005 Open Mail Ballot Meeting Minutes
   • September 20, 2005 Open Mail Ballot Meeting Minutes
   • September 29, 2005 Open Meeting Minutes
   • October 4, 2005 Open Mail Ballot Meeting Minutes
   • October 13, 2005 Open Committee Meeting Minutes
   • October 17, 2005 Open Mail Ballot Meeting Minutes
   • October 24, 2005 Open Mail Ballot Meeting Minutes
   • October 25, 2005 Open Mail Ballot Meeting Minutes
   • November 1, 2005 Open Meeting Minutes

3. Executive Director’s Report

4. Funeral Establishment Inspector Job Classification (Committee Report)

5. Examination Update

6. Rules
   • Draft of New Proposed Language 4 CSR 120-2.060(29) – Funeral Directing
   • Draft of Proposed Amended Language 4 CSR 120-2.070(6) – Funeral Establishments
   • Draft of New Proposed Language 4 CSR 120-2.070(30) – Funeral Establishments
   • Draft of Proposed Amended Language 4 CSR 120-2.070(21) (24) – Funeral Establishment
• Draft of Proposed Amended Language 4 CSR 120-2.071(6) – Funeral Establishments Containing a Crematory Area
• Draft of Proposed Amended Language 4 CSR 120-2.071(13) – Funeral Establishments Containing a Crematory Area
• New Proposed Rule Language for computer based testing
• Title 4, 120-2.060 – Proposed Amendments from Institute of Justice

7. Legislation
8. Preneed Provider and Seller Report
9. News Release
10. CLEAR Annual Conference – September 2005 (Kenneth McGhee)
11. NFDA Annual Convention – October 2005 (Marcia Shadel and James Reinhard)
12. Future Meeting Dates
13. 1:30 p.m. – Owen Wes Rhodes – Disciplinary Hearing
14. 2:15 p.m. – Donald Holt – Probation Violation Hearing
15. Final Report from State Government Review Commission
16. International Conference of Funeral Service Examining Boards – Jerry Griffin

Closed Meeting. The Board will move into closed session 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.

Adjournment