The meeting of the Missouri State Board of Embalmers and Funeral Directors was called to order by Kenneth McGhee, Chairman, at 1:15 p.m. on Sunday, December 3, 2006, at the InterContinental Kansas City at the Plaza, 401 Ward Parkway, Kansas City, Missouri.

Board Members Present
Kenneth McGhee, Chairman
James Reinhard, Member
Martin Vernon, Member
Gary Fraker, Member
Joy Gerstein, Public Member/Secretary – joined at 1:30 p.m. in closed session

Board Members Absent
Marcia Shadel, Vice-Chairman

Staff Present
Becky Dunn, Executive Director
Pamela Schnieders, Administrative Assistant
Lori Hayes, Inspector
Kimberly Grinston, Board’s Legal Counsel

Approval of Agenda
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the open agenda. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

Closed Meeting
Motion was made by Martin Vernon and seconded by James Reinhard 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 James Reinhard, Martin Vernon, and Gary Fraker voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting, and Joy Gerstein was absent for this portion of the meeting.

Monday, December 4, 2006

At 9:00 a.m. the board reconvened in closed session.

The State Board of Embalmers and Funeral Directors returned to open session on Monday, December 4, 2006. The open meeting was called to order by Kenneth McGhee, Chairman, at approximately 1:55 p.m., at the InterContinental Kansas City at the Plaza, 401 Ward Parkway, Kansas City, Missouri

**Board Members Present**
Kenneth McGhee, Chairman
James Reinhard, Member
Martin Vernon, Member
Gary Fraker, Member
Joy Gerstein, Public Member/Secretary

**Board Members Absent**
Marcia Shadel, Vice-Chairman

**Staff Present**
Becky Dunn, Executive Director
Pamela Schnieders, Administrative Assistant
Lori Hayes, Inspector
Kimberly Grinston, Board’s Legal Counsel
Sharon Euler, Assistant Attorney General
Mike Bushman, Assistant Attorney General

**Ted Foster/Ted Foster & Sons – Probation Violation Hearing**
NOTE: Kenneth McGhee recused from all discussion, deliberation and votes on this matter.

On Monday, December 4, 2006 at 1:55 p.m., the board held a probation violation hearing in the case of the State Board of Embalmers and Funeral Directors vs. Theodore V. Foster, Sr,
and Foster & Sons, Inc., dba/Ted Foster and Sons Funeral Home. Theodore V. Foster, Sr, and Foster & Sons, Inc., dba/Ted Foster and Sons Funeral Home was not present for the hearing and not represented by counsel. All members of the State Board of Embalmers and Funeral Directors were present with the exception of Marcia Shadel. Sharon Euler, Assistant Attorney General, represented the board during the hearing and Kimberly Grinston, Board’s Legal Counsel, was advisor to the Board on procedural and evidentiary matters. The disciplinary hearing was adjourned at 2:15 p.m.

Closed Meeting
Motion was made by Joy Gerstein and seconded by James Reinhard 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 open minutes of previous meetings. Motion carried with James Reinhard, Martin Vernon, Gary Fraker, and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

Tuesday, December 5, 2006 – 9:00 a.m.

The State Board of Embalmers and Funeral Directors returned to open session on Tuesday, December 5, 2006. The open meeting was called to order by Kenneth McGhee, Chairman, at approximately 9:00 a.m., at the InterContinental Kansas City at the Plaza, 401 Ward Parkway, Kansas City, Missouri

Board Members Present
Kenneth McGhee, Chairman
James Reinhard, Member
Martin Vernon, Member
Gary Fraker, Member
Joy Gerstein, Public Member/Secretary

Board Members Absent
Marcia Shadel, Vice-Chairman
Staff Present
Becky Dunn, Executive Director
Pamela Schnieders, Administrative Assistant
Lori Hayes, Inspector
Kimberly Grinston, Board’s Legal Counsel
Sharon Euler, Assistant Attorney General
Mike Bushman, Assistant Attorney General

Public Present
Randy Singer, NPS
Sherry Baker, Wright-Baker-Hill
Bob Baker, MFDA and Wright-Baker-Hill
John Frownfelter, DW Newcomers
Mack Smith, Kansas State Board of Mortuary Arts
Don Lakin, Lakin Funeral Home
Bill Stalter, Wassberg & Stalter
Darlene Russell, CRL
John McCullouch, APS
Don Otto, MFDA/MFT
Tim Lueckenhoff, Central Investigative Unit
Kevan Lager, Central Investigative Unit

Approval of Minutes

June 30, 2006 Open Mail Ballot Meeting Minutes
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the June 30, 2006 Open Meeting Minutes as submitted. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

July 17-18, 2006 Open Meeting Minutes
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the July 17-18, 2006 Open Meeting Minutes as submitted. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

July 21, 2006 Open Mail Ballot Meeting Minutes
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the July 21, 2006 Open Meeting Minutes as submitted. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.
July 25, 2006 Open Mail Ballot Meeting Minutes
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the July 25, 2006 Open Meeting Minutes as submitted. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

August 3, 2006 Open Mail Ballot Meeting Minutes
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the August 3, 2006 Open Meeting Minutes as submitted. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

August 9, 2006 Open Mail Ballot Meeting Minutes
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the August 9, 2006 Open Meeting Minutes as submitted. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

August 28-29, 2006 Open Meeting Minutes
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the August 28-29, 2006 Open Meeting Minutes as submitted. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

September 5, 2006 Open Mail Ballot Meeting Minutes
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the September 5, 2006 Open Meeting Minutes as submitted. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

September 7, 2006 Open Mail Ballot Meeting Minutes
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the September 7, 2006 Open Meeting Minutes as submitted. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

September 11, 2006 Open Mail Ballot Meeting Minutes
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the September 11, 2006 Open Meeting Minutes as submitted. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.
September 12, 2006 Open Mail Ballot Meeting Minutes
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the September 12, 2006 Open Meeting Minutes as submitted. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

September 26, 2006 Open Mail Ballot Meeting Minutes
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the September 26, 2006 Open Meeting Minutes as submitted. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

October 2, 2006 Open Conference Call Meeting Minutes
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the October 2, 2006 Open Meeting Minutes as submitted. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

October 18, 2006 Open Conference Call Meeting Minutes
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the October 18, 2006 Open Meeting Minutes as submitted. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

October 24, 2006 Open Conference Call Meeting Minutes
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the October 24, 2006 Open Meeting Minutes as submitted. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

October 30, 2006 Open Mail Ballot Meeting Minutes
Motion was made by Joy Gerstein and seconded by James Reinhard to approve the October 30, 2006 Open Meeting Minutes as submitted. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

Executive Director’s Report
Becky Dunn reported on the FY2007 Financial Statement as of September 30, 2006

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Darlene Russell, Capital Reserve Life, questioned the expenses relating to the referrals for Chapter 436 RMo Examination of Books and Records and/or Investigations for FY2006. The Executive Director agreed to provide this information to Ms. Russell upon her return to the board office where she can work with the division in the next month to gather the information requested.

Revised Rule - Effective 9/30/06

- **Proposed Amendment 4 CSR 120-2.060 Funeral Directing**

Proposed amendment 4 CSR 120-2.060 Funeral Directing was printed in the April 3, 2006 Missouri Register, and the Final Order of Rulemaking printed August 1, 2006. The rule was amended to clarify the sale of funeral merchandise. Areas bolded are new language and those in brackets were deleted. Comments were received from the public. The amended rule became effective September 30, 2006.

PROPOSED AMENDMENT

**4 CSR 120-2.060 Funeral Directing.**

(18) No person other than a Missouri licensed funeral director shall be allowed to make the following at-need arrangements with the person having the right to control the incidents of disposition:

(A) Removal of a dead human body, arrangements for final disposition, supervision of visitation and memorial ceremony, grave attendance, cremation, entering into a contractual relationship for performance of any other funeral services; and

(B) Embalming, cremation, care, preparation, shipment or transportation of a dead human body,\[; and\]

(C) [Sale or rental to the public of funeral merchandise, services or paraphernalia.] Nothing in this section shall be construed to apply to nor, in any manner, interfere with the duties of any officer of local or state institutions, nor shall this section apply to any person engaged simply in the furnishing of burial receptacles for the dead, but shall only apply to persons engaged in the business of embalming or funeral directing.

As a result of Executive Order 06-04, the Division of Professional Registration transferred from the Division of Economic Development to the Department of Insurance, Financial Institutions and Professional Regulation. Effective August 28, 2006, the following rules were transferred to the Department of Insurance, Financial Institutions and Professional
Regulation. The following were revised by the State Board of Embalmers and Funeral Directors, to become effective September 30, 2006.

Chapter 1 – Organization and Description of Board

[4 CSR 120-1.010] 20 CSR 2120-1.010 General Organization
[4 CSR 120-1.020] 20 CSR 2120-1.020 Board Member Compensation
[4 CSR 120-1.030] 20 CSR 2120-1.030 Election and Removal of Officers
[4 CSR 120-1.040] 20 CSR 2120-1.040 Definitions

Chapter 2 – General Rules

[4 CSR 120-2.010] 20 CSR 2120-2.010 Embalmer’s Registration and Apprenticeship
[4 CSR 120-2.020] 20 CSR 2120-2.020 Biennial License Renewal
[4 CSR 120-2.022] 20 CSR 2120-2.022 Retired License
[4 CSR 120-2.030] 20 CSR 2120-2.030 Registration of Licensees with Local Registrars of Vital Statistics
[4 CSR 120-2.040] 20 CSR 2120-2.040 Licensure by Reciprocity
[4 CSR 120-2.050] 20 CSR 2120-2.050 Miscellaneous Rules
[4 CSR 120-2.060] 20 CSR 2120-2.060 Funeral Directing
[4 CSR 120-2.070] 20 CSR 2120-2.070 Funeral Establishments
[4 CSR 120-2.071] 20 CSR 2120-2.071 Funeral Establishments Containing a Crematory Area
[4 CSR 120-2.080] 20 CSR 2120-2.080 Written Statement of Charges
[4 CSR 120-2.090] 20 CSR 2120-2.090 Preparation Rooms/Embalming Room
[4 CSR 120-2.100] 20 CSR 2120-2.100 Fees
[4 CSR 120-2.105] 20 CSR 2120-2.105 Preneed Fees
[4 CSR 120-2.110] 20 CSR 2120-2.110 Public Complaint Handling and Disposition Procedure
[4 CSR 120-2.115] 20 CSR 2120-2.115 Procedures for Handling Complaints Against Board Members
[4 CSR 120-2.120] 20 CSR 2120-2.120 Public Records

Chapter 3 – Preneed

[4 CSR 120-3.010] 20 CSR 2120-3.010 Preneed Seller Registration
[4 CSR 120-3.020] 20 CSR 2120-3.020 Preneed Provider Registration
[4 CSR 120-3.030] 20 CSR 2120-3.030 Notification of Intent to Sell Assets or Cease Doing Business (Seller or Provider)

Proposed Amendments submitted to Division and returned to Board for further discussion
The board reviewed the following proposed amendments to 20 CSR 2120-2.060 and 20 CSR 2120-2.070. The board has requested the board attorney and executive director to further modify and review these changes and bring to the next board meeting for further discussion and review.

PROPOSED AMENDMENT

20 CSR 2120-2.060 – Funeral Directing
(14) It shall be considered misconduct in the practice of funeral directing for a Missouri licensed funeral director to permit any unlicensed person to engage in, or take charge of, the activities for which a license is required by law.
(15) A Missouri licensed funeral director shall be present and personally *shall* supervise or conduct each funeral ceremony conducted by or from a Missouri licensed funeral establishment. A violation of this section will be considered misconduct in the practice of funeral directing.

(16) **Unless otherwise authorized by law, [A]** a Missouri licensed funeral director shall be present and personally *shall* supervise any disinterment, interment, entombment, or cremation as defined in [4 CSR 120-1.040] 20 CSR 2120-1.040. If the disinterment does not require legal notification to the county coroner or medical examiner, a funeral director’s presence may not be required. A violation of this section shall be deemed misconduct in the practice of funeral directing. Once the body has been delivered to a cemetery for the purpose of interment or to a crematory for the purpose of cremation and after any funeral ceremonies have been completed, the Missouri licensed funeral director is not required to stay with the body. Nothing in this rule shall be interpreted as requiring the Missouri licensed funeral director to leave the cemetery before disposition is complete. Furthermore, nothing in this rule shall be interpreted as relieving the Missouri licensed funeral director of any responsibilities s/he has under his/her contract with the person(s) having the right to control the incidents of burial.

(17) An unlicensed person *may* transporting dead human bodies from the place of death to another location in the State of Missouri, or *may* transporting dead human bodies out of this state, **shall do so** if these services are performed under the direction of a Missouri licensed funeral establishment **unless otherwise authorized by law.**

(18) A funeral director or funeral establishment licensed in another state that enters the state of Missouri solely for the purpose of transporting a dead human body through Missouri to another state, country or territory, shall not be deemed to be in the practice of funeral directing or required to obtain a license from the board. This regulation does not exempt any person or entity from complying with any applicable statutes or regulations governing the transportation of dead human bodies, including, but not limited to, Chapters 193 and 194, RSMo.

(19) No person other than a Missouri licensed funeral director shall be allowed to make the following at-need arrangements with the person having the right to control the incidents of disposition:

(A) Removal of a dead human body, arrangements for final disposition, supervision of visitation and memorial ceremony, grave attendance, cremation, entering into a contractual relationship for performance of any other funeral services; and
(B) Embalming, cremation, care, preparation, shipment or transportation of a dead human body
(C) Nothing in this subsection shall be construed to apply to persons exempt from Chapter 333, RSMo.

(20) The taking of preliminary information by an unlicensed person will not be construed as the making of at-need funeral arrangements under this rule.

(21) Whenever an unlicensed person makes other than at-need funeral arrangements on behalf of a Missouri licensed funeral director or Missouri licensed funeral establishment, the unlicensed person shall be under the supervision and control of a Missouri licensed funeral director at all times.

(22) No temporary Missouri funeral director license authorized under section 333.041.7, RSMo will be issued until the board has been advised as to the location of the Missouri licensed funeral establishment at which the temporary funeral director’s license will be used. The holder of the temporary license shall be authorized to only work at the Missouri licensed funeral establishment(s) where the deceased and/or disabled Missouri licensed funeral director was authorized to work. Violation of this rule will be deemed unauthorized practice of funeral directing.

(23) The business and practice of funeral directing may be conducted only from a fixed place or establishment which has been licensed by the board.

(24) Limited License.
(A) A person holding a limited license shall only be allowed to work in a funeral establishment that is licensed as a Function B establishment (cremation only). A limited funeral director shall only engage in the activities of funeral directing authorized for a Function B funeral establishment.

(B) Every person desiring a limited license shall provide the following to the board:
1. Proof of being at least eighteen (18) years of age;
2. Proof of possession of a high school diploma or its equivalent;
3. Evidence of being a person of good moral character;
4. Proof of successful completion by achieving a score of seventy-five percent (75%) or better on the Missouri Law examination;
5. Completed application form as provided by the board;
6. Payment of applicable fees;
7. Payment of any fee charged by the Missouri Highway Patrol for a criminal history background check; and
8. Any other information the board may require.

(C) Every limited licensee shall provide the board with the name, location and license number of each Function B funeral establishment where she/he is employed.

(D) A limited licensee shall be obligated to comply with all Missouri laws governing funeral directors subject to the limitations imposed by this rule and section 333.042.2, RSMo.

**PROPOSED AMENDMENT**

20 CSR 2120-2.070 Funeral Establishments

(25) Each Function B establishment licensed for cremation shall maintain on the premises a completely functioning cremation chamber, as defined by 20 CSR 2120-2.071(1)(D), and maintain on the premises in the cremation area a cremation log. A function B establishment shall not be in violation of this rule if the cremation chamber is completely restored to functioning capacity within one hundred (120) days from the date the cremation chamber ceases to be in compliance with this section. However, if there are extenuating circumstances, and the cremation chamber could not be repaired, documentation of such shall be provided to the board for review and approval. Cremation chambers shall be maintained in proper working order and in compliance with all applicable Missouri Department of Health and Senior Services statutes, rules and regulations; Missouri Department of Natural Resources, statues, rules and regulations; and all other applicable federal, city, county, and municipal statutes, rules and regulations.

(A) If a function B establishment has only one (1) cremation chamber, and that chamber is not functioning, notification from the establishment shall be made to the board within ten (10) business days after the cremation chamber stops functioning.

(B) A function B establishment that has a non-functioning cremation chamber may arrange for cremation at another licensed establishment, if the use of an alternate establishment for purposes of cremation is disclosed to the third party making the arrangements on the cremation authorization form.

(26) All documents required by this rule to be maintained, [must] shall be maintained on the premises for a minimum of the current calendar year and the previous calendar year of the Missouri licensed funeral establishment for two (2) years from the date the record was created. All documents required to be maintained by this rule may be maintained electronically, but all documents shall be stored in such a manner to allow access by the board and so the board, or its assignee, may easily and timely obtain hard copies or electronic copies in a format easily readable by the board, or its assignee.

(27) Each funeral establishment shall maintain a register log, as defined by 20 CSR 2120-1.040(9). The log shall be kept in the preparation or embalming room of the Missouri licensed funeral establishment at all times and in full view for a board inspector. If the funeral establishment does not contain a preparation or embalming room, the log shall be kept on the premises of the licensed funeral establishment and shall be
easily accessible and in full view for a board inspector. A register log shall contain the information required by 20 CSR 2120-1.040(9).

[(27)](28) No dead human body shall be buried, disinterred, interred, or cremated within this state or removed from this state, unless the burial, disinterment, interment, cremation, removal, or other authorized disposition, is performed under the direction of a Missouri licensed funeral establishment or Missouri licensed funeral director, unless otherwise authorized by law. If the disinterment does not require legal notification to the county coroner or medical examiner, a funeral director’s presence may not be required.

(29) A licensee shall be prohibited from knowingly using, placing, or including any false, misleading, deceptive or materially incorrect information, or assisting or enabling any person to provide such information, on a death certificate filed in the State of Missouri.

[(28)](30) Whenever a dead human body is donated to a medical or educational institution for medical and/or scientific study and arrangements for return of the body to the legal next of kin have not been made, then delivery of the body to the medical or educational institution shall constitute final disposition. If, however, arrangements for return of the body to the legal next of kin have been made, then final disposition shall be the burial, interment, cremation, or removal of the body out of this state, after the medical or educational institution has returned the body.

[(29)](31) The rules in this division are declared severable. If any rule, or section of a rule, is held invalid by a court of competent jurisdiction or by the Administrative Hearing Commission, the remaining provisions shall remain in full force and effect unless otherwise determined by a court of competent jurisdiction or by the Administrative Hearing Commission.

Proposed Statute and/or Regulation Changes
The board reviewed the drafts prepared by legal counsel Kimberly Grinston, per board directive. Statute and Regulation Proposals from the State Board of Embalmers and Funeral Directors are as follows. Areas bolded are proposed new language, those in brackets are proposed deletions.

DEFINING THE PRACTICE OF FUNERAL DIRECTING
The board reviewed the existing language with regard to the practice of funeral directing, no modifications or changes were recommended at this time.

Chapter 333.081.1 RSMo.
The board reviewed a draft of proposed changes to Chapter 333.081 RSMo. relating to continuing education. Joy Gerstein, as public member, addressed the board regarding her support of continuing education. The public provided various comments in support and opposition of the consideration of continuing education requirements in the funeral profession. After discussion was heard, a motion was made by Gary Fraker and seconded by James Reinhard to table the continuing education language for further review. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

CONTINUING EDUCATION
I. (CE set by statute)
333.081. 1. Each license issued to a funeral director or embalmer pursuant to this chapter shall expire unless renewed on or before the renewal date. The board may, however, provide for the renewal of licenses held by individuals who are not actively engaged in practice and who are over sixty-five years of age without fee. The board shall renew any such license
upon due application for renewal, proof that the applicant has completed _____ hours of continuing education approved by the board during the twenty-four month period immediately preceding the date of the application for renewal of the license and upon the payment of the renewal fee, except that no license shall expire during the period when the holder thereof is actively engaged in the military service of the United States. Any licensee exempted from the renewal of his or her license because of military service shall, before beginning practice in this state after leaving military service, apply for and pay the renewal fee for the current licensing period.

II.

(CE to be set by the Board)

333.081. 1. Each license issued to a funeral director or embalmer pursuant to this chapter shall expire unless renewed on or before the renewal date. The board may, however, provide for the renewal of licenses held by individuals who are not actively engaged in practice and who are over sixty-five years of age without fee. The board shall renew any such license upon due application for renewal, proof that the applicant has completed _____ hours of continuing education as provided by rule of the board and upon the payment of the renewal fee, except that no license shall expire during the period when the holder thereof is actively engaged in the military service of the United States. Any licensee exempted from the renewal of his or her license because of military service shall, before beginning practice in this state after leaving military service, apply for and pay the renewal fee for the current licensing period.

20 CSR 2120-2.075- Recordkeeping Requirements

The board reviewed a draft of new proposed language to 20 CSR 2120-2.075-Recordkeeping Requirements. After discussion was heard, a motion was made by Martin Vernon and seconded by James Reinhard to remove “other than a limited license funeral director” from Subsection (3)(B)(6), and clarify 20 CSR 2120-2.060(23) Funeral Directing to include a limited funeral director shall only engage in the activities of funeral directing authorized for a function B funeral establishment. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

A motion was further made by James Reinhard and seconded by Gary Fraker to table Subsection (6) of this rule for further discussion. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

RECORDKEEPING REQUIREMENTS

20 CSR 2120-2.075- Recordkeeping Requirements.

(1) Each Missouri licensed funeral establishment shall maintain documentation of the following information regarding authorization to embalm a body which is embalmed by or on behalf of the Missouri licensed funeral establishment:

(A) When authorization to embalm is given in writing-
1. The name and signature of the person who is authorizing embalming;
2. The relationship of the person authorizing embalming to the deceased;
3. The time and date authorization to embalm was given and
4. The name and title of the person receiving authorization to embalm on behalf of the Missouri licensed funeral establishment.

(B) If verbal authorization to embalm is given, the Missouri licensed funeral establishment shall document-
1. The name of the person who is actually authorizing embalming, if different from the person who is verbally communicating authorization to embalm to the Missouri licensed funeral establishment;
2. The relationship of that person to the deceased;
3. The name of the person who is verbally communicating authorization to embalm and that person’s relationship to the person who is actually authorizing embalming;
4. The time and date authorization to embalm was given, and;
5. The name and title of the person receiving authorization to embalm on behalf of the Missouri licensed funeral establishment.

(2) Each Function A funeral establishment licensed for embalming shall maintain on the premises in the preparation room an register log which shall include the following:
(A) The name of the deceased;
(B) The date and time the dead human body arrived at the funeral establishment;
(C) The date and time the embalming took place, if applicable;
(D) The name and signature of the Missouri licensed embalmer, if applicable;
(E) The name and signature of the Missouri registered apprentice embalmer, if any;
(F) The Missouri licensed embalmer’s license number, if applicable;
(G) The Missouri apprentice embalmer registration number, if any; and
(H) The name of the licensed funeral establishment, or other that was in charge of making the arrangements if from a different location.

(3) Each Missouri licensed funeral establishment that contains a crematory area shall maintain permanent records which shall include:
(A) A written authorization for cremation executed prior to cremation by the person entitled to custody or control of the body which shows the time and date when authorization for cremation was given; and
(B) Information regarding the cremation which shall include:
   1. The full name of the deceased;
   2. The last place of residence of the deceased;
   3. The place of death of the deceased;
   4. The place of birth of the deceased;
   5. The date and place of the funeral;
   6. The name of the Missouri licensed funeral director other than a limited license funeral director with whom the arrangements were made;
   7. The name of the person(s) who made the arrangements with the Missouri licensed funeral director and the relationship to the deceased;
   8. The date and time when cremation was begun;
   9. The name and address of the person to whom the cremated remains were released or the location where the cremated remains were placed; and
   10. If the cremated remains were delivered or placed other than by an employee of the Missouri licensed funeral establishment, the name of the person who made the delivery or placement or the name of the business by which the cremated remains were shipped along with the receipt number.
   (C) A cremation log which is defined as a written record or log kept in the cremation area available at all times in full view, which shall include the following:
      1. The name of the deceased to be cremated;
      2. The name of the Missouri licensed establishment where the body is cremated;
      3. The date and time the body arrived at the crematory;
      4. The date and time the cremation took place;
      5. The name and signature of the Missouri licensed funeral director supervising the cremation;
      6. The supervising Missouri licensed funeral director’s license number; and
      7. The name of the Missouri licensed funeral establishment or other that was in charge of making the arrangements if from a different location.

(4) Each Function C funeral establishment shall maintain on the premises of the Missouri licensed funeral establishment the following documents:
(A) General price list;
(B) Preneed contracts which have been cancelled or fulfilled;
(C) Purchase agreements; and
(D) Authorizations to embalm or cremate

(5) Each funeral establishment shall maintain a register log, as defined by 20 CSR 2120-1.040(9). The log shall be kept in the preparation or embalming room of the Missouri licensed funeral establishment at all times and in full view for a board inspector. If the funeral establishment does not contain a preparation or embalming room, the log shall be kept on the premises of the licensed funeral establishment and shall be easily accessible and in full view for a board inspector. A register log shall contain the information required by 20 CSR 2120-1.040(9).
(6) All documents required by this rule to be maintained, shall be maintained on the premises of the Missouri licensed funeral establishment for two (2) years from the date the record was created. All documents required to be maintained by this rule may be maintained electronically, but all documents shall be stored in such a manner to allow access by the board and so the board, or its assignee, may easily and timely obtain hard copies or electronic copies in a format easily readable by the board, or its assignee.

20 CSR 2120-2.070. Funeral Establishments.
The board reviewed a draft of proposed changes to 20 CSR 2120-2.070 Funeral Establishments relating to collection of remains. After discussion was heard, a motion was made by Joy Gerstein and seconded by Martin Vernon to table for further review. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

COLLECTION OF REMAINS

20 CSR 2120-2.070. Funeral Establishments.
(31) Unless otherwise agreed in writing, the licensed funeral establishment which contracts for the cremation of a dead human body shall collect the cremated remains within ____ days after notification that the cremation has been completed.

20 CSR 2120-2.070. Funeral Establishments.
The board reviewed a draft of proposed changes to 20 CSR 2120-2.070 Funeral Establishments relating to scattering remains. After discussion was heard, a motion was made by Joy Gerstein and seconded by Martin Vernon to table for further review. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

SCATTERING REMAINS

20 CSR 2120-2.070. Funeral Establishments.
(32). Every funeral establishment, other than a Function A funeral establishment licensed only to perform embalming, shall adopt a written policy for the delivery and scattering of cremated remains. Unless otherwise agreed in writing, a funeral establishment which collects cremated remains shall have authority to dispose of the cremated remains by scattering or interring the unclaimed cremated remains in a scatter garden or pond, columbarium or other place formally dedicated for the burial of dead human bodies, provided, at least ninety days prior to such scattering or interment the funeral establishment shall send a written notice by certified mail, return receipt requested, to the person(s) who authorized the cremation stating that the remains will be scattered or interred under this subdivision unless the cremated remains are claimed and removed prior to the end of such ninety-day period. If such mailed notice cannot be delivered, at least thirty days prior to such scattering or interment the funeral establishment shall publish a notice once in a newspaper in general circulation in the county in which the funeral establishment is located stating that the remains will be scattered or interred unless the person who authorized the cremation removes the remains prior to the end of such thirty-day period.

Chapter 333.061 RSMo.
The board reviewed a draft of proposed changes to Chapter 333.061 RSMo. relating to suspension of crematory licenses. After discussion was heard, a motion was made by James
Reinhard and seconded by Joy Gerstein to approve changes made to Chapter 333.061 RSMo. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

**SUSPENSION OF CREMATION LICENSES**

333.061. 1. No funeral establishment shall be operated in this state unless the owner or operator thereof has a license issued by the board.

2. A license for the operation of a funeral establishment shall be issued by the board, if the board finds:
   (1) That the establishment is under the general management and the supervision of a duly licensed funeral director;
   (2) That all embalming performed therein is performed by or under the direct supervision of a duly licensed embalmer;
   (3) That any place in the funeral establishment where embalming is conducted contains a preparation room with a sanitary floor, walls and ceiling, and adequate sanitary drainage and disposal facilities including running water, and complies with the sanitary standard prescribed by the department of health and senior services for the prevention of the spread of contagious, infectious or communicable diseases;
   (4) Each funeral establishment shall have available in the preparation or embalming room a register book or log which shall be available at all times in full view for the board's inspector and the name of each body embalmed, place, if other than at the establishment, the date and time that the embalming took place, the name and signature of the embalmer and the embalmer's license number shall be noted in the book; and
   (5) The establishment complies with all applicable state, county or municipal zoning ordinances and regulations.

3. The board shall grant or deny each application for a license pursuant to this section within thirty days after it is filed. The applicant may request in writing up to two thirty-day extensions of the application, provided the request for an extension is received by the board prior to the expiration of the thirty-day application or extension period.

4. Licenses shall be issued pursuant to this section upon application and the payment of a funeral establishment fee and shall be renewed at the end of the licensing period on the establishment's renewal date.

5. The board may refuse to renew or may suspend or revoke any license issued pursuant to this section if it finds, after hearing, that the funeral establishment does not meet any of the requirements set forth in this section as conditions for the issuance of a license, or for the violation by the owner of the funeral establishment of any of the provisions of section 333.121. No new license shall be issued to the owner of a funeral establishment or to any corporation controlled by such owner for three years after the revocation of the license of the owner or of a corporation controlled by the owner. Before any action is taken pursuant to this subsection the procedure for notice and hearing as prescribed by section 333.121 shall be followed.

6. A funeral establishment licensed to perform cremations shall have a functioning retort. The Board may immediately suspend the license of any funeral establishment that is licensed to perform cremations if the retort of such establishment is not functioning for [more than ninety days/a reasonable period of time as established by rule of the Board.] Such suspension shall be effective until such time as the retort is fully restored to functioning capacity.

Chapter 333.042 RSMo.
The board reviewed a draft of proposed changes to Chapter 333.042 RSMo relating to apprenticeship requirements. After discussion was heard, a motion was made by Martin Vernon and seconded by James Reinhard to not pursue changes. Motion carried with James Reinhard, Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting.

**APPRENTICESHIP REQUIREMENTS**

333.042. 1. Every person desiring to enter the profession of funeral directing in this state shall make application with the state board of embalmers and funeral directors and pay the current application and examination fees. Applicants not entitled to a license pursuant to section 333.051 shall serve an apprenticeship for at least twelve months in a funeral establishment licensed for the care and preparation for burial and transportation of the human dead in this state or in another state [which has established standards for admission to practice funeral directing equal to, or more stringent than, the requirements for admission to practice funeral directing in this state]. The applicant shall devote at least fifteen hours per week to his or her duties as an apprentice under the supervision of a Missouri licensed funeral director. Such
applicant shall submit proof to the board, on forms provided by the board, that the applicant has arranged and conducted ten funeral services during the applicant's apprenticeship under the supervision of a Missouri licensed funeral director. Upon completion of the apprenticeship, the applicant shall appear before the board to be tested on the applicant's legal and practical knowledge of funeral directing, funeral home licensing, preneed funeral contracts and the care, custody, shelter, disposition and transportation of dead human bodies. Upon acceptance of the application and fees by the board, an applicant shall have twenty-four months to successfully complete the requirements for licensure found in this section or the application for licensure shall be canceled.

2. If a person applies for a limited license to work only in a funeral establishment which is licensed only for cremation, including transportation of dead human bodies to and from the funeral establishment, he or she shall make application, pay the current application and examination fee and successfully complete the Missouri law examination. He or she shall be exempt from the twelve-month apprenticeship and the practical examination before the board. If a person has a limited license issued pursuant to this subsection, he or she may obtain a full funeral director's license if he or she fulfills the apprenticeship and successfully completes the funeral director practical examination.

3. If an individual is a Missouri licensed embalmer or has graduated from an institute of mortuary science education accredited by the American Board of Funeral Service Education or any successor organization recognized by the United States Department of Education for funeral service education, or has successfully completed a course of study in funeral directing offered by a college accredited by a recognized national, regional or state accrediting body and approved by the state board of embalmers and funeral directors, and desires to enter the profession of funeral directing in this state, the individual shall comply with all the requirements for licensure as a funeral director pursuant to subsection 1 of section 333.041 and subsection 1 of this section; however, the individual is exempt from the twelve-month apprenticeship required by subsection 1 of this section.

Legislation
Becky Dunn, Executive Director, reported that the board has provided a legislative proposal to the division for consideration for a request for hiring outside legal counsel. The board is one of 4 autonomous boards that do not currently have this statutory authority. The Boards that do not have this authority are: Real Estate Commission, Embalmers and Funeral Directors, Podiatric Medicine and Veterinary Medical Board. The division has advised that this proposal may be included in the Reorganization Bill, which modifies various statutes to implement the Governor's executive order that created the Department of Insurance, Financial and Professional Regulation.

Practice of Embalming
- Other States
- St. Louis Community College
- Kansas City Kansas Community College
- Commonwealth Institute of Funeral Service, Houston, TX

At the August 2006 meeting, William Stalter, Wassberg and Stalter, PC, addressed the board with concerns relative to the scope of practice of embalming relating to Chapter 333 RSMo. What constitutes this practice by the board as he has clients that want a clearer definition of this process in Missouri? Discussion was held by the open, as well as the board membership.

The Executive Director provided the board with sample definitions of “embalming” from various states. Steve Koosman, Program Director of Funeral Service Education, with St. Louis Community College provided the board with their procedures for handling dead human remains and what is taught in their funeral service curriculum.
Kansas City Kansas Community College provided the board with their syllabus of their course of study in embalming, along with The International Conference of Funeral Service Examining Boards, Inc.’s Funeral Service Practitioner, National/State Board Examination Content Outline – 2006. Commonwealth Institute of Funeral Service, located in Houston, Texas provided the board with a course description of curriculum which is compliance with the guidelines established by the American Board of Funeral Service Education.

After reviewing the materials provided relating to the practice of embalming, a motion was made by Martin Vernon and seconded by Gary Fraker directing the Executive Director to draft language to amend the definition of embalming in board regulations, similar to the definition used by the State of Kansas. Motion carried with Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting. James Reinhard was absent for this portion of the meeting.

**Embalming Log**
The board and members of the public were provided a copy of the suggested format for the Embalming Log to the industry and on the website. The board is requesting feedback of concerns and suggestions prior to including on the website, sending out to the inspectors and providing a copy to MFDA, who will then disseminate to their industry membership as well. This was provided for informational purposes.

**NFDA Convention Update – October 2006**
Kenneth McGhee reported on the National Funeral Director’s Association Convention and Expo, held October 15-18, 2006 in Philadelphia, Pennsylvania.

**Future Meetings**
The board asked the Executive Director to check into board meeting room availability for various locations for March, August and December 2007.

**Provider and Seller Registration Report**
Lori Hayes reported the registered preneed sellers in Missouri reported a total of $95,173,784.15 for the 2005-2006 reporting period.

**Open Discussion – Dialogue with General Public Attending Open Session Continuation and/or Completion of any Unfinished Open Session Business**
Don Otto reported the Missouri Funeral Directors Association will hold their annual convention the last week of April/first week of May, 2007 in conjunction with Kansas and Nebraska.

**Closed Meeting**
Motion was made by Gary Fraker and seconded by Joy Gerstein 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 open minutes of previous meetings. Motion carried with Kenneth McGhee, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting. James Reinhard and Martin Vernon were absent for this portion of the meeting.

Adjournment
A motion was made by Gary Fraker and seconded by Martin Vernon to adjourn. Motion carried with Martin Vernon, Gary Fraker and Joy Gerstein voting in favor with no votes in opposition. Marcia Shadel was absent for the entire meeting. James Reinhard was absent for this portion of the meeting. The meeting adjourned at 4:00 p.m. on Tuesday, December 5, 2006.

Executive Director: ________________________________

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

December 3-5, 2006
InterContinental Kansas City at the Plaza
401 Ward Parkway
Kansas City, Missouri

The Missouri State Board of Embalmers and Funeral Directors will be meeting on Sunday, December 3, 2006 beginning at 1:00 p.m., Monday, December 4, 2006 beginning at 8:45 a.m., and Tuesday, December 5, 2006 beginning at 9:00 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: David Broeker and Janice Sloca
OPEN AGENDA
Missouri State Board of Embalmers
and Funeral Directors

December 3-5, 2006
InterContinental Kansas City at the Plaza
401 Ward Parkway
Kansas City, Missouri

Sunday, December 3, 2006 – 1:00 p.m.

Call to Order

Roll Call

1. Approval of Agenda

Closed Meeting. The Board may 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 open minutes of previous meetings.

Monday, December 4, 2006 – 1:00 p.m.

2. 1:00 p.m. – Ted Foster/Ted Foster & Sons – Probatin Violation Hearing

Closed Meeting. The Board may 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 open minutes of previous meetings.
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 open minutes of previous meetings.

Tuesday, December 5, 2006 – 9:00 a.m.

Call to Order
Roll Call

3. Approval of Minutes
   • June 30, 2006 Open Mail Ballot Meeting Minutes
   • July 17-18, 2006 Open Meeting Minutes
   • July 21, 2006 Open Mail Ballot Meeting Minutes
   • July 25, 2006 Open Mail Ballot Meeting Minutes
   • August 3, 2006 Open Mail Ballot Meeting Minutes
   • August 9, 2006 Open Mail Ballot Meeting Minutes
   • August 28-29, 2006 Open Meeting Minutes
   • September 5, 2006 Open Mail Ballot Meeting Minutes
   • September 7, 2006 Open Mail Ballot Meeting Minutes
   • September 11, 2006 Open Mail Ballot Meeting Minutes
   • September 12, 2006 Open Mail Ballot Meeting Minutes
   • September 26, 2006 Open Mail Ballot Meeting Minutes
   • October 2, 2006 Open Conference Call Meeting Minutes
   • October 18, 2006 Open Conference Call Meeting Minutes
   • October 24, 2006 Open Conference Call Meeting Minutes
   • October 30, 2006 Open Mail Ballot Meeting Minutes

4. Executive Director’s Report

5. Revised Rule 20 CRS 2120-2.060(18) Funeral Directing - Effective 9/30/06
   • 20 CSR 2120-1.010 General Organization
   • 20 CSR 2120-1.020 Board Member Compensation
   • 20 CSR 2120-1.030 Election and Removal of Officers
   • 20 CSR 2120-1.040 Definitions
   • 20 CSR 2120-2.010 Embalmer’s Registration and Apprenticeship
   • 20 CSR 2120-2.020 Biennial License Renewal

Posted November 17, 2006
4:15 p.m.
• 20 CSR 2120-2.022 Retired License
• 20 CSR 2120-2.030 Registration of Licensees with Local Registrars of Vital Statistics
• 20 CSR 2120-2.040 Licensure by Reciprocity
• 20 CSR 2120-2.050 Miscellaneous Rules
• 20 CSR 2120-2.060 Funeral Directing
• 20 CSR 2120-2.070 Funeral Establishments
• 20 CSR 2120-2.071 Funeral Establishments Containing a Crematory Area
• 20 CSR 2120-2.080 Written Statement of Charges
• 20 CSR 2120-2.090 Preparation Rooms/Embalming Room
• 20 CSR 2120-2.100 Fees
• 20 CSR 2120-2.105 Preneed Fees
• 20 CSR 2120-2.110 Public Complaint Handling and Disposition Procedure
• 20 CSR 2120-2.115 Procedures for Handling Complaints Against Board Members
• 20 CSR 2120-2.120 Public Records
• 20 CSR 2120-3.010 Preneed Seller Registration
• 20 CSR 2120-3.020 Preneed Provider Registration
• 20 CSR 2120-3.030 Notification of Intent to Sell Assets or Cease Doing Business (Seller or Provider)

6. Proposed Amendments submitted to Division and returned to Board for further discussion

7. Proposed Statute and/or Regulation Changes

8. Legislation

9. Practice of Embalming
   • Other States
   • St. Louis Community College
   • Kansas City Kansas Community College
   • Commonwealth Institute of Funeral Service, Houston, TX

10. Embalming Log

11. NFDA Convention Update – October 2006

12. Future Meetings
   • March
   • August
   • December

13. Provider and Seller Registration Report
14. Open Discussion – Dialogue with General Public Attending Open Session

Continuation and/or Completion of any Unfinished Open Session Business

Closed Meeting. The Board may 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 open minutes of previous meetings.

Adjournment