State Board of Embalmers and Funeral Directors

April 9, 2019

Holiday Inn & Suites
1590 Jefferson St
Jefferson City, Missouri 65109

OPEN MINUTES

The meeting of the State Board of Embalmers and Funeral Directors was called to order on April 9, 2019 by Scott Meierhoffer, Chairman at 8:23 a.m.

Roll Call
Board Members Present
Scott Meierhoffer, Chairman
Andrew Moore, Vice Chairman
James Reinhard, Board Member
Kenneth McGhee, Board Member

Board Members Absent
Vacant, Public Member
Gary Fraker, Secretary

Staff Present
Lori Hayes, Executive Director
Teri Forck, Administrative Assistant
Randall Jennings, Financial Examiner Supervisor
Sharon Euler, Division Counsel

The order of the items reflected in these minutes is not necessarily reflective of the order in which the items were reviewed and discussed by the board.

Approval of Agenda
A motion was made by Andrew Moore and seconded by James Reinhard to approve the agenda. Motion carried with Scott Meierhoffer and Kenneth McGhee voting in favor with no votes in opposition. Gary Fraker was not present.

Motion to Close
A motion was made by James Reinhard and seconded by Andrew Moore to move into closed session pursuant to #1, 2, 7, and 9 of the attached motions to close. Motion carried with Kenneth McGhee and Scott Meierhoffer voting in favor with no votes in opposition. Gary Fraker was not present.

Roll Call – Return to Open
At approximately 11:26 am, a motion was made by Andrew Moore and seconded by James Reinhard to reconvene in open session. Motion carried with Kenneth McGhee and Scott Meierhoffer voting in favor with no votes in opposition. Scott Meierhoffer performed roll call. Present were Scott Meierhoffer, James Reinhard, Kenneth McGhee and Andrew Moore. Gary Fraker was not present.

Discipline Hearing – Sweeney-Phillips & Holdren Funeral Service, Inc
License #2010005377
The board granted a continuance for the discipline hearing per the request submitted by Mr. Holdren. Mr. Holdren was not present and no one appeared on his behalf, Jamie Cox with Brydon Swearengen & England appeared on behalf of the Board.

Discipline Hearing – Sweeney-Phillips & Holdren Funeral Service, Inc
License #2010005378
The board granted a continuance for the discipline hearing per the request submitted by Mr. Holdren. Mr. Holdren was not present and no one appeared on his behalf, Jamie Cox with Brydon Swearengen & England appeared on behalf of the Board.

Discipline Hearing – Sweeney-Phillips & Holdren Funeral Service, Inc
License #2009039086
The board granted a continuance for the discipline hearing per the request submitted by Mr. Holdren. Mr. Holdren was not present and no one appeared on his behalf, Jamie Cox with Brydon Swearengen & England appeared on behalf of the Board.

Discipline Hearing – C L Holdren 10:00am
License #000246
The board granted a continuance for the discipline hearing per the request submitted by Mr. Holdren. Mr. Holdren was not present and no one appeared on his behalf, Jamie Cox with Brydon Swearengen & England appeared on behalf of the Board.

Motion to Close
At approximately 11:28a.m., a motion was made by Kenneth McGhee and seconded by Andrew Moore to move into closed session pursuant to #1, 2, 7, and 9 of the attached motions to close. Motion carried with James Reinhard and Scott Meierhoffer voting in favor with no votes in opposition. Gary Fraker was not present.

Roll Call – Return to Open
At approximately 12:43pm, a motion was made by James Reinhard and seconded by Kenneth McGhee to reconvene in open session. Motion carried with Andrew Moore and Scott Meierhoffer voting in favor with no votes in opposition. Gary Fraker was not present. Open was called to order at 1:05pm. Scott Meierhoffer performed roll call. Present were Scott Meierhoffer, James Reinhard, Kenneth McGhee and Andrew Moore. Gary Fraker was not present.

Acknowledgement and Recognition of Newly Licensed Embalmers and Funeral Directors
Scott Meierhoffer acknowledged the newly licensed individuals and congratulated them on their licensure. The remainder of the board also extended congratulations.

Approval of Open Minutes (approval of the Financial Examination Committee Minutes ratifies its actions)
A motion was made by Kenneth McGhee and seconded by Andrew Moore to approve the following minutes:

- October 23, 2018 Conference Call
- October 25, 2018 Board Meeting
- November 7, 2018 Conference Call
- November 20, 2018 Exam Meeting Call
- December 12-13, 2018 Board Meeting
- December 20, 2018 Conference Call
- January 2, 2019 Mail Ballot
January 22, 2019 Conference Call
January 23, 2019 Conference Call
February 11, 2019 Conference Call
February 19, 2019 Conference Call

Motion carried with James Reinhard and Scott Meierhoffer voting in favor with no votes in opposition. Gary Fraker was not present.

Executive Director Report
The Executive Director discussed the financial report.

The Executive Director provided an update on the FARB conference and The Conference convention recently attended.

The Executive Director provided a legislative update on the following:

- SB 337- Modifies provisions of the Missouri Preneed Funeral Contract Act
- SB 455 – Changes provisions regarding licensing of funeral establishments
- H3 816- Changes provisions relating to embalming apprenticeships- Referred to Rules-Administrative Oversight
- H3 1131- establishes a preneed funeral contract trust- Referred to the Special Committee on Aging

The Executive Director provided a financial examination update.

The Executive Director discussed E-Funeral Digital Storefront.

The Executive Director allowed Brad Davis with the association to speak regarding continuing education.

The Executive Director discussed the option of sending initial email notices to licensees for renewals and then following up with renewal postcards for anyone that does not renew after the email notification. A motion was made by Andrew Moore and seconded by Kenneth McGhee to approve this process. Motion carried with James Reinhard and Scott Meierhoffer voting in favor with no votes in opposition. Gary Fraker was not present.

Discussion of Future Meeting Dates
Future meeting dates were discussed and meetings were suggested for June 19-20, 2019 in St. Louis and August, 2019 in Jefferson Cty.

Move to Closed
At approximately 2:06 p.m., a motion was made by James Reinhard and seconded by Andrew Moore to move into closed session pursuant to #1, 2, 4, 5, 7, 8, and 9 of the attached motions. Motion carried with Kenneth McGhee and Scott Meierhoffer voting in favor with no votes in opposition. Gary Fraker was not present.

Roll Call – Return to Open
At approximately 2:35pm, a motion was made by James Reinhard and seconded by Kenneth McGhee to reconvene in open session. Motion carried with Andrew Moore and Scott Meierhoffer voting in favor with no votes in opposition. Scott Meierhoffer performed roll call. Present were Scott Meierhoffer, James Reinhard, Kenneth McGhee and Andrew Moore. Gary Fraker was not present.

Adjournment
A motion was made by Andrew Moore and seconded by James Reinhard to adjourn at 2:36p.m. on April 9,
2019. Motion carried with Scott Meierhoffer and Kenneth McGhee voting in favor with no votes in opposition. Gary Fraker was not present.

Executive Director

Approved by the board on June 20, 2019
MOTIONS TO GO INTO CLOSED SESSION

1. **DISCIPLINE**
   I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (1) RSMo and 324.001.9 RSMo for deliberation on discipline.

2. **LEGAL ACTIONS/LITIGATIONS/PRIVILEGED COMMUNICATIONS**
   I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (1) RSMo for discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney.

3. **PROMOTING/HIRING/DISCIPLINING/FIRING EMPLOYEES**
   I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (3) RSMo discussing hiring, firing, disciplining or promoting an employee of this agency.

4. **DIAGNOSIS/TREATMENT OF DISCIPLINED LICENSEES**
   I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (5) and Section 324.001.8 RSMo, for proceedings required pursuant to a disciplinary order concerning medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment of specific licensees.

5. **EXAMINATION MATERIALS**
   I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (7) RSMo for reviewing testing and examination materials.

6. **EMPLOYEE PERFORMANCE RATINGS**
   I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (13) RSMo for making performance ratings pertaining to individual employees.

7. **APPLICATIONS**
   I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (14) and Section 324.001.8 RSMo for discussing educational transcripts and/or test scores and/or complaints and/or audits and/or investigative reports and/or other information pertaining to the licensee or applicant for licensure.

8. **CLOSED MINUTES**
   I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 610.021, Subsection (14) and 324.017 RSMo for the purpose of reviewing and approving the closed minutes of previous meetings.

9. **COMPLAINTS/INVESTIGATIVE REPORTS/AUDITS**
   I move that this meeting be closed and that all records and votes, to the extent permitted by law, pertaining to and/or resulting from this closed meeting be closed under Section 324.001.8 and 324.017 RSMo for the purpose of discussing investigative reports and/or complaints and/or audits and/or other information pertaining to a licensee or applicant.

Revised 2018-01