

MINUTES

**UTAH
FUNERAL SERVICE LICENSING
BOARD MEETING**

November 17, 2010

**Room 474 - 4th Floor – 9:00 A.M.
Heber Wells Building
Salt Lake City, UT 84111**

CONVENED: 9:00 a.m.

ADJOURNED: 12:14 a.m.

Bureau Manager:

Clyde Ormond

Board Secretary:

Yvonne King

Board Members Present:

Reginal V. Ecker, Chairperson
Mitchell Blackburn
Ned Nordgren
Brent Russon
Mary W. Bearnson
P Mark Brown
Louie Hamner

DOPL Staff Present:

Mark Steinagel, Division Director
Connie Call, Compliance

Guests:

Rob Larkin, Utah Funeral Directors Association
Joyce Mitchell, Funeral Consumers Alliance
Randy Miller, Self
Phillip Perkes, Self

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Welcome Mr. P. Mark Brown and Mr. Louie Hamner as new Board Members

Mr. Ormond gave the Oath of Office to Mr. Brown and Mr. Hamner as new Board Members .

Approve August 15, 2010 Board Meeting Minutes

Mr. Blackburn seconded by Mr. Nordgren made a motion to approve the August 15, 2010 Board Meeting Minutes. The motion carried unanimously.

Introduction of New Board Secretary

Mr. Ormond introduced Yvonne King as the new Board Secretary.

APPOINTMENTS:

9:15 Rules Hearing

Steve Eckland, Administrative Law Judge, conducted a Rules Hearing with respect to changes to the Utah Funeral Service Law and Rule Examination and other technical cleanup corrections.

9:25 Board Member Orientation

Mr. Ormond presented a Power Point Presentation which gave a detailed summary of the Board's roll with the Division.

9:45 a.m. Mark Steinagel

Mr. Steinagel explained the circumstances for the long processing time of Mr. Perk's application and apologized to the Board.

Ms. Lourie Noda was originally going to address the Board of the circumstances with Mr. Perk's application but was excused from the meeting due to unforeseen circumstances.

10:00 Randy Miller

Mr. Miller appeared before the Board for his scheduled appointment. Mr. Miller applied for a Funeral Service Director but answered yes to questions #14 and #15 of the qualifying questionnaire which indicated he had a criminal background.

10:05

Ms. Bearson seconded by Mr. Brown made a motion to close the meeting. The motion carried unanimously.

10:15

Mr. Russon seconded by Mr. Nordgren made a motion to re-open the meeting. The motion carried unanimously.

After a review of Mr. Miller's charges, the Board concluded that he should receive full licensure as Funeral Service Director.

Mr. Blackburn seconded by Mr. Russon made a motion to approve Mr. Miller for full licensure as a Funeral Service Director. The motion carried unanimously.

10:20 Compliance, Connie Call

Ms. Call described the procedures of the Compliance Unit with Mr. Brown and Mr. Hamner.

Ms. Call reviewed Mr. Perks' file and indicated that he is compliant.

Ms. Call requested that the board extend the due date an additional 60 days for initial reports to come in due to the fact that the Division is requiring an updated evaluation for Mr. Perks.

The Board indicated that the 60 day extension would be allowed.

Ms. Call submitted a resume from Dr. David Dodgion for approval by the Board to allow him to perform Mr. Perk's updated evaluations.

Mr. Blackburn seconded by Mr. Nordgren made a motion to approve Dr. David Dodgion to perform Mr. Perks' evaluations.

10:40 Phillip Perks

Mr. Perks appeared for his scheduled probationary appointment with the Board. Mr. Russon performed the interview. Mr. Perks stated that he is doing well and stated that many of his problems were directly related to alcohol abuse.

The Board indicated that Mr. Perks was compliant with his Memorandum of Understanding and would be required to meet with the Board at the next scheduled meeting on February 16, 2011.

DISCUSSION ITEMS:

Pre-Need Sales Contracts
Rob Larkin

Mr. Larkin presented a draft of proposed law changes with respect to Pre-Need sales contracts.

Mr. Larkin explained that the economy is not keeping up the demands to guarantee Pre-Need contracts and suggested offering both guaranteed and non-guaranteed contracts.

Mr. Larkin stated that there are many interpretations of the law and it is hard to clearly define and propose changes. Mr. Larkin stated before the respective committee can move forward, they would like to obtain proper clarification.

Mr. Steinagel suggested scheduling an informal meeting to discuss these proposals and obtain clarification of the law.

After the Board meeting, an informal meeting was scheduled for the following Tuesday November 23, 2010 at 9:00 am.

CORRESPONDENCE:

Open & Public Meetings Act

Reviewed, with no further action taken.

ICFSEB MEMBERSHIP

Reviewed, with no further action taken.

SUMMARY OF 2009 COMPARISON OF
STATE PRENEED LAWS

Reviewed, with no further action taken.

PRE-NEED SALES AND TRUST VALUE
CHART

Reviewed, with no further action taken.

NFDA CODE OF PROFESSIONAL
CONDUCT

Reviewed, with no further action taken.

NEXT MEETING:

February 16, 2011

ADJOURN:

12:14 a.m.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

11/17/2010

(ss) Reginal V. Ecker

Chairperson, Utah Funeral Service Licensing Board

11/17/2010

(ss) Clyde Ormond

Bureau Manager, Division of Occupational & Professional Licensing

