

**MINUTES**

**UTAH  
FUNERAL SERVICE LICENSING  
BOARD MEETING**

**February 16, 2011**

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

**CONVENED:** 9:08 a.m.

**ADJOURNED:** 11:28 a.m.

**Bureau Manager:**

Clyde Ormond

**Board Secretary:**

Yvonne King

**Board Members Present:**

Reginal V. Ecker, Chairperson  
Mitchell Blackburn  
Ned Nordgren  
Brent Russon  
P Mark Brown

**Board Members Absent**

Mary Bearnson  
Louie Hamner

**DOPL Staff Present:**

Mark Steinagel, Division Director  
Connie Call, Compliance  
Ray Walker, Reg/Compliance Officer

**Guests:**

Rob Larkin, Utah Funeral Directors Association  
Joyce Mitchell, Funeral Consumers Alliance  
Phillip Perkes, Self  
Connor Griffith, Self  
Sherrie Loewen

**DECISIONS AND RECOMMENDATIONS**

**ADMINISTRATIVE BUSINESS:**

Approve November 17, 2010 Board Meeting Minutes

Mr. brown seconded by Mr. Nordgren made a motion to approve the November 17, 2010 Board Meeting Minutes. The motion carried unanimously.

## **APPOINTMENTS**

9:15 Compliance, Connie Call

Ms. Call stated that the Board would need to allow Mr. Perks additional time to have a psycho sexual evaluation done with a set deadline. Ms. Call noted that Mr. Perks had submitted all employer reports.

9:30 Phillip Perkes

Mr. Perks appeared before the Board for his probationary interview. Mr. Russon performed the interview.

Mr. Perks stated that he did not have the funds to do a psycho sexual evaluation and missed one time calling in for drug testing.

Mr. Perks agreed to complete the on-line ethics courses. The Board reminded Mr. Perks to keep track of all completed courses and submit all certificates by the May Board Meeting. The Board determined the deadline for the psycho sexual evaluation to be due May 1, 2011.

Mr. Perks started his probationary period January 11, 2011 because this is when he started employment. Mr. Perks is considered non-compliant at this time but if he successfully completes the required steps as discussed, he will be considered compliant.

Corey Stone

Mr. Ormond reviewed Mr. Stone's application along with a 2002 stipulation showing criminal history. Mr. Stone recently applied for a Preneed Sales Agent but then with-drew his application.

Mr. Ormond asked the Board if this was the type of application the Board would like to review. The Board indicated that they would like to review those types of applications.

10:15 Connor Griffith

Mr. Griffith appeared before the Board for his appointment. Mr. Griffith requested an additional extension on his Funeral Service Intern License. One extension had already been granted to Mr. Griffith.

Mr. Griffith stated that he could not complete his schooling with the additional extension. Mr. Ormond read from the Licensing Act 58-9-303 (2) which indicated the Division did not have the authority to grant an additional extension.

Laurie Noda said she would further review the Statute and probably make a recommendation allowing Mr. Griffith's internship to be extended. The Board determined that the wording in the Statute should have better clarification.

Mr. Steinagel wanted to know how the Board felt about granting Mr. Griffith another extension. The Board indicated that Mr. Griffith should have his internship extended. Mr. Walker referred to the Licensing Act 58-1 under the General Umbrella clause which could allow an extension for Mr. Griffith.

Mr. Russon seconded by Mr. Nordgren made a motion pending the recommendation from Ms. Noda to grant Mr. Griffith an extension on his license. The motion carried unanimously.

Laurie Noda

Ms. Noda explained the reason why Mr. Perk's application took so long to process. Ms. Noda indicated that there were not enough facts to present before a hearing. Ms. Noda also explained that she did not communicate this with investigations which kept the file from moving forward. She stated that from now on she will communicate with the Bureau Manager and Investigations.

Mr. Steinagel stated that the Division is working on a new Notice of Agency Action that will speed things up. Mr. Steinagel also stated that the Division will measure each step of the investigative process which will make the role in the decision making easier.

## **TOPICS FOR DISCUSSION**

Preneed Law Exam

Mr. Ormond reviewed the Utah Preneed Examination because many of the candidates claimed finding inaccuracies between the study material and test questions presented on the exam.

Mr. Ormond researched the individuals who had taken and passed the exam and those who had failed. Mr. Ormond felt that the individuals who failed the exam may not have taken enough time to study.

Mr. Rob Larkin read a letter from an individual who had taken the law exam and pointed out that the questions were poorly written. It was noted that the

Board recalled the law exam being approved as open book. The Board would like to make allowances with those individuals who failed the exam, make sure they are provided the materials for an open book exam, eliminate the 30 day waiting period between exams, and let those candidates who failed re-take the exam at no charge.

Mr. Ormond stated he would contact PSI, the Division's testing facility to see what their policies are.

Salt Lake Community College

Salt Lake Community College will be starting a Mortuary Science Program. Ms. Sherrie Loewen with Salt Lake Community College was present at the Board and stated that they are looking for support from the community, and have applied to receive candidacy for accreditation. Ms. Loewen stated that because they would not have immediate accreditation, the student could take a provisional national exam but would have to take the National Exam again once accreditation took place.

Mr. Steinagel suggested putting this on the agenda for the August Meeting. The Board inquired if Salt Lake Community College would have limited enrollment. Ms. Loewen stated that it would depend on the market.

Government Accountability Office  
GAO Survey

Mr. Ormond stated that GAO will be administering a survey in early to mid 2011. The Board will be contacted when the survey comes out.

**CORRESPONDENCE:**

ICFSEB Annual Conference  
ICFSEB BY-LAWS AND RESOLUTION  
COMMITTEE  
Selected Independent Funeral homes (CEU)  
Funeral CE  
The Compass  
Funeral Consumer Alliance (Newsletters)  
The Conference Report  
Funeral Home and Cemetery (Newsletters)

Reviewed, with no further action taken.  
Reviewed, with no further action taken

**NEXT MEETING:**

May 18, 2011

**ADJOURN:**

11:28 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.*

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<u>May 18, 2011</u>	<u>(ss) Reginal V. Ecker</u>
Date Approved	Chairperson, Utah Funeral Service Licensing Board

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<u>May 18, 2011</u>	<u>(ss) Clyde Ormond</u>
Date Approved	Bureau Manager, Division of Occupational & Professional Licensing

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