

MINUTES

**UTAH
FUNERAL SERVICE LICENSING
BOARD MEETING**

May 18, 2011

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

CONVENED: 9:03 a.m.

ADJOURNED: 11:30 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. Bearson
P Mark Brown
Louie Hamner

DOPL Staff Present:

Connie Call, Compliance

Guests:

Rob Larkin, UFDA
Brandon Burningham, Memorial Estates Inc.
Phillip Perkes, Licensee
Joyce Mitchell, Funeral Consumers Alliance of Utah

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

ADMINISTRATIVE BUSINESS:

Approve February 16, 2011 Board Meeting Minutes

Mr. Blackburn seconded by Mr. Hamner made a motion to approve the February 16, 2011 Board Meeting Minutes as written. The motion carried unanimously.

APPOINTMENTS

9:15 Compliance, Connie Call

Ms. call reviewed Mr. Perkes' compliance file. Ms. Call stated that Mr. Perks was non-compliant because

the information that was received came late. Ms. Call stated she is still waiting for the results on additional testing, however Mr. Perkes' employer reports were very good.

9:30 Phillip Perkes

Mr. Perks appeared before the Board for his scheduled appointment. Mr. Perks stated that the psychological testing took a lot longer than what he anticipated. Mr. Perkes also stated he had been attending a twelve step program and is now a sponsor.

9:10

Mr. Blackburn seconded by Mr. Hamner made a motion to close the meeting. The motion carried unanimously.

9:30

Mr. Hamner seconded by Ms. Bearson made a motion to re-open the meeting. The motion carried unanimously.

The Board considers Mr. Perkes compliant with his Memorandum. The Board would like to see Mr. Perkes at the next Board meeting scheduled August 17, 2011

9:45 Joyce Mitchell

Ms. Mitchell presented a summary of the Funeral Consumer's Alliance of Utah GPL Survey results and stated that there are some mortuaries that are violating the law by not including a complete price list of all services, charging additional fees that are not listed and not providing refrigeration facilities at their establishments.

Mr. Ormond stated that Ms. Mitchell could not bring complaints of specific mortuaries because this would recuse the Board from making any decisions.

Mr. Russon stated that these findings should be sent out to the associations. Ms. Mitchell stated that she e-mailed this to all funeral homes and stated that this was not to get a funeral homes in trouble but encourage them to do the right thing.

Mr. Ormond stated he would like to meet with Mr. Russon in conjunction with investigations to review the GPL Survey.

It was determined by the Board that they would like to see all funeral homes compliant with the law.

Application Review

Mr. Ormond brought in an application for the Board's direction which had an issue on an internship which expired in 2008.

It was determined after further review from the bureau that the applicant had the proper amount of time on his internship.

10:00 Salt Lake Community College

Mr. Ormond stated that they tried to contact Ms. Loewen for an update on what is being done with the mortuary school which will be located at Salt Lake Community College. This will be addressed in the August Board meeting.

H.B. 243

Mr. Ormond discussed HB 243 which lets a Board member remain on the board for up to six months after their expiration date. This will allow the Board to retain its continuity while going through the replacement process.

Other issues that affect the funeral establishment, interns and directors will give the Division citation authority to fine up to \$1,000 for unlicensed individuals and those establishments who hire them.

10:15 Kent Barnes

Mr. Barnes addressed the concerns on the Pre-need exam. There were some complaints that the prep exam questions were inappropriately written. Mr. Barnes however had previously reviewed the website where the questions had originated and noted that it was not PSI endorsed but a web-site that was building a business around some individuals that were trying to obtain licensure. Mr. Barnes also stated that this would not be considered a DOPL issue and there are no security issues at stake.

Mr. Barnes passed out the PSI pass/fail rates for Pre-need Sales Agent candidates. Mr. Barnes also provided information on the statistics of the pass/fail rates and the percentages of those who passed on the first attempt and those who retested.

The Board noted that they would like the same testing

information for the Funeral Directors. Mr. Barnes stated he would get that same information to the Board and associations.

Mr. Barnes then addressed the 30 day waiting period. Mr. Barnes stated that a 30 day waiting period is better than those candidates who repeatedly take the exam and learn only the test and not the knowledge.

The Board and some of the associations that were present at the meeting had concerns it may not be appropriate to make a candidate wait the full 30 days because it would slow down the process on getting those candidates out in the field. The Board suggested shortening the time for candidates who failed with a higher score.

Mr. Ormond stated that this change may need to be done in rule but he would look into that.

Mr. Russon seconded by Mr. Nordgren made a motion to change the waiting period on the Pre-Need exam from thirty days to seven days only if the candidate has a pass rate of 70% or better. If the candidate has a test score of 69% or less, that candidate would still have to wait the full 30 days. The motion carried unanimously.

Pre-Need Insurance, Rob Larkin

Mr. Larkin provided a synopsis on the Pre-Need insurance plan and a guaranteed Pre-Need trust.

CORRESPONDENCE:

Mid – America College of Funeral News
The Compass (Newsletter)
PSI Exam Scores
Funeral Home & Cemetery (Newsletters)
ICFSEB, Budget

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

NEXT MEETING:

August 17, 2011

ADJOURN: 11:30

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.

<u>November 16, 2011</u>	<u>(ss) Reginal V. Ecker</u>
Date Approved	Chairperson, Utah Funeral Service Licensing Board

<u>November 16, 2011</u>	<u>(ss) Clyde Ormond</u>
Date Approved	Bureau Manager, Division of Occupational & Professional Licensing