

MINUTES

**UTAH
FUNERAL SERVICE LICENSING
BOARD MEETING**

May 20, 2009

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

CONVENED: 9:05 a.m.

ADJOURNED: 9:50 a.m.

Bureau Manager:

Clyde Ormond

Board Secretary:

Jacky Adams

Board Members Present:

Reginal V. Ecker, Chairperson
Ned Nordgren
Allyn Walker

Board Members Absent:

Joseph W. Thalman
Mitchell Blackburn
Mary W. Bearnson
Mark Walker

DOPL Staff Present:

Guests:

Joyce Mitchell, Funeral Consumers Alliance of Utah

TOPICS FOR DISCUSSION

DECISIONS AND RECOMMENDATIONS

Due to a lack of a quorum no decisions were made.

These minutes only reflect items that were discussed and recommended.

ADMINISTRATIVE BUSINESS:

Change in Division Directors

Mr. Ormond explained that Mr. F. David Stanley had retired from the Division at the end of June. Mr. Thad LaVar will be the Interim Division Director until June 10th, 2009 when Mr. Mark Steinagel will become the new Division Director.

It was later acknowledged that this will be Mr. Allyn Walker's last meeting with the Board. Mr. Ormond expressed the Division's appreciation to Mr. Walker.

DISCUSSION ITEMS:

Trust Accounts

This topic has been discussed at the past three meetings on November 12, December 17, 2008 and February 18, 2009.

Mr. Ormond explained the history of this issue; and how Trust expenses are currently disbursed. After a detailed discussion it was explained that to enable a Funeral Establishment to cover all expenses a larger percentage of the interest earned, would need to be made available to the Establishment. However, concern was expressed that if the amount of interest earned was less than the amount of funding needed, then regardless of the language in the proposal the funeral service establishment will be unable to meet its responsibilities, the current proposal, of increasing the allowable percentage from 1% to 2%, would not resolve this issue.

This issue was then tabled until the August 19, 2009 meeting for further discussion.

Mr. Nordgren then submitted a copy of the "Summary of 2009 comparison of state preneed laws with nfda's preneed guidelines", to the Board for further review.

Mr. Walker and Mr. Ecker then agreed that most Funeral Establishments would support a proposal to discontinue the sale of Pre-Need contracts. Adding that the purpose, of the sales of Pre-Need contracts, is to secure further business for the Establishment, however, in many cases the Establishment takes a loss, due to expenses increasing.

Criminal History at Licensure and Renewal

This issue was tabled until the next meeting on August 19, 2009.

Viewing of unembalmed body

Ms. Mitchell questioned the Board regarding if it was a Statutory requirement or Funeral Establishment policy for a body to not be publicly viewed, if it has not been embalmed. Mr. Allyn Walker explained that at his Establishment it is policy; he then added that most Funeral Establishments have established a similar policies.

CORRESPONDENCE:

The Conference – 2009 Budget

This issue was tabled until the next meeting on August 19, 2009.

The New York Times – “A Funeral Museum at Death’s Door”

This issue was tabled until the next meeting on August 19, 2009.

Everest – Federal Trade Commission Opinion on Funeral Rule Compliance

This issue was tabled until the next meeting on August 19, 2009.

Deseret News – “Feds Dig Up Plot Involving Phony Funerals”

This issue was tabled until the next meeting on August 19, 2009.

NEXT MEETING:

August 19, 2009

ADJOURN:

9:50 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.

August 20, 2009

(ss) Reginal V. Ecker

Date Approved

Chairperson, Utah Funeral Service Licensing Board

August 20, 2009

(ss) Clyde Ormond

Date Approved

Bureau Manager, Division of Occupational & Professional Licensing