

MINUTES

**UTAH
FUNERAL SERVICE LICENSING
BOARD MEETING**

February 15, 2012

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

CONVENED: 9:02 a.m.

ADJOURNED: 10:32 a.m.

Bureau Manager:

Clyde Ormond

Board Secretary:

Yvonne King

Board Members Present:

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

Board Members Absent

Mitchell Blackburn

DOPL Staff Present:

Connie Call, Compliance
Debbie Harry, Compliance

Guests:

Rob Larkin, UFDA
Ralph Oakeson, Preneed Funeral Service
Gene Hoopes
Phillip Perkes, Probation Interview

ADMINISTRATIVE BUSINESS:

Approval November 16, 2011 Board Meeting Minutes

Ms. Bearnson seconded by Mr. Nordgren made a motion to approve the November 16, 2011 minutes as written. The motion carried unanimously.

APPOINTMENTS

Compliance

Ms. Call introduced Ms. Harry as the new compliance officer.

Ms. Call stated that Mr. Perkes was compliant with his

Phillip Perkes

Memorandum.

Mr. Perkes appeared before the Board for his scheduled appointment. Mr. Russon performed the interview. The Board was pleased with Mr. Perkes progress and recommended he only be seen twice a year.

Mr. Nordgren, seconded by Mr. Russon, made a motion to see Mr. Perkes August 15, 2012. At that time the Board would consider an early termination if he remained compliant. The motion carried unanimously.

TOPICS FOR DISCUSSION

Examination Rule Discussion

In the previous Board meeting, held November 16, 2011, the Board had discussed eliminating the 30 day waiting period when an examinee failed the Funeral Services law and rule exam.

Mr. Ormond has since reviewed the new exam statistics which now changed to open book. The pass rates were significantly higher.

Ralph Okason addressed the Board on that very issue. Mr. Okason stated that the Pre-need license is also required to pass a life insurance exam which there was no waiting period if the examinee had not passed on the first try.

Mr. Okason would like to see the 30 day waiting period eliminated due to the fact that the applicants can't work and earn an income.

Mr. Ormond stated the reason the 30 day waiting period was originally implemented was because examinees would memorize the answers and not have a full understanding of the subject matter.

Mr. Russon seconded by Ms. Bearson made a motion to make a change the language in rule with regards to the Funeral Services Law and Rule Exam eliminating the 30 day waiting period when an examinee fails the exam.

Mr. Russon seconded by Ms. Bearson amended the motion for the Funeral Services Law and Rule Exam:

Awaiting Formal Approval

to eliminate the 30 day waiting period after a failed exam, to allow no more than three failures with in a three month period and no earlier than six months following any failure there after. The motion carried unanimously.

Gene Hoopes

Mr. Hoopes has been licensed as a Funeral Service Director for over 30 years. He has secured a location in Grantsville for a funeral home, is in the process of completing the remodeling but had not completed the final inspections. Mr. Hoopes was requesting approval of a license before completion of the final inspections.

Mr. Russon stated that the Board has no way of circumventing the law.

The Board determined that they do not have the ability to approve a license until the facility passes inspection.

It was the Board's suggestion to encouraged Mr. Hoopes to obtain a passed inspection quickly.

Legislative updates

Mr. Ormond stated they have two bills one is HB 73 that amends 58-59-701 where the current language describes the changes to the establishment obligations and eliminates the language "sequentially numbering by contract form". That bill has passed the house and is waiting for the Governor's signature.

HB 116, Probate Code Amendments; changes two small amendments to 58-9-601 & 602 which basically provides funeral and burial directions, clarifies all fees, clarifies attorneys fees, allows attorney's fees for regard to an action in guardianship and conservatorship estates and makes some technical corrections. Mr. Ormond stated that HB 116 has not been considered by the senate at this time.

Alkaline Hydrolysis

Mr. Larkin asked Mr. Ormond if he found anything out on the alkaline hydrolysis with respect to a rule change. Mr. Ormond stated that he has talked with the AG's office and that is as far as it has gone.

Open and Public Meetings Act (Board Training)

Mr. Ormond presented a power point on Board training with the Open and Public Meetings Act.

Annual Conference

Mr. Ormond stated that if any Board members want to attend this conference to let him know and he would

submit this to the Director.

Mr. Ecker stated that Tom Sanderson usually attends the annual conference and suggested placing him on the agenda for the Board meeting scheduled in May.

Salt Lake Community College

Mr. Ecker stated that Salt Lake Community College, SLCC has started their Mortuary Science Education Program and indicated there are about 11 to 12 students.

Complaints

Mr. Russon asked what action a Board member should take when receiving a complaint.

Mr. Ormond stated to immediately forward the complaint to him and he in turn will send it to investigations. Mr. Ormond emphasized the importance of Board members not getting personally involved. This would eliminate the Board from recusing themselves from the issue in the event it goes to a hearing.

CORRESPONDENCE:

The Conference Budget Report	Reviewed, with no further action taken.
Funeral Home and Cemetery	Reviewed, with no further action taken.
The Conference (Annual Conference)	Reviewed, with no further action taken.
The Conference (Examination Content Outline)	Reviewed, with no further action taken.
The Compass (Newsletter)	Reviewed, with no further action taken.

NEXT MEETING: May 16, 2012

ADJOURN: 10:32 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.

Date Approved _____ Chairperson, Utah Funeral Service Licensing Board

Date Approved _____ Bureau Manager, Division of Occupational & Professional Licensing