

NEVADA FUNERAL AND CEMETERY SERVICES BOARD

AGENDA AND NOTICE OF PUBLIC MEETING

Tuesday, October 14, 2014, at 9:00a.m.

Video-Conference Locations:

Legislative Building
401 South Carson Street, Room 3138
Carson City, Nevada
And
Grant Sawyer Building
555 E. Washington Avenue, Room 4412
Las Vegas, Nevada

Please Note: The Board may 1) address agenda items out of sequence to accommodate persons appearing before the Board or to aid the efficiency or effectiveness of the meeting; 2) combine items for consideration by the public body; and 3) pull or remove items from the agenda at any time. The Board may convene in closed session to consider the character, alleged misconduct, professional competence or physical or mental health of a person. (NRS 241.030)

Public comment is welcomed by the Board, but at the discretion of the chair, may be limited to five minutes per person. A public comment time will be available before any action items are heard by the public body and then once again prior to adjournment of the meeting. The Chair may allow additional time to be given a speaker as time allows and in his/her sole discretion. Once all items on the agenda are completed the meeting will adjourn. Prior to the commencement and conclusions of a contested case or a quasi judicial proceeding that may affect the due process rights of an individual the board may refuse to consider public comment.

Action by the Board on an item may be to approve, deny, amend, or table.

1. **Call to order, roll call, establish quorum**
2. **Public comment**

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

3. Discussion, recommendation, and possible action regarding review and approval of August 7, 2014 meeting minutes (For possible action)
4. Discussion, recommendation, and possible action regarding Bobo Consent Decree in case number FB14-01 (For possible action)
5. Discussion, recommendation, and possible action regarding request for James Smolenski to be approved as the new managing funeral director for Neptune Management Group of Nevada, 969 Moana Lane, Reno, Nevada (For possible action)
6. Discussion, recommendation, and possible action regarding granting Certificate of Registration as an Apprentice Embalmer to Phuong-Giao Le (For possible action)
7. Discussion, recommendation, and possible action regarding granting Reciprocal Embalmer License to Dale Lewis Lomason II (For possible action)
8. Discussion, recommendation, and possible action regarding granting a Funeral Director License to Lyle Meyer (For possible action)
9. Discussion, recommendation, and possible action regarding granting Reciprocal Embalmer License to Lyle Meyer (For possible action)
10. Discussion, recommendation, and possible action regarding notices of name changes for funeral establishments owned by Walton's Inc. and Tammy Dermody (For possible action)
11. Discussion, recommendation, and possible action regarding recommendations for legislative changes to NRS 642 and NRS 451. This item may include updates and comments from members of the Legislative Subcommittee (For possible action)
12. Discussion, recommendation, and possible action regarding clarification of regulatory fee collection (For possible action)
13. Discussion, recommendation, and possible action regarding funeral establishment inspection checklist (For possible action)
14. Overview of current complaint status
15. Discussion, recommendation, and possible action regarding Board attendance at the annual meeting of The Conference (For possible action)
16. Discussion, recommendation, and possible action regarding 90 day performance review for Executive Director (For possible action)

17. **Report from Board Treasurer**
 - **Status of Board funds**
 - **Status of regulatory fee collection to date**
18. **Report from Executive Director, Jennifer Kandt**
19. **Report from Senior Deputy Attorney General**
20. **Board member comments**
21. **Discussion regarding future agenda items and future meeting dates**
22. **Public comment**

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

23. Adjournment (For possible action)

Anyone desiring additional information including meeting materials may contact Jennifer Kandt at 775-825-5535. Meeting materials are also available for download from the Board website at <http://funeral.nv.gov> or can be picked up at the following location: 501 Hammill Lane, Reno, NV. The Board is pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Jennifer Kandt at 775-825-5535, no later than 48 hours prior to the meeting. Requests for special arrangements made after this time frame cannot be guaranteed. This agenda has been sent to all members of the Board and other interested persons who have requested an agenda from the Board. Persons who wish to continue to receive an agenda and notice of meetings must request so in writing every six months.

**THIS MEETING HAS BEEN PROPERLY NOTICED AND POSTED
IN THE FOLLOWING LOCATIONS:**

Reno City Hall One E. First Street Reno, NV 89501	Office of the Attorney General 100 N Carson Street Carson City, NV 89701	Grant Sawyer State Office Building 555 E. Washington Ave. Las Vegas, NV 89101
	Legislative Building 401 S Carson Street Carson City, NV 89701	



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

PMB 186, 4894 Lone Mountain Road, Las Vegas, Nevada, 89130
Phone (775) 825-5535 * Email nvfuneralboard@outlook.com

AGENDA ITEM 3: Approval of Minutes

Approval of August 7, 2014 Minutes requested.
Attachment: Draft Minutes

NEVADA FUNERAL AND CEMETERY SERVICES BOARD

MINUTES

Thursday, August 7, 2014, at 9:00a.m.

Video-Conference Locations:

Legislative Building
401 South Carson Street, Room 3137
Carson City, Nevada
And
Grant Sawyer Building
555 E. Washington Avenue, Room 4412E
Las Vegas, Nevada

1. Call to order, roll call, establish quorum.

Chairman, Dr. Wayne Fazzino called the meeting to order at 9:05 a.m.

Members Present

Wayne Fazzino, Chair
Todd Noecker
Wendy Simons
Lorretta Guazzini
Bart Burton

Members Absent

Lisa Franqui
Tammy Dermody

Board Staff Present

Jennifer Kandt, Executive Director
Henna Rasul, Senior Deputy Attorney General

Public

John Lawrence
Warren Hardy
Laura Sussman

2. Public comment

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

John Lawrence stated that he would like to comment under the legislative subcommittee section of the agenda. Legal counsel advised that Mr. Lawrence could submit public comment at this point or at the end of the meeting.

3. Discussion, recommendation, and possible action regarding review and approval of June 12, 2014 meeting minutes (For possible action)

Wendy Simons moved to approve the minutes. The motion was seconded by Loretta Guazzini and carried unanimously.

4. Presentation from Caleb Cage, Director of Military and Veterans Policy, Governor Sandoval's Office on veteran's and military licensing issues.

Caleb Cage thanked the Executive Director and the Board for the support and sending out the requested letter. He stated that the Governor had declared 2014 the year of the veteran and that there was a request for state agencies to focus on supporting veterans. He discussed the Green Zone Initiative, wellness education, employment, and licensure reciprocity efforts for expedited licensing reciprocity for veterans. He stated that there is potential legislation regarding licensing agencies building data queries to applications so that there can be better data analysis in terms of tracking success for reciprocity to veterans.

Jennifer asked questions regarding the exact type of data that they would like to track, and Mr. Cage stated that he would email the specifics to Jennifer.

The Board thanked Mr. Cage for his presentation.

5. Discussion, recommendation, and possible action regarding request from The Hardy Consulting Group LLC for the Board to distribute annual list of licensees (For possible action)

Mr. Hardy stated that this was a follow-up request from the previous meeting. He thanked Jennifer for creating a list of licensees and placing it on the website. He further explained that he was requesting the list be on official Board letterhead as there are issues with hospitals and nursing homes releasing lists of establishments which participate in rotations and the general public understanding that list to be a complete listing of establishments. There was discussion on the possibility of publishing the document discussed in NRS 642.066, but general consensus that including the general price list for every establishment is problematic as they change so frequently. There was discussion on possibly changing the statute. Mr. Hardy clarified that he was not asking the Board to create the publication allowed by NRS 642.066, but was simply requesting the list be put onto official letterhead.

There was discussion that "limited license" establishments are not currently on the lists in Clark County, but they may be on the lists in the northern part of the state. There was discussion concerning the list needing to specify the type of establishment so that the public is clear on what services are offered.

Bart moved to have the executive director put together a list of establishments on Board letterhead. The motion was seconded by Wendy Simons and carried unanimously.

6. Discussion, recommendation, and possible action regarding Board approved transport containers as authorized by NAC 642.160 (For possible action)

Jennifer stated that the Board had been asked to clarify the containers approved under this regulation. There was discussion that it needed to be a level 3 containment

process. Bart stated that bio-seal bags are approved by all airlines and doesn't add weight when shipping on common carrier. There was discussion that dry ice and gel packs should be added to body bags.

Todd Noecker moved to clarify NAC 642.160 to specify Board approved containers as a Ziegler sealed case, a bio-seal container, or a sealed casket preserved with dry ice and gel packs. The motion was seconded by Bart and carried unanimously.

7. Discussion, recommendation, and possible action regarding designation of Board authority under NRS 642.557 to Board staff and Board counsel (For possible action)

Jennifer explained that the Board has authority to issue orders and this request was to formally designate that Board authority to staff and Board counsel as an immediate method to advise licensees to cease and desist any violations of the law.

Wendy moved to designate Board authority under 642.557 to staff and counsel. The motion was seconded by Loretta and carried unanimously.

8. Discussion, recommendation, and possible action regarding clarification on process for reactivation of inactive licenses as referenced in NRS 642.115 and NRS 642.455 (For possible action)

Jennifer explained that the Board currently approves new applications during public meetings as there is a requirement for a proper hearing before the Board. She stated that currently, renewals are processed by staff, but had questions on whether the Board wanted to review reactivating inactive licenses during public meetings or have staff approve.

Bart moved to have reactivation of inactive licenses handled by staff. The motion was seconded and carried unanimously.

9. Discussion, recommendation, and possible action regarding clarification of regulatory fee collection (For possible action)

Jennifer stated that a member of the public requested clarification regarding the regulatory fee and what constitutes a funeral service.

Todd stated that any time a permit is issued, the fee needs to be charged. He stated that it would not be charged for merchandise, but would be charged for disinterment or moving a body out of state.

There was discussion that the statute said the fee cannot be charged more than once for any individual, and if a disinterment was done, there is the potential for charging more than once for the individual.

Loretta commented that the wording of the statute has been problematic, and said that the fee was not charged to the family, but built into the services fee, and she would not necessarily charge the fee for a disinterment.

Wayne asked under what circumstances a disinterment would be done and there was discussion that a disinterment is common when families move out of state, move their loved ones to a different cemetery or want to cremate so that their loved one is more transportable.

There was discussion on the funeral establishments self-reporting, and whether there is any verification on the amounts they are submitting. There was further discussion that with the investigator, they may be able to look at records and get an idea whether the reporting seems accurate. Additionally, there was discussion that State releases a report every quarter on the number of cases for each establishment, so that may be looked at as well.

There was further discussion and general consensus that legal counsel review the statute closely with the Executive Director and determine if there are any regulatory decisions that could be made, or additional clarifications on this issue. There will be additional discussion at the next meeting.

10. Overview of complaint process and current complaint status

Jennifer overviewed the current complaint process as detailed within the meeting packet and reviewed the list of current complaints.

11. Discussion, recommendation, and possible action regarding approval of Board personnel policies and procedures (For possible action)

Jennifer stated that since the Board would be hiring an investigator it would be beneficial to have personnel policies and procedures in place. She stated that there would be the need to revise as any issues develop.

Wendy Simons thanked Jennifer for formalizing the document and stated that she had no questions or concerns on the content. Wendy moved to adopt the personnel policies and procedures document noting that it would be a fluid document as the need for changes are identified. The motion was seconded by Loretta Guazzini and carried unanimously.

12. Discussion, recommendation, and possible action regarding hiring of investigator (For possible action)

Jennifer introduced Peter Shaw and stated that he brought over 25 years of investigative experience to the position. She stated that he had previously been a welfare fraud investigator, and was currently working as an investigator for the Division of Insurance. She also noted that Mr. Shaw currently had a part-time contract with the FBI to conduct background investigations for the purpose of issuing security clearance.

Loretta Guazzini asked who would be training him for the position. Mr. Shaw commented that he would be doing quite a bit of research on the statutes and regulations and that he was up for the task.

Wendy moved to approve the hiring of Peter Shaw with the terms specified. The motion was seconded by Loretta Guazzini and carried unanimously.

13. Discussion, recommendation, and possible action regarding recommendations for legislative changes from Legislative Subcommittee for inclusion in the report to the Sunset Subcommittee (For possible action)

The Board discussed various recommendations from the Legislative Subcommittee for a legislative request to be presented to sunset subcommittee.

There was discussion that funeral directors and embalmers should be required to complete 10 hours of continuing education per year. Todd Noecker moved to approve including this as a recommendation for legislative change. The motion was seconded by Loretta Guazzini and carried unanimously.

There was discussion that the Board licenses the owners of the crematories, but not the individuals physically operating the equipment. Bart Burton stated that there are many national groups that conduct one day certification courses. There was discussion that the Board would not be offering a certification, but would verify the certifications during inspections. Bart Burton moved to approve including this as a recommendation for legislative change. The motion was seconded by Todd Noecker and carried unanimously.

There was discussion that the Board does not have specific statutory authority for fingerprint based background checks. Jennifer stated that the Board previously had an account with DPS to conduct fingerprint based checks but that DPS no longer allows those accounts to be set up unless the Board has authority within NRS. Jennifer stated that there may be other ways to conduct fingerprint based checks, but that it would be a good idea to have specific authority. Bart Burton moved to approve including this item as a recommendation for legislative change. The motion was seconded by Wendy Simons and carried unanimously.

There was discussion that currently the Board issues licenses to crematories and cemeteries, but that they are not included under the disciplinary statute except to revoke or suspend, and typically there would be other steps prior to a revocation or suspension. Todd Noecker moved to approve including adding crematories and cemeteries under the current disciplinary statutes as a recommendation for legislative change. The motion was seconded by Bart Burton and carried unanimously.

There was discussion on cleaning up various sections that refer to a Board president and some that refer to Board chair. Additionally, it was noted that there are sections requiring that certain items be sent to Board secretary when the Board staff actually handles those items. Lastly, it was discussed that the secretary was also required to send lists of embalmers to railroad stations, which is outdated. Wendy Simons moved to accept clean-up of these various sections as a recommendation for legislative change. The motion was seconded by Loretta Guazzini and carried unanimously.

There was discussion on current statute which states that it is the Attorney General who initially decides whether a complaint is dismissed or investigated further. Jennifer stated that the request is to have the Attorney General "recommend" the outcomes.

Wendy Simons moved to accept this as a recommendation for legislative change. The motion was seconded by Loretta Guazzini and carried unanimously.

There was discussion concerning changing the definition of a funeral establishment to allow for an inactive preparation room by stating that the establishment must have access to necessary equipment and supplies, to state that it must be maintained in a professional and sanitary manner and that nothing would prohibit embalming from occurring at a central location. There were questions regarding establishments which embalm at a central location and whether families are told that the decedent will go to a different location for the embalming. Todd Noecker stated that their establishments always tell families the process and where the individual will be transported. Loretta Guazzini moved to accept the recommendation to change the definition of a funeral establishment. The motion was seconded by Wendy Simons and carried unanimously.

There was discussion on eliminating the limited license. Jennifer stated that the previous board had been issuing a "limited establishment" license, but stated that the license was actually called a "license to conduct direct cremation or immediate burials." She stated that license was being issued to establishments, but seemed to be written as a license for an individual or "natural" person. Additionally, there was discussion that there were no requirements to hold the license other than being 18 years old and of good moral character. There was general consensus that it was not in the best interest of public health and safety to have individuals practicing who did not even have to have knowledge of the laws surrounding the custody and care of dead bodies. Wendy Simons moved to approve this item as a recommendation for legislative change. The motion was seconded by Loretta Guazzini and carried unanimously.

14. Discussion, recommendation, and possible action regarding approval of FY2015 Board budget (For possible action)

Jennifer stated that she has not been able to locate any prior budgets for the Board. She said that there would likely need to be budget revisions throughout the year, and that expenditures over 10% in any category would need approval by the Board.

Bart Burton stated that he was very impressed with Jennifer being able to present a budget in such a short time, when to his knowledge the Board had never even had a budget.

Wendy thanked the executive director for the work on the budget and moved to approve. The motion was seconded by Loretta Guazzini and carried unanimously.

15. Discussion, recommendation, and possible action regarding approval of audit services for the Board (For possible action)

Jennifer stated that she was requesting approval to enter into contract for audit services. Wendy Simons moved to approve. The motion was seconded by Loretta Guazzini. The motion was carried unanimously.

16. Discussion, recommendation, and possible action regarding approval of additional Board member being added to existing and future banking accounts (For possible action)

Jennifer stated that she was requesting an additional Board member be added to the bank account in the event the treasurer or executive director leave the Board, there would not be only one person on the account. Additionally, she stated that the person would provide some additional oversight. Wayne suggested Tammy Dermody. Bart moved to add Tammy Dermody to the account. The motion was seconded by Wendy Simons and carried unanimously.

17. Discussion, recommendation, and possible action regarding approval of request for Board credit card (For possible action)

Jennifer stated that the previous executive director utilized a debit card for purchases, but that debit cards are generally not allowable on accounts with public funds. She stated that the credit card would primarily be utilized for travel and would require receipts prior to any payment. Jennifer stated that two Board members would be required to sign the application and that she recommended that the Board members on the bank account be responsible for signing.

Wendy Simons moved to approve a Board credit card for the executive director. The motion was seconded by Bart Burton and carried unanimously.

18. Discussion, recommendation, and possible action regarding prior gift purchase by the Board (For possible action)

There was discussion that Loretta Guazzini had paid for the gift for the outgoing executive director, and Wayne stated that he was giving Loretta a check for the full amount so that there are no potential issues.

19. Discussion, recommendation, and possible action regarding approval of up to two days' compensation per month to Board Treasurer for financial duties (For possible action)

Jennifer stated that Loretta Guazzini had been handling all financial duties for the Board including all payments, payroll, review of invoices, and entry to Quickbooks. She stated that the Board allows for Board member compensation for days that individuals are conducting Board business. She said the request is to allow up to two days compensation to the Treasurer for those duties.

Wendy Simons moved to approve up to two days compensation per month for the duties of the treasurer. The motion was seconded by Bart Burton. The motion was carried unanimously with Loretta Guazzini abstaining.

20. Report from Board Treasurer

- **Status of Board funds**
- **Status of regulatory fee collection to date**

Loretta presented the Board expenditure and regulatory fee collection amounts to date.

21. Report from Executive Director, Jennifer Kandt

Jennifer presented a written report on her activities and the status of various Board items.

22. Report from Senior Deputy Attorney General

Henna stated that she has been working on several complaints and assisting with setting up good procedures for handling complaints with the executive director as well as researching various statutes.

23. Board member comments

Wendy Simons commented that she had reviewed the new forms on the website and stated that she believes the executive director has done a great job in elevating the level of professionalism for the Board in a very short time.

24. Discussion regarding future agenda items and future meeting dates

There was discussion that October 14th was already set as the next meeting date.

Loretta Guazzini stated that the \$75 inspection fee was brought up by Gerald Hitchcock at the last meeting and that she did not see that item on the agenda. Jennifer asked the Board if that was an item that they wanted to revisit. Board members indicated that they did not want to revisit that item at this point in time.

25. Public comment

Note: No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

John Lawrence stated that he felt the limited license needed to be eliminated, and that all establishments needed to be fully licensed as there are currently no qualifications for the limited license. He stated that in changing some of the legislation, there could be individuals who are grandfathered in or given a certain period of time to comply. Lastly, he stated that he wanted the opportunity as a member of the Legislative Subcommittee to speak during presentation of that item.

26. Adjournment (For possible action)

Meeting was adjourned at 11:40.



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

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Phone (775) 825-5535 * Email nvfuneralboard@outlook.com

AGENDA ITEM 11: Recommendations for Legislative Changes

Pursuant to recommendations made by the Legislative Subcommittee, the attached draft language is included for approval.

CHAPTER 642 - FUNERAL DIRECTORS, EMBALMERS AND OPERATORS OF CEMETERIES AND CREMATORIES

NRS 642.XXX Continuing education requirements for renewal of licensure as embalmer or funeral director.

1. A licensed funeral director or embalmer must annually complete 10 hours of continuing education in a field relevant to the funeral industry prior to renewal of licensure and maintain proof of completion of those hours for a period of five years.
2. Any individual licensed as a funeral director and an embalmer may utilize completed continuing education hours for both licenses.
3. The Board may request proof of completion of the required continuing education hours prior to renewing a license as a funeral director or embalmer.

NRS 642.XXX Submission of fingerprints. Each applicant for a funeral director license, embalmer license, and certificate of registration as an apprentice embalmer must submit a complete set of fingerprints which may be forwarded to the Central Repository for Nevada Records of Criminal History for submission to the Federal Bureau of Investigation for its report.

GENERAL PROVISIONS

NRS 642.015 "Funeral director" defined.

1. "Funeral director" means a person engaged in, conducting the business of or holding himself or herself out as engaged in:
 - (a) Preparing or contracting to prepare by embalming or in any other manner dead human bodies for burial or disposal, or directing and supervising the burial or disposal of dead human bodies.
 - (b) Directing, supervising or contracting to direct or supervise funerals.
 - (c) The business of a funeral director by using the words "funeral director," "mortician" or any other title implying that the person is engaged in the business of funeral directing.
2. The term does not include:
 - (a) A licensed embalmer or a person whose duties are limited to conducting direct cremations or immediate burials.
 - (b) An owner of a funeral establishment unless the owner engages in any activity described in subsection 1.

(Added to NRS by 1993, 2609; A 1995, 267)

NRS 642.016 "Funeral establishment" defined. "Funeral establishment" means a place of business conducted at a specific street address or location devoted to the care and preparation for burial or transportation of dead human bodies *which is maintained in a sanitary and professional manner*, consisting of a preparation room equipped with a sanitary floor, necessary drainage and ventilation, ~~containing~~ *having access to* necessary instruments and supplies for the preparation and embalming of dead human bodies for burial or transportation and having a display room containing an inventory of funeral caskets. *Nothing prohibits embalming from occurring at a central location.*

(Added to NRS by 1993, 2610)

NRS 642.019 Compliance with certain federal regulations. Each holder of a license, permit or certificate issued by the Board pursuant to this chapter or chapter 451 or 452 of NRS shall comply with the provisions of Part 453 of Title 16 of the Code of Federal Regulations *and all Occupational Safety and Health Administration Laws and Regulations.*

(Added to NRS by 1993, 2611; A 1997, 2578; 2003, 1267)

NRS 642.0195 Payment of child support: Submission of certain information by applicant; grounds for denial of license or certificate; duty of Board. [Effective until the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. In addition to any other requirements set forth in this chapter:
 - (a) An applicant for the issuance of a license to practice the profession of embalming, a funeral director's license, ~~a license to conduct direct cremations or immediate burials~~ or a certificate of registration as an apprentice embalmer shall include the social security number of the applicant in the application submitted to the Board.
 - (b) An applicant for the issuance or renewal of a license to practice the profession of embalming, a funeral director's license, ~~a license to conduct direct cremations or immediate burials~~ or a certificate of registration as an apprentice embalmer shall submit to

the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license or certificate of registration;
or

(b) A separate form prescribed by the Board.

3. A license or certificate of registration described in subsection 1 may not be issued or renewed by the Board if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by 1997, 2157; A 2005, 2767, 2807)

NRS 642.0195 Payment of child support: Submission of certain information by applicant; grounds for denial of license or certificate; duty of Board. [Effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings and expires by limitation 2 years after that date.]

1. In addition to any other requirements set forth in this chapter, an applicant for the issuance or renewal of a license to practice the profession of embalming, a funeral director's license, ~~a license to conduct direct cremations or immediate burials~~ or a certificate of registration as an apprentice embalmer shall submit to the Board the statement prescribed by the Division of Welfare and Supportive Services of the Department of Health and Human Services pursuant to NRS 425.520. The statement must be completed and signed by the applicant.

2. The Board shall include the statement required pursuant to subsection 1 in:

(a) The application or any other forms that must be submitted for the issuance or renewal of the license or certificate of registration;
or

(b) A separate form prescribed by the Board.

3. A license or certificate of registration described in subsection 1 may not be issued or renewed by the Board if the applicant:

(a) Fails to submit the statement required pursuant to subsection 1; or

(b) Indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order.

4. If an applicant indicates on the statement submitted pursuant to subsection 1 that the applicant is subject to a court order for the support of a child and is not in compliance with the order or a plan approved by the district attorney or other public agency enforcing the order for the repayment of the amount owed pursuant to the order, the Board shall advise the applicant to contact the district attorney or other public agency enforcing the order to determine the actions that the applicant may take to satisfy the arrearage.

(Added to NRS by 1997, 2157; A 2005, 2767, 2768, 2807, effective on the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings)

NRS 642.040 Officers; duties of Secretary; Treasurer to furnish bond.

1. The members of the Board shall have the power to select from their number *a Chair, President, a Secretary and a Treasurer.*

2. The Secretary shall keep:

(a) A record of all the meetings of the Board.

(b) A register of the names, residence addresses and business addresses of all *individuals embalmers* duly licensed under the provisions of this chapter, and the numbers and dates of licenses. The register shall be open to public examination at all reasonable times. ~~A copy of the register shall be furnished to all those registered and to the various railroad, transportation and express companies doing business in the State of Nevada.~~

~~3. The Treasurer shall give a bond, to be approved by the Board, in the sum of \$500 for the honest and faithful discharge of his or her duties.~~

NRS 642.066 Publication of guide for persons who purchase services provided by cemeteries, crematories and funeral establishments.

1. The Board may publish a guide for persons who purchase services provided by cemeteries, crematories and funeral establishments. The guide ~~must~~ *may* contain:

- (a) A list of the name and address of each cemetery, crematory and funeral establishment located in the State.
- (b) A list of the services and the price for each service provided by each cemetery, crematory and funeral establishment in this State.
- (c) The procedure for filing a complaint with the Board concerning services provided by a cemetery, crematory or funeral establishment.

(d) Any other information which the Board deems appropriate and useful to the public.

2. If the Board publishes a guide, it shall:

- (a) Maintain the guide by republishing it with revised information *as deemed necessary by the Board* ~~at least once each year.~~
- (b) Distribute the guide and the information contained in the guide in any manner it deems appropriate.

(Added to NRS by 1993, 2610)

NRS 642.0677 Investigation of alleged violation; report to and action by Attorney General.

1. A member of the Board's staff who is designated by the Board may investigate an alleged violation of any provision of this chapter or chapter 451 or 452 of NRS, any regulation adopted pursuant thereto or any order of the Board.

2. The designated member of the Board's staff shall report his or her findings to the Attorney General, who shall *recommend*:

- (a) *Dismissing* the investigation;
- (b) *Proceeding* in accordance with the provisions of this chapter or chapter 451 or 452 of NRS, as appropriate, and chapter 233B of NRS; or

(c) ~~investigate~~ *Investigating* the matter further before acting pursuant to paragraph (a) or (b).

(Added to NRS by 1993, 2610; A 2003, 1268)

NRS 642.070 Deposit and use of fees. All fees collected under the provisions of this chapter and chapters 451 and 452 of NRS must be paid to the ~~Treasurer of the Board~~ to be used to defray the necessary expenses of the Board. The ~~Treasurer Board~~ shall deposit the fees in banks, credit unions or savings and loan associations in the State of Nevada.

[Part 8:28:1909; RL § 4452; NCL § 2672]—(NRS A 1959, 849; 1963, 158; 1965, 62; 1999, 1537; 2003, 1268)

NRS 642.110 License: Signatures; not transferable; display.

1. All licenses shall be signed by the ~~President~~ Chair and the Secretary of the Board and attested by the seal of the Board.
2. Each license shall specify the name of the person to whom issued. Every license shall be nonassignable and nontransferable, and shall be displayed by each licensee in a conspicuous place in the office or place of business of the licensee.

[Part 6:28:1909; RL § 4450; NCL § 2670]

~~NRS 642.140 Duties of Secretary when license revoked.~~ Upon the revocation of a license to practice the profession of embalming, the Secretary of the Board shall strike the name of the licensee from the register of licensed embalmers and notify all railroad, transportation and express companies doing business in the State of Nevada, and all licensed embalmers in this State, of that action.

—[Part 3:28:1909; A 1917, 66; 1919 RL § 4447; NCL § 2667]—(NRS A 1997, 2579; 2005, 797)

NRS 642.210 Filing of application; date when apprenticeship commences; credit for time spent.

1. An applicant for a certificate of registration as a registered apprentice shall immediately notify the Secretary of the Board of such fact in order to receive credit for time spent.

2. Credit on the required apprenticeship commences on the date the application for the certificate of registration is filed with the Secretary of the Board, and no applications may be accepted antedated.

(Added to NRS by 1959, 842; A 2003, 1272)

NRS 642.230 Registration with Secretary; notice of change of instructor. Apprentices shall be registered with the Secretary of the Board at the time of beginning of apprenticeship, and notice of termination of the same during interim, in case an apprentice changes tutor, shall be forwarded to the Secretary of the Board, giving the date of termination with the first instructor and the date of beginning with the second instructor, and each subsequent instructor in like manner as provided in this chapter for the first instructor.

(Added to NRS by 1959, 843)

NRS 642.240 Semiannual reports of apprenticeship by licensed embalmer. Each licensed embalmer who has under his or her supervision or control a registered apprentice shall report such fact to the Board semiannually on or before January 1 and July 1 of each year. The Secretary of the Board shall immediately forward to such embalmer forms wherein information desired by the Board shall be requested by interrogations. Such reports shall disclose the work which such apprentice has performed during the semiannual period preceding the first of the month on which such report is made, including the number of bodies such apprentice has assisted in embalming or otherwise prepared for disposition during that period.

(Added to NRS by 1959, 843; A 2003, 1272)

NRS 642.290 Leaves of absence.

1. A registered apprentice may apply for a leave of absence and for the extension of any leave of absence by:
 - (a) Filing an application with the Secretary of the Board; and
 - (b) Paying any fees related to the application.
2. The application may be granted by the Board, if the facts of the case disclose sufficient reason for granting the request.

(Added to NRS by 1959, 843; A 2003, 1273)

NRS 642.310 Requirements for apprentice to become licensed embalmer: Application for examination. Before a registered apprentice may take the examination for a license to practice the profession of embalming pursuant to NRS 642.090, the registered apprentice must file an application with the Secretary of the Board and pay the examination fee prescribed in NRS 642.0696, not later than 30 days before the date of such examination.

(Added to NRS by 1959, 843; A 1975, 709; 2003, 1273)

~~**NRS 642.355—Direct cremations and immediate burials: Application for license; authorized services.**~~

- ~~1. A person may apply for a license to conduct direct cremations or immediate burials.~~
- ~~2. The services which a person holding such a license may provide are limited to the direct cremation, immediate burial, disposition and transportation of dead human bodies.~~

~~(Added to NRS by 1993, 2610)~~

~~**NRS 642.360 Requirements for license as funeral director or to conduct direct cremations or immediate burials: Form of application; qualifications of applicants; examination of certain applicants; payment of fees.**~~

- ~~1. An application for a funeral director's license or a license to conduct direct cremations or immediate burials must be in writing and verified on a form provided by the Board.~~
- ~~2. Each applicant must be over 18 years of age and of good moral character.~~
- ~~3. Except as otherwise provided in subsection 4, each applicant for a funeral director's license must pass an examination given by the Board upon the following subjects:
 - ~~(a) The signs of death.~~
 - ~~(b) The manner by which death may be determined.~~
 - ~~(c) The laws governing the preparation, burial and disposal of dead human bodies, and the shipment of bodies of persons dying from infectious or contagious diseases.~~
 - ~~(d) Local health and sanitary ordinances and regulations relating to funeral directing and embalming.~~
 - ~~(e) Federal regulations governing funeral practices.~~
 - ~~(f) The laws and regulations of this State relating to funeral directing and embalming.~~~~
- ~~4. An applicant who has passed the national examination given by the International Conference of Funeral Service Examining Boards is not required to take any portion of the examination set forth in subsection 3 that repeats or duplicates a portion of the national examination.~~

~~5. An application for:~~

~~(a) A funeral director's license must be accompanied by the application fee and the examination fee prescribed in NRS 642.0696.~~

~~(b) A license to conduct direct cremations or immediate burials must be accompanied by the application fee prescribed in NRS 642.0696.~~

~~(Added to NRS by 1959, 844; A 1975, 709; 1993, 2613; 1995, 269; 2001, 414; 2003, 1274)~~

NRS 642.370 Moral character of applicant for license. Each applicant for a funeral director's license ~~or a license to conduct direct cremations or immediate burials~~ must furnish proof satisfactory to the Board that the applicant is of good moral character.
(Added to NRS by 1959, 844; A 1995, 269)

NRS 642.390 Investigation by Board. Upon receipt of an application for a permit to operate a funeral establishment, ~~or a funeral director's license or a license to conduct direct cremations or immediate burials~~, the Board shall cause an investigation to be made as to the character of the applicant, and may require such showing as will reasonably prove the applicant's good moral character.
(Added to NRS by 1959, 844; A 1993, 2614; 1995, 269; 1997, 510; 2003, 1275)

NRS 642.400 Subpoenas; hearings; requirements for issuance of license.

1. The Board may subpoena witnesses.
2. After a proper hearing, the Board shall issue to an applicant a funeral director's license ~~or a license to conduct direct cremations or immediate burials~~ if it finds that the applicant:

- (a) Is of good moral character;
- (b) Fulfills the requirements set forth in this chapter for the license; and
- (c) Has paid all fees related to the application.

(Added to NRS by 1959, 845; A 1981, 102; 1995, 270; 2003, 1275)

NRS 642.420 Renewal of license: Fee. Each licensed funeral director ~~and each person who is licensed to conduct direct cremations or immediate burials~~ shall pay the annual fee prescribed in NRS 642.0696 for the renewal of the license.

(Added to NRS by 1959, 845; A 1975, 710; 1995, 270; 2003, 1275)

NRS 642.430 Renewal of license: Procedure.

1. The Board shall mail, on or before January 1 of each year, to each licensed funeral director ~~and each person licensed to conduct direct cremations or immediate burials~~, addressed to such licensee at his or her last known address, a notice that the renewal fee is due and that if the renewal fee is not paid by February 1, a fee for the late renewal of the license will be added to the renewal fee, and in no case will the fee for late renewal be waived.

2. Upon receipt of the renewal fee, all information required to complete the renewal and any fee for late renewal imposed pursuant to subsection 1, the Board shall issue a renewal certificate to the licensee.

(Added to NRS by 1959, 845; A 1975, 710; 1993, 2614; 1995, 270; 1997, 2159; 2003, 1275; 2005, 2769, 2807)

NRS 642.455 Placement of license on inactive status; reactivation.

1. Upon written request to the Board and payment of the fee prescribed in NRS 642.0696, a person who holds a funeral director's license ~~or a license to conduct direct cremations or immediate burials~~ and who is a licensee in good standing may have the license placed on inactive status. A licensee whose license has been placed on inactive status shall not engage in the business of funeral directing ~~or conducting direct cremations or immediate burials~~ during the period in which the license is inactive.

2. If a licensee wishes to resume the business of funeral directing ~~or conducting direct cremations or immediate burials~~, the Board shall reactivate the license upon the:

- (a) Demonstration, if deemed necessary by the Board, that the licensee is qualified and competent to practice;
- (b) Completion of an application; and
- (c) Payment of the fee for the renewal of the license and any other fees related to the reactivation of the license.

3. A licensee is not required to pay the fee for the renewal of his or her license or any fees or penalties related to the renewal of the license for any year during the period in which the license was inactive.

(Added to NRS by 1997, 2577; A 2003, 1276)

NRS 642.460 Contents and display of license. Each funeral director's license ~~and license to conduct direct cremations or immediate burials~~ must specify the name of the licensee and be displayed conspicuously in the place of business or employment of the licensee.

(Added to NRS by 1959, 845; A 1995, 271)

NRS 642.465 Contents and display of permit; operation of funeral establishment by person named on permit.

1. Each permit to operate a funeral establishment must *be issued in the name under which the establishment will conduct business, shall specify the name of the owner of the establishment and be displayed conspicuously in the funeral establishment for which it was issued.*

2. A funeral establishment must not be operated or advertised as being operated *under any name other than the name in which the establishment conducts business as it by any person other than the owner of the funeral establishment as his or her name appears on the permit to operate said funeral establishment.*

(Added to NRS by 1995, 266)

Disciplinary Action

NRS 642.470 Grounds for disciplinary action. The following acts are grounds for which the Board may take disciplinary action against a person who holds a funeral director's license, a permit to operate a funeral establishment, *a certificate of authority to operate a cemetery, or a license to operate a crematory, a license to conduct direct cremations or immediate burials, or may refuse to issue such a license or permit to an applicant therefor:*

1. Conviction of a crime involving moral turpitude.
2. Unprofessional conduct.
3. False or misleading advertising.
4. Conviction of a felony relating to the practice of funeral directors.
5. Conviction of a misdemeanor that is related directly to the business of a funeral establishment.

(Added to NRS by 1959, 846; A 1993, 2614; 1995, 271; 1997, 2580; 2003, 2717)

NRS 642.473 Authorized disciplinary action; private reprimands prohibited; orders imposing discipline deemed public records.

1. If the Board determines that a person who holds a funeral director's license, a permit to operate a funeral establishment, *a certificate of authority to operate a cemetery, or a license to operate a crematory, or a license to conduct direct cremations or immediate burials* has committed any of the acts set forth in NRS 642.470, the Board may:

- (a) Refuse to renew the license or permit;
- (b) Revoke the license or permit;
- (c) Suspend the license or permit for a definite period or until further order of the Board;
- (d) Impose a fine of not more than \$5,000 for each act that constitutes a ground for disciplinary action;
- (e) Place the person on probation for a definite period subject to any reasonable conditions imposed by the Board;
- (f) Administer a public reprimand; or
- (g) Impose any combination of disciplinary actions set forth in paragraphs (a) to (f), inclusive.

2. The Board shall not administer a private reprimand.

3. An order that imposes discipline and the findings of fact and conclusions of law supporting that order are public records.

(Added to NRS by 1997, 2577; A 2003, 1276, 3461; 2005, 797)

NRS 642.480 "Unprofessional conduct" defined. For the purposes of NRS 642.470, unprofessional conduct includes:

1. Misrepresentation or fraud in the operation of a funeral establishment or the practice of a funeral director ~~or person licensed to conduct direct cremations or immediate burials.~~

2. Solicitation of dead human bodies by the licensee or his or her agents, assistants or employees, whether the solicitation occurs after death or while death is impending, but this does not prohibit general advertising.

3. Employment by a holder of a permit to operate a funeral establishment or licensee of persons commonly known as "cappers," "steerers" or "solicitors," or of other persons to obtain funeral directing or embalming business.

4. Employment, directly or indirectly, of any apprentice, agent, assistant, embalmer, employee or other person, on part- or full-time or on commission, to call upon natural persons or institutions by whose influence dead human bodies may be turned over to a particular funeral director or embalmer.

5. The buying of business by a holder of a permit to operate a funeral establishment or a licensee or his or her agents, assistants or employees, or the direct or indirect payment or offer of payment of a commission by the holder of a permit or a licensee or his or her agents, assistants or employees, to secure business.

6. Gross immorality.

7. Aiding or abetting an unlicensed person to practice funeral directing or embalming.

8. Using profane, indecent or obscene language in the presence of a dead human body, or within the immediate hearing of the family or relatives of a deceased whose body has not yet been interred or otherwise disposed of.

9. Solicitation or acceptance by a holder of a permit to operate a funeral establishment or licensee of any commission, bonus or rebate in consideration of recommending or causing a dead human body to be disposed of in any crematory, mausoleum or cemetery.

10. Except as otherwise provided in this subsection, using any casket or part of a casket which has previously been used as a receptacle for, or in connection with, the burial or other disposition of a dead human body. The provisions of this subsection do not prohibit the rental of the outer shell of a casket into which a removable insert containing a dead human body is placed for the purpose of viewing the body or for funeral services, or both, and which is later removed from the outer shell for cremation.

11. Violation of any provision of this chapter, any regulation adopted pursuant thereto or any order of the Board.

12. Violation of any state law or municipal or county ordinance or regulation affecting the handling, custody, care or transportation of dead human bodies, including, without limitation, NRS Chapter 451.400 and NRS 440.

13. Fraud or misrepresentation in obtaining a permit or license.

14. Refusing to surrender promptly the custody of a dead human body, upon the express order of the person lawfully entitled to the custody thereof.

15. Taking undue advantage of the patrons of a funeral establishment or being guilty of fraud or misrepresentation in the sale of merchandise to those patrons.

16. The theft or misappropriation of money in a trust fund established and maintained pursuant to chapter 689 of NRS.

17. Habitual drunkenness or the unlawful use of a controlled substance.

(Added to NRS by 1959, 846; A 1993, 2615; 1995, 271; 2003, 1277; 2007, 402)

NRS 642.500 Petition for revocation or suspension of license or permit.

1. A petition for the revocation or suspension of a permit to operate a funeral establishment, funeral director's license or license to conduct direct cremations or immediate burials may be filed by the Attorney General or by the district attorney of the county in which the funeral establishment exists or the licensee resides or has practiced, or by any person residing in this State.

2. The petition must be filed with the Board and state the charges against the licensee with reasonable definiteness.

(Added to NRS by 1959, 847; A 1995, 273; 2005, 797)

NRS 642.510 Order of revocation or suspension of license or permit.

1. Each order of revocation or suspension of a permit to operate a funeral establishment must be entered of record and the name of the holder of the permit stricken from the roster of permits and the funeral establishment may not be operated after revocation of the permit or during the period it is suspended.

2. Each order of revocation or suspension of a funeral director's license or license to conduct direct cremations or immediate burials must be entered of record and the name of the licensee stricken from the roster of licenses and the licensee may not engage in the practice of funeral directing or conducting direct cremations or immediate burials after revocation of the license or during the period it is suspended.

(Added to NRS by 1959, 847; A 1995, 273)

NRS 642.521 Suspension of license or certificate of registration for failure to pay child support or comply with certain subpoenas or warrants; reinstatement of license or certificate of registration. [Effective until 2 years after the date of the repeal of 42 U.S.C. § 666, the federal law requiring each state to establish procedures for withholding, suspending and restricting the professional, occupational and recreational licenses for child support arrearages and for noncompliance with certain processes relating to paternity or child support proceedings.]

1. If the Board receives a copy of a court order issued pursuant to NRS 425.540 that provides for the suspension of all professional, occupational and recreational licenses, certificates and permits issued to a person who is the holder of a license to practice the profession of embalming, a funeral director's license, a license to conduct direct cremations or immediate burials or a certificate of registration as an apprentice embalmer, the Board shall deem the license or certificate of registration issued to that person to be suspended at the end of the 30th day after the date on which the court order was issued unless the Board receives a letter issued to the holder of the license or certificate of registration by the district attorney or other public agency pursuant to NRS 425.550 stating that the holder of the license or certificate of registration has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

2. The Board shall reinstate a license to practice the profession of embalming, a funeral director's license, a license to conduct direct cremations or immediate burials or a certificate of registration as an apprentice embalmer that has been suspended by a district court pursuant to NRS 425.540 if the Board receives a letter issued by the district attorney or other public agency pursuant to NRS 425.550 to the person whose license or certificate of registration was suspended stating that the person whose license or certificate of registration was suspended has complied with the subpoena or warrant or has satisfied the arrearage pursuant to NRS 425.560.

(Added to NRS by 1997, 2157; A 2005, 2807)

NRS 642.557 Orders requiring person to desist or refrain from engaging in certain conduct. Notwithstanding the provisions of chapter 622A of NRS:

1. If the Board has reasonable cause to believe that any person is violating or is threatening to or intends to violate any provision of this chapter or chapter 451, 452 or 440 of NRS, any regulation adopted by the Board pursuant thereto or any order of the Board, the Board may enter an order requiring the person to desist or refrain from engaging in the violation.

2. The provisions of NRS 241.034 do not apply to any action that is taken by the Board pursuant to this section.

(Added to NRS by 2003, 1266; A 2005, 799)

NRS 642.590 Penalty for taking care of disposition of dead human bodies ~~or performing direct cremations or immediate burials without license~~; penalty for operating funeral establishment without permit; penalty for giving or receiving commission to secure business.

1. Any funeral director who attempts to take care of the disposition of dead human bodies ~~or any person who performs or attempts to perform direct cremations or immediate burials~~ without having complied with the provisions of this chapter, and without being licensed pursuant to this chapter, or who continues in the business of a funeral director ~~or continues to conduct direct cremations or immediate burials~~ after his or her license has been revoked shall be fined not more than \$500. Each day that he or she is engaged in the business of a funeral director ~~or conducts direct cremations or immediate burials~~ is a separate offense.

2. Any owner of a funeral establishment who operates or allows another person to operate the establishment without having complied with the provisions of this chapter, or who continues to operate or allow another person to operate the establishment after his or her permit to operate the establishment has been revoked shall be fined not more than \$500. Each day that he or she operates or allows another person to operate the establishment is a separate offense.

3. Any owner of a funeral establishment or a funeral director or any person acting for him or her who pays or causes to be paid, directly or indirectly, any money or other thing of value as a commission or gratuity for the securing of business as an owner of a funeral establishment or a funeral director and every person who accepts or offers to accept any money or thing of value as a commission or gratuity from an owner of a funeral establishment or a funeral director to secure business for that person is guilty of a misdemeanor.

(Added to NRS by 1959, 848; A 1967, 643; 1975, 710; 1995, 274)

NRS 451.635 Requirements for licensing.

1. No person may cremate human remains except in a crematory whose operator is licensed by the Nevada Funeral and Cemetery Services Board.

2. *The licensed operator shall ensure that all individuals physically operating the crematory equipment have completed a crematory certification program and maintain proof of completion for inspection by the Board.*

2. If a crematory is proposed to be located in an incorporated city whose population is 60,000 or more or in an unincorporated town that is contiguous to such an incorporated city, the Board shall not issue a license to the applicant unless the proposed location of all structures associated with the crematory are:

- (a) In an area which is zoned for mixed, commercial or industrial use; and
- (b) At least 1,500 feet from the boundary line of any parcel zoned for residential use.

3. The Board shall prescribe and furnish forms for application for licensing. An application must be in writing and contain:

- (a) The name and address of the applicant and the location or proposed location of the crematory;
- (b) A description of the structure and equipment to be used in operating the crematory; and
- (c) Any further information that the Board may reasonably require.

4.—An application must be signed by the applicant personally, by one of the partners if the applicant is a partnership, or by an authorized officer if the applicant is a corporation or other form of business organization.

5.—The Board shall examine the structure and equipment and, if applicable, the location and shall issue the license if:

- (a) It appears that the proposed operation will meet the requirements of NRS 451.600 to 451.715, inclusive; and
- (b) The applicant has paid all fees related to the application.

6. If the ownership of a crematory is to be changed, the proposed operator shall apply for licensing at least 30 days before the change.

(Added to NRS by 1993, 2601; A 2003, 1279; 2013, 236)

NRS 451.024 Authority to order burial; acceptance of legal and financial responsibility for burial; execution of affidavit.

1. The following persons, in the following order of priority, may order the burial of human remains of a deceased person:

(a) A person designated as the person with authority to order the burial of the human remains of the decedent in a legally valid document or in an affidavit executed in accordance with subsection 7;

(b) If the decedent was, at the time of death, on active duty as a member of the Armed Forces of the United States, a reserve component thereof or the National Guard, a person designated by the decedent in the United States Department of Defense Record of Emergency Data, DD Form 93, or its successor form, as the person authorized to direct disposition of the human remains of the decedent;

- (c) The spouse of the decedent;
- (d) An adult son or daughter of the decedent;
- (e) Either parent of the decedent;
- (f) An adult brother or sister of the decedent;
- (g) A grandparent of the decedent;
- (h) A guardian of the person of the decedent at the time of death;

~~(i) A person who held the primary domicile of the decedent in joint tenancy with the decedent at the time of death; and~~

(j) A person who meets the requirements of subsection 2.

2. If, 30 days or more after the death of a decedent, the coroner or sheriff, as applicable, has conducted an investigation to determine whether a person specified in paragraphs (a) to (i), inclusive, of subsection 1 exists and, upon completion of that investigation, is unable to identify or locate a person specified in those paragraphs, any other person may order the burial of the human remains of the decedent if the person:

- (a) Is at least 18 years of age; and
- (b) Executes an affidavit affirming:
 - (1) That he or she knew the decedent;
 - (2) The length of time that he or she knew the decedent;
 - (3) That he or she does not know the whereabouts of any of the persons specified in paragraphs (a) to (i), inclusive, of subsection 1; and
 - (4) That he or she willingly accepts legal and financial responsibility for the burial of the human remains of the decedent.

3. *If the person with authority as designated in paragraphs (c) through (h) has been arrested or charged with first or second degree murder or first degree manslaughter in connection with the decedent's death, the right of control is relinquished and passed on to the next individual in order of priority.*

4. *If there is more than one member of a class listed in paragraphs (d), (e), (f), (g), or (h) of subsection 1, a majority of the members of that class may be required at the discretion of the funeral establishment.*

—3.—A person who accepts legal and financial responsibility for the burial of the human remains of a decedent as described in subparagraph (4) of paragraph (b) of subsection 2 does not have a claim against the estate of the decedent or against any other person for the cost of the burial.

—4.—If the deceased person was an indigent or other person for whom the final disposition of the decedent’s remains is a responsibility of a county or the State, the appropriate public officer may order the burial of the remains and provide for the respectful disposition of the remains.

—5.— If the deceased person donated his or her body for scientific research or, before the person’s death, a medical facility was made responsible for the final disposition of the person, a representative of the scientific institution or medical facility may order the burial of his or her remains.

—6.—A living person may order the burial of human remains removed from his or her body or the burial of his or her body after death. In the latter case, any person acting pursuant to his or her instructions is an authorized agent.

—7.—A person 18 years of age or older wishing to authorize another person to order the burial of his or her human remains in the event of the person’s death may execute an affidavit before a notary public in substantially the following form:

State of Nevada }
 }ss
County of }

(Date)

I,, (person authorizing another person to order the burial of his or her human remains in the event of his or her death) do hereby designate (person who is being authorized to order the burial of the human remains of a person in the event of his or her death) to order the burial of my human remains upon my death.

Subscribed and sworn to before me this

day of the month of of the year

.....

(Notary Public)

(Added to NRS by 2003, 1880; A 2011, 193, 197)

NRS 451.650 Authority to order cremation; execution of affidavit.

1. The following persons, in the following order of priority, may order the cremation of human remains of a deceased person:

(a) A person designated as the person with authority to order the cremation of the human remains of the decedent in a legally valid document or in an affidavit executed in accordance with subsection 5;

(b) If the decedent was, at the time of death, on active duty as a member of the Armed Forces of the United States, a reserve component thereof or the National Guard, a person designated by the decedent in the United States Department of Defense Record of Emergency Data, DD Form 93, or its successor form, as the person authorized to direct disposition of the human remains of the decedent;

(c) The spouse of the decedent;

(d) An adult son or daughter of the decedent;

(e) Either parent of the decedent;

(f) An adult brother or sister of the decedent;

(g) A grandparent of the decedent;

(h) A guardian of the person of the decedent at the time of death; and

—(i) A person who held the primary domicile of the decedent in joint tenancy with the decedent at the time of death.

2. If the person with authority as designated in paragraphs (c) through (h) has been arrested or charged with first or second degree murder or first degree manslaughter in connection with the decedent’s death, the right of control is relinquished and passed on to the next individual in order of priority.

3. If there is more than one member of a class listed in paragraphs (d), (e), (f), (g), or (h) of subsection 1, a majority of the members of that class may be required at the discretion of the funeral establishment.

—2.— If the deceased person was an indigent or other person for the final disposition of whose remains a county or the State is responsible, the appropriate public officer may order cremation of the remains and provide for the respectful disposition of the cremated remains.

3. If the deceased person donated his or her body for scientific research or, before the person’s death, a medical facility was made responsible for the final disposition of the person, a representative of the scientific institution or medical facility may order cremation of the remains of the person.

4. A living person may order the cremation of human remains removed from his or her body or the cremation of the body of the person after the person's death. In the latter case, any person acting pursuant to his or her instructions is an authorized agent.

5. A person 18 years of age or older wishing to give authority to another person to order the cremation of his or her human remains upon the person's death may execute an affidavit before a notary public in substantially the following form:

State of Nevada }
 }ss
County of..... }

(Date)

I,, (person authorizing another person to order the cremation of his or her human remains upon his or her death) do hereby designate (person who is being authorized to order the cremation of the human remains of another person in the event of his or her death) to order the cremation of my human remains upon my death.

Subscribed and sworn to before me this
day of the month of of the year

.....
(Notary Public)



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

PMB 186, 4894 Lone Mountain Road, Las Vegas, Nevada, 89130
 Phone (775) 825-5535 * Email nvfuneralboard@outlook.com

AGENDA ITEM 12: Clarification Regarding Regulatory Fee Collection

There was a request from a member of the public quoted below to clarify regulatory fee as defined in NRS 642.0696. This item was discussed at the August 7, 2014 meeting, and further discussion at this meeting is required.

“So if a body passes in another state is sent in for burial in Nevada do we charge the \$10 fee? If some one comes in to just purchase an urn or headstone for their loved one do I charge the \$10 fee? If you do a disinterment from this state do you charge the \$10 fee?”

NRS 642.0696 Other fees.

1. In addition to the fees that the Board is authorized or required to collect pursuant to the provisions of a specific statute, the Board shall charge and collect the following fees:

Application for a license, certificate or permit.....	\$375
Examination for a license, certificate or permit.....	375
Renewal of a license, certificate or permit.....	200
Late renewal of a license, certificate or permit.....	275
Placement of a license on inactive status.....	175
Reactivation of a license to active status.....	175
Reinstatement of a lapsed license.....	300
Transfer of a license, certificate or permit to another location.....	225
Issuance of a duplicate license, certificate or permit.....	75
Provision of an administrative service.....	75
Regulatory fee, per written and signed agreement for funeral services to be furnished in this State	10

2. The regulatory fee of \$10 prescribed in subsection 1 may only be charged once with respect to the remains of a deceased person and only at such time as an agreement for funeral services is fully executed, regardless of:

- (a) The number of funeral services furnished;
- (b) Whether such funeral services are furnished by more than one holder of a license, certificate or permit issued by the Board; or
- (c) Whether a subsequent agreement for funeral services is executed.

3. As used in this section, “funeral services” means those services performed normally by funeral directors or funeral or mortuary parlors, including, without limitation, crematory and embalming services.

(Added to NRS by 2003, 1266; A 2013, 1812)



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

PMB 186, 4894 Lone Mountain Road, Las Vegas, Nevada, 89130
Phone (775) 825-5535 * Email nvfuneralboard@outlook.com

AGENDA ITEM 13: Review of Establishment Inspection Checklist

Attachment:
Establishment Inspection Checklist

Embalming

Are any individuals performing embalming duly licensed? (NRS 642.080, 642.090, NRS 642.580)	Yes	No
---	-----	----

Are apprentice embalmers performing under preceptor? (NRS 642.260)	Yes	No
--	-----	----

Apprentice embalmer logs completed and sent to Board? (NRS 642.240)	Yes	No
---	-----	----

Advertising

Does establishment advertise?	Yes	No
-------------------------------	-----	----

Types of advertising:

For any viewed advertising, does there appear to be any misrepresentations? (NRS 642.490)	Yes	No
---	-----	----

Refrigeration

On-site refrigeration?	Yes	No
------------------------	-----	----

If not, location where bodies are refrigerated:

Are any bodies housed in refrigeration properly identified?	Yes	No
---	-----	----

Does the refrigeration appear to be in good operating condition?	Yes	No
--	-----	----

Does it appear sanitary?	Yes	No
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Properly working thermometer?	Yes	No
-------------------------------	-----	----

Preparation Room

Does the establishment have a preparation room? (NRS 642.016)	Yes	No
---	-----	----

Is there proper signage and locking doors to prevent unauthorized persons from entering preparation room? (NRS 642.560)	Yes	No
---	-----	----

Is the floor sanitary? (NRS 642.016)	Yes	No
--------------------------------------	-----	----

Is there necessary drainage? (NRS 642.016)	Yes	No
--	-----	----

Is there proper ventilation in working order? (NRS 642.016)	Yes	No
---	-----	----

Are fumes and odors prevented from entering other parts of the building? (NRS 642.016)	Yes	No
--	-----	----

Are windows and exterior doors obstructed from outside view?	Yes	No
--	-----	----

Is the preparation room equipped with instruments and supplies necessary for embalming? (NRS 642.016)	Yes	No
---	-----	----

Injection Tubes	Y	N	Disinfectant	Y	N	Drain Tubes	Y	N	Suture Thread	Y	N
Aneurysm Needle	Y	N	Large Trocar	Y	N	Small Trocar	Y	N	Suture Needles	Y	N
Scalpel	Y	N	Scissors	Y	N	Hemostats	Y	N	Forceps	Y	N
Hypodermic syringe	Y	N	Aspirator	Y	N	Hypodermic Needles	Y	N	Cosmetics	Y	N
Embalming Machine	Y	N	Hardening Compound	Y	N	Headrest	Y	N	Powder Brush	Y	N
Restorative Wax	Y	N	Shaving Material	Y	N	Sheets/Body Bags	Y	N	Application Brush	Y	N
Covered Waste Can	Y	N	First Aid Kit	Y	N	Eye Wash Station	Y	N	Soap	Y	N

Human Remains

List all areas of the establishment where human remains are being held:

Are remains that have not been embalmed being held longer than 24 hours without refrigeration? (NRS 451.675)	Yes	No
--	-----	----

Are all remains properly identified?	Yes	No
--------------------------------------	-----	----

Are any bodies present which have been stored an unreasonable amount of time? (NRS 451.020) If yes, please make notes below for any reasons given by staff.	Yes	No
--	-----	----

Notes:

Casket Inventory

Does the establishment have a display room containing an inventory of funeral caskets? (NRS 642.016, NAC 642.030)	Yes	No
---	-----	----

Do the prices of displayed caskets conform to the casket price list? 16 CFR 453.2(a)(b)	Yes	No
---	-----	----

General Price List (GPL)		
Does establishment have a supply of the GPL readily available? NRS 642.019, 16 CFR 453.3(b)(4)(i)(A)	Yes	No
Has the establishment kept a copy of the GPL, CPL, OBCPL and SFGSS for one year after the date of their last distribution to customers? NRS 642.019, 16 CFR 453.6	Yes	No
Does the GPL contain the name, address, and phone number of the establishment? NRS 642.019, 16 CFR 453.2 (b)(4)(i)(C)(1)	Yes	No
Does the GPL contain the caption "General Price List"? NRS 642.019, 16 CFR 453.2 (b)(4)(i)(C)(2)	Yes	No
Does the GPL list the effective date? NRS 642.019, 16 CFR 453.2 (b)(4)(i)(C)(3)	Yes	No
Does the GPL include the retail prices for all items listed below? NRS 642.019, 16 CFR 453.2 (b)(4)(ii)	Yes	No

Forwarding remains to another funeral home	Y	N	Transfer of remains to the funeral home	Y	N
Receiving remains from another funeral home	Y	N	Embalming	Y	N
Price range for direct cremations	Y	N	Other preparation of the body	Y	N
Separate price for direct cremations; purchaser provides container	Y	N	Use of facilities and staff for viewing	Y	N
Separate prices for each direct cremation offered including an alternative container	Y	N	Use of facilities and staff for memorial service	Y	N
Price range for immediate burials	Y	N	Use of equipment and staff for graveside service	Y	N
Separate price for immediate burial where purchaser provides the casket	Y	N	Hearse	Y	N
Separate price for each immediate burial offered including a casket or alternative container	Y	N	Limousine	Y	N
Price range for caskets or individual prices for caskets	Y	N	Price range for outer burial containers or the prices of individual outer burial containers	Y	N
Funeral director and staff services fees	Y	N		Y	N

General Price List Disclosures		
Is the following disclosure included in immediate conjunction with the price shown for embalming? NRS 642.019, 16 CFR 453.3(2)(ii) "Except in certain special cases, embalming is not required by law. Embalming may be necessary, however, if you select certain funeral arrangements, such as a funeral with viewing. If you do not want embalming, you usually have the right to choose an arrangement that does not require you to pay for it, such as direct cremation or immediate burial."	Yes	No
Is the following disclosure included in immediate conjunction with the price range shown for direct cremations? NRS 642.019, 16 CFR 453.3(b)(2) "If you want to arrange a direct cremation, you can use an alternative container. Alternative containers encase the body and can be made of materials like fiberboard or composition materials (with or without an outside covering). The containers we provide are (specify containers)."	Yes	No
If the prices of outer burial containers are listed on the general price list, is the following disclosure included in immediate conjunction with those prices? NRS 642.019, 16 CFR 453.3(c)(2) "In most areas of the country, state or local law does not require that you buy a container to surround the casket in the grave. However, many cemeteries require that you have such a container so that the grave will not sink in. Either a grave liner or a burial vault will satisfy these requirements."	Yes	No
Is the following disclosure included immediately above the prices contained in the GPL? NRS 642.019, 16 CFR 453.4(b)(2)(a) "The goods and services shown below are those we can provide to our customers. You may choose only the items you desire. If legal or other requirements mean you must buy any items you did not specifically ask for, we will explain the reason in writing on the statement we provide describing the funeral goods and services you selected."	Yes	No

Itemized Statement of Funeral Goods and Services

Does the establishment provide an itemized written statement for retention to the purchaser at the conclusion of discussion of arrangements which contains the funeral goods and funeral services selected and the prices to be paid for each item? NRS 642.019, 16 CFR 453.2(b)(5)	Yes	No
Does the statement specifically itemize cash advance items to the extent known? NRS 642.019, 16 CFR 453.2(b)(5)	Yes	No
Does the statement contain the total cost of the goods and services selected? NRS 642.019, 16 CFR 453.2(b)(5)	Yes	No
Does the statement of funeral goods and services identify and briefly describe in writing any legal, cemetery, or crematory requirement which the funeral provider represents to persons as compelling the purchase of funeral goods and services for the funeral which that person is arranging? NRS 642.019, 16 CFR 453.3(d)(2)	Yes	No

Itemized Statement of Funeral Goods and Services Disclosures

Is the following disclosure included in immediate conjunction with the list of itemized cash advances? NRS 642.019, 16 CFR 453.3(f)(2) "We charge you for our service in obtaining: (specify cash advance items)."	Yes	No
Is the following disclosure included in the statement of funeral goods and services selected? NRS 642.019, 16 CFR 453.4(a)(2)(i)(A) Charges are only for those items that you selected or that are required. If we are required by law or by a cemetery or crematory to use any items, we will explain the reasons in writing below."	Yes	No
Is the following disclosure included in the statement of funeral goods and services selected? NRS 642.019, 16 CFR 453.5(b) If you selected a funeral that may require embalming, such as a funeral with viewing, you may have to pay for embalming. You do not have to pay for embalming you did not approve if you selected arrangements such as a direct cremation or immediate burial. If we charged for embalming, we will explain why below."	Yes	No

Casket Price List

Does the establishment provide a casket price list? NRS 642.019, 16 CFR 453.2(b)(2) (If prices of all caskets are listed on the GPL, this item is not required)	Yes	No
Does the casket price list contain the name of the funeral establishment and a caption describing the list as a "casket price list"? NRS 642.019, 16 CFR 453.2(b)(2)(ii)	Yes	No
Does the casket price list contain the retail prices of all caskets and alternative containers offered which do not require special ordering, enough information to identify each, and the effective date for the price list? NRS 642.019, 16 CFR 453.2(b)(2)(i)	Yes	No

Outer Burial Container Price List

Does the establishment provide an outer burial container price list? NRS 642.019, 16 CFR 453.2(b)(3) (If prices of all outer burial containers are listed on the GPL, this item is not required)	Yes	No
Does the outer burial container price list contain the name of the funeral establishment and a caption describing the list as a "outer burial container price list"? NRS 642.019, 16 CFR 453.2(b)(3)(ii)	Yes	No
Does the outer burial container price list contain the retail prices of all outer burial containers offered which do not require special ordering, enough information to identify each, and the effective date for the price list? NRS 642.019, 16 CFR 453.2(b)(3)(i)	Yes	No

Notes:

General Establishment Management

Is the approved managing funeral director on-site for inspection? (Not required)	Yes	No
--	-----	----

How often is the approved managing funeral director on-site to manage establishment?

Is the managing funeral director available to staff for supervision? NRS 642.345(3)	Yes	No
---	-----	----

Body Donation Information

Does the establishment work with any donor organizations? If yes, please list:	Yes	No
--	-----	----

If so, ask staff if permits are being obtained from the health department prior to body being donated (disposition)? NRS 440.450	Yes	No
--	-----	----

General Information

Does the establishment have an on-site crematory?	Yes	No
---	-----	----

If not, where are bodies from the establishment cremated?

Date of last inspection of crematory:

Does the establishment have an on-site cemetery?	Yes	No
--	-----	----

Date of last inspection of cemetery:

If not, where are bodies generally sent for burial from the establishment?

Establishment Forms and Records

How long is establishment maintaining records?

How are authorizations obtained for embalming?

Do the authorizations for embalming contain contact information for authorized agent and relationship to decedent?	Yes	No
--	-----	----

Do the authorizations for embalming contain time/date that embalming was authorized?	Yes	No
--	-----	----

Do burial authorizations contain the signature and contact information of the authorizing agent and relationship to decedent?	Yes	No
---	-----	----

Do cremation authorizations contain the signature and contact information of the authorizing agent and relationship to decedent?	Yes	No
--	-----	----

Do records generally appear to be in good order?	Yes	No
--	-----	----

Inspection Information

Date of Inspection	Time of Inspection:
--------------------	---------------------

Type of Inspection:	Previous Inspection Date:
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Name of Inspector:	Signature of Inspector:
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Does it appear that any items may need to be reported to local or state health authorities, OSHA, or the Federal Trade Commission?



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AGENDA ITEM 14: Complaint Status

Update Board on number of complaints and status.

Attachment:

Spreadsheet of current complaint status

Complaint Status - Funeral and Cemetery Service Board

Updated 10/5/2014

Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	unknown	1/17/2014	Consent Decree to next MTG
Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	6/24/2014	8/14/2014	Under Investigation
Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	6/24/2014	Email sent by prior ED	Dismissed
Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	6/24/2014	N/A	Closed; outside purview of Board; Sent to Division of Insurance
Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	6/24/2014	N/A	Closed; Withdrawn by Complainant and outside jurisdiction of State of Nevada
Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	6/24/2014	9/9/2014	Under Investigation
Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	7/19/2014	N/A	Closed; outside purview of Board; Sent to Division of Insurance
Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	7/19/2014	9/16/2014	Under Investigation
Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	7/24/2014	N/A	Dismissed
Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	8/14/2014	9/22/2014	Under Investigation
Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	8/14/2014	N/A	Closed; outside purview of Board; Sent to Division of Insurance
Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	9/4/2014	9/23/2014	Under Investigation
Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	9/4/2014	9/29/2014	Under Investigation
Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	9/4/2014	9/8/2014	Dismissed
Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	9/28/2014		Under Investigation
Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	9/28/2014		Under Investigation
Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	9/30/2014		Under Investigation
FB14-01			unknown	1/17/2014	Consent Decree to next MTG
FB14-02	4/28/2014		6/24/2014	8/14/2014	Under Investigation
FB14-03	5/5/2014		6/24/2014	Email sent by prior ED	Dismissed
FB14-04	5/17/2014		6/24/2014	N/A	Closed; outside purview of Board; Sent to Division of Insurance
FB14-05	3/20/2014		6/24/2014	N/A	Closed; Withdrawn by Complainant and outside jurisdiction of State of Nevada
FB14-06	6/16/2014		6/24/2014	9/9/2014	Under Investigation
FB14-07	7/12/2014		7/19/2014	N/A	Closed; outside purview of Board; Sent to Division of Insurance
FB14-08	7/12/2014		7/19/2014	9/16/2014	Under Investigation
FB14-09	7/17/2014		7/24/2014	N/A	Dismissed
FB14-10	8/4/2014		8/14/2014	9/22/2014	Under Investigation
FB14-11	8/4/2014		8/14/2014	N/A	Closed; outside purview of Board; Sent to Division of Insurance
FB14-12	8/28/2014		9/4/2014	9/23/2014	Under Investigation
FB14-13	8/28/2014		9/4/2014	9/29/2014	Under Investigation
FB14-14	8/29/2014		9/4/2014	9/8/2014	Dismissed
FB14-15	9/24/2014		9/28/2014		Under Investigation
FB14-16	9/26/2014		9/28/2014		Under Investigation
FB14-17	9/30/2014				Under Investigation



State of Nevada
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AGENDA ITEM 15: Board attendance at the annual meeting of The Conference

Request approval from Board on attendance for legal counsel and Board investigator. Additionally advisement on which Board members plan to attend.

Attachment: Agenda

111th Annual Convention Agenda

Hilton Lincoln Centre—Dallas, Texas

Tuesday, February 24, 2015

2:00 pm—6:00 pm Board Member Training

Wednesday, February 25, 2015

7:30 am—10:00 am Convention Registration

7:30 am—11:30 am Funeral Service
Administrators Forum (AEFSB)

8:00 am—11:30 am Board Member Training

10:30 am—11:30 am Examination Services Forum
*Sarah Gill, Examination Services
The Conference*

11:45 am—12:30 pm Keynote Speaker

12:30 pm—1:45 pm Business Meeting
& Luncheon of the
111th Annual Convention
(Welcome, Roll-call, & Intros)

2:00 pm—3:50 pm Model Practice Act

4:00 pm—5:00 pm Recent Cases & What
We Need to Learn From Them
Dale Atkinson, Atkinson & Atkinson

5:30 pm—7:00 pm Welcome Reception

Thursday, February 26, 2015

7:00 am—8:00 am Past Presidents Breakfast

8:15 am—9:15 am Statutory Authority
What Can You Do as a Board?

9:15 am—10:15 am Ethics in Funeral Service Regulation

10:30 am—12:00 pm District Meetings

12:00 pm—12:30 pm Board of Directors
Meeting and Photos

12:30 pm—2:00 pm Awards Luncheon
& Reports

*District Reports
AEFSB Report
ABFSE Report
President's Distinguished Service Award
Recognition of Board members
Recognition of President
Installation of Board of Directors
Installation of Officers for 2015–2016
Presentation of Gavel*

2:00 pm—2:15 pm Break

2:15 pm—3:15 pm Alternative Certifications
What's on the horizon?

3:15 pm—3:45 pm Moral Character "Clauses"

3:45 pm—5:15 pm Group Exercise
Dinner on your own



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AGENDA ITEM 16: 90 Day Review of Executive Director

Attachment: Compiled review form.



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

Employee Review Form

Employee Information

Employee Name: Jennifer Kandt

Employee Title: Executive Director

Reviewer Name: Compilation of 5 submitted review forms

Period of Review: June 2014-August 2014

Rating: 4= Excellent 3= Good 2= Fair 1= Poor

Performance Measure	4	3	2	1	Comments
Job Knowledge	II	III			New to Job
Productivity	IIII	I			
Work Quality	IIII	I			
Attitude	IIII				
Initiative	IIII	I			
Dependability	IIII	I			
Punctuality	IIII	I			
Communication	IIII	I			
Overall Performance	IIII	I			

Opportunities for Development

"Industry knowledge. She will master this with time."
"To continue to learn more about our industry."

Reviewer Comments

"Doing an excellent job and going the extra mile to make sure all is well."
"Jennifer has excelled in her first 90 days. Elevating this position to a new level of accountability and professionalism"
"How did we get so lucky? The good Lord knew we needed someone to guide all of us. We are leaps and bounds ahead because of Jennifer."
"An absolute gem. I am impressed with what she has accomplished in a short amount of time. A true professional. We are very fortunate to have found her."
"Jennifer will take our board to the professional level it should be for our licensees and the consumers."

Signature of Board Chair _____

Date _____

Print Name _____



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Executive Director Report – October 14, 2014

Office Space

Board of Examiners approved a one year office lease at 501 Hammill Lane.

GL Suite Licensing

Executive Director has continued work with GL Suites to implement new licensing software. The ED will utilize the software for the upcoming renewal period in 2015 for data collection and tracking, but licensees will not be able to utilize the online functions until the following renewal period in 2016.

Forms

Various forms have been created and many are still in progress. ED is trying to have renewal applications and renewal reminder letters sent to each licensee by November 1st.

Licenses

ED has been tasked with issuing renewed licenses from last year. Establishments and individuals have called complaining that they never received licenses. Upon review of the licensing software, there is no indication of payment or reissuance of license. ED then has to request verification of payment from licensee to reissue. In all instances, it appears that payment was made, credited to the Board account, but license never issued and no documentation in licensing software of payment.

ED would like Board to be aware that license numbers have been used for multiple licensees, and several entities currently share the same license number. ED will work toward clean-up of all of these issues during the renewal cycle, but this has created obvious issues with data consistency.

Verification of licenses, original dates of licensure and test scores has proved very difficult with current status of Board records.

Inspections

Inspector began work the first of September and has assisted with the inspection checklists and investigation of complaints. A laptop and digital camera was purchased for the inspector and he has spent time setting up new email address, obtaining a state issued ID card, and visiting funeral establishments for training purposes. He has conducted background checks for the potential licensees, and will begin inspections this month.

Regulatory Fee Compliance

Letters sent to licensees resulted in compliance of almost all agencies that had been missing payments. The missing payments amounted to over \$12,000 in additional collection for the Board. ED is following up on remaining agency payments.

Legislation

ED understands that the final sunset subcommittee report will be presented to the Legislative Commission on October 24th and ED will attend the meeting. There may or may not be a recommendation to move forward with suggested legislative changes. If this does not result in BDR, ED will work with potential legislator.

Audit

ED worked with Certified Contract Manager to get contract in place. Still waiting for signatures/final approval, but work is slated to begin with auditing firm October 20th. Have been compiling documents that will be required for audit.

Miscellaneous Administrative Items

Envelopes, business cards, new wall certificates were all ordered through the State printing office. ED has continued to set up a working office with all necessary supplies, software, etc.

ED attended Federation of Associations of Regulatory Boards the first week of October.