

# NEVADA FUNERAL AND CEMETERY SERVICES BOARD

## AGENDA AND NOTICE OF PUBLIC MEETING

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**Tuesday, April 14, 2015, at 9:00a.m.**

Video-Conference Locations:

Division of Employment, Training and Rehabilitation  
1325 Corporate Blvd., Large Conference Room  
Reno, Nevada  
and  
Division of Employment, Training and Rehabilitation  
2800 E. St. Louis, Conf. Room C  
Las Vegas, Nevada

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**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.

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

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- 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 minutes of meetings (For possible action)**
  - a) January 20, 2015
  - b) March 27, 2015
4. **Discussion, recommendation, and possible action regarding Consent Decrees for case number FB14-08 (For possible action)**
  - a) Valley Funeral Home, Establishment Permit No. 71
  - b) Frank Zimmerman, Funeral Director License No. 15
5. **Discussion, recommendation, and possible action regarding moral character policies and evaluation (For possible action)**
6. **Discussion recommendation, and possible action regarding various testing issues related to licensees (For possible action)**
  - a) Request authority for Executive Director to make changes to the Nevada Law, Rule, and Regulation test
  - b) Request from individual for Board to offer the State Board Exam -Sciences section
7. **Discussion, recommendation, and possible action regarding granting Certificate of Registration as an Apprentice Embalmer to Dale Deckard (For possible action)**
8. **Discussion, recommendation, and possible action regarding granting Certificate of Registration as an Apprentice Embalmer to Blanca Edith Garcia Gomez (For possible action)**
9. **Discussion, recommendation, and possible action regarding granting Reciprocal Embalmer License to Joel Alan Kuehn (For possible action)**
10. **Discussion, recommendation, and possible action regarding granting a Funeral Director License to Joel Alan Kuehn (For possible action)**
11. **Discussion, recommendation, and possible action regarding granting a Funeral Director License to Lyle Pahl Meyer (For possible action)**
12. **Discussion, recommendation, and possible action regarding granting a Funeral Director License to Troy M. Smith (For possible action)**
13. **Discussion, recommendation, and possible action regarding granting a Funeral Establishment Permit to Las Vegas Cremations at 5555 W. Charleston Blvd., Las Vegas, Nevada (For possible action)**
14. **Discussion, recommendation, and possible action regarding length of time for issuance of death certificate (For possible action)**

15. Discussion, recommendation, and possible action regarding SB286 which revises provisions related to the funeral industry. (For possible action)  
Link to the Bill can be found at the following location:  
<http://leg.state.nv.us/Session/78th2015/Bills/SB/SB286.pdf>
  16. Discussion, recommendation, and possible action regarding approval of an investment policy for reserve funds (For possible action)
  17. Discussion, recommendation, and possible action regarding FY2016 budget (For possible action)
  18. Financial Reports
    - a) Regulatory Fee Collection
    - b) FY2015 Revised Budget vs. Actuals
  19. Updates from Board inspector regarding various inspection issues
  20. Overview of current complaint status
  21. Update on Conference testing issues and potential impact on Board
  22. Discussion, recommendation, and possible action regarding one year review of Executive Director, Jennifer Kandt and evaluation of compensation and benefits for Executive Director. This item includes request for Board to join State's Deferred Compensation Plan (For possible action)
  23. Report from Executive Director, Jennifer Kandt
  24. Report from Senior Deputy Attorney General
  25. Board member comments
  26. Discussion regarding future agenda items and future meeting dates  
Meetings scheduled for the following dates:  
July 14, 2015  
October 13, 2015
  27. 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)
28. 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.

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

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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
Division of Employment, Training and Rehabilitation 1325 Corporate Blvd. Reno, Nevada		Division of Employment, Training and Rehabilitation 2800 E. St. Louis, Conf. Room C Las Vegas, Nevada



State of Nevada  
**FUNERAL AND CEMETERY SERVICES BOARD**

501 Hammill Lane, Reno, NV 89511  
Phone (775) 825-5535 \* Email [nvfuneralboard@fb.nv.gov](mailto:nvfuneralboard@fb.nv.gov)

**AGENDA ITEM 3a and 3b: Approval of Minutes**

Approval of January 20, 2015 and March 27, 2015 minutes requested.  
Attachment: Draft Minutes

# NEVADA FUNERAL AND CEMETERY SERVICES BOARD

## MINUTES OF MEETING

**Tuesday, January 20, 2015, at 9:00a.m.**

Video-Conference Locations:

Division of Employment, Training and Rehabilitation  
500 East 3rd Street, Main Auditorium  
Carson City, Nevada

and

Division of Employment, Training and Rehabilitation  
2800 E. St. Louis, Conf. Room C  
Las Vegas, Nevada

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

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

**Members Present**

Wayne Fazzino, Chair  
Todd Noecker  
Wendy Simons  
Bart Burton  
Tammy Dermody

**Board Staff Present**

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

**Public**

Warren Hardy  
Lyle Meyer  
Eric Lee

**Members Absent**

Loretta Guazzini

Jennifer Kandt stated that she had received confirmation that Lisa Franqui had officially resigned, but she had no further information on a replacement.

### **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 see the Board create a mission statement.

**3. Discussion, recommendation, and possible action regarding review and approval of November 24, 2014 meeting minutes (For possible action)**

Bart Burton moved to approve the minutes. The motion was seconded by Tammy Dermody and carried unanimously.

**4. Discussion, recommendation, and possible action regarding Consent Decrees for case number FB14-12 (For possible action)**

a) King David Memorial Chapel, Establishment Permit No. 69

Tammy Dermody moved to accept the consent decree. The motion was seconded by Todd Noecker and carried unanimously. Bart abstained citing his employment with Palm Mortuary which is under the same ownership as King David Memorial Chapel.

b) Jay Poster, Funeral Director License No. 619

Todd Noecker moved to accept the consent decree. The motion was seconded by Tammy Dermody and carried unanimously. Bart Burton abstained citing his employment with Palm Mortuary which is under the same ownership as King David Memorial Chapel.

**5. Discussion, recommendation, and possible action regarding granting Certificate of Registration as an Apprentice Embalmer to Christopher Folger (For possible action)**

Bart Burton moved to grant the Certificate of Registration. The motion was seconded by Tammy Dermody and carried unanimously with Todd Noecker abstaining citing his employment with Davis Funeral Home.

**6. Discussion, recommendation, and possible action regarding granting Reciprocal Embalmer License to Amberly Walter (For possible action)**

Jennifer Kandt stated that there was a request to remove this item from consideration at this meeting and review at a future date.

**7. Discussion, recommendation, and possible action regarding granting a Reciprocal Embalmer License to Lyle Meyer (For possible action)**

There was extensive discussion regarding Mr. Meyer's application.

Todd Noecker moved to grant the Reciprocal Embalmer license. The motion was seconded by Bart Burton and carried unanimously.

**8. Discussion, recommendation, and possible action regarding granting a Funeral Director License to Dale Deckard (For possible action)**

Bart Burton moved to approve the Funeral Director license. The motion was seconded by Wendy Simons and carried unanimously.

**9. Discussion, recommendation, and possible action regarding granting a Funeral Director License to Georgina Narro (For possible action)**

Wendy Simons moved to approve the Funeral Director license. The motion was seconded by Todd Noecker and carried unanimously with Bart Burton abstaining citing that they are employed by the same company.

**10. Discussion, recommendation, and possible action regarding granting a Funeral Director License to Dale Lewis Lomason II (For possible action)**

Wendy Simons moved to approve the Funeral Director license. The motion was seconded by Tammy Dermody with Bart Burton abstaining citing that they are employed by the same company.

**11. Discussion, recommendation, and possible action regarding requests for approval of new managing funeral directors (For possible action)**

- a) Palm Mortuary Cheyenne – Dale Lewis Lomason II
- b) Palm Mortuary Downtown – Lawrence Neubauer
- c) Walton's Funerals & Cremations – Chapel of the Valley – Rick Noel
- d) Walton's Funerals & Cremations – Rick Noel
- e) Cremation Society of Nevada – Capitol City – Rick Noel
- f) Walton's Funerals & Cremations – Ross, Burke & Knobel Sparks – Edward McCaffery
- g) Walton's Funerals & Cremations – Sierra Chapel – Blake Howe
- h) Walton's Funerals & Cremations – Sparks – Blake Howe
- i) Walton's Funerals & Cremations – O'Brien-Rogers & Crosby – Blake Howe
- j) Cremation Society of Nevada – John Sparks – James Alan Frizzell
- k) Cremation Society of Nevada – Northern Nevada – James Alan Frizzell
- l) Cremation Society of Nevada – Affinity – James Alan Frizzell

Wendy Simons moved to approved items 11a through 11l and then withdrew the motion as different individuals needed to recuse themselves on different sections.

Wendy Simons moved to approve items 11a and 11b. Tammy Dermody seconded the motion which carried unanimously with Bart Burton abstaining citing his employment with Palm Mortuary.

Wendy Simons moved to approved items 11c through 11l. Bart Burton seconded the motion which carried unanimously with Tammy Dermody abstaining citing her ownership of the locations.

**12. 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)**

Jennifer Kandt stated that she had not yet seen the language, but that it was her understanding that it was in the drafting process. She stated that she would send out to the Board members once it was ready and that a meeting could be called if there were any issues needing to be addressed.

**13. Discussion, recommendation, and possible action regarding \$75 administrative fee charged for inspection of funeral establishments (For possible action)**

Jennifer Kandt stated that there had been several requests for the Board to eliminate this fee as it had been authorized under an administrative service fee, and was not necessarily needed due to the regulation fee collection.

There was discussion that it had been decided that the Board did not want to discuss this as they were doing inspections now so the fee was justified. Bart Burton stated that he asked for this to be placed on the agenda for discussion.

Tammy Dermody stated that she would like to see this eliminated as the Board had sufficient revenue sources now.

Jennifer Kandt stated that this fee had already been collected from the majority of establishments for this renewal cycle, so if the Board was going to eliminate that they should consider eliminating for the next renewal cycle to avoid her having to issue refunds.

Todd Noecker moved to eliminate the \$75 inspection fee for the next renewal cycle. The motion was seconded by Tammy Dermody and carried unanimously.

**14. Discussion, recommendation, and possible action regarding funeral establishment and crematory inspection checklists and process (For possible action)**

Jennifer Kandt overviewed the inspection process stating the after inspection, letters are being sent advising establishments of the violations and giving a time period for compliance. She stated that in some instances a re-inspection will be completed to verify compliance. If they fail to comply or a serious violation is noted, the Board can initiate a complaint and discipline. She also stated that she would like to see the process formalized in regulation.

Wendy Simons moved to accept the checklists and process. The motion was seconded by Tammy Dermody and carried unanimously.

**15. Discussion, recommendation, and possible action regarding operating policies and procedures manual (For possible action)**

Jennifer Kandt stated that the Board had previously approved employment policies and procedures and that these were operating policies and procedures, but that she will also work on licensing policies and procedures that will be based on the statutes and regulations. She said that she would like to wait until after session to complete that manual.

Wendy Simons thanked Jennifer for creating the manual and stated that it was so nice to have these official procedures in place. Tammy Dermody stated that Jennifer was doing a great job.

Wendy Simons moved to approve the operating policies and procedures manual. The motion was seconded by Todd Noecker and carried unanimously.

**16. Discussion, recommendation, and possible action regarding revised FY2015 budget (For possible action)**

Jennifer stated that she had needed to make a few changes, and that this would probably need to be revised again since this was the first year the Board had a budget, there would likely need to be adjustments. She stated that one of the increases was in

the equipment and furnishings category as she would like to be able to purchase a scanner and a laptop for travel.

Wendy Simons moved to approve the revised budget and noted that the Board may approve revisions moving forward. The motion was seconded by Tammy Dermody and carried unanimously.

**17. Discussion, recommendation, and possible action regarding audit contract for FY2015 audit (For possible action)**

Jennifer Kandt stated that she was requesting permission to move forward with a one year contract for Kohn and Company to do another one year audit making sure they were addressing all issues. In the future, she stated that the Board could have an audit every two years, but would like to be certain they are on the right track with all of the changes prior to a two year audit cycle.

Wendy Simons moved to approve a contract with Kohn and Company in the amount of \$7,500 for an annual audit. The motion was seconded by Tammy Dermody and carried unanimously.

**18. Discussion, recommendation, and possible action regarding request for part-time administrative support for the Executive Director (For possible action)**

Jennifer Kandt stated that there were quite a few issues still needing to be addressed with the Board and that an assistant would allow her to focus on complaints, regulations, and the legislative session. She stated that there is still substantial work needing to be done getting all files in order for the Board and data entry for the new licensing software.

Tammy Dermody asked if this could be for a one year period and then re-evaluate.

Jennifer Kandt stated that the request was not for temporary employment, but that could be done if necessary.

Wendy Simons asked about the additional costs. Jennifer stated that she believed the costs would not exceed \$20,000 for the year which would include an hourly rate of \$16 per hour and several hundred more dollars per month for leasing additional space to house the employee. She stated that she would need also an additional computer. Jennifer Kandt said that the office building currently being occupied does have additional space and that if approved, she would contact leasing services about expanding to one of the offices with a reception bay.

Wendy moved to approve a part-time assistant for the Executive Director with approval for purchasing an additional computer and increased space. The motion was seconded by Tammy Dermody and carried unanimously.

**19. Discussion, recommendation, and possible action regarding request for cell phone stipend for the Executive Director (For possible action)**

Wendy Simons moved to approve. The motion was seconded by Bart Burton and carried unanimously.

**20. Overview of current complaint status**

Jennifer Kandt reviewed the complaint spreadsheet detailing status of each case number. She stated that legal counsel advised her not to put a topic for any cases that were still under investigation. Wendy Simons thanked Jennifer for providing the spreadsheet and stated that it was information the Board had not previously been given.

**21. Financial Reports**

a) Regulatory Fee Collection

Jennifer Kandt stated that an extensive amount of work had been done on creating this collection report. She explained that the report presents the figures for the reporting month and that an invoice is automatically generated at the end of the month so there will be a way to know who has not paid.

b) Revised Budget vs. Actuals

Jennifer Kandt presented the budget vs. actuals report.

**22. Report from Executive Director, Jennifer Kandt**

Jennifer Kandt overviewed her current work and information contained in her report dated January 20, 2015. She stated that there had been a tremendous amount accomplished, but that there were still many things needing to be addressed.

**23. Report from Senior Deputy Attorney General**

Henna stated that Jennifer was keeping her very busy, and that she was working on consent decrees that would probably be ready for the next meeting.

**24. Board member comments**

Wendy Simons thanked everyone for elevating the Board to a new level of professionalism.

There was discussion on whether anyone had any suggestions for a public Board member replacement. There was additional discussion that the Governor's Office is responsible for the appointment, but that they do welcome recommendations.

**25. Discussion regarding future agenda items and future meeting dates**

Meetings scheduled for the following dates:

April 14, 2015

July 14, 2015

October 13, 2015

**26. Public comment**

John commented that it was very nice to see the collection figures and the budget amounts and that he would like the Board to address what they will do with any surplus money and possibly create an indigent fund.

Jennifer commented that the Board had not previously had any reserves and that all licensing boards need a healthy reserve to account for any potential lawsuits.

Eric Lee stated he and his father James Lee had discussed the possible legislative changes and had comments to offer the Board regarding those changes. He stated that they agreed that the level of professionalism is elevated by having people who meet with families be licensed, but he felt that the requirements to be a funeral director should be increased and that they should be required to attend mortuary school. He also stated that he would like to see the Board look into a combined Mortician license. He stated that requiring continuing education for funeral directors who do not have formal education, does not build on any educational foundation, because there is nothing to build on. He also stated that that they would like to see the Board address mortuary transport as the individuals making removals often have no training whatsoever. Mr. Lee said that in Minnesota, a licensed Mortician is required to be on every removal since they have been to mortuary school, they have the training and education to protect themselves. Mr. Lee asked for guidance on the regulatory fee as they do ship out, but there is not an original contract. He stated that he felt it would be more appropriate to be based on the permits filed. He also said that they are seeking the Board's assistance on problems with death certificates taking 4 weeks for the State to process. He said this puts a huge hardship on families to close out financial arrangements.

Wendy Simons asked for Mr. Lee to draft a formal letter to the Board regarding the issue. Legal counsel advised that it would need to be a future agenda item to decide on any action.

**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)

## **27. Adjournment (For possible action)**

Meeting adjourned at 11:50 am.

# NEVADA FUNERAL AND CEMETERY SERVICES BOARD

## MINUTES OF MEETING

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**Friday, March 27, 2015, at 9:00a.m.**

Meeting via Teleconference with Public Access:

Funeral and Cemetery Services Board Office

501 Hammill Lane

Reno, Nevada 89511

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**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.

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

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

#### **Members Present**

Wayne Fazzino, Chair

Todd Noecker

Bart Burton

Tammy Dermody

#### **Board Staff Present**

Jennifer Kandt, Executive Director

Henna Rasul, Senior Deputy Attorney General

#### **Members Absent**

Loretta Guazzini

Wendy Simons

## **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 possible suggested amendments to SB 286 which revises provisions related to the funeral industry.**

**Link to the Bill can be found at the following location:**

**<http://leg.state.nv.us/Session/78th2015/Bills/SB/SB286.pdf>**

Jennifer stated that a hearing for SB286 was held and that Senator Hardy had testified in support of the bill with several amendments. Jennifer stated that the proposed amendments were to:

Replace the term "Death Care Consultant" with the term "Funeral Arranger" throughout the bill.

Amend the statute to make all licenses and permits required by the Funeral Board valid for a period of two years. (Licensing of funeral arrangers creates approximately an additional 90 licensees for the Board. There is sufficient revenue to support renewal every two years.)

Amend section 9 regarding continuing education for funeral directors and embalmers to require 12 hours of continuing education before a license can be renewed and attach it to the two year renewal period which essentially requires 12 hours every two years.

Amend section 32, which provides for the existing 1-year internship to become a Funeral Director by stating that the applicant must have actively practiced for at least one year as a Funeral Arranger prior to application as a Funeral Director.

Add language that will prohibit individuals from offering online cremation services unless they have a physical location in the state.

Change the accrediting agency in NRS 642.080 and 642.100 to correctly state an embalming college or school of mortuary science which is accredited by "American Board of Funeral Service Education" not the International Conference of Funeral Service Examining Boards. (The International Conference of Funeral Service Examining Boards provides the National Examination, but does not accredit the mortuary schools.)

There was general consensus that these were appropriate amendments. Bart moved to accept the conceptual amendments and also give authority to the Executive Director to negotiate any further legislative issues. Tammy seconded the motion which carried unanimously.

**4. Discussion regarding future agenda items and future meeting dates**

Meetings scheduled for the following dates:

April 14, 2015

July 14, 2015

October 13, 2015

**5. 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)

**6. Adjournment (For possible action)**

Meeting adjourned at 9:20 a.m.



State of Nevada  
**FUNERAL AND CEMETERY SERVICES BOARD**

501 Hammill Lane, Reno, NV 89511  
Phone (775) 825-5535 \* Email [nvfuneralboard@fb.nv.gov](mailto:nvfuneralboard@fb.nv.gov)

**AGENDA ITEM 4: Consent Decrees for Case Number FB14-08**

Attachment: Manila envelopes labeled 4a and 4b included with packet. Do not open until instructed to do so by legal counsel.



State of Nevada  
**FUNERAL AND CEMETERY SERVICES BOARD**

501 Hammill Lane, Reno, NV 89511  
Phone (775) 825-5535 \* Email [nvfuneralboard@fb.nv.gov](mailto:nvfuneralboard@fb.nv.gov)

**AGENDA ITEMS 5: Moral Character Evaluation Policy**

Attachments:  
Proposed Policy



State of Nevada  
**FUNERAL AND CEMETERY SERVICES BOARD**

501 Hammill Lane, Reno, NV 89511  
Phone (775) 825-5535 \* Email [nvfuneralboard@fb.nv.gov](mailto:nvfuneralboard@fb.nv.gov)

Policy 2

**MORAL CHARACTER**

4/14/15

Pursuant to the provisions of NRS Chapter 642, the Nevada Funeral and Cemetery Services Board is charged with the protection of the public health, safety, and welfare by ensuring that only competent and scrupulous persons are licensed and permitted to practice in the funeral and cemetery industry and that the persons who practice maintain an appropriate standard of professional conduct.

NRS Chapter 642 authorizes the Board to evaluate the qualifications and determine the eligibility of applicants for licensure. Specifically, applicants are required to be of good moral character prior to issuance of a license or permit.

The purpose of this policy is to provide guidance in determining whether legal actions reported or found constitute a potential moral character issue.

**Considerations**

In determining whether the legal issue constitutes a potential lack of moral character, the following factors should be considered:

- 1) Nature and severity of the act(s), offense(s), or crime(s);
- 2) Actual or potential harm to the public and/or any person;
- 3) Prior disciplinary record (either in this state or another state);
- 4) Number and variety of violations;
- 5) Mitigating evidence;
- 6) Rehabilitation evidence;
- 7) Length of time since the act(s), offense(s), or crime(s) occurred; and
- 8) Compliance with conditions of sentence and court-ordered probation, if any.

Mitigating Evidence:

- \*Illness or death of a family member
- \*Personal circumstances affecting individual's performance at time of incident
- \*Length of time in practice with no prior disciplinary action

**Legal Factors Not Considered Potential Moral Character Issues:**

- 1) Minor traffic violations;
- 2) Driving Under the Influence (DUI); first offense, no injuries;
- 3) Public disturbance with no injuries;
- 4) Domestic custody disputes;
- 5) Convictions more than 10 years old (depending on nature and severity of crime);
- 6) Prior professional disciplinary action older than 10 years, with no subsequent violations;
- 7) Prior disciplinary action, satisfactorily resolved with no re-occurrence.

**Legal Factors Considered Potential Moral Character Issues (within the previous 10 years):**

- 1) Repeat DUI convictions;
- 2) Drug abuse convictions;
- 3) Sexual convictions;
- 4) Elder or child abuse related convictions;
- 5) Fraud, extortion, embezzlement, theft convictions;
- 6) Any conviction involving violence;
- 7) Any criminal conviction;
- 8) Disciplinary actions resulting in suspension or revocation of ANY professional license.

The above is intended only to provide guidance for determining potential moral character issues and is not intended to be all-inclusive. The Board reserves all rights in making the determination on whether an applicant is of good moral character.



State of Nevada  
**FUNERAL AND CEMETERY SERVICES BOARD**

501 Hammill Lane, Reno, NV 89511  
Phone (775) 825-5535 \* Email [nvfuneralboard@fb.nv.gov](mailto:nvfuneralboard@fb.nv.gov)

**AGENDA ITEM 6: Testing**

6a) All licensees are required to take and pass the Nevada Law, Rule and Regulation Test which is outdated and needs to be revised. The test is 50 true/false and multiple choice questions. There is a 100 item test question bank. Executive Director has reviewed test bank and at least 10 questions need to be eliminated due to current and previous legislative changes. Those questions will need to be replaced.

6b) The Board also offers the Nevada State Board Exam – Arts Section which is needed for Funeral Directors if they have not taken the National Board Exam – Arts Section (if they have not been to Mortuary School, they are not authorized to take the National Board Exam).

For Embalmer licensure, the Board does NOT offer a State Board Exam – Sciences Section and currently applicants must take and pass the National Board Exam – Sciences Section. The test is basically the same, the difference is in qualifying to take the test. Individuals attending certain limited Mortuary Science programs are not eligible to take the National Board Exam and a potential applicant has asked the Board to review.



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](mailto:nvfuneralboard@outlook.com)

**AGENDA ITEM 14: Death Certificates**

At the previous meeting, a member of the public commented on the length of time it is taking for death certificates to be issued and asked the Board if there was any assistance the Board could offer.



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](mailto:nvfuneralboard@outlook.com)

**AGENDA ITEM 15: SB286**

Executive Director will provide an update and if any action is needed, ED will advise.



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](mailto:nvfuneralboard@outlook.com)

**AGENDA ITEM 16: Investment Policy**

Request approval of Board investment policy for reserve funds.

Attachment:  
Proposed policy.



State of Nevada  
**FUNERAL AND CEMETERY SERVICES BOARD**

501 Hammill Lane, Reno, NV 89511  
Phone (775) 825-5535 \* Email nvfuneralboard@fb.nv.gov

Policy 3

**INVESTMENT OF FUNDS**

4/14/15

Checking Account

The Board maintains a checking account for the purpose of payment of general operating expenses of the Board. All receipts and deposits are recorded into the checking account.

- The checking account balance shall not fall below 50% of the approved annual budget for expenditures; or 6 months of operating cost, whichever is lower
- The checking account balance shall be reviewed and adjusted, if needed, to meet the operating needs of the Board upon approval of the budget for the subsequent fiscal year
- Funds in excess of 125% of the approved budget may be made available for fixed-income investment purposes.

Investments

Funds in excess of 125% of operating needs may be invested in short and/or long-term fixed income instruments, certificates of deposit (CD's). All investments must be fully insured by the federal government (FDIC)

- No investment term may exceed 60 months (5 years);
- No more than 25% of funds shall be invested for a term of 60 months;
- A minimum of 50% of funds shall be invested in instruments with terms of 24 months or less.

Investment Authority

The Board Treasurer shall provide oversight of the investment activities.

The Executive Director, under the guidance of the Treasurer, shall have the authority for selection and execution of investment instruments.

A report on investment activities shall be provided by the Executive Director and/or Treasurer at each regularly scheduled Board meeting.



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](mailto:nvfuneralboard@outlook.com)

**AGENDA ITEM 17: FY2016 Budget**

Request approval of FY2016 budget.  
Attachment: Proposed FY2016 budget.

Request approval with change of Executive Director compensation as decided under agenda item #22.

**State of Nevada**  
**FUNERAL AND CEMETERY SERVICES BOARD**



Fiscal Year 2016  
 July 1, 2015 – June 30, 2016

**LINE ITEM BUDGET**

**Revenue**

<u>Revenue Sources</u>	<u>#Licensees</u>	<u>Fee</u>	<u>Total</u>
Administrative Fee (Reissue Licenses)	10	\$75	\$ 750.00
Approval of New Managing Funeral Directors	5	\$225	\$ 1,125.00
Cemetery Renewals	17	\$200	\$ 3,400.00
Crematory Renewals	21	\$200	\$ 4,200.00
Embalmer Renewals	62	\$200	\$ 12,400.00
Establishment Permit Renewals	61	\$200	\$ 12,200.00
Examinations	60	\$100	\$ 6,000.00
Fines and Miscellaneous Fees			\$ 1,000.00
Funeral Director Renewals	75	\$200	\$ 15,000.00
Initial Licensing	105	\$375	\$ 39,375.00
Regulatory Fee	\$18,000 x 12 months		\$216,000.00
Study Guides	15	\$25	\$ 375.00

**Total Projected Revenue      \$311,825.00**

**Operating Expenditures**

Attorney General – Legal Fees	\$ 20,000.00
Audit Expenses	\$ 7,500.00
Background Checks	\$ 500.00
Bank Fees	\$ 80.00
Board Member Compensation	\$ 1,500.00
Bookkeeping	\$ 2,040.00
Bookkeeping Services Contract	\$1800.00
On-line Bookkeeping Software	\$ 240.00

Conference/Training Registrations		\$ 3,530.00
Executive Director FARB Registrations	\$1600.00	
Executive Director and 4 Members- Conference 5x\$300	\$1500.00	
Investigator – CLEAR Certification	\$ 430.00	
Equipment and Furnishings		\$ 2,000.00
Insurance		\$ 2,000.00
Worker's Compensation Insurance	\$1,000.00	
General Liability	\$1,000.00	
Licensing Software Subscription-GL Suites		\$ 20,612.00
Monthly Subscription Fees (\$1301 x 9 months)	\$15,612.00	
1 Projects For updates resulting from legislation	\$ 5,000.00	
Meeting Expenses		\$ 500.00
Office Supplies		\$ 3,600.00
Office Lease (\$1200 x 12 months)		\$ 14,400.00
Personnel		\$ 106,185.00
Executive Director Salary	\$60,000.00 (AMOUNT PENDING)	
Investigator Wages	\$22,960.00	
Assistant Wages	\$15,680.00	
Employer Taxes	\$ 7,540.00	
Postage		\$ 2,000.00
Printing and Copying		\$ 3,000.00
Technical Support/Website/EITS		\$ 3,600.00
Telephone, conference calls, cell phone stipend		\$ 2,500.00
Testing (Updates to Law Test)		\$ 12,000.00
Travel – In State		\$ 14,900.00
In State ED Travel	\$3,200.00	
In State Board Member Travel	\$2,000.00	
In State Investigator Travel	\$9,700.00	
Travel – Out of State		\$ 12,000.00
Conferences – FARB, CLEAR, The Conference		

<b>Total Projected Operating Expenditures</b>	<b>\$234,447.00</b>
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**AGENDA ITEM 18: Financial Reports**

**Attachments:**

Regulatory Fee Collection Report

Revised Budget vs. Actuals for FY2015

**State of Nevada Funeral and Cemetery Services**  
**BUDGET VS. ACTUALS: FY15 REVISED BUDGET - FY15 P&L**  
 July 1, 2014 - April 1, 2015

	TOTAL			
	ACTUAL	BUDGET	REMAINING	% REMAINING
<b>Income</b>				
Administrative Fee (Reissue or Addl Lic)	1,775.00	750.00	-1,025.00	-136.67 %
Administrative Srv Fee(Inspection)	4,575.00	4,575.00	0.00	0.00 %
Approval of Managing Funeral Director	2,700.00	1,125.00	-1,575.00	-140.00 %
Cemetery Renewals	5,375.00	3,400.00	-1,975.00	-58.09 %
Crematory Renewals	4,400.00	4,000.00	-400.00	-10.00 %
Embalmer Renewals	20,150.00	12,600.00	-7,550.00	-59.92 %
Establishment Permit Renewals	20,500.00	12,200.00	-8,300.00	-68.03 %
Examinations	2,900.00	1,500.00	-1,400.00	-93.33 %
Fines and Miscellaneous Fees	9,500.90	1,000.00	-8,500.90	-850.09 %
Funeral Director Renewals	22,987.50	15,600.00	-7,387.50	-47.36 %
Initial Licensing	8,650.00	5,625.00	-3,025.00	-53.78 %
NV Regulatory Fee	143,490.00	192,000.00	48,510.00	25.27 %
Other Income	1,070.00		-1,070.00	
Study Guide	325.00	375.00	50.00	13.33 %
<b>Total Income</b>	<b>\$248,398.40</b>	<b>\$254,750.00</b>	<b>\$6,351.60</b>	<b>2.49 %</b>
<b>Gross Profit</b>	<b>\$248,398.40</b>	<b>\$254,750.00</b>	<b>\$6,351.60</b>	<b>2.49 %</b>
<b>Expenses</b>				
Administrative Fines	7,000.00		-7,000.00	
Attorney General - Legal Fees	12,300.74	20,000.00	7,699.26	38.50 %
Auditing	7,500.00	7,500.00	0.00	0.00 %
Background Checks	159.60	500.00	340.40	68.08 %
Bank fees	63.40	80.00	16.60	20.75 %
Board Member Compensation	1,500.00	3,900.00	2,400.00	61.54 %
Conferenc/Training Registration	2,230.00	2,300.00	70.00	3.04 %
<b>Contractual services</b>				
Bookkeeping	1,492.12	2,040.00	547.88	26.86 %
<b>Total Contractual services</b>	<b>1,492.12</b>	<b>2,040.00</b>	<b>547.88</b>	<b>26.86 %</b>
Employer Taxes	4,385.48	6,347.00	1,961.52	30.90 %
Equipment and Furnishings	6,093.86	9,000.00	2,906.14	32.29 %
Executive Director Salary	41,218.00	60,000.00	18,782.00	31.30 %
Inspector/Investigation Wages	10,052.00	22,960.00	12,908.00	56.22 %
Insurance	1,800.23	2,000.00	199.77	9.99 %
Licensing Software Subscription	2,602.00	9,107.00	6,505.00	71.43 %
Meeting Expenses	168.20	500.00	331.80	66.36 %
Office Lease	7,200.00	9,900.00	2,700.00	27.27 %
Office Supplies	3,483.82	3,600.00	116.18	3.23 %
Postage	1,010.90	2,000.00	989.10	49.46 %
Printing and Copying	2,097.79	3,000.00	902.21	30.07 %
Technical Support Web Site	3,022.59	3,500.00	477.41	13.64 %
Telephone/Internet	1,224.43	1,800.00	575.57	31.98 %
Travel - In State	7,279.73	16,400.00	9,120.27	55.61 %

	TOTAL			
	ACTUAL	BUDGET	REMAINING	% REMAINING
Travel - Out of State	6,099.12	9,000.00	2,900.88	32.23 %
Total Expenses	\$129,984.01	\$195,434.00	\$65,449.99	33.49 %
Net Operating Income	\$118,414.39	\$59,316.00	\$ -59,098.39	-99.63 %
Net Income	\$118,414.39	\$59,316.00	\$ -59,098.39	-99.63 %

Wednesday, Apr 01, 2015 05:17:48 PM PDT GMT-7 - Accrual Basis

# State of Nevada Funeral and Cemetery Services

## SALES BY CUSTOMER SUMMARY

July 2014 - January 2015

	JUL 2014	AUG 2014	SEP 2014	OCT 2014	NOV 2014	DEC 2014	JAN 2015	TOTAL
Autumn Funeral & Cremations	240.00	190.00	190.00	180.00	170.00	370.00	250.00	\$1,590.00
Bunker's Eden Vale Mortuary	570.00	620.00	650.00	730.00	480.00	740.00	780.00	\$4,570.00
Burns Funeral Home, Inc.	210.00	150.00	190.00	220.00	310.00	270.00	280.00	\$1,630.00
Davis Funeral Home & Memorial Park								\$0.00
South Eastern Avenue	890.00	650.00	710.00	810.00	760.00	790.00	880.00	\$5,490.00
West Charleston Blvd	180.00	90.00	200.00	150.00	200.00	180.00	210.00	\$1,210.00
<b>Total Davis Funeral Home &amp; Memorial Park</b>	<b>1,070.00</b>	<b>740.00</b>	<b>910.00</b>	<b>960.00</b>	<b>960.00</b>	<b>970.00</b>	<b>1,090.00</b>	<b>\$6,700.00</b>
Final Wishes Funeral Home	310.00	120.00	210.00	110.00	110.00	220.00	180.00	\$1,260.00
Freitas Ruprecht Funeral Home	80.00	120.00	60.00	100.00	70.00	100.00	160.00	\$690.00
Funeral Smith	0.00	0.00	0.00	0.00	0.00	0.00	0.00	\$0.00
Funeraria Casa De Paz	10.00	60.00	80.00	110.00				\$200.00
Gunter's Hawthorne Funeral Home	40.00	80.00	30.00	80.00	80.00	70.00	80.00	\$460.00
Heritage Mortuary	60.00	100.00		90.00	100.00	70.00	130.00	\$550.00
Hites Enterprises, Inc.	890.00	980.00	730.00	890.00	770.00	720.00	860.00	\$5,840.00
Kraft-Sussman Funeral Services	300.00	250.00	330.00	340.00	270.00	380.00	450.00	\$2,320.00
La Paloma Funeral Services								\$0.00
La Paloma - Longley	110.00	40.00	140.00	130.00	80.00	100.00	130.00	\$730.00
La Paloma - Stephanie	760.00	750.00	660.00	660.00	330.00	570.00	930.00	\$4,660.00
<b>Total La Paloma Funeral Services</b>	<b>870.00</b>	<b>790.00</b>	<b>800.00</b>	<b>790.00</b>	<b>410.00</b>	<b>670.00</b>	<b>1,060.00</b>	<b>\$5,390.00</b>
McDermott Funeral Home, LLC	1,660.00	580.00	560.00	660.00	640.00		730.00	\$4,830.00
Mountain View Mortuary	300.00	180.00	240.00	170.00	290.00	130.00	110.00	\$1,420.00
Mountain Vista Chapel	50.00	30.00	30.00	60.00	80.00	100.00	90.00	\$440.00
Pahrump Family Mortuary Group	220.00	200.00	190.00	200.00	270.00	180.00	250.00	\$1,510.00
Reno Cremation & Burial Services	70.00	30.00	70.00	150.00	20.00	100.00	60.00	\$500.00
SCI								\$0.00
Alderwoods (Nevada) Inc.								\$0.00
Thomas and Jones - Foremaster Lane	110.00	130.00	100.00	70.00	80.00	120.00	170.00	\$780.00
<b>Total Alderwoods (Nevada) Inc.</b>	<b>110.00</b>	<b>130.00</b>	<b>100.00</b>	<b>70.00</b>	<b>80.00</b>	<b>120.00</b>	<b>170.00</b>	<b>\$780.00</b>
Keystone America								\$0.00
FitzHenry's - Fairview	220.00	180.00	180.00	140.00	140.00	180.00	210.00	\$1,250.00
FitzHenry's - Highway 395	110.00	90.00	40.00	100.00	100.00	80.00	120.00	\$640.00
<b>Total Keystone America</b>	<b>330.00</b>	<b>270.00</b>	<b>220.00</b>	<b>240.00</b>	<b>240.00</b>	<b>260.00</b>	<b>330.00</b>	<b>\$1,890.00</b>
Neptune Management Corp.								\$0.00
Neptune Society - Del Webb	360.00	470.00	490.00	400.00	520.00	660.00	650.00	\$3,550.00
Neptune Society - West Moana	250.00	310.00	230.00	270.00	200.00	340.00	320.00	\$1,920.00
<b>Total Neptune Management Corp.</b>	<b>610.00</b>	<b>780.00</b>	<b>720.00</b>	<b>670.00</b>	<b>720.00</b>	<b>1,000.00</b>	<b>970.00</b>	<b>\$5,470.00</b>
Palm Mortuaries								\$0.00
Affordable Cremation - Decatur	730.00	630.00	710.00	780.00	700.00	830.00	1,060.00	\$5,440.00
King David - Eldorado	130.00	170.00	160.00	130.00	90.00	230.00	100.00	\$1,010.00
Palm - Boulder Hwy	250.00	230.00	260.00	300.00	290.00	430.00	290.00	\$2,050.00
Palm - Cheyenne	370.00	460.00	420.00	410.00	400.00	570.00	440.00	\$3,070.00
Palm - Downtown (N Main)	590.00	660.00	540.00	770.00	650.00	550.00	800.00	\$4,560.00
Palm - South Jones	360.00	370.00	430.00	450.00	390.00	440.00	480.00	\$2,920.00
Palm Eastern - Eastern	910.00	1,070.00	1,080.00	990.00	1,160.00	1,200.00	1,240.00	\$7,650.00
Palm Northwest - North Jones	420.00	460.00	390.00	360.00	340.00	380.00	510.00	\$2,860.00
<b>Total Palm Mortuaries</b>	<b>3,760.00</b>	<b>4,050.00</b>	<b>3,990.00</b>	<b>4,190.00</b>	<b>4,020.00</b>	<b>4,630.00</b>	<b>4,920.00</b>	<b>\$29,560.00</b>
<b>Total SCI</b>	<b>4,810.00</b>	<b>5,230.00</b>	<b>5,030.00</b>	<b>5,170.00</b>	<b>5,060.00</b>	<b>6,010.00</b>	<b>6,390.00</b>	<b>\$37,700.00</b>
Serenity VII, LLC								\$0.00
Desert Memorial	1,250.00	1,390.00	1,640.00	1,300.00	1,600.00			\$7,180.00
Sunrise Cremation & Burial Society, LLC	340.00	500.00	450.00	530.00	420.00	480.00		\$2,720.00
<b>Total Serenity VII, LLC</b>	<b>1,590.00</b>	<b>1,890.00</b>	<b>2,090.00</b>	<b>1,830.00</b>	<b>2,020.00</b>	<b>480.00</b>	<b>0.00</b>	<b>\$9,900.00</b>
Simple Cremation, Inc. -								\$0.00
Nevada Funeral Service	80.00	30.00	130.00	60.00	130.00	150.00	70.00	\$650.00
Simple Cremation, Inc. - NW (Rancho)	780.00	550.00	510.00	470.00	400.00	480.00	680.00	\$3,870.00
Simple Cremation, Inc. - Reno	250.00	270.00	270.00	260.00	200.00	300.00	400.00	\$1,950.00
Simple Cremation, Inc. - SW (Durango)	410.00	420.00	530.00	540.00	390.00	630.00	760.00	\$3,680.00
<b>Total Simple Cremation, Inc. -</b>	<b>1,520.00</b>	<b>1,270.00</b>	<b>1,440.00</b>	<b>1,330.00</b>	<b>1,120.00</b>	<b>1,560.00</b>	<b>1,910.00</b>	<b>\$10,150.00</b>
Smith E LLC								\$0.00
Boulder City Family Mortuary	180.00	270.00	150.00	110.00	170.00	170.00	180.00	\$1,230.00
Smith Family Funeral Home	230.00	170.00	180.00	170.00	250.00	200.00	190.00	\$1,390.00
<b>Total Smith E LLC</b>	<b>410.00</b>	<b>440.00</b>	<b>330.00</b>	<b>280.00</b>	<b>420.00</b>	<b>370.00</b>	<b>370.00</b>	<b>\$2,620.00</b>
Sonoma Funeral Home	110.00	40.00	80.00	140.00	130.00	90.00	90.00	\$680.00
Southern Nevada Funeral Services, LLC								\$0.00
Lee Funeral Home	170.00	100.00	120.00	140.00	140.00	100.00	140.00	\$910.00

	JUL 2014	AUG 2014	SEP 2014	OCT 2014	NOV 2014	DEC 2014	JAN 2015	TOTAL
Total Southern Nevada Funeral Services, LLC	170.00	100.00	120.00	140.00	140.00	100.00	140.00	\$910.00
Southern Nevada Mortuary, LLC	40.00	50.00	20.00	30.00	70.00	80.00	40.00	\$330.00
The Funeral Directors Management Group								\$0.00
Moapa Valley & Virgin Valley Mortuaries	90.00	180.00	210.00	120.00	110.00	210.00		\$920.00
Total The Funeral Directors Management Group	90.00	180.00	210.00	120.00	110.00	210.00	0.00	\$920.00
The Gardens, LLC	60.00	110.00	180.00	140.00	110.00	160.00	140.00	\$900.00
Truckee Meadows Cremation & Burial Svcs	680.00	740.00	720.00	710.00	670.00	870.00	890.00	\$5,280.00
Valley Funeral Home	500.00	270.00	300.00	190.00	190.00	250.00	230.00	\$1,930.00
Walton's Inc								\$0.00
John Sparks Memorial Cremation	240.00	140.00	150.00	220.00	120.00	250.00	300.00	\$1,420.00
McCaffery Family Limited Partnership								\$0.00
Ross, Burke & Knobel Mortuary - Reno	410.00	240.00	270.00	400.00	300.00	270.00	280.00	\$2,170.00
Ross, Burke & Knobel Mortuary - Sparks	20.00	20.00	10.00	10.00	100.00	20.00	10.00	\$190.00
Total McCaffery Family Limited Partnership	430.00	260.00	280.00	410.00	400.00	290.00	290.00	\$2,360.00
Nevada Memorial Estate Plans								\$0.00
Affinity Burial & Cremation	270.00	220.00	230.00	340.00	240.00	300.00	150.00	\$1,750.00
Capitol City Cremation	100.00	230.00	170.00	240.00	100.00	100.00	310.00	\$1,250.00
Northern NV Memorial Cremation	0.00	80.00	160.00	80.00	100.00	150.00	160.00	\$730.00
Total Nevada Memorial Estate Plans	370.00	530.00	560.00	660.00	440.00	550.00	620.00	\$3,730.00
O'Brien Rogers & Crosby Funeral Home	10.00	60.00	140.00	80.00	40.00	100.00	90.00	\$520.00
Walton's Chapel of the Valley	220.00	280.00	350.00	270.00	250.00	290.00	250.00	\$1,910.00
Walton's Funerals and Cremations	100.00	110.00	130.00	70.00	100.00	200.00	110.00	\$820.00
Walton's Sierra Chapel	510.00	500.00	530.00	540.00	620.00	660.00	550.00	\$3,910.00
Walton's Sparks Funeral Home	170.00	160.00	140.00	180.00	170.00	290.00	210.00	\$1,320.00
Total Walton's Inc	2,050.00	2,040.00	2,280.00	2,430.00	2,140.00	2,630.00	2,420.00	\$15,990.00
<b>TOTAL</b>	<b>\$18,980.00</b>	<b>\$17,520.00</b>	<b>\$18,070.00</b>	<b>\$18,350.00</b>	<b>\$17,210.00</b>	<b>\$17,900.00</b>	<b>\$19,180.00</b>	<b>\$127,210.00</b>

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**FUNERAL AND CEMETERY SERVICES BOARD**

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**AGENDA ITEM 20: Current Complaint Status**

Attachment: Overview of current complaint status

Complaint Status - Funeral and Cemetery Service Board

Complaint Number	Date Received	Complaint Acknowledgement 233B Letter		General Subject	Status
		Date Received	Letter Sent		
FB14-01		unknown	1/17/2014	Authority to order cremation	Settled; Consent Decree
FB14-02	4/28/2014	6/24/2014	8/14/2014	Ashes not provided to estate	Dismissed
FB14-03	5/5/2014	6/24/2014	Email sent by prior ED	Pricing	Dismissed
FB14-04	5/17/2014	6/24/2014	N/A	Pre-Need	Closed; outside purview of Board; Sent to Division of Insurance
FB14-05	3/20/2014	6/24/2014	N/A	Transporting	Closed; Withdrawn by Complainant and outside jurisdiction of State of Nevada
FB14-06	6/16/2014	6/24/2014	9/9/2014	Cemetery grass	Dismissed
FB14-07	7/12/2014	7/19/2014	N/A	Pre-Need	Closed; outside purview of Board; Sent to Division of Insurance
FB14-08	7/12/2014	7/19/2014	9/16/2014		Possible Consent Decree
FB14-09	7/17/2014	7/24/2014	N/A	Photographing body	Dismissed
FB14-10	8/4/2014	8/14/2014	9/22/2014		Under Investigation
FB14-11	8/4/2014	8/14/2014	N/A	Pre-Need	Closed; outside purview of Board; Sent to Division of Insurance
FB14-12	8/28/2014	9/4/2014	9/23/2014	Burial without permit	Settled; Consent Decree
FB14-13	8/28/2014	9/4/2014	9/29/2014	Cremation within "reasonable" time	Dismissed
FB14-14	8/29/2014	9/4/2014	9/8/2014	Authority to order cremation	Dismissed
FB14-15	9/24/2014	9/28/2014	N/A	"Limited" License Obituary	Dismissed
FB14-16	9/26/2014	9/28/2014	N/A	"Limited" License Advertising	Dismissed
FB14-17	9/30/2014	10/13/2014	12/19/2014	Authority to order burial	Dismissed
FB14-18	12/9/2014	12/12/2014	3/30/2015		Under Investigation
FB15-01	1/27/2015	1/27/2015	3/9/2015	Delay in Disposition	Dismissed



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**AGENDA ITEM 21: Update of Conference Testing Issues**

Attachment: Press release.



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FOR IMMEDIATE RELEASE: December 12, 2014

**The Conference Announces Settlement of AAMI Litigation and Return to Regular Testing Schedule for AAMI Students in May 2015**

The International Conference of Funeral Service Examining Boards (“The Conference”), the American Academy McAllister Institute of Funeral Service, Inc. (“AAMI”), and Mary Margaret Dunn are pleased to announce the resolution of the litigation filed by the Conference in the Southern District of New York against AAMI and Ms. Dunn.

In its lawsuit, the Conference alleged copyright infringement and misappropriation of trade secrets related to the National Board Examination (“NBE”) program, as well as tortious interference with test takers’ confidentiality obligations to the Conference. AAMI has denied the allegations. The Parties have entered into a confidential settlement agreement resolving the litigation. AAMI has agreed to a permanent injunction prohibiting the activities alleged in the lawsuit and has instituted processes to promote the integrity of the NBE and the licensure process. This includes the creation of a Director of Academic Integrity position within the school, whose duties will include the preparation and implementation of an academic integrity program. AAMI looks forward to working with the Conference to better ensure the security of the NBE and to clarify the lines between educational curricula and preparation for entry-level licensure examinations.

The parties recognize and agree that the integrity of the examination and licensure process undertaken by Conference member boards is paramount to the public-protection mission of all parties involved. The Conference has committed considerable resources to replacing questions retired from the item bank and will continue to take all necessary measures to ensure the validity, reliability and defensibility of the NBE examination program.

The Conference is also pleased to announce that, as of May 2015, the standard continuous testing schedule for the administration of the NBE will be available to AAMI candidates.

Questions can be directed to the Executive Director of The Conference.

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State of Nevada  
**FUNERAL AND CEMETERY SERVICES BOARD**

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**AGENDA ITEM 22: Executive Director Review**

Attachments: Compiled Review Form  
Executive Director List of Accomplishments and Goals



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 submitted review forms

Period of Review: June 2014-April 14 2015

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

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

**Reviewer Comments**

"I am simply amazed at how quickly Jennifer adapted herself to the knowledge of industry and profession. The suggested changes as well as input has assisted the Board greatly in comforting the Funeral/Cremation consumers of Nevada."

"Has gone way beyond what is expected and has professionalized the Board and the industry."

"I feel that Jennifer has done an outstanding job in her first year of Executive Director. I know what she had to start with and where we are today. People in the industry and the public have commented on the progress of the board and the information that is made available to them. I know to accomplish this there were very few 40 hour work weeks. In my opinion, we found a gem when we hired Jennifer. I feel very proud to be part of this board and the direction we are going. I feel most of the credit goes to Jennifer and her efforts."

"We couldn't have been luckier than to get Jennifer. She has been so aggressive to put us on track, with everything – the website, legislation, our new designed licenses. We all appreciate everything that she has done and in less than a year!!!!!"

Board members suggestions for compensation:

One member suggests 5-10% increase

One member suggests \$70,000

One member suggests \$70,000 plus retirement

Two members suggest \$75,000

Executive Director requests compensation at \$75,000 per year plus allow all employees of the Board to participate in State of Nevada Deferred Compensation plan (NO COST to the Board – this simply allows employees to contribute to a retirement plan pre-tax).



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**Executive Director One Year Review**

**Accomplishments:**

- Established office space for the Board
- Worked with legislative subcommittee for bill draft request which has gone through one hearing
- Revised all Board application forms and created renewal forms to comply with various State laws
- Created Board budget
- Worked with book keeping service to implement regulatory tracking reporting for the Board
- Worked with vendor to implement new licensing software; online renewals scheduled for November 2015
- Drafted employee policies and procedures manual for the Board
- Drafted financial policies and procedures manual for the Board
- Hired an investigator/inspector
- Created inspection forms for establishments and crematories
- Worked on various changes to website
- Ensured Open Meeting Law compliance with proper notice to all licensees
- Worked with Attorney General's Office on complaint procedures and implemented spreadsheet tracking
- Designed new licenses, letterhead, envelopes, etc.
- Established relationships with Clark County Coroner, Southern Nevada Health District, State Vital Records, Nevada Donor Network, The Conference, and others
- Attended Ebola Task Force Meetings
- Presented as part of a panel at the annual Conference meeting in Dallas
- Drafted Moral Character Policy for the Board (to be reviewed at April Meeting)
- Drafted Investment Policy for the Board to move \$200,000 to reserve account (to be reviewed at April meeting)

**Goals:**

- Try to get legislation passed
- If legislation passes, work immediately with Legislative Subcommittee on Regulations and establish procedures for fingerprint background checks
- Revise Nevada Law, Rule and Regulation Exam (Review of exam is complete; awaiting Board authority at April meeting and will then proceed with revisions)
- Records – inherited files still need considerable organization and auditing
- Ensure that Board is fully compliant with all State reporting systems including SPOLR and Military Office reports (information already collected through renewal applications, but need process for submission)



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## Executive Director Report – April 14, 2015

### GL Suite Licensing

New licensing software has been implemented. Renewal documents are being scanned and will be uploaded to system. Next phase is setting up the websites for online renewal and payment. Conference calls begin first week of April. Additionally, work will need to be done to address legislative changes (new funeral arranger license and a two year renewal cycle).

### Regulatory Fee Compliance

Quarterly letters are being sent to licensees (most recent batch sent in March). Several agencies are currently out of compliance and will receive follow-up letters if payments not received within 15 days.

### Assistant

Executive Director has hired assistant for the Board who has been a legal secretary for over 20 years. She is very organized and working on organizing and auditing Board files. ED sent her to State Library and Archives Records Retention Training to ensure she understands various types of records and retention schedules.

### Legislation

Fiscal note requests have continued to be completed for various legislation.

ED and Bart Burton testified at Senate hearing. Board approved conceptual amendments. When/if bill passes, ED will begin meetings with Legislative Subcommittee to move forward with regulation changes. ED will provide further updates on SB 286 at meeting.

ED has been having meetings with other ED's for Boards to discuss various legislative matters affecting all Boards. ED is monitoring the progress of those bills and will ensure compliance when/if they pass.

### Records

Again, ED has assistant working on organization of Board files, and verifying initial dates of licensure when possible through meeting minutes and financial ledgers. There are severe gaps in records.