

NEVADA FUNERAL AND CEMETERY SERVICES BOARD

MINUTES OF MEETING

Tuesday, July 14, 2015, at 9:00a.m.

Video-Conference Locations:

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

Members Present

Wayne Fazzino, Chair
Todd Noecker
Tammy Dermody
Loretta Guazzini

Board Staff Present

Jennifer Kandt, Executive Director
Henna Rasul, Senior Deputy AG

Members Absent

Bart Burton

Jennifer stated that Wendy Simons had resigned several days prior to the meeting due to taking on a new position. She stated that there were now two public positions open

on the Board and that if anyone knew of anyone interested in serving on the Board, they can apply with the Governor's Office.

2. Public comment

Jennifer stated that Gerald Hitchcock had been unable to attend this meeting, but had provided written comments regarding his appointment to the NFDA Policy Board and read comments as follows, "One of my goals is to establish an Association that represents the industry in the state. One of the many benefits of the Association it will allow members to gain continuing education easily and affordable. We will also be able to provide the Crematory Operator Course and certification to our members here in the state. Education programs will be held both in the North and South and I have also worked out a program to be held in Elko to cover the Eastern part of the state."

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) April 14, 2015

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

4. Discussion regarding Southern Nevada Veteran's Memorial Cemetery's concerns with Funeral Establishment communication and treatment of veterans (For discussion only)

Chris Naylor, Superintendent of Southern Nevada Veterans Memorial Cemetery said that there were various issues they were encountering with several of the funeral establishments. He stated that many of the issues concern unaccompanied or indigent Veterans services. He stated that many volunteers show up to give services and render military honors for each individual, but that they are having issues with the funeral homes arriving very late to the services and sometimes not showing up at all. He stated that some funeral establishments will tell the family that their car broke down, but they will tell the cemetery that they "forgot" to show up. He stated that he felt the business practices of some of the funeral homes was unacceptable to our Nation's heroes. He also stated that he had discussed the issues with the Board Executive Director who encouraged him to file complaints when this happens in the future.

There was discussion that Mr. Naylor submit his concerns in writing, and those concerns would be forwarded to all of the funeral establishments in the State of Nevada.

5. Discussion, recommendation, and possible action regarding Consent Decrees for case number FB15-02 (For possible action)

a) Sunrise Cremation and Burial, Establishment Permit No. EST73

Tammy Dermody stated that she did not feel that the discipline was adequate. Todd Noecker agreed. Loretta Guazzini stated she also agreed as it was not as if this was just a mistake that had been made.

Todd Noecker stated that he felt it would be appropriate to require a 12 month probation with quarterly inspections paid by the establishment.

Todd Noecker moved to amend the Consent Decree to provide a 12 month probation with quarterly inspections paid by the establishment. The motion was seconded by Tammy Dermody and carried unanimously.

b) David Walters, Funeral Director License No. FD70

There was discussion that the discipline was not adequate, and that a 12 month probation with additional continuing education was appropriate. Todd Noecker stated that he would like to see 6 hours related to FTC and 6 hours related to ethics.

Tammy Dermody moved to amend the Consent Decree to add a 12 month probation and require a six hour continuing education course related to the FTC and a six hour continuing education course related to funeral ethics. The motion was seconded by Loretta Guazzini and carried unanimously.

6. **Discussion, recommendation, and possible action regarding granting Funeral Director License to Kristen Elaine Anderson (For possible action)**
Tammy Dermody moved to approve. The motion was seconded by Loretta Guazzini and carried unanimously.
7. **Discussion, recommendation, and possible action regarding granting Funeral Director License to Geoffrey F. Chiara (For possible action)**
Loretta Guazzini moved to approve. The motion was seconded by Todd Noecker and carried unanimously.
8. **Discussion, recommendation, and possible action regarding granting Reciprocal Embalmer License to Jennifer Ann DiCamillo (For possible action)**
Tammy Dermody moved to approve. The motion was seconded by Loretta Guazzini and carried unanimously with Todd Noecker recusing as the applicant is an employee of the same company.
9. **Discussion, recommendation, and possible action regarding granting a Funeral Director License to Jennifer Ann DiCamillo (For possible action)**
Loretta Guazzini moved to approve. The motion was seconded by Tammy Dermody and carried unanimously with Todd Noecker recusing as the applicant is an employee of the same company.
10. **Discussion, recommendation, and possible action regarding granting a Funeral Director License to Joseph Michael Palmer (For possible action)**
Todd Noecker moved to approve. The motion was seconded by Loretta Guazzini and carried unanimously.
11. **Discussion, recommendation, and possible action regarding granting a Funeral Director License to Nathan Robert Stiffler (For possible action)**
Todd Noecker moved to approve. The motion was seconded by Tammy Dermody and carried unanimously.
12. **Discussion, recommendation, and possible action regarding granting a Funeral Director License to Michael Anthony Toth (For possible action)**
Loretta Guazzini moved to approve. The motion was seconded by Tammy Dermody and carried unanimously.

13. **Discussion, recommendation, and possible action regarding granting a Reciprocal Embalmer License to Amberly Angelique Walter (For possible action)**
Loretta Guazzini moved to approve. The motion was seconded by Tammy Dermody and carried unanimously.

14. **Discussion, recommendation, and possible action regarding request for approval of new managing Funeral Director (For possible action)**
a) Palm Boulder Highway Mortuary - Joseph Michael Palmer
Todd Noecker moved to approve. The motion was seconded by Loretta Guazzini and carried unanimously.

15. **Discussion, recommendation, and possible action regarding granting a Direct Cremation Permit to Simple Cremation, 129 West Lake Mead Pkwy., Suite #21, Henderson, Nevada 89015 (For possible action)**

Tammy Dermody asked whether the direct cremation permits could be granted prior to the effective date of the bill. Jennifer stated that she had spoken with legal counsel and was advised that the Board could approve them as the bill was effective immediately for the purposes of drafting regulations and administrative preparatory work. She also stated that she was advised that the current "limited establishment" licenses should be transitioned immediately as it needs to be clear that they do fall under the jurisdiction of the Board.

Todd Noecker moved to approve. The motion was seconded by Loretta Guazzini and carried unanimously.

16. **Discussion, recommendation, and possible action regarding granting a Direct Cremation Permit to National Cremation Society, 11 South Stephanie Street, Suite 140, Henderson, Nevada 89012 (For possible action)**
Loretta Guazzini moved to approve. The motion was seconded by Todd Noecker and carried unanimously.

17. **Discussion, recommendation, and possible action regarding approval of temporary policy for approval of crematory operator certification courses and review of the following crematory operator certification courses (For possible action)**

- a) Cremation Association of North America (CANA)
- b) International Crematory, Cemetery, and Funeral Association (ICCFA)
- c) National Funeral Directors Association (NFDA)

Tammy Dermody moved to approve the courses. The motion was seconded by Loretta Guazzini and carried unanimously.

Tammy Dermody moved to approve the temporary policies until the regulations are in place. The motion was seconded by Loretta Guazzini and carried unanimously.

Warren Hardy stated that he would like the Board to accept current certifications from manufacturers as the manufacturers come to the location and train the individuals on site and that reduces costs. He requested a future agenda item to approve manufacturer trainings.

Jennifer stated that the legislation states that the course must be “approved by the Board” and that the Board had just approved a policy that they would allow courses that met the following criteria:

- 1) At least six hours in length
- 2) Offered on a national level by experts in the field
- 3) Covers at a minimum, best practices, terminology, principles of combustion, basics of equipment operation, and forms and record control.

18. Discussion, recommendation, and possible action regarding changes to NAC 642 and NAC 451 (For possible action)

Loretta asked about who had drafted the regulations. Jennifer stated that the legislative subcommittee was comprised of Tammy Dermody, Bart Burton, Todd Noecker, and John Lawrence. Jennifer stated that SB286 had passed, but that this was approval of regulations to support SB286 and some general changes. Loretta questioned the section about moving the funeral establishment to another location and requiring approval for that process. Jennifer stated that the reason would be that an inspection would need to be conducted of the new location. She also stated that current laws already specified a fee for transferring a license or permit to another location, but the process for doing so was not in place. She stated that if there are any concerns with the regulations, now would be the time to voice the concerns. Jennifer stated that there was still a long process involved with the regulatory changes as they would need to be submitted to LCB, the Board would need to hold a workshop and a hearing, and also do a small business impact statement. Tammy Dermody moved to approve. The motion was seconded by Loretta Guazzini and carried unanimously.

19. Discussion, recommendation, and possible action regarding approval of interlocal agreement for Deferred Compensation (For possible action)

Jennifer stated that this had been requested as part of the last meeting but that there was not a clear motion for this item. She stated that this is no cost to the Board, but allows Board employees to participate at their expense in a tax deferred retirement place. Loretta Guazzini moved to approve. The motion was seconded by Tammy Dermody and carried unanimously.

20. Financial Reports

a) Regulatory Fee Collection

Jennifer stated that she continues to send out quarterly letters for non-compliance with submission of fees, and she presented the regulatory fee collection report to date.

b) FY2015 Budget vs. Actuals

Jennifer presented budget vs. actuals for FY2015 and stated that the audit process would begin shortly.

21. Overview of current complaint status

Jennifer presented a report with a brief status of each complaint. She said that there was one complaint still open from 2014.

22. Report from Executive Director, Jennifer Kandt

Jennifer presented a written report detailing current activities.

23. Report from Senior Deputy Attorney General

Henna Rasul stated that she had nothing to report.

24. Board member comments

25. Discussion regarding future agenda items and future meeting dates

Jennifer recommended that the Board consider a meeting in December due to legislation taking effect January 1, 2016. The Board set the following meeting dates:
October 13, 2015
December 15, 2015

26. 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)

27. Adjournment (For possible action)

Meeting was adjourned at 10:50 a.m.