

NEVADA FUNERAL AND CEMETERY SERVICES BOARD

MINUTES OF MEETING

Tuesday, December 15, 2015, at 9:00a.m.

Video-Conference Locations:

Division of Employment Training and Rehabilitation
3405 S. Maryland Parkway, Main Conference Room
Las Vegas, Nevada

and

Division of Employment Training and Rehabilitation
1325 Corporate Blvd., Main Conference Room
Reno, 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 three 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, introduce new members, establish quorum. Quorum established.**

Members Present

Dr. Wayne Fazzino, Chair
Loretta Guazzini
Tammy Dermody
Bart Burton
Dr. Randy Sharp
Brian Rebman
Willette Gerald – Absent

Board Staff Present

Jennifer Kandt, Executive Director
Peter Shaw, Inspector
Marie Paakkari, Executive Assistant

There was discussion regarding the resignation of Todd Noecker from the Board. Jennifer stated that the Board would issue Mr. Noecker a plaque for gratitude of his service.

- 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)

Gerald Hitchcock of Freitas Ruprecht Funeral Home stated that he would like to offer green funerals and cremations and that he was seeking guidance on whether it met the statutory requirements. Handout was passed out to the Board and there was discussion that the matter could be placed on a future agenda.

3. Discussion, recommendation, and possible action regarding the Audit Report prepared by Kohn & Co. (For possible action)

Connie Christensen at Kohn & Company phoned into the meeting to present the findings of the Board Audit. Connie Christensen stated that there was a clean unmodified opinion on the financial statement. The financial position improved with increased income and decreased expenses and the budget revenue outperformed. There were no changes to accounting policies and nothing significant to note as well as no material weaknesses or deficiencies to report. All prior issues have been corrected and commended the Board staff for the improvements. Connie Christensen also stated that there were no difficulties during the audit and no disagreements with management.

The only recommendations were to amend the regulatory fee report within Quickbooks to include the number of social service death certifications reported by licensees so that the numbers can correlate with the state and to create policies to more clearly designate employee eligibility of benefits.

Tammy moved to approve. The motion was seconded by Lorretta and carried unanimously.

4. REGULATION WORKSHOP – Workshop to solicit public comment on LCB File Number R067-15 and additional changes to Chapters 451, 452 and 642 of Nevada Administrative Code. The regulation sets forth requirements of locations in regards to identity and dignity of human remains; procedures for obtaining approval of continuing education; interpretation of good moral character; requirements for managing a location; recusal requirements for Board members; procedures for violation notices; disclosures for the statement of goods and services; requirements for embalmers, funeral directors, and funeral arrangers; and providing other matters thereto.

Proposed Regulations

Section 1. – Section 8.

There were no comments.

Section 9.

Bill Wimberly asked if there would be any requirements on where the identification needed to be located.

Jennifer Kandt stated that the reason this came about is that there were locations utilizing yellow sticky notes to place identification on urns.

Gerald Hitchcock stated that he thinks the Board needs to establish guidelines outlining the process for identification. He also states that they do not use body bags, they mark directly on the body.

Lorretta Guazzini stated that when she took the crematory training class, they suggested using a wrist band. Lorretta suggested to carry the wrist band with you when you go to pick up the body.

Peter Shaw stated that for the most part, locations are utilizing an adequate identification process. However, in a few instances, the identification is not staying with the body at all times.

John Lawrence stated that he believed that affixing a sticky note is a sloppy process. He stated that he believes that this is taking place after the cremation and then there is no way of identification after the cremation process. John Lawrence feels this issue needs to be addressed.

Warren Hardy stated that he supports the regulation as it is written and does not feel it is necessary to regulate how to identify the body as this would be micro-managing.

Section 10.

Jennifer Kandt stated that records are required to be maintained, however at this time, there is currently no time limit for record keeping. A seven (7) year limit was discussed.

Peter Shaw stated that if the location will be digitally maintaining records, it is highly suggested that these files be backed up.

Section 11.

Warren Hardy stated that he felt there should be simplified language and also states that he believes that to specify 45 degrees or an exact temperature in regulation is a bit extreme and suggests reference an industry standard.

John Lawrence stated that he feels a range of 43 degrees to 48 degrees would be acceptable. He also stated that he feels you need a top range of coolness.

Randy Sharp had a question regarding the industry standard.

Jennifer Kandt stated that pursuant to her research, other states ranged from 34 degrees to 48 degrees.

Warren Hardy stated that a range would be better.

Jim Lee at Hites Funeral Home questioned if the Board Inspector had his own thermometer as the temperature may vary depending on placement.

Peter Shaw stated that the device located at the facility is what is currently used to measure temperature and that he feels this is adequate.

Jennifer stated that the regulation states not higher than 45 degrees, so you essentially have a range as it can be below that temperature.

Peter Shaw also stated that some locations are freezing parts that are sent out for research, so having a temperature on the low end could be problematic for those situations.

Laura Sussman stated that the wording in Section 11.1(e) needs to be clarified to include the "direction of the person who has the right to control the disposition." She has provided the Board with a written description of her proposed wording suggestions.

Section 12, 13 & 14

Loretta Guazzini wondered if the continuing education hours were specified.

Jennifer Kandt stated that the continuing education hours are specified in NRS as 12 continuing education hours every two years for funeral directors and embalmers.

Brian Rebman questioned if there was continuing education requirements for funeral arrangers.

Jennifer Kandt stated that at this time there are no requirements for continuing education for funeral arrangers.

Section 15.

There were no comments.

Section 16.

There were no comments.

Section 17.

Warren Hardy stated that reading Section 16 and 17 together it looks like what is contemplated here is that the individual responsible for the day-to-day operations is the one being referenced and not the owner. Warren Hardy stated that if they have an owner that is directly responsible for each location it would not be permitted here. Section 17 states the person directly responsible for the day-to-day operations.

Warren Hardy stated that he is confused by Sections 16, 17 and NRS 642.345 which states how to identify a manager and approval of manager by the board. As in their case they have one person or an owner that is the managing funeral director and they do not want to limit the number of locations they can manage. He said they strongly object to this provision since in today's society there are cell phones and one hour flights from Reno to Las Vegas, Skype and teleconferencing. He said he thinks this type of limitation is unreasonable. He said he believes this directly prohibits their business model. He feels that the owner should be ultimately responsible.

Jim Lee, owner of Hites Funeral Home stated that the owner has control of who they will use as the managing funeral directors and the managing funeral director doesn't have to be the owner. The owner still has the right to hire and fire and if they aren't managing the branch then the owner has the right to change that funeral director that is managing that particular facility. He stated that he is not objecting to this section as written.

Warren Hardy stated that he feels this section puts some additional responsibility and statutory responsibility on the employee which he doesn't think is appropriate. He stated that it is appropriate for a managing director to be an owner or principal of that company regardless of how many locations are managed by the same funeral director. He said that he feels that this is an effort to limit the expansion of a certain type of business model.

John Lawrence stated that the managing funeral director is the licensee of the location and that this section helps to ensure that non-licensees are not performing managing funeral director duties. He stated that the public assumes that they have professionals when they go to a facility and assume they are dealing with licensed individuals. The purpose is to prevent locations from simply hanging their license at a location and not hiring the proper personnel. He stated that you have to hire the proper licensees to run your business and an owner can oversee the day-to-day operation provided they are a licensed funeral director.

Tammy Dermody states that nothing proposed is directed at one facility, it was designed to protect the public and is directly affecting her business as well.

Warren Hardy states that he has no objection to licensed personnel. He stated that it goes beyond the original intent.

Bart Burton stated that the initial intent of this section was to ensure that there is a licensed funeral director who is actually managing the location. He also stated that the 120 miles was intended to account for the rural areas of Nevada, and it prevents individuals from hanging their license in a location without actually managing the location.

Section 18.

There was no comment.

Section 19.

Bill Wimberly asked if someone out-of-state could take continuing education and apply it toward Nevada license.

Jennifer Kandt stated that the regulation as written would allow for that as continuing education accepted by the American Academy of Funeral Service Providers is nationwide.

Lorretta Guazzini stated that she felt this section regarding lapse of license should be changed to two (2) years.

Jennifer Kandt stated that the reason it is three (3) years is because there is a statute which outlines three (3) years.

Section 20.

There were no comments.

Section 21.

There were no comments.

Section 22.

There were no comments.

Section 23.

There were no comments.

Section 24.

Gerald Hitchcock asked if a separate form such as a crematory authorization form from the crematory would be sufficient.

Jennifer Kandt stated that the only requirement is that the disclosure be in writing.

Section 25.

Lorretta Guazzini questioned if the name of the funeral director was listed on the establishment permit.

Jennifer Kandt stated that the managing funeral director's name is listed on the permit.

Section 26.

Gerald Hitchcock asked when there is a change in location how quickly the Board could do an inspection.

Jennifer Kandt stated pursuant to statute, the Board has ninety (90) days to make a decision on an application, so it would need to happen within that time period.

Section 27.

Warren Hardy stated that he would like to Board to consider allowing manufacturer training. He said that they sent their crematory technicians to the crematory class, but thinks that the manufacturer of the equipment explains the equipment better.

John Lawrence stated that the manufacturers offer valuable training.

Gerald Hitchcock recommended that the training be required only once unless there are changes in the industry.

Jennifer Kandt stated that she reached out to CANA and most states require that the training only be taken once with the exception of New York.

Section 28.

Lorretta Guazzini states when you go to National conventions they have a lot of classes and they are hard to get approved by the Board at the time of the convention.

Jennifer Kandt states that the regulation would not require approval for a course offered by a national association or organization.

Section 29.

There were no comments.

Section 30.

There were no comments.

Section 31.

Warren Hardy stated that he felt this section was confusing. They have an individual to answer calls after hours who provides prices and asked if that would be a violation. He said that their front desk person is currently authorized to make changes to arrangements. Stated that he would like to see this section reworded.

Gerald Hitchcock asked if it is a violation if the church or family make the funeral arrangements?

Jennifer Kandt stated that we only have jurisdiction over funeral homes and what happens in funeral homes.

Bill Wimberly Davis Funeral Home questioned the at-need language.

Jennifer Kandt states the Board does not regulate pre-need. All pre-need is the jurisdiction of the Division of Insurance.

Tim Wilmeth stated the owner of their mortuary has been writing funeral arrangements and is not licensed. Is there a grandfathering circumstance because their owner is 80 years old.

Jennifer Kandt stated that there is no grand-fathering clause, as there was over six months for people to take the law test and become licensed prior to the statute taking effect. Jennifer stated that the individual would just need to take the Nevada law test in order to become licensed as an arranger.

Tim Wilmeth asked if the test could be given orally.

Jennifer Kandt stated that the test is provided by a national examination facility and that they do have some accommodations they make for certain disabilities, but she would have to look further into the question.

Tyron Seals asked why as an owner he can't make arrangements.

Jennifer Kandt stated that he could make arrangements, provided he was licensed as an arranger or funeral director.

Tyron Seals stated that this section was vague and subject to interpretation.

Michelle Boren at Neptune states that Pearson View does not have any special needs accommodations in Las Vegas. You cannot take orally, you have to take the exam through the computer.

Section 32.

Gerald Hitchcock asked if only the funeral director could transport a body.

Jennifer Kandt explained the current transportation statutes and stated that ultimate responsibility is on the funeral director to make sure it is done properly.

Section 33.

Warren Hardy stated that he has no issue with Section 33 (a) through (e), however Section 33 (f) – (g) regarding removal of devices if problematic. He said that in direct cremations in their facilities, the technicians are trained to remove devices and did not think an embalmers license should be required.

Laura Sussman states that their facility offers green practices and no embalming. She states that they bathe and put disinfectant on the body. She stated that as written this would prohibit these practices as

they do not have an embalmer. She stated that they also aspirate so that family members can view the body.

Jennifer DiCamillo stated that she did not feel that an embalmer would be needed for aspiration from the mouth.

Brian Rebman stated that requiring an embalmer for removal of pacemakers could cause a significant financial impact.

Laura Sussman requested that the Board consider allowing the funeral director to do some of these procedures.

John Lawrence showed several tools used in the embalming trade (a trocar and an aspirator). He stated that he attended mortuary school to learn how to properly use these tools, and that someone without proper training can harm the body. He said he does not want someone who does not have experience in the field to provide these services unless they have proper training under proper supervision, and that the public expects that these services are provided by people who are properly trained.

Tyron Seals of Herritage asked why he can't sew up a mouth.

Lorretta Guazzini states when she brings in a body, the first thing she does is set features which do not need any mechanical devices. She said she also trains other to set features.

Section 34.

Warren Hardy stated that he did not know why this is necessary and asked about the intent.

There was discussion regarding families placing obituaries and cannot regulate what families do.

Section 35.

Warren Hardy stated that he does not understand intent. Generally, employs licensed embalmer but there are times they sublet out. Is that permitted? They do not have contract they are just subletting out.

Jennifer Kandt states that every establishment has to have access to a licensed embalmer.

Warren Hardy states that they have evidence of subletting out and the body goes out to another location.

Wayne Fazzino asked Warren Hardy to clarify what the Board should consider.

Warren Hardy stated to add evidence that all embalming is done by a licensed embalmer.

Section 36.

There were no comments.

Section 37.

Lorretta Guazzini states to change to managing funeral and not just funeral director.

Section 38.

There were no comments.

Section 39.

There were no comments.

Section 40.

Jennifer Kandt stated that many people expressed concerned with this section, but stated that this language already exists in regulation and the Board would like to amend it.

Warren Hardy states that he looks forward to new language.

Section 41.

There were no comments.

Section 42.

There were no comments.

Additional unnumbered topics were discussed.

1.

Ryan Bowen stated that he was offended that the Board was implementing this regulation regarding allowing items to be cremated with bodies after he had been disciplined for such matters.

Jennifer Kandt stated that this regulation does not affect the burning of red bag waste in the cremator as that would still be a violation. She stated that this is referencing personal effects or something that is attached to the body not the burning of bags of waste.

Jim Lee of Hites Henderson stated that sometimes they get requests to put personal items with body and asked what would be the limitations.

2.

There were no comments.

3.

There were no comments.

4.

There were no comments.

5.

There were no comments.

6.

There were no comments.

Gerald Hitchcock states that regarding transportation having a funeral director for transportation is a huge burden.

Jennifer Kandt again stated that the regulation had been in effect for many years, and the Board is looking to change it.

5. Discussion, recommendation, and possible action regarding proposed changes to Chapters 451, 452, and 642 of Nevada Administrative Code (For possible action)

Lorretta Guazzini moved to accept **Sections 1-8** as written. The motion was seconded by Tammy Dermody and the motion was carried unanimously.

Lorretta Guazzini moved to accept **Section 9** as written. The motion was seconded by Tammy Dermody and the motion was carried unanimously.

Lorretta Guazzini second moved to accept **Section 10** as written. The motion was seconded by Dr. Randy Sharp and the motion was carried unanimously.

Tammy Dermody moved to change **Section 11.1** to raise refrigeration temperature to not more than 48 degrees Fahrenheit within 24 hours after the operator receives the human remains. Lorretta Guazzini seconded the motion and the motion was carried unanimously.

Brian Rebman moved to accept **Section 11.2(a), (b), (c) and (d)** as written and amend **Section 11.2(e)** to state “accompanying the unembalmed human remains for a period of time not to exceed 8 consecutive hours.” Bart Burton seconded the motion and the motion was carried unanimously.

Tammy Dermody moved to accept **Sections 12-14** and for **Section 15** to add a catch all phrase at the end. Lorretta Guazzini seconded the motion and the motion was carried unanimously.

Tammy Dermody moved to accept **Sections 16 and 17** as written. Lorretta Guazzini seconded the motion and the motion was carried unanimously.

Lorretta Guazzini moved to accept **Sections 18 and 19** as written. Dr. Randy Sharp seconded the motion and the motion was carried unanimously.

Tammy Dermody moved to accept **Sections 20-23** as written. Lorretta Guazzini seconded the motion and the motion was carried unanimously.

Lorretta Guazzini moved to accept **Section 24** as written. Tammy Dermody seconded the motion and the motion was carried unanimously.

Tammy Dermody moved to accept **Section 25** as written. Lorretta Guazzini seconded the motion and the motion was carried unanimously.

Tammy Dermody moved to accept **Section 26** with the exception to add language that the inspection shall occur within 30 days. Lorretta Guazzini seconded the motion and carried unanimously.

Tammy Dermody moved to accept **Section 27** with the exception to allow manufacturer training courses as certification and the certification training will be administered only once. Bart Burton seconded the motion and the motion was carried unanimously.

Tammy Dermody moved to accept **Sections 28-30** as written. Lorretta Guazzini seconded the motion and the motion was carried unanimously.

Lorretta Guazzini moved to accept **Section 31** as written. Tammy Dermody seconded the motion and the motion was carried unanimously.

Lorretta Guzaani moved to accept **Section 32** with the exception to **Section 32.1(b)** to read “The signing of death certificates, burial permits and other documents required pursuant to chapter 440 of NRS shall only be signed by a licensed funeral director and administrative staff may prepare and file death certificates, burial permits and other documents required pursuant to chapter 440 of NRS as applicable.” Tammy Dermody seconded the motion and the motion was carried with Brian Rebman opposing.

Lorretta Guazzini moved to accept **Section 33** with the exceptions of **Section 33.1(a)** to read “The injection of any disinfecting or preservation solution into human remains of a deceased person;” **Section 33.1(b)** to read “The aspiration of fluid from the abdominal or thoracic cavities from human remains of a deceased person;” and to remove **Sections 33.1(f) and (g)**. Tammy Dermody seconded the motion and the motion was carried unanimously.

Tammy Dermody moved to accept **Section 34** with the exception of **Section 34.3** to have the section read, “A direct cremation facility shall not **cause**. . .” Lorretta Guazzini seconded the motion and the motion was carried unanimously.

Tammy Dermody moved to accept **Section 35** as written. Lorretta Guazzini seconded the motion and the motion was carried unanimously.

Tammy Dermody moved to accept **Section 36** with the exception to delete **Sections 36.1(a) and (e)**. Bart Burton seconded the motion and the motion was carried unanimously.

Tammy Dermody moved to accept **Section 37** with the exception of **Section 37.1** to read "A person who is licensed as the **managing funeral director** may apply . . ." Lorretta Guazzini second the motion and the motion was carried unanimously.

Tammy Dermody moved to accept **Sections 38 and 39** as written. Lorretta Guazzini seconded the motion and the motion was carried unanimously.

Tammy Dermody moved to accept **Section 40** with the exception of **Section 40.1** to read "A licensed funeral director **or authorized representative** may transport a dead human body if it is embalmed and prepared by a licensed embalmer."; **Section 40.2** to read "A licensed funeral director **or authorized representative** may transport a dead human body that is not embalmed if the body is:"; **Section 40.2(b)** to read "Transported in a properly licensed motor vehicle or aircraft owned, operated, chartered or leased by a licensed funeral director **or authorized representative**;" and **Section 40.3** to read "This section does not apply to the immediate transportation of a dead human body **within one (1) hour** to the care of a funeral establishment, **crematory or cemetery**. Lorretta Guazzini seconded the motion and the motion was carried with Brian Rebman recusing as this is a conflict and would affect him directly.

Lorretta Guazzini moved to accept **Sections 41-44** as written. Tammy Dermody seconded the motion and the motion was carried unanimously.

Additional requests for changes as follows:

Tammy Dermody moved to accept **Additional Items 1-6** as written. Dr. Randy Sharp seconded the motion and the motion was carried unanimously.

6. **Discussion, recommendation, and possible action regarding review and approval of minutes of meetings (For possible action)**
 - a. October 13, 2015
Bart Burton moved to approve the minutes of the October 13, 2015 meeting. Lorretta Guazzini seconded the motion and the motion was carried unanimously.
7. **Discussion, recommendation, and possible action regarding Consent Decrees for case number FB15-04 (For possible action)**
 - a. Pahrump Family Mortuary, Establishment Permit No. EST56
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously.
 - b. Timothy M. Wilmeth, Funeral Director License No. FD827
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously.

Funeral Arranger Applicants

8. **Discussion, recommendation, and possible action regarding granting the following Funeral Arranger Licenses (For possible action)**
 - a. Jordan Lawrence Amos
Lorretta Gauzzini moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously.
 - b. Nicholas Ryan Baumert
Tammy Dermody moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously.
 - c. Kayla Blevins
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.

- d. Matthew Charles Bruce
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously.
- e. Emerald Calbert
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
- f. John Carman
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
- g. Richard W. Castle
Lorretta Guazzini moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously with Tammy Dermody recusing as the applicant is an employee of the same company.
- h. Kenneth Ceballos
Lorretta Guazzini moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously.
- i. Craig Robert Coleman
Tammy Dermody moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously.
- j. Raymond L. Giddens, Jr.
Lorretta Guazzini moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously.
- k. Gregory Eugene Hamand
Lorretta Guazzini moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously with Tammy Dermody recusing as the applicant is an employee of the same company.
- l. Nova Miranda Jaramillo
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously.
- m. Debra Marie Lawrence
Dr. Randy Sharp moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously.
- n. William Alexis Luque
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously.
- o. Shadow Blake Montalto
Dr. Randy Sharp moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
- p. Kathy Colleen Moore
Lorretta Guazzini moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously.

- q. Heather Marie Musgrave
Lorretta Guazzini moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously with Tammy Dermody recusing as the applicant is an employee of the same company.
- r. Kathy Nempavlaki
Dr. Randy Sharp moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously.
- s. Jarred T. Noel
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Brian Rebman recusing as the applicant is an employee of the same company.
- t. Lawrence Max Ocon
Lorretta Guazzini moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously.
- u. Mercedes Quinn Quartucci
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously.
- v. Benjamin V. Rebman
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Brian Rebman recusing as the applicant is an employee of the same company.
- w. Lisa Starkebaum
Dr. Randy Sharp moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Tammy Dermody recusing as the applicant is an employee of the same company.
- x. Amanda Brook Timmerman
Lorretta Guazzini moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously.
- y. Robin Craig Wiest
Lorretta Guazzini moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously with Tammy Dermody recusing as the applicant is an employee of the same company.
- z. Timothy A. Zrelak
Lorretta Guazzini moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously.
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- aa. Abraham P. Espinosa
Lorretta Guazzini moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
- bb. Duane Elmer Hammers
Dr. Randy Sharp moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.

cc. Karla Morales

There was discussion concerning the time period between charges being filed and the final disposition of the case. There was discussion that the disposition was only several months ago and general consensus that the Board would like further information regarding the charges and the case prior to making a determination.

Tammy Dermody moved to deny until the applicant can attend a meeting to provide further information to the Board. Lorretta Guazzini seconded the motion and the motion was carried unanimously.

dd. Robert J. Torres

Lorretta Guazzini moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously with Tammy Dermody recusing as the applicant is an employee of the same company.

Funeral Director Applicants

9. Discussion, recommendation, and possible action regarding granting the following Funeral Director Licenses (For possible action)

a. Kelly Ann Browder

Lorretta Guazzini moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.

b. Dara Michele Carno

Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.

c. Stacy Jane Cotty

Tammy Dermody moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously.

d. Jared Albert Croegaert

Lorretta Guazzini moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.

e. Aaron Robert Forgey

Tammy Dermody moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously.

f. Darryl L. Foster

Dr. Randy Sharp moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.

g. Rachel Mae Franklin

Tammy Dermody moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.

h. Monica Giese

Lorretta Guazzini moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously.

- i. Jenna Autumn Gundogan
Tammy Dermody moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
- j. Osama O. Haikal
Dr. Randy Sharp moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously.
- k. Richard Hansen
Dr. Randy Sharp moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously.
- l. Darren Kent Hill
Dr. Randy Sharp moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously.
- m. Michael D. Hukill
Lorretta Guazzini moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously with Tammy Dermody recusing as the applicant is an employee of the same company.
- n. Marielle Jeanne Landry
Lorretta Guazzini moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
- o. Philip R. Mayfield
Dr. Randy Sharp moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
- p. Shannon Elizabeth Nordyke
Tammy Dermody moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
- q. Elena Ivanova Pastrana
Tammy Dermody moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
- r. Matthew Brian Phillips
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
- s. Jeremy Clare Poster
Dr. Randy Sharp moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
- t. Edward Rudolph Rodriguez, Jr.
Tammy Dermody moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously.

- u. Ivette Maria Rodriguez
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
 - v. Lennette Smith
Dr. Randy Sharp moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously.
 - w. Leah Michelle Sussman
Lorretta Guazzini moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously.
 - x. Christine A. Sweeney
Dr. Randy Sharp moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
 - y. Naomi Celeste Valdez
Dr. Randy Sharp moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
 - z. Phil Steven Webb
Dr. Randy Sharp moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
 - aa. Ted Williams
Dr. Randy Sharp moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Tammy Dermody recusing as the applicant is an employee of the same company.
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- bb. Harold Dwight Cole
There was discussion and general consensus that Board Members were not comfortable with approving a license for an applicant whose license is on probation in another state. Chairman Fazzino noted that applicant can reapply when probation from other state has ended. Tammy Dermody moved to deny. Lorretta Guazzini seconded the motion and the motion was carried unanimously.
 - cc. Thomas Wilson Cropp
Lorretta Guazzini moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously.
 - dd. Blanca Edith Garcia Gomez
Bart Burton moved to approve. Brian Rebman seconded the motion and the motion was carried with Dr. Randy Sharp opposing.
 - ee. Shane Scott Meloy
Lorretta Guazzini moved to approve. Dr. Randy sharp seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.

Apprentice Embalmer Applicants

10. **Discussion, recommendation, and possible action regarding granting a Certificate of Registration for Apprentice Embalmer (For possible action)**
- a. Benjamin Vaughn Rebman
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Brian Rebman recusing as the applicant is an employee of the same company.

Embalmer Applicants

11. **Discussion, recommendation, and possible action regarding granting an Embalmer License (For possible action)**
- a. Christopher Robert Folger
Lorretta Guazzini moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously.
12. **Discussion, recommendation, and possible action regarding request for approval of new Managing Funeral Director for the following (For possible action)**
- a. Jennifer DiCamillo FD859 – Davis Funeral Home EST28
 - b. Jennifer DiCamillo FD859 – Davis Funeral Home-S.Eastern – EST26
 - c. Jennifer DiCamillo FD859 – Las Vegas Cremations EST103
Tammy Dermody moved to approve a. through c. Dr. Randy Sharp seconded the motion and the motion was carried unanimously.
 - d. Celena Leal DiLullo FD862 – Palm Eastern Mortuary EST27
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
 - e. David F. Holt FD849 – Palm Cheyenne Mortuary EST54
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
 - f. Phillip R. Mayfield FD-Pending – Thomas & Jones Funeral Home EST38
 - g. Phillip R. Mayfield FD-Pending – Affordable Cremation & Burial EST55
Tammy Dermody moved to approve f. and g. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
 - h. Georgina Narro FD850 – Palm Downtown Mortuary EST17
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
 - i. Tracy Lynn short-Bullerdick FD826 – Palm South Jones Mortuary EST37
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.
 - j. Michael Anthony Toth FD858 – Palm Northwest Mortuary EST80
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.

13. **Discussion, recommendation, and possible action regarding request for approval of Funeral Establishment Name Change (For possible action)**
 - a. Current: Funeral Smith EST89; Proposed: Star Mortuary and Crematory
Lorretta Guazzini moved to approve. Tammy Dermody seconded the motion and the motion was carried unanimously.

14. **Discussion, recommendation, and possible action regarding granting a Funeral Establishment Permit (For possible action)**
 - a. Palm Southwest Mortuary
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously with Bart Burton recusing as the applicant is an employee of the same company.

 - b. Serenity Funeral Home, LLC
Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously.

15. **Discussion, recommendation, and possible action regarding granting a Cemetery Certificate of Authority (For possible action)**
 - a. Sierra Memorial Gardens Cemetery
There was discussion that the cemetery had been operating for many years without the proper certificate of authority issued by the Board. The Board discussed payment of back fees for all of the years that the cemetery had not been properly licensed. There was discussion that since the cemetery was resolving the issue that the Board not require all back fees as it would be very substantial. Brian Rebman moved to approve license with payment of back fees for three (3) years and probation until fees are paid. Bart Burton seconded and the motion was carried unanimously with Tammy Dermody recusing as her company has used their services in the past.

16. **Discussion, recommendation, and possible action regarding Approval Process for Licensees (For possible action)**

Tammy Dermody moved to approve. Lorretta Guazzini seconded the motion and the motion was carried unanimously.

17. **Discussion, recommendation, and possible action regarding Appointing a New Secretary to the Board (For possible action)**

There was discussion regarding appointment of new Board Secretary due to the resignation of Todd Noecker. Tammy Dermody volunteered to become Board Secretary. Lorretta Guazzini moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously with Tammy Dermody recusing herself.

18. **Discussion, recommendation, and possible action regarding revised FY2016 Budget (For possible action)**

Tammy Dermody moved to approve. Dr. Randy Sharp seconded the motion and the motion was carried unanimously.

19. **Financial Reports**
 - a. Regulatory Fee Collection
 - b. FY2016 Budget vs. Actuals
The regulatory fee collection report and budget report were presented.

20. **Overview of current complaint status**

Jennifer provided an overview of the current complaint status as detailed in the written report.

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

Jennifer reviewed her written report.

22. Report from Senior Deputy Attorney General

No report was given.

23. Board member comments

24. Discussion regarding future agenda items and future meeting dates

Next meeting was scheduled for March 15, 2016.

25. Public comment

<p>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)</p>
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Jim Lee, owner of Hites Funeral Home stated that he would like to commend the Board for what has been taking place over the past year thinks that it is a benefit to the community and the funeral industry to have more specific and better rules and regulations. He said for future consideration regarding transportation of unembalmed bodies, Mr. Hites referred to a Board approved list of transportation containers which includes a ziegler sealed case, bio sealed container and a sealed casket. He asked if the primary reason for this is that there should not be bodily fluids escaping out, or is it that bodily fluids and any air borne particles would be escaping from this container. If the second is true than the only container here that is really a sealable container is the bio seal. He said that he finds it hard to believe that a ziegler sealed case is actually sealed because it is actually sealed with weather stripping and then bolted down. He also stated that sealed caskets are made to prevent material from getting in and that gasses can escape those seals so he doesn't feel that this is a true seal. He asked if it is just restriction of bodily fluids that are the concerns or is it the restriction of body fluids and anything that might be air borne. If so, then he stated that he believes that the bio seal container is the only one to fulfill that criteria.

Jim Lee, owner of Hites said that he also has a question regarding the cremation container. He said that he felt that a body bag or body pouch meets NRS 451.670 in its entirety with the exception of it being rigid enough for handling. The question would be how do you get it into the retort? Most of their cases are in a body bag or wrapped in a sheet and a plastic outer lining. If they put that in a cardboard box does that constitute a covered body if it is already wrapped in a sheet and possibly dressed and in a body pouch and then they place that in a cardboard container? Does that not constitute a covered body? He asked where in the law does it state a cardboard container should be covered. He said tt just says cover the human remains completely when closed. He asked if this law was to protect the crematory operator from bodily fluids or is it a non-dignified way to cremate someone. He stated that he believes there was an unjust decision toward Pahrump Mortuary.

Shane Maloy stated that he had concerns regarding the identification process and washing clothing or praying over a body. He said that if a family comes in and states that they want identification, we can tell them that the State Board only allows one hour outside refrigeration for identification, but if the exact same person turns around and says no let's make that a prayer service and for religious reasons instead of an ID view then we tell them we give them 8 hours now. He asked how you justify one over the other. If it's an identification the body can only be out for 1 hour but if it's for a prayer, washing or anointing it can be out for 8 hours.

26. Adjournment (For possible action)

Meeting was adjourned at 4:15 p.m.