

NEVADA FUNERAL AND CEMETERY SERVICES BOARD

AGENDA AND NOTICE OF PUBLIC MEETING

Tuesday, March 15, 2016, 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

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. 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.

4. **Discussion, recommendation, and possible action regarding proposed changes to Chapters 451, 452, and 642 of Nevada Administrative Code (For possible action)**
5. **Discussion, recommendation, and possible action regarding review and approval of minutes of meetings (For possible action)**
 - a. December 15, 2015
6. **Discussion, recommendation, and possible action regarding Consent Decrees for case numbers FB15-12 and FB15-13 (For possible action)**
 - a. Valley Cremation and Burial, Crematory License No. CRE71 – FB15-12
 - b. Valley Memorial Funeral Home, Establishment Permit No. EST71 – FB15-13
 - c. Frank Zimmerman, Funeral Director License No. FD15 – FB15-13
7. **Discussion, recommendation, and possible action regarding granting the following Funeral Arranger License (For possible action) (Closed session may be held to consider character, alleged misconduct, professional competence, and physical and mental health pursuant to NRS 241.030)**
 - a. Karla Morales
8. **Discussion, recommendation, and possible action regarding granting the following Embalmer Licenses (For possible action)**
 - a. Dale Allen Deckard
 - b. James Clark Graff
 - c. Matthew Richard Hoyle
 - d. Phuong-Giao Le
 - e. Bryan Burbank Randall
 - f. Douglas Lee Ray
 - g. Coby Jones Zobell
9. **Discussion, recommendation, and possible action regarding request for approval of new Managing Funeral Director for the following (For possible action)**
 - a. Timothy Paul Fanelli – FitzHenry's Carson Valley Funeral Home EST58 and FitzHenry's Funeral Home EST36
 - b. James A. Lee FD69 – Pahrump Family Mortuary EST56
 - c. Jaye MacPherson FD202 – Neptune Society – Las Vegas DC64L
 - d. Paul Noell FD903 – Mountain View Mortuary EST3
 - e. Nathan R. Stiffler FD857 – Bunker's Mortuary EST10
10. **Discussion, recommendation, and possible action regarding granting a Direct Cremation Facility Permit to Sunrise Cremation Society – 401 Max Ct., Henderson, NV. (For possible action)**
11. **Discussion, recommendation, and possible action regarding authority for Executive Director to select licensing software (For possible action)**
12. **Discussion, recommendation, and possible action regarding continuing education (For possible action)**
 - a. Dealing Effectively with Grief and Loss – One (1) Unit
 - b. Funeral Professional Series – Five (5) Units
13. **Discussion, recommendation, and possible action regarding review of the following crematory operator certification course (For possible action)**
 - a. Thermtec
 - b. Matthews Cremation

14. **Discussion, recommendation, and possible action regarding revised FY2016 Budget (For possible action)**
15. **Financial Reports**
 - a. Regulatory Fee Collection
 - b. FY2016 Budget vs. Actuals
16. **Overview of current complaint status**
17. **Report from Executive Director, Jennifer Kandt**
18. **Report from Senior Deputy Attorney General**
19. **Board member comments**
20. **Discussion regarding future agenda items and future meeting dates**
 Tuesday, June 7, 2016
 Tuesday, September 20, 2016
 Tuesday, December 13, 2016
21. **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)

22. 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: 3740 Lakeside Drive, Suite 201, Reno, NV 89509.

The Board is pleased to make reasonable accommodations for members of the public who are disabled and wish to attend the meeting. If special arrangements for the meeting are necessary, please notify Jennifer Kandt at 775-825-5535, no later than 48 hours prior to the meeting. Requests for special arrangements made after this time frame cannot be guaranteed.

This agenda has been sent to all members of the Board and other interested persons who have requested an agenda from the Board. Persons who wish to continue to receive an agenda and notice of meetings must request so in writing every six months.

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

Reno City Hall One E. First Street Reno, NV 89501	Office of the Attorney General 100 N Carson Street Carson City, NV 89701	Grant Sawyer State Office Building 555 E. Washington Ave. Las Vegas, NV 89101
Division of Employment Training and Rehabilitation 3405 S. Maryland Parkway Las Vegas, Nevada	Funeral Board Office 3740 Lakeside Drive, Suite 201 Reno, NV 89509	Division of Employment Training and Rehabilitation 1325 Corporate Blvd., Reno, Nevada



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

3740 Lakeside Drive, Suite 201, Reno, NV 89509
Phone (775) 825-5535 * Email nvfuneralboard@fb.nv.gov

AGENDA ITEM 3 and 4: Regulation Workshop and Regulation Changes

See attached regulation packet.

**NOTICE OF WORKSHOP
TO SOLICIT COMMENTS ON PROPOSED REGULATION**

Tuesday, March 15, 2016, 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

The Nevada State Board of Funeral and Cemetery Services, 3740 Lakeside Drive, Suite 201, Reno, Nevada, 775-825-5535, is proposing the Adoption, Amendment, and Repeal of regulations pertaining to Chapters 451 and 642 of the Nevada Administrative Code. A workshop has been set for 9:00 a.m., on March 15, 2016 and will be video-conferenced between the above locations. The purpose of the workshop is to solicit comments from interested persons on the following general topics that may be addressed in the proposed regulations:

The majority of the proposed regulation changes are required as a result of the passage of Senate Bill 286 which became effective on January 1, 2016. Changes include setting 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 funeral goods and services, and requirements for embalmers, funeral directors, and funeral arrangers.

A copy of all materials relating to the proposal may be obtained at the workshop, by contacting Jennifer Kandt, Executive Director, Nevada State Board of Funeral and Cemetery Services, 3740 Lakeside Drive, Suite 201, Reno, NV 89509, or by viewing them on the Board website at www.funeral.nv.gov

Persons who are unable to attend the workshop and wish to submit comments may send them to the Nevada State Board of Funeral and Cemetery Services, 3740 Lakeside Drive, Suite 201, Reno, Nevada, 89509.

The proposed changes may have an economic impact on small businesses and has attached a small business impact statement to this notice.

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 Notice of Workshop to Solicit Comments on Proposed Regulation has been sent to all persons on the agency's mailing list for administrative regulations, e-mailed to all on-file industry e-mail addresses, and posted at the following locations:

Grant Sawyer State Office Building
555 E. Washington Ave.
Las Vegas, NV 89101

Office of the Attorney General
100 N Carson St.
Carson City, NV 89701

Funeral Board Office
3740 Lakeside Drive
Reno, NV 89509

Notice of this workshop has been posted to the following websites:

Funeral Board Website

Legislative Counsel Bureau Website

Nevada Public Notice Website

Notice of this workshop has been sent to the following county libraries in the State of Nevada:

Battle Mountain Branch Library - 625 Broad Street, Battle Mountain, NV 89820

Carson City Library - 900 North Rook Street, Carson City, NV 89701

Clark County Library - 1401 E. Flamingo Road, Las Vegas, NV 89119

Churchill County Library - 553 South Maine Street, Fallon, NV 89406

Douglas County Library - 1625 Library Lane, Minden, NV 89423

Elko County Library - 720 Court Street, Elko, NV 89801

Eureka Branch Library - 210 South Monroe, Eureka, NV 89316

Goldfield Public Library- Fourth & Crook Street, Goldfield, NV 89013

Green Valley Library - 2797 N. Green Valley Parkway, Henderson, NV 89015

Humboldt County Library - 85 East 5th Street, Winnemucca, NV 89445

Lincoln County Library - 63 Main Street, Pioche, NV 89043

Lyon County Library- 20 Nevin Way, Yerington, NV 89447

Pershing County Library - 1125 Central Avenue, Lovelock, NV 89419

Storey County Library - 95 South R Street, Virginia City, NV 89440

Summerlin Library - 1771 Inner Circle Drive, Las Vegas, NV 89134

Washoe County Library - 30 I South Center Street, Reno, NV 89501

White Pine County Library - 950 Campton Street, Ely, NV 89301

SMALL BUSINESS IMPACT STATEMENT

REVISION 1

LCB File No. R067-15

1. LCB File No. R067-15 Small Business Impact Statement pursuant to NRS 233B.0608:

(a) A description of the manner in which comment was solicited from affected small business, a summary of their response and an explanation of the manner in which other interested persons may obtain a copy of the summary.

The Nevada Funeral and Cemetery Services Board proposed changes to NAC 642 and NAC 451 pursuant to passage of SB286 and additional changes as a result of regulation review. The legislative subcommittee of the Funeral and Cemetery Services Board held a meeting on July 2, 2015 to discuss potential changes and those changes were approved by the Funeral and Cemetery Services Board at a meeting held on July 14, 2015. The changes were sent to the Legislative Counsel Bureau and returned as file number R067-15. A meeting was held on October 13, 2015 for review of file number R067-15 and a workshop and meeting were held on December 15, 2015 to further discuss the regulations.

Comments were solicited during public comment regarding the proposed changes. Prior to the December 15, 2015 regulation workshop, a small business impact survey was sent to all individuals and businesses on the agency's mailing list asking for information on whether the proposed changes could pose an economic impact on their small business. Fifteen businesses responded and an initial small business impact statement was prepared. During the meeting on December 15, 2015, the Board made a considerable number of changes to address the concerns presented. A second small business impact survey was sent to business owners on February 10, 2016 to ascertain whether there were still concerns regarding the impact on small businesses. There were three responses to the survey.

A summary of the responses is included below:

1 respondent stated that the changes do not affect him as he already uses licensed staff to perform all activities in his funeral home and states that the changes are increasing the professionalism in the industry.

1 respondent stated that section 33 1 (c) and (d) would increase costs as they would now be required to utilize a licensed embalmer to suture remains and mechanically set features.

1 respondent stated the following:

Section 15, Subsection 9 is too broad in its discretion of moral character determinations. (Note: this is not a financial impact to the respondent.)

Section 17, Subsection 3 regarding limiting the number of locations a funeral director can manage would require the owner to shift liability to someone other than the owner which would be contrary to their practices.

Section 34, Subsection 1(e) regarding viewing needs clarification as current language may be interpreted that a funeral home would not be able to offer an ID viewing. Suggest "public visitation" language. (Note: this section refers to direct cremation facilities and not to funeral establishments).

Section 34, Subsection 3 regarding limiting the ability of a direct cremation facility to use their name in an obituary would place those facilities at a competitive disadvantage and it does not appear to protect the public.

Section 35, Subsection 1 requiring a funeral establishment to employ or retain on a contract basis, a licensed embalmer would increase costs as the law already requires embalming to be done by a licensed embalmer.

Section 40, Subsection 3 regarding transportation. The 90 mile limitation for first calls would be problematic in such a geographically large state and would have a fiscal impact by allowing only licensed funeral directors to make such calls (Note: proposed language states funeral director or *authorized funeral home representative*).

(b) The manner in which the small business analysis was conducted for LCB File No. R067-15.

The proposed changes were discussed at meetings held on July 14, 2015, October 13, 2015, and December 15, 2015. As a result of comments from the industry members, it was determined that some of the changes could have a potential economic impact. The Board sent a Small Business Impact Survey to all licensees to gain further information on the potential impact. After a significant number of changes were made to the regulations at the December 15, 2015 meeting an additional small business impact survey was sent to all licensees.

(c) The estimated economic effect of the proposed regulation on the small businesses which it is to regulate, including, without limitation:

(1) Both adverse and beneficial effects:

(I) Adverse effects:

Potential adverse effects as summarized by the responses above indicate that there could be increased costs by requiring licensed individuals to conduct certain activities. This may require locations to hire additional licensed staff or seek to license current staff.

(II) Beneficial effects:

Funeral industry locations which already have licensed staff performing these duties would benefit from others in the industry meeting the same standards.

(2) Both direct and indirect effects.

(I) Direct effect:

There are no direct fees, fines or costs associated with the regulation.

(II) Indirect effect:

Indirect effects include the need for funeral industry locations to hire more licensed staff or to license existing staff which increases costs for locations which do not currently utilize licensed staff to perform certain functions.

(d) A description of the methods that the agency considered to reduce the impact of LCB File No. R067-15 on small businesses and a statement whether the agency actually used any part of those methods.

A regulation workshop was held December 15th. The Funeral and Cemetery Services Board made a significant number of changes to the proposed regulations based on public input, and is now holding an additional workshop.

(e) The estimated cost to the agency for enforcement of the proposed regulation.

No additional cost to the agency for enforcement.

(f) If LCB File No. R067-15 provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.

The proposed regulation does not include any increase in fees or add any new fees.

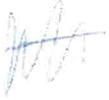
(g) If LCB File No. R067-15 includes provisions which duplicate or are more stringent than federal, state or local standards regulating the same activity, an explanation of why such duplicative or more stringent provisions are necessary.

LCB File No R067-15 does not duplicate any existing federal, state or local standards regulating the same activity.

(h) The reasons for the conclusions of the Funeral Board regarding the impact of LCB File No. R067-15 on small businesses.

The conclusions are based on written responses received, phone calls to the Board office, and comments made during public meetings.

I certify that, to the best of my knowledge or belief, the information contained in the Small Business Impact Statement for LCB File No. R067-15 was prepared properly and is accurate.



Jennifer Kandt, Executive Director

State of Nevada Funeral and Cemetery Services Board

**PROPOSED REGULATION OF THE NEVADA FUNERAL AND
CEMETERY SERVICES BOARD**

LCB File No. R067-15

September 17, 2015

EXPLANATION – Matter in *italics* is new; matter in brackets [~~omitted material~~] is material to be omitted.

AUTHORITY: §§1-11, NRS 451.640, 452.026 and 642.063; §§12-27 and 29-44, NRS 642.063; §28, NRS 642.063, 642.115 and 642.455.

A REGULATION relating to decedents; setting forth certain duties and procedures concerning cremation services; establishing the Nevada Funeral and Cemetery Services Board's procedure for issuing a notice of violation to licensees, permittees and holders of a certificate; setting forth procedures concerning changes affecting and the renewal of licenses, permits and certificates issued by the Board and the approval by the Board of continuing education required for funeral directors and embalmers; and providing other matters properly relating thereto.

Legislative Counsel's Digest:

Existing law establishes the Nevada Funeral and Cemetery Services Board and grants the Board authority to issue licenses, permits and certifications to cemeteries, crematories, funeral establishments, direct cremation facilities, funeral directors, funeral arrangers and embalmers. (Chapters 451, 452 and 642 of NRS, as amended by Senate Bill No. 286, chapter 348, Statutes of Nevada 2015) Existing law also authorizes the Board to adopt regulations to carry out certain provisions relating to funeral directors, funeral arrangers, embalmers and operators of cemeteries and crematories. (NRS 451.640, 452.026 and 642.063)

Section 9 of this regulation sets forth the duties of an operator of a crematory, funeral establishment or direct cremation facility with regard to the identity of human remains.

Sections 10, 11, 17, 18, 22, 24, 26, 32, 34, 36, 37, 40 and 41 of this regulation incorporate the newly authorized permits for the operation of direct cremation facilities and licenses to engage in business as a funeral arranger in regulations. **Section 44** of this regulation provides that the effective date of this regulation is January 1, 2016.

Sections 13, 14 and 28 of this regulation set forth the procedures for obtaining approval of the continuing education required for funeral directors and embalmers. **Section 15** of this regulation interprets the term "good moral character" for the purpose of the issuance by the Board of a license, permit or certificate to cemeteries, crematories, funeral establishments, direct cremation facilities, funeral directors, funeral arrangers and embalmers.

Section 17 sets forth the requirements for a funeral director to obtain approval by the Board to manage a funeral establishment or direct cremation facility.

Section 21 of this regulation sets forth the circumstances in which a member of the Board is required to recuse himself or herself from proceedings of the Board.

Section 22 establishes the procedure that the Board will follow regarding issuing a notice of violation to the operator of a funeral establishment, direct cremation facility, crematory or cemetery.

Section 23 of this regulation sets forth additional requirements concerning a statement of funeral goods and services selected that is required to be provided pursuant to federal law.

Sections 25 and 26 of this regulation set forth procedures relating to changes to the name of the holder of a license, permit or certificate issued by the Board or the location of the place of business of a funeral establishment, direct cremation facility or crematory.

Section 27 of this regulation sets forth the requirements for approval by the Board of a crematory certification program which is required for persons who physically operate crematory equipment.

Section 35 of this regulation requires every funeral establishment to employ, or retain on a contract basis, a licensed embalmer.

Section 1. Chapter 451 of NAC is hereby amended by adding thereto the provisions set forth as sections 2 to 11, inclusive, of this regulation.

Sec. 2. *As used in this chapter, unless the context otherwise requires, the words and terms defined in sections 3 to 8, inclusive, of this regulation have the meanings ascribed to them in those sections.*

Sec. 3. *“Cremation” has the meaning ascribed to it in NRS 642.010.*

Sec. 4. *“Crematory” has the meaning ascribed to it in NRS 642.012.*

Sec. 5. *“Direct cremation facility” has the meaning ascribed to it in section 3 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1950.*

Sec. 6. *“Embalmer” means a person who is licensed as an embalmer pursuant to chapter 642 of NRS.*

Sec. 7. "Funeral director" has the meaning ascribed to it in NRS 642.015.

Sec. 8. "Funeral establishment" has the meaning ascribed to it in NRS 642.016.

Sec. 9. The operator of a crematory, funeral establishment or direct cremation facility shall ensure that:

1. Any human remains awaiting cremation are properly identified at all times.

2. The identity of the human remains is maintained throughout the entire cremation process.

3. The identifying document or label for the urn referred to in NRS 451.680 is affixed to the urn in a secure manner.

Sec. 10. 1. The records required to be kept pursuant to NRS 451.665 by the operator of a crematory, funeral establishment or direct cremation facility must be maintained for at least 7 years.

2. Maintaining such records in a digital format satisfies the requirements of subsection 1.

Sec. 11. 1. Except as otherwise provided in NAC 451.010, the operator of a crematory, funeral establishment or direct cremation facility shall ensure that each dead body of a human being is embalmed or refrigerated at a temperature of not more than ~~45-48~~ degrees Fahrenheit within 24 hours after the operator receives the human remains.

2. Except as otherwise provided in subsection 3, a funeral director, embalmer or another person assisting in the preparation of human remains for final disposition may delay the refrigeration of or remove the human remains from refrigeration for the following activities:

(a) Embalming the human remains;

(b) Transporting the human remains;

(c) Cremating or burying the human remains;

(d) Viewing the human remains for identification purposes, for a period of time not to exceed 1 hour, by a person who is potentially capable of identifying the human remains;

(e) Washing, anointing, clothing, praying over, viewing or otherwise accompanying the unembalmed human remains, for a period of time not to exceed 24 8 consecutive hours, by a person acting according to the directions of the decedent or a person having the right to control the disposition of the human remains of the deceased person; or

(f) Any other activity approved by the local health officer after evaluating the specific circumstances, the need to protect public health and the recognition of religious beliefs.

3. A funeral director, embalmer or another person assisting in the preparation of human remains for final disposition shall not delay the refrigeration of or remove the human remains from refrigeration for an activity set forth in paragraph (d) or (e) of subsection 2 if he or she is informed by a local health officer or medical examiner that doing so would pose a direct threat to human health.

4. Nothing in this section restricts the authority of a coroner or medical examiner concerning human remains that are under the jurisdiction of the coroner or medical examiner.

Sec. 12. Chapter 642 of NAC is hereby amended by adding thereto the provisions set forth as sections 13 to 35, inclusive, of this regulation.

Sec. 13. *“Continuing education” means educational experiences in the form of a workshop, seminar, lecture, conference, class, meeting of the Board or other course of instruction related to the funeral industry.*

Sec. 14. "Hour of continuing education" means 50 minutes of participation in continuing education.

Sec. 15. The Board interprets the term "good moral character" for the purpose of the issuance of a license, permit or certificate pursuant to chapter 451, 452 or 642 of NRS to mean that the person:

1. Has never been convicted in a court of competent jurisdiction of a category A or B felony;

2. Has not, within the 5 years immediately preceding the date of application for the issuance of the license, permit or certificate, been convicted in a court of competent jurisdiction of a category C, D or E felony;

3. Has not, within the 5 years immediately preceding the date of application for the issuance of the license, permit or certificate, been convicted in a court of competent jurisdiction of a misdemeanor that has a reasonable relationship to the person's license, permit or certificate;

4. Has not, within the 5 years immediately preceding the date of application for the issuance of the license, permit or certificate, committed any act involving dishonesty, fraud, misrepresentation, breach of fiduciary duty, gross negligence or incompetence if the act has a reasonable relationship to the person's license, permit or certificate;

5. Is not currently incarcerated or on parole or probation after a period of imprisonment in a local, state or federal penal institution;

6. Has not engaged in fraud or misrepresentation in connection with an application for issuance of a license, permit or certificate issued pursuant to chapter 451, 452 or 642 of NRS or an examination required for issuance of the license, permit or certificate;

7. *Has not, within the 5 years immediately preceding the date of application for the issuance of the license, permit or certificate, had a license, permit or certificate revoked or suspended by the Board or by the funeral services licensing authority of any other jurisdiction;*

8. *Has not surrendered a license, permit or certificate to the Board or the funeral licensing authority of any other jurisdiction in lieu of disciplinary action; and*

9. *Has not practiced funeral directing or embalming without a license in this State or any other jurisdiction that requires licensure to perform those activities.*

The Board may review any mitigating or aggravating factors in making moral character determinations and reserves all authority in making moral character determinations.

Sec. 16. *The Board interprets the term “manage” for the purpose of NRS 642.465, as amended by section 43 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1961, as not including the management of administrative matters, including, without limitation, issues relating to budgeting, accounting, personnel matters, and routine clerical matters and recordkeeping functions.*

Sec. 17. *1. Except as otherwise provided in subsection 4, the Board will not grant the approval required by NRS 642.345, as amended by section 31 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1958, for a funeral director to manage a funeral establishment or direct cremation facility unless the funeral director will be reasonably available at the funeral establishment or direct cremation facility during regular business hours. For the purposes of this subsection, a funeral director is presumed to be reasonably available at the funeral establishment or direct cremation facility if the funeral director resides*

not more than 120 miles from the premises of the funeral establishment or direct cremation facility.

2. Except as otherwise provided in subsection 4, the Board will not grant the approval required by NRS 642.345, as amended by section 31 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1958, for a funeral director to manage more than one funeral establishment or direct cremation facility unless the premises of each funeral establishment or direct cremation facility are located less than 120 miles apart.

3. The Board will not grant approval for a funeral director to manage more than a total of three funeral establishments or direct cremation facilities.

4. The Board may grant an exception to the provisions of subsection 1 or 2 if the Board determines that such an exception is in the best interests of the public.

Sec. 18. *The Board will not accept an application for renewal of a permit to operate a funeral establishment or direct cremation facility submitted after March 1 of an even-numbered year.*

Sec. 19. *If a licensed funeral arranger, funeral director or embalmer has for any reason allowed his or her license to lapse:*

1. For a period of not more than 3 years, the Board may reinstate the license:

(a) Of a funeral director as provided in NRS 642.440.

(b) Of a funeral arranger or embalmer in the same manner as provided for a funeral director in NRS 642.440.

2. For a period of more than 3 years, the licensed funeral arranger, funeral director or embalmer must reapply for a license as a new applicant unless the license of the funeral arranger, funeral director or embalmer has been placed on inactive status.

Sec. 20. 1. *A person who holds a certificate of registration as a registered apprentice and does not successfully pass the examination for a license to practice the profession of embalming within a period of 2 consecutive years as required by NRS 642.300 must wait at least 1 year after the expiration of that period before reapplying for a new certificate of registration as a registered apprentice pursuant to NRS 642.190.*

2. *The Board will not give a person any credit toward the 1 year of apprenticeship required for a license to practice the profession of embalming for any time spent on the initial apprenticeship described in subsection 1.*

Sec. 21. 1. *In addition to any requirements for recusal set forth in chapter 281 of NRS, a member of the Board must recuse himself or herself from proceedings of the Board involving a matter in which the member of the Board:*

(a) Has a conflict of interest;

(b) Is unable to participate in a fair and impartial manner; or

(c) Was active in any part of an investigation of the matter.

2. *A member of the Board must disclose the reason for the recusal before the Board's discussion of the matter. Upon recusal, the member of the Board may not participate in the Board's discussion of the matter or vote on the matter.*

Sec. 22. 1. *If an inspection of a funeral establishment, direct cremation facility, crematory or cemetery conducted pursuant to NRS 642.067, as amended by section 19 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1954, or NRS 642.435, as amended by section 39 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1960, or section 5 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1950, reveals that the funeral establishment, direct cremation facility, crematory or cemetery is in*

violation of any provision of this chapter or chapter 451, 452 or 642 of NRS, the Board will issue a notice of violation to the licensee, permittee or holder of the certificate, as applicable.

The notice of violation must:

(a) Be in writing and describe with particularity the nature of the violation; and

(b) Indicate that the licensee, permittee or holder of the certificate is given a 30-day period after receipt of the notice to correct the violation.

2. An inspector of the Board will verify compliance by the licensee, permittee or holder of the certificate, as applicable, with the applicable provisions of this chapter or chapter 451, 452 or 642 of NRS in a subsequent inspection.

3. The Board may initiate disciplinary proceedings against the licensee, permittee or holder of the certificate, as applicable, pursuant to NRS 642.130, as amended by section 24 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1956, NRS 642.470, as amended by section 44 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1962 or NAC 642.170 based on any acts or violations found during such an inspection or any violations that the licensee, permittee or holder of the certificate failed to correct within the period set forth in the notice of violation.

Sec. 23. *The statement of funeral goods and services selected that is required to be provided by a funeral provider pursuant to 16 C.F.R. § 453.2(b)(5) must:*

1. Be signed by the licensed funeral arranger, funeral director or embalmer who made the arrangements for a funeral or other disposition of human remains of a deceased person; and

2. Include the license number of the funeral arranger, funeral director or embalmer who made the arrangements.

Sec. 24. A funeral establishment or direct cremation facility must disclose, in writing, to a person who purchases goods or services from the funeral establishment or direct cremation facility, the location at which the human remains of the deceased person will be stored, embalmed or cremated if the location is different from the premises of the funeral establishment or direct cremation facility where the goods or services were purchased.

Sec. 25. If the name of a holder of a license, permit or certificate issued by the Board pursuant to chapter 451, 452 or 642 of NRS is changed, the licensee, permittee or holder of the certificate must:

- 1. Apply to the Board for a **new revised** license, permit or certificate on a form prescribed by the Board; and*
- 2. Pay the applicable fee prescribed in NRS 642.0696.*

Sec. 26. 1. If the holder of a permit or license, as applicable, to operate a funeral establishment, direct cremation facility or crematory wishes to transfer its established place of business to another location, the funeral establishment, direct cremation facility or crematory must:

- (a) Notify the Board at least 30 days before changing the location of the business;*
- (b) Apply to the Board on a form prescribed by the Board for a transfer of the permit or license to the new location; and*
- (c) Pay the applicable fee prescribed in NRS 642.0696.*

*2. The Board will cause the premises of the new location to be inspected **within 30 days of notification of change** and before approving the transfer of the permit or license to the new location and issuing a **new revised** permit or license indicating that the funeral*

establishment, direct cremation facility or crematory is conducting business at the new location.

3. The holder of the permit or license must not conduct business at the new location until he or she has been issued a new permit or license by the Board indicating that business is being conducted at the new location.

Sec. 27. 1. *The Board will approve a crematory certification program as required pursuant to NRS 451.635, as amended by section 55 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1968, if the program:*

(a) Is at least 6 hours in length;

(b) Is offered on a national level by persons who are generally recognized as having expertise in the field of crematory services; and

(c) Includes, at a minimum, instruction in:

(1) Best practices relating to crematory services;

(2) Terminology relevant to crematory services;

(3) The principles of combustion;

(4) The operation of crematory equipment; and

(5) The filing of forms and other duties concerning keeping a record related to crematory services.

2. If the Board approves a crematory certification program pursuant to this section, the approval is valid for 5 years.

3. The Board may approve manufacturer training to fulfill this requirement provided the training meets the qualifications specified in section 1.

4. Any individual who has attended an approved training, shall only be required to attend such training once.

Sec. 28. *1. The hours of continuing education completed to fulfill the requirement set forth in section 9 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1951, do not need to be submitted to the Board for approval and are automatically approved if the continuing education is:*

- (a) Approved by the Academy of Professional Funeral Service Practice;*
- (b) Sponsored by a national or state organization or association that administers training relating to the funeral industry; or*
- (c) Offered by a provider of continuing education who is approved by the Board.*

2. Any continuing education that does not satisfy the requirements set forth in subsection 1 must be approved by the Board. Such approval may be obtained by applying to the Board on a form prescribed by the Board which includes, without limitation, the following information:

- (a) An outline of the course;*
- (b) The qualifications of each presenter; and*
- (c) An agenda detailing the dates and times of each segment of the continuing education.*

3. A licensee may obtain credit toward the required hours of continuing education by completing a crematory certification program approved by the Board pursuant to section 27 of this regulation.

4. A licensee may complete not more than 4 hours of continuing education per each period of renewal by attending, in person, a meeting of the Board if the Executive Director or

a member of the Board provides the licensee at the conclusion of the meeting signed documentation of the licensee's attendance at that meeting.

5. Pursuant to section 9 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1951, proof of completion of continuing education must be maintained by the person licensed as a funeral director or embalmer for 5 years.

6. The Board will audit a percentage of licensees during each period of renewal by requiring those licensees to submit proof of completion of the required hours of continuing education before the Board issues a renewal of the licenses of those licensees.

7. Any licensee whose license is placed on inactive status is exempt from the requirements of continuing education while the license is placed on inactive status. If such a licensee subsequently wishes to reactivate his or her license pursuant to NRS 642.115 or 642.455, the licensee must provide proof to the Board of completion of 12 hours of continuing education within the 2 years immediately preceding the date of application for reactivation of the license.

8. The Board may initiate disciplinary proceedings against a licensee pursuant to NRS 642.130, as amended by section 24 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1956, or NRS 642.470, as amended by section 44 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1962, based on the failure of the licensee to provide, upon request, proof of completion of continuing education as required by section 9 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1951.

Sec. 29. *1. A licensed embalmer or his or her registered apprentice shall prepare a report within 24 hours after embalming a deceased person's remains. The report must include, without limitation, the period elapsed between the death of the person and the embalming of*

the deceased person's remains, a description of the condition of the remains before and after embalming and the procedures used in embalming the remains.

*2. The report must be signed by the licensed embalmer **or the registered apprentice** who embalmed the deceased person's remains ~~or the registered apprentice who assisted in embalming the remains.~~*

Sec. 30. *1. Each holder of a license, permit or certificate issued by the Board pursuant to chapter 451, 452 or 642 of NRS shall ensure that human remains are treated with dignity and respect at all times.*

2. A diligent effort must be made to maintain the privacy of the human remains.

3. Human remains must be clothed or completely covered while the human remains are being refrigerated and after the human remains have been embalmed.

4. Human remains must not be stored directly on the floor of any room used to store human remains. For the purposes of this subsection, the term the "floor of any room" includes the floor of a room which is part of a refrigeration unit.

5. Human remains must be stored and transported face up at all times.

6. Human remains must not be placed on other human remains for the purpose of storage or transportation.

7. The premises of any location where human remains are stored must be maintained in a sanitary and professional manner.

Sec. 31. *The following functions may be performed only by a licensed funeral arranger, funeral director or embalmer:*

1. Selling or offering to sell funeral services, embalming, cremation or other services relating to the disposition of human remains of a deceased person on an at-need basis.

2. *Planning or arranging the details of funeral services, embalming, cremation or other services relating to the disposition of human remains of a deceased person with families or other persons authorized pursuant to NRS 451.024, as amended by section 54 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1966, to order the disposition of the decedent's remains.*

3. *Making, negotiating or completing the financial arrangements for funeral services, embalming, cremation or other services relating to the disposition of human remains of a deceased person on an at-need basis.*

Sec. 32. 1. *The following functions may be performed only by a licensed funeral director:*

(a) *Except as otherwise provided in subsection 3, the managing of a funeral establishment or direct cremation facility as required pursuant to NRS 642.465, as amended by section 43 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1961.*

~~(b) *The preparation, signing and filing, as applicable, of death certificates, burial permits and other documents required pursuant to chapter 440 of NRS.*~~

2. *A licensed funeral director shall ensure that the funeral establishment or direct cremation facility he or she manages complies with applicable state and federal law concerning the transportation of human remains of a deceased person into or out of this State.*

~~3. *Except as otherwise provided in NAC 642.160, a license as a funeral director issued by the Board pursuant to NRS 642.360 does not authorize the licensee to:*~~

~~(a) *Remove or transport human remains of a deceased person from the place of death of the deceased person; or*~~

~~(b) Remove or transport human remains of a deceased person from or to a funeral establishment, direct cremation facility, cemetery, crematory, medical examiner's office or any other location.~~

Sec. 33. 1. The following functions may be performed only by a licensed embalmer or an apprentice embalmer under the direct supervision of a licensed embalmer:

(a) The ~~application or~~ injection of any disinfecting or preservation solutions ~~upon or~~ into human remains of a deceased person;

(b) The aspiration of any fluids from the abdominal or thoracic cavities of human remains of a deceased person;

(c) The ~~mechanical~~ setting of the features of human remains of a deceased person which would require the use of instruments or sutures;

(d) The suturing of human remains of a deceased person;

(e) Completing any post-autopsy or post-accident restoration of human remains of a deceased person;

~~(f) The removal of a device or prosthetic that is implanted in human remains of a deceased person; and~~

~~(g) The preparation of human remains of a deceased person for transportation out of this State.~~

2. Nothing in this section restricts the authority of a coroner or medical examiner concerning human remains of a deceased person that are under the jurisdiction of the coroner or medical examiner.

Sec. 34. 1. Before providing direct cremation services, a direct cremation facility must provide a disclosure to the person who is arranging for the direct cremation of human

remains of a deceased person. The disclosure must be signed by the person who is arranging for the direct cremation and must state, without limitation, that the direct cremation facility is unable to:

(a) Provide any rites or ceremonies in connection with the final disposition of the human remains of the deceased person;

(b) Provide facilities to conduct rites or ceremonies in connection with the final disposition of the human remains of the deceased person;

(c) Embalm the human remains of the deceased person;

(d) Provide a burial service for the human remains of the deceased person; or

(e) Provide for a viewing of the human remains of the deceased person;

2. In accordance with NRS 642.490, as amended by section 47 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1963, a direct cremation facility must not be listed in any advertisement or notice published in a newspaper which indicates or implies that the direct cremation facility is providing any services outside the scope of its permit.

3. A direct cremation facility shall not ~~allow or~~ cause the name of the direct cremation facility to be used in any obituary or notice of death in which a ceremony or rite for the deceased person is announced, unless the obituary or notice of death expressly provides that the direct cremation facility is not connected in any way to the ceremony or rite.

Sec. 35. 1. Every funeral establishment must employ, or retain on a contract basis, a licensed embalmer.

2. The holder of a permit to operate a funeral establishment shall, upon request, furnish proof to the Board that the funeral establishment is in compliance with the provisions of subsection 1.

Sec. 36. NAC 642.080 is hereby amended to read as follows:

642.080 1. The Chair of the Board will issue a temporary authorization pursuant to NRS 642.515, on behalf of the Board, if the applicant meets the requirements of that section and is applying for:

~~—— (a) A license as a funeral director pursuant to NRS 642.340;~~

(b) Approval to manage a funeral establishment *or direct cremation facility* pursuant to NRS 642.345 ~~+~~, *as amended by section 31 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1958;*

(c) A ~~license to direct cremations or immediate burials~~ *permit to operate a direct cremation facility* pursuant to ~~NRS 642.355; or~~ *section 5 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1950;*

(d) A permit to operate a funeral establishment pursuant to NRS 642.365 ~~+~~; *or*

~~—— (e) A license as a funeral arranger pursuant to section 7 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1950.~~

2. The application of an applicant who is issued a temporary authorization pursuant to this section must be placed on the agenda of the meeting of the Board next following the approval of the temporary authorization for action by the Board.

Sec. 37. NAC 642.090 is hereby amended to read as follows:

642.090 1. A person who is licensed as a funeral director may apply to the Board for approval to transfer the person's license from the funeral establishment *or direct cremation facility* which he or she has been approved to manage to a different funeral establishment ~~+~~ *or direct cremation facility.*

2. An application submitted pursuant to this section must be on a form provided by the Board and must be accompanied by:

(a) Payment or proof of payment of the renewal fee or the transfer fee set forth in ~~{subsection 3 of NAC 642.120;}~~ *NRS 642.0696*; and

(b) Proof satisfactory to the Board that the funeral establishment *or direct cremation facility* to which the applicant wishes to transfer has a valid permit to operate a funeral establishment ~~{}~~ *or direct cremation facility*.

3. Upon receipt and approval of the items described in subsection 2, the Board will approve a transfer pursuant to this section.

4. Upon approval by the Board of a transfer pursuant to this section, the applicant may not manage the funeral establishment *or direct cremation facility* from which the applicant's license was transferred unless he or she has otherwise been approved by the Board to manage more than one funeral establishment *or direct cremation facility* pursuant to subsection 2 of NRS 642.345 ~~{}~~, *as amended by section 31 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1958.*

Sec. 38. NAC 642.100 is hereby amended to read as follows:

642.100 *1.* Before February 1 of each *even-numbered* year, a person who is licensed to operate a crematory pursuant to chapter 451 of NRS shall pay the fee set forth in ~~{subsection 7 of NAC 642.120}~~ *NRS 642.0696* to renew his or her license. If the person does not pay the required fee before February 1 ~~{}~~ *of each even-numbered year*, the licensee shall pay the late fee set forth in ~~{subsection 7 of NAC 642.120}~~ *NRS 642.0696* in addition to the renewal fee.

2. *The Board will not accept an application for renewal of a license to operate a crematory submitted after March 1 of an even-numbered year.*

Sec. 39. NAC 642.110 is hereby amended to read as follows:

642.110 1. Before February 1 of each *even-numbered* year, a person who holds a certificate of authority to operate a cemetery issued pursuant to chapter 452 of NRS shall pay the fee set forth in ~~{subsection 6 of NAC 642.120}~~ *NRS 642.0696* to renew the certificate. If he or she does not pay the required fee before February 1 ~~{}~~ *of each even-numbered year*, the holder of the certificate shall pay the late fee set forth in ~~{subsection 6 of NAC 642.120}~~ *NRS 642.0696* in addition to the renewal fee.

2. *The Board will not accept an application for renewal of a certificate of authority to operate a cemetery submitted after March 1 of an even-numbered year.*

Sec. 40. NAC 642.160 is hereby amended to read as follows:

642.160 1. A licensed funeral director *or authorized funeral home representative* ~~{ or a person who holds a license to conduct direct cremations or immediate burials. }~~ may transport a dead human body if it is embalmed and prepared by a licensed embalmer.

2. A licensed funeral director *or authorized funeral home representative* may transport a dead human body that is not embalmed if the body is:

(a) Sealed in a container that is approved by the Board; and

(b) Transported in a properly licensed motor vehicle or aircraft owned, operated,

chartered or leased by a licensed funeral director or mortuary.

3. This section does not apply to the immediate transportation of a dead human body to the care of a funeral establishment ~~{ or direct cremation facility, crematory or cemetery within 90 miles.~~

Sec. 41. NAC 642.170 is hereby amended to read as follows:

642.170 1. For the purpose of taking disciplinary action, pursuant to NRS 642.470, ~~against a person who holds a funeral director's license, a permit to operate a funeral establishment or a license to conduct direct cremations or immediate burials.~~ *as amended by section 44 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1962*, the term:

(a) "Unprofessional conduct" includes, in addition to the conduct set forth in NRS 642.480, *as amended by section 46 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1962*, stating or implying that the holder of the license, *certificate* or permit is willing to carry out a duty for which a license, *certificate* or permit is required pursuant to chapter *451, 452 or* 642 of NRS if that duty is not authorized by the holder's license, *certificate* or permit. For example, advertising in any form, including, without limitation, signs, telephone books, newspapers, messages conveyed by telephone, television, electronic mail and other electronic or photographic means, that states or implies that a proposed funeral establishment, *direct cremation facility, crematory or cemetery* is an operating funeral establishment, *direct cremation facility, crematory or cemetery* before the Board has issued all licenses, *certificates* and permits necessary for the operation of the *funeral establishment* ~~†~~, *direct cremation facility, crematory or cemetery*.

(b) "False or misleading advertising" includes, in addition to the conduct set forth in NRS 642.490, *as amended by section 47 of Senate Bill No. 286, chapter 348, Statutes of Nevada 2015, at page 1963*, advertising that states or implies that the holder of the license, *certificate* or permit is willing to carry out a duty for which a license, *certificate* or permit is required pursuant to chapter *451, 452 or* 642 of NRS if that duty is not authorized by the holder's

license , *certificate* or permit. For example, advertising in any form, including, without limitation, signs, telephone books, newspapers, messages conveyed by telephone, television, electronic mail and other electronic or photographic means, that states or implies that a proposed funeral establishment , *direct cremation facility, crematory or cemetery* is an operating funeral establishment , *direct cremation facility, crematory or cemetery* before the Board has issued all licenses , *certificates* and permits necessary for the operation of the *funeral* establishment ~~†~~ , *direct cremation facility, crematory or cemetery*.

2. For the purposes of this section, an applicant for a license , *certificate* or permit who obtains, pursuant to NRS 642.515, a temporary authorization to carry out the duties authorized by the license , *certificate* or permit for which he or she has applied shall be deemed a holder of that license , *certificate* or permit.

Sec. 42. NAC 642.180 is hereby amended to read as follows:

642.180 1. Any person may file an informal complaint with the Board concerning the acts of a licensee or services provided by a licensee. Such an informal complaint filed with the Board must be on a form provided by the Board and include information that is sufficiently detailed to enable the respondent to prepare a response.

2. Upon receipt of an informal complaint, the staff shall examine the complaint to determine whether it:

- (a) Has been properly verified; and
- (b) Alleges sufficient facts to warrant further proceedings.

3. If the staff determines that the informal complaint against a licensee has been properly verified and alleges sufficient facts to warrant further proceedings, the staff shall notify the respondent by sending a ~~copy of~~ summary of the informal complaint to the licensee by

certified mail. The notification must set forth the potential violations of a provision of this chapter or chapter 451 or 452 of NAC or chapter 451, 452 or 642 of NRS arising in the informal complaint and request a response for the review by the Board before a hearing is set. The transmission of the ~~copy of~~ summary of the informal complaint will be deemed to be a notice of intended action pursuant to subsection 3 of NRS 233B.127.

4. Upon the receipt of a ~~copy of~~ summary of an informal complaint that has been filed against him or her, a licensee shall submit to the Board a written response to the informal complaint within 15 days after the date on which the informal complaint was served. A response to an informal complaint must respond to the allegations made in the informal complaint and be accompanied by all documentation that would be useful to the staff and legal counsel in their review of the allegations made in the informal complaint and the responses made by the licensee to those allegations. Failure by a licensee to cooperate with the Board during an investigation of an informal complaint, including, without limitation, failing to respond timely to the Board regarding a ~~copy of~~ summary of the informal complaint sent to the licensee by the staff pursuant to this subsection, is a ground for disciplinary action by the Board against the licensee.

5. If a licensee fails to respond as required pursuant to subsection 4, he or she shall be deemed to have admitted the allegations in the informal complaint. Based on these admissions, the Board may impose appropriate discipline on the licensee at the hearing on the informal complaint.

6. In cases where a response is filed as required pursuant to subsection 4, the staff shall review the informal complaint and the responses made thereto, may enlist the aid of a member of the Board or other qualified persons in the review and may take any other reasonable action

necessary to further the review. After their review of the informal complaint and the responses made thereto, the staff may:

(a) Investigate the allegations and employ such persons as they deem necessary to further the investigations;

(b) Consult with experts in the appropriate field, including, without limitation, employing such persons for the purposes of an investigation or a hearing;

(c) Investigate new leads and allegations that may come to their knowledge in the course of the investigation;

(d) Enlist the aid of a member of the Board or other qualified person in the conduct of the investigation; and

(e) Take any other reasonable action necessary to further the investigation.

7. During an investigation of an informal complaint, the staff, or investigator, if any, may demand that a licensee produce his or her records or other evidence for inspection or copying, with or without prior notice to the licensee, and with or without a subpoena. A licensee shall not deny any such request for records or other evidence if such records or other evidence is not protected by a claim of confidentiality authorized by law. If a licensee refuses or fails to cooperate with a request for records in violation of this subsection, the Board may immediately suspend his or her license or certificate until the licensee complies with the request for records or other evidence. If the licensee continues to refuse or fail to cooperate with a request for records or other evidence in violation of this section, the Board may take such further disciplinary action against the licensee as the Board determines necessary.

8. If the staff, or investigator, if any, determines that a specific record or other specific evidence is material to or necessary for an investigation, the staff or investigator may remove the

record or evidence and provide a copy of the record or evidence to the respondent. If a record or other evidence can be readily copied at the location where the record or evidence is located, the staff or investigator shall make a copy of the record and evidence at that location. If a record or other evidence cannot be readily copied at the location where the record or evidence is located, the staff or investigator may remove the record or evidence from that location to copy the record or evidence. If the staff or investigator removes a record or other evidence to be copied, the staff or investigator shall provide the person to whom the record or evidence being removed belongs with a receipt for the record or evidence and, not later than 5 business days after the record or evidence is removed, provide a copy of the record or evidence to that person.

9. When an investigation of an informal complaint is complete, the staff, and investigator, if any, shall determine whether substantial evidence exists to sustain the alleged violation of a statute or regulation set forth in the informal complaint. If the staff and investigator determine that no allegation of a violation of a statute or regulation set forth in the informal complaint can be sustained, the staff shall notify, in writing, the complainant and the respondent of this determination. If the staff and investigator determine that a violation of a statute or regulation as alleged in the informal complaint can be sustained, the staff and investigator shall inform the legal counsel of such a determination. The legal counsel shall:

(a) Offer mediation to the respondent, a settlement agreement, stipulation of facts and liability or an informal hearing; or

(b) Prepare a notice of hearing and a formal complaint.

10. A notice of hearing and a formal complaint must:

(a) Be a plain statement of the facts and applicable provisions of statutes and regulations regarding the alleged acts of the respondent alleged to be in violation of the statutes and regulations governing the profession of the licensee;

(b) Include the date, time and place that the Board will hear the matter, if this information is known at the time when the notice of hearing and a formal complaint is sent to the respondent; and

(c) Be signed by the legal counsel and, if a member of the Board was active in the investigation, by that member of the Board.

11. The staff shall send, by certified mail, a notice of hearing and a formal complaint prepared pursuant to subsection 10 to the respondent named in the notice of hearing and the formal complaint.

12. A respondent who receives a notice of hearing and a formal complaint shall file his or her answer to the notice of hearing and the formal complaint not later than 15 days after the date on which the respondent received the notice of hearing and the formal complaint. An answer to a notice of hearing and a formal complaint filed by a respondent must include a response to each allegation and statement made in the notice of hearing and the formal complaint by either admitting to or denying the allegation or statement. If the licensee fails to file an answer as required pursuant to this subsection, the licensee shall be deemed to have admitted each allegation and statement contained in the notice of hearing and the formal complaint. Based on these admissions, the Board may enter a finding and impose appropriate discipline on the licensee in the same manner as if the allegations had been proven by substantial evidence at a hearing of the Board held on the formal complaint.

13. Not later than 10 days after the filing of the response by the respondent, the legal counsel and the respondent shall exchange a list of the evidence and witnesses that will be used at the hearing. A party may not present evidence it obtains after the date the exchange was required pursuant to this subsection unless it demonstrates to the Board that the evidence or witness was not available upon diligent investigation before the date the exchange was required and that the evidence or witness was given or communicated to the other party immediately after it was obtained.

14. The Board may join two or more formal complaints into one formal complaint if:

(a) The causes of action of each formal complaint are against the same person and deal with substantially the same or similar violations of statutes and regulations; and

(b) The joining of the formal complaints will serve the best interest of the Board, complainant and respondent.

15. A petition filed pursuant to NRS 642.500 will be processed pursuant to the provisions of this section.

16. As used in this section:

(a) "Legal counsel" means the legal counsel of the Board.

(b) "Licensee" means a person licensed by the Board or holding a *certificate or* permit issued pursuant to the provisions of chapter 451, 452 or 642 of NRS.

(c) "Staff" means the staff of the Board.

Sec. 43. NAC 642.120 is hereby repealed.

Sec. 44. This regulation becomes effective on **January 1, 2016.** **Upon adoption?**

1) *Pursuant to NRS 451.680, the operator of a crematory shall knowingly cremate only human remains in cremation chambers, along with the cremation container or cremation casket, personal effects of the deceased, and no more than a negligible amount of chlorinated plastic which may be attached to or accompanying the body.*

- 2) Any application submitted to the Board which is not complete within two years from the date of initial submission, shall be deemed expired and is automatically withdrawn.

- 3) "Identification Viewing" shall be defined as a brief viewing of the body by a person who is potentially capable of identifying the deceased.

- 4) Physically operating the crematory equipment shall be interpreted as including the following:
 - a) Starting the equipment
 - b) Loading the chamber
 - c) Sweeping the chamber
 - d) Processing the remains, including the initial placement into temporary urns

- 5) If a funeral establishment or direct cremation facility hires a new funeral arranger, the establishment or direct cremation facility shall have 90 days from the initial date of hire to ensure that testing is completed and licensure is sought with the Board.

- 6) Upon hiring new crematory staff who will be physically operating the equipment, the crematory shall ensure that the person physically operating the equipment attends a crematory operator certification course approved by the Board within 6 months from the initial date of hire.

TEXT OF REPEALED SECTION

642.120 Fees: Imposition and amount. (NRS 451.640, 452.026, 452.310, 642.063, 642.069, 642.0696) The Board will charge and collect the following fees:

1. For a permit to operate a funeral establishment:

<i>(a) Initial application</i>	<i>\$375</i>
<i>(b) Annual renewal</i>	<i>200</i>
<i>(c) Late renewal</i>	<i>275</i>

2. For a license to conduct direct cremations or immediate burials:

(a) <i>Initial application</i>	\$375
(b) <i>Annual renewal</i>	200
(c) <i>Late renewal</i>	275
(d) <i>Placement of license in inactive status</i>	175
(e) <i>Reactivation of license in inactive status</i>	175

3. For a funeral director’s license:

(a) <i>Initial application</i>	\$375
(b) <i>Annual renewal</i>	200
(c) <i>Late renewal</i>	275
(d) <i>Examination fee</i>	375
(e) <i>Application to modify a license pursuant to subsection 2 of NRS 642.345</i>	100
(f) <i>Placement of license in inactive status</i>	175
(g) <i>Reactivation of license in inactive status</i>	175
(h) <i>Transfer of license to another funeral establishment</i>	225

4. For a certificate of registration as a registered apprentice in the profession of embalming:

(a) <i>Annual fee</i>	\$75
(b) <i>Late renewal</i>	275

5. For a license to practice the profession of embalming:

(a) <i>Initial application</i>	\$375
(b) <i>Examination fee</i>	375
(c) <i>Issuance of a license to a practitioner who is licensed in another state</i>	200
(d) <i>Annual renewal</i>	200

(e) <i>Late renewal</i>	275
(f) <i>Placement of license in inactive status</i>	175
(g) <i>Reactivation of license in inactive status</i>	175
6. For a certificate of authority to operate a cemetery:	
(a) <i>Initial application</i>	\$1,000
(b) <i>Annual renewal</i>	250
(c) <i>Late renewal</i>	275
(d) <i>Application to change control of existing cemetery</i>	375
(e) <i>Investigation fee for application to change control of existing cemetery</i>	250
7. For a license to operate a crematory:	
(a) <i>Initial application</i>	\$375
(b) <i>Annual renewal</i>	250
(c) <i>Late renewal</i>	275
(d) <i>Application to change ownership of existing crematory</i>	375
8. <i>Deactivation and reactivation of a license, certificate or permit, other than a license to practice the profession of embalming, a funeral director's license or a license to conduct direct cremations or immediate burials</i>	\$175
9. <i>Duplicate license, certificate or permit</i>	\$75



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

3740 Lakeside Drive, Suite 201, Reno, NV 89509
Phone (775) 825-5535 * Email nvfuneralboard@fb.nv.gov

AGENDA ITEM 5: Approval of Minutes

Approval of December 15, 2015 minutes requested.
Attachment: Draft Minutes

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
Lorretta 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 therto.

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

Lorretta 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.

Loretta 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.

Leah Sussman at Neptune stated that families place 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.

Loretta 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.
-
- 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

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)

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.



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AGENDA ITEM 6: Consent Decrees for Case Numbers FB15-12 and FB15-13

Attachment: Manila envelopes labeled 6a, 6b and 6c. Do not open until instructed to do so by legal counsel.



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AGENDA ITEMS 7: Licensing Items – Funeral Arranger Applicants

Attachments: See attached licensing items

- a. Karla Morales



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AGENDA ITEMS 8: Licensing Items – Embalmer Applicant(s)

Attachments: See attached licensing items

Embalmer Applicants

- a. Dale Allen Deckard
- b. James Clark Graff
- c. Matthew Richard Hoyle
- d. Phuong-Giao Le
- e. Bryan Burbank Randall
- f. Douglas Lee Ray
- g. Coby Jones Zobell



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AGENDA ITEM 9: Approval of Managing Funeral Directors

Attachments:

See attached Approval Requests

- a. Timothy Paul Fanelli FD708 – FitzHenry's Carson Valley Funeral Home EST58 and FitzHenry's Funeral Home EST36
- b. James A. Lee FD69 – Pahrump Family Mortuary EST56
- c. Jaye MacPherson FD202 – Neptune Society-Las Vegas DC64L
- d. Paul Noell FD903 – Mountain View Mortuary EST3
- e. Nathan R. Stiffler FD857 – Bunker's Mortuary EST10



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AGENDA ITEM 10: Direct Cremation Facility Permit Application

Attachments:

See attached permit items.

- a. Sunrise Cremation Society – 401 Max Ct., Henderson, NV



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AGENDA ITEM 11: Licensing Software

No attachments. Executive Director seeking authority to choose vendor provided costs fall within budgeted amounts.



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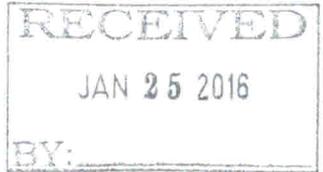
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Phone (775) 825-5535 * Email nvfuneralboard@fb.nv.gov

AGENDA ITEM 12: Continuing Education Course

Attachments:

See attached requested education course.

- a. Dealing Effectively with Grief and Loss - One (1) Unit
- b. Funeral Professional Series – Five (5) Units



**Freitas Ruprecht Funeral Home
Gerald & Cindy Hitchcock – Owners**

25 Hwy 208 / P.O. Box 1271
Yerington, Nevada 89447

Telephone: (775) 463-2911

FAX Number: (775) 463-9431

E-Mail: FreitasRuprechtFuneralHome@gmail.com

Web site: www.FRFH.net

January 20, 2016

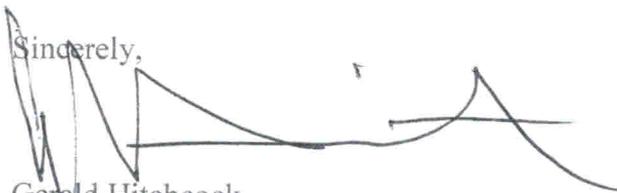
Funeral and Cemetery Service Board
Attention: Jennifer Kandt,
3740 Lakeside Drive, Suite 201
Reno, Nevada 89509

Dear Jennifer,

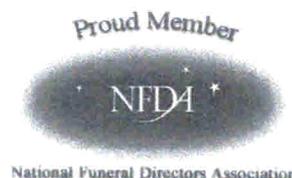
I had attended the Annual Diocesan Conference in Sparks on January 8 & 9. Of the many classes I attended I would like to apply the 'Dealing Effectively with Grief and Loss' for one (1) hour continuing education.

The class was presented by Brian Callister, MD on Friday, January 8th from 2:15 pm to 3:15 pm. I have enclosed copies for your information of the class description and schedule.

Sincerely,



Gerald Hitchcock
Funeral Director / Embalmer



REDEEMING MERCY

EL ROSTRO DE LA MISERICORDIA

Annual Diocesan Conference

January 8 & 9, 2016

Nugget Casino Resort | Sparks, Nevada



SESSION 1

1:00 - 2:00 PM

FRIDAY

SESSION 2

2:15 - 3:15 PM

1-01 Let's Take a Walk Together—Through Catholic Mass

D,S/L

Fr. John Cusick, a priest of the Archdiocese of Chicago, has been an associate pastor and college seminary faculty member. He was the creator, coordinator and director of Young Adult Ministry from 1977-2013. Beginning with the Sign of the Cross and ending with our "Thanks Be To God" our Mass is a great compilation of prayers, readings, gestures, and rituals that come from a number of cultures that have been a part of our highest form of worship for centuries. This workshop will explain all these elements and more from the Sign of the Cross to our common response before we leave: "Thanks be to God!"

1-02 Meeting Thomas Merton Again for the First Time

P/S

Sister Kathleen Deignan, CND, is a Professor of Religious Studies at Iona College and director of the Iona Spirituality Institute. A GreenFaith Fellow, she is co-convenor of the Thomas Berry Forum for Ecological Dialogue at Iona, where she also animates the Merton Contemplative Initiative. She has published two books and numerous articles on the wisdom legacy of Thomas Merton, and other spiritual masters. A sacred song writer, her dozen CDs have been published by Schola Ministrias. During this centennial year of the birth of Trappist monk Thomas Merton, meet this celebrated spiritual master in the fullness of his wisdom and continued relevance for generations to come.

1-03 How to Coach Parents to Form their Own Children in Faith

MT

Paul Canavese, is the director of The Pastoral Center and GrowingUpCatholic.com, along with his wife Ann. They live with their two daughters in Alameda, CA. Paul has his MTS from the Franciscan School of Theology in Berkeley and focuses his ministry on coaching parents, daily life discipline, and evangelization. For faith formation to last a lifetime, parents must be involved in the process. From baptism and young family through confirmation and youth. Learn what the Church teaches about the role of parents, plus practical ways schools and parishes can engage and empower parents.

1-04 The Joy of the Gospel

D, P/S

Fr. Nathan Mammo, S.T.L., has been a priest for 36 years, most of which was spent in parochial ministry. He studied in Rome at the Pontifical Biblical Institute and at the Jesuit School of Theology at Berkeley, CA, where he earned his Licentiate in Sacred Theology (S.T.L.). Currently Father is the pastor of Our Lady of Wisdom Parish in Reno. Reflect upon Pope Francis' Apostolic Exhortation as a profound and delightful renewal in and encouragement of the spirit of the Second Vatican Council in the 21st Christian Century. (From manila nicht not attend!)

2-01 Mary and Jesus in Islam and the Qur'an

P/S

Jihad Turk, is the founding president of Bayan Claremont, an Islamic graduate school in Southern California, a well-respected leader and public speaker. Having been born to a Palestinian Muslim father and an American Christian mother, he spent his college years traveling the Muslim world and exploring his roots in the Islamic tradition. His current interests include identity formation in the American Muslim community, interfaith relations, and community leadership and development with a focus on youth. This session will cover the Qur'anic teachings on Mary and Jesus and compare and contrast relevant theological issues between Islam and Catholicism.

2-02 Rich in Mercy

SS, P/S

Fr. Tom Bonacci, C.P., conducts Interfaith Seminars for the School of Applied Theology, Oakland and the Chaplaincy School, Berkeley, CA. He continues to conduct adult education classes in World Sacred Scripture. As we reconsider the Adam and Eve story, we discover a story of God's compassionate heart which becomes the basis for our exploration of God's Mercy in the Hebrew Bible.

2-03 Dealing Effectively with Grief and Loss

P/S

Deacon Brian Callister, is a Board Certified Internal Medicine specialist and Hospitalist physician who is nationally recognized as an expert in both hospital medicine and spirituality in healthcare. Deacon Callister is currently serving at Our Lady of the Snows Parish here in Reno. Learning to approach others at times of tragedy and loss, with the compassionate love and healing energy that grace can bring, are at the heart of this session.

2-04 Discovering God's Will as Merciful and Lifegiving

P/S

Sister Kathy Bryant, is a Religious Sister of Charity and ministers as a retreat facilitator, workshop presenter and spiritual director with a Doctor of Ministry Degree from the Graduate Theological Foundation. How does being a Catholic impact our decision making and discernment? God's will is inviting and full of mercy rather than a scary unknown.

Friday Schedule January 8, 2016

8:00—11:30 a.m.
In-Service for Catholic School Teachers
Sister Johnellen Turner, O.P.

Session 1 1:00 – 2:00 p.m.

WORKSHOP	TITLE & SPEAKER	ROOM
1-01	LET'S TAKE A WALK TOGETHER—THROUGH CATHOLIC MASS Fr. John Cusick	Southern Pacific DEF
1-02	MEETING THOMAS MERTON AGAIN FOR THE FIRST TIME Sister Kathleen Deignan	Southern Pacific CAGB
1-03	HOW TO COACH PARENTS TO FORM THEIR OWN CHILDREN IN FAITH Paul Canavese	Genoa
1-04	THE JOY OF THE GOSPEL Fr. Nathan Mamo S.T.L.	Bonanza AB

Session 2 2:15 – 3:15 p.m.

WORKSHOP	TITLE & SPEAKER	ROOM
2-02	RICH IN MERCY Fr. Tom Bonacci	Rose A
2-03	DEALING EFFECTIVELY WITH GRIEF AND LOSS Deacon Brian Callister	Bonanza AB
2-04	DISCOVERING GOD'S WILL AS MERCIFUL AND LIFEGIVING Sister Kathy Bryant	Southern Pacific DEF



6:30 p.m.
Welcome and Keynote: Fr. Greg Boyle
8:00 p.m.
Concert: John Angotti



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Continuing Education – Funeral Professional Series

Notes:

RECOMMENDATION OF BOARD MEMBER

APPROVE:

DENY:

Continue pending additional information:

Comments: _____

Funeral Professional Series

**Training at Walton's Funerals & Cremations – O'Brien-Rogers & Crosby
Wednesday, April 13, 2016 and Thursday, April 14, 2016**

1. The Golden Touchpoint™ for Funeral Professionals

Define the Golden Touchpoint™ and demonstrate how it will help Funeral Professionals, both personally and professionally

8:00 am – 8:15 am

2. Professionals vs. Amateurs

- a. When a loved one dies, your families need a professional
- b. Profit is a good thing

8:15 am – 8:50 am

Break / 8:50 am – 9:05 am

3. Telling a Story vs. Planning a Funeral

- a. Creating an event around an individual's life vs. simply selling merchandise and services
- b. Two songs and a preacher

9:05 am – 9:55 am

4. The Agenda

- a. Purpose
- b. When to use
- c. How to use

9:55 am – 10:35 am

Break / 10:35 am – 10:50 am

5. The First Call

- a. Listening to the first 5 seconds
- b. Background; their first impression of you; your eighth call this week
- c. Agenda

10:50 am – 11:20 am

6. Can You Just Give Me a Ballpark Price Over the Phone?
 - a. A lesson on how to buy cremation services
 - b. Dealing with price questions
 - c. Last resort: how to give price if you have to
 - d. What is at stake? What is lost if you fumble?

11:20 am – 11:50 am

7. The First Meeting
 - a. The Agenda
 - b. Ending with information for the death certificate

11:50 am – 12:40 am

---end---

- Note:** The following personal stories will be told and used throughout the training to illustrate the lessons and learning points:
- a. Sara Dempsey cremation (mother)
 - b. Thomas Brown direct burial (uncle)
 - c. Death of Jacquelyn Adams (daughter)

Learning objectives of the Funeral Professional Series:

- Understanding your role as a Funeral Professional
- Understanding why families need a professional in a time of significant emotional stress
- Why you need to avoid the "food server" mentality where everything is a la carte
- Listening skills to help the Funeral Professional design and recommend the perfect celebration that tells a respectful, meaningful story vs. selling merchandise to plan a funeral
- Using an effective agenda to establish your professionalism and to help families through a difficult time
- Skills to effectively deal with phone inquiries to assure that families receive the most professional service possible
- Three effective ways to handle price questions over the phone
- How to demonstrate that you are a professional and trustworthy in the first 2 minutes of an arrangement meeting

Jack Dempsey, Course Trainer

Bios for Jack Dempsey and Scott Heitland developers of the Funeral Professionals Program.

Jack Dempsey's 30 years of customer experience, customer service, sales and leadership training and consulting engagements have taken him to all 50 U.S. states, Canada, U.K., Netherlands, Spain, Portugal, Poland, Hungary, Australia, New Zealand India, Malaysia, United Arab Emirates and South Africa. He has personally trained over 27,000 individuals in hundreds of training classes.

Jack's unique delivery and facilitation methods and skills are world-class. He has an unparalleled understanding of what it takes to reach corporate executives, managers, supervisors and front-line employees on a human level to facilitate dynamic change inside organizations. Jack understands how to assist companies in effectively driving the types of positive, individual behaviors that promote collaboration, accountability, teamwork and engagement.

Jack's work in the funeral industry started in 1983 on the pre-need side assisting trust companies with preplanned funerals as part of the overall estate plans for their clients. Earning his insurance license in 1985, Jack continued his focus in the preplanning area. Jack actively consults with Matthews International helping funeral professionals across the U.S. provide exceptional service and value to their clients.

Jack is certified in Miller Heiman, AchieveGlobal, Behavioral Sciences Research Press and Insights Discovery.

Jack attended St. Louis University and Southern Illinois University (Edwardsville) and studied Business Finance.

For more information, see Jack's LinkedIn page (<https://linkedin.com/in/jadempsey>), or check out his business website (<http://pretiumsolutions.com>).

Scott Heitland, Jack's business partner, is an accomplished corporate lawyer, having worked for over 16 years in private practice navigating publicly-traded and privately-held companies through sophisticated business transactions, including mergers, acquisitions, expansions, joint ventures, restructurings and complex contracts.

Scott received his law degree from Georgetown University Law Center in Washington, D.C. and graduated with High Distinction and Phi Beta Kappa from the University of Virginia.



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AGENDA ITEM 13: Approval of Crematory Operator Certification Course

Attachments:

See attached course overview attachments

- a. Thermtec
- b. Matthews Cremation

Note: Board approved temporary policy for approval of crematory operator certification courses at a prior meeting as follows:

1. The Board may approve crematory certification programs pursuant to NRS 451.635 if the course meets the following minimum standards:
 - a) At least 6 hours in length
 - b) Offered on a national level by experts in the field
 - c) Covers at a minimum, best practices, terminology, principles of combustion, basics of equipment operation, and forms and record control
2. Any course approval issued by the Board pursuant to this section shall be valid for a period of 5 years.

The above is intended only to provide guidance for determining whether a course should be approved and is not intended to be all-inclusive. The Board reserves all rights in making the determination on whether a course is suitable for approval.



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Crematory Operator Certification Course
a. Thermtec

Notes:

RECOMMENDATION OF BOARD MEMBER

APPROVE:

DENY:

Continue pending additional information:

Comments: _____



Manufacturers of Crematories & Incineration Systems Since 1973

Funeral and Cremation Services Board

501 Hammill Lane

Reno, Nevada 89511

Attention: Jennifer Kandf , Executive

Subject: Program, Training Cremation Operators

Dear Jennifer,

We thank you for the opportunity to offer the Training Course information for the Certification of our company and staff to qualify for the Nevada program NRS-451-635 Cremation Training Program.

We have been in business for 42 years and have developed Training Programs for all of the equipment we manufacture. We have trained operators in all 50 State, Canada, Portugal, Spain, Australia, Central America, Korea, Russia, Japan, South Seas Islands and others locations in the world.

Our goal is to insure that the customers that have purchased our equipment are fully trained in the use and maintenance of our equipment. We therefore require our customer's operators to be Certified to operate the equipment correctly and for their benefit.

As a result, we do not believe that "large groups" training sessions are the best way to accomplish a good full training to understand and to actually operate Human or Pet Cremation equipment. A detailed, "one on one" seems much more effective when an operator has the opportunity to do the paper work then actually load and operate the equipment, "hands on".

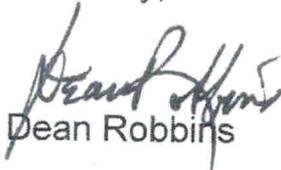
We believe that the "one on one" training of operators is much more realistic and productive. This is why we supply a qualified technician for a period of 3 to 4 days at the job site to: supervise the installation, check compliance with codes (i.e. Electric, Plumbing and Safety & Fire Codes) , train, review the Manuals along with educating, demonstrating the operator the proper use of the equipment, maintenance and the most efficient way to operate.. We require that we have the opportunity to have two to three cases to Cremate for the training program for actual operator experience. (For Pet Crenation equipment, we need animal remains for the training procedure for demonstration)

Our "Start Up" procedures include the training. We also supply two hard bound 'Operation - Maintenance " Manual plus the complete Manual on a CD disk.

After the training is complete and meets our standards, we will create a "Certificate of Training" for each individual that has been trained to be posted at the facility. We normally train from 2 to 8 operators at a facility.

Please review our comments and the attached information and contact us for any additional information you may require.

Sincerely,



Dean Robbins

CEO Therm Tec, Inc.

ATTACHED:

Basic Certification Program

Training Agenda

Training Registration Form (Operators)

Therm Tec Inc. List of Qualified Training Personnel

Copy: Certificate for Operators



Manufacturers of Crematories & Incineration Systems Since 1973

INSTRUCTOR QUALIFIED TO PRESENT Training Programs For Human and Pet Cremation

Following Is A List Of Qualified Instructors

Gary Thorn

45 Years Manufacturing Experience Of Cremation Equipment

Jason Thorn

25 Years Manufacturing Experience Of Cremation Equipment

Bill Pascoe

15 Years Manufacturing Experience Of Cremation Equipment

Clark Brown

26 Years Manufacturing Experience Of Cremation Equipment

Jesse Robinson

4 Years Manufacturing Experience Of Cremation Equipment

Charles Rowland

35 Years Manufacturing Experience Of Cremation Equipment

Dean Robbins

45 Years Manufacturing Experience Of Cremation Equipment

NOTE

Manufacturing Engineering Disciplines And Expertise Required For Instructor

Chemistry

Physics

Mathematics

Management And Logistics

Combustion Of Human and Pet Equipment

Combustion Of Gases

Refractory Technology

Electronics Technology (Computers and PLC)

Electrical Technology

Controls and Application Technology

Hydraulics Technology

Mechanical Motion Technology

Burner Technology (Gas and Oil Fired)

Metal Fabrication Technology

Installation And Operation Of Human and Pet Cremation Equipment

Operator Training Program, Cremation Equipment 8-5-2015

08/05/2015

CERTIFIED CREMATORY OPERATOR TRAINING

OBJECTIVE: INSTRUCT PARTICIPANTS ON PROPER OPERATION OF THERM-TEC CREMATION EQUIPMENT TO ENSURE SAFE, EFFICIENT, RELIABLE & COMPLIANT OPERATION.

- ✓ COURSE WILL BE GIVEN AT CUSTOMER FACILITY AND WILL UTILIZE CUSTOMER OWNED THERM-TEC EQUIPMENT AS A REFERENCE IN ORDER TO CONVEY RELEVANT MODEL SPECIFIC INSTRUCTION FOR MAXIMUM BENEFIT TO PARTICIPANTS AND FACILITY.

TRAINING SYLLABUS:

- Introduction of Therm-Tec Instructor and take names of all course participants. (20 Minutes with Q & A)**
- Basic principles of combustion and the cremation process. (30 Minutes with Q & A)**
- Equipment overview. Description of major system components and explanation of how those components enable the machine to adhere to combustion principles. (45 Minutes with Q & A)**
- Operational procedures. Discuss suggested techniques for proper loading and remains removal. Discuss recommended case order for multiple cycles in a day. Effect of various case types and container types on cremation cycle. (30 Minutes with Q & A)**
- Operation of equipment. Overview of system operator control panel & discussion of system operational settings. Discuss how to determine proper cycle settings for various case types and how to modify those setting during the cycle to ensure proper operation. (45 Minutes with Q & A)**
- Discussion of system safety features & techniques for safe operation. (30 Minutes with Q & A)**

- Troubleshooting. Overview of system specific components & their role in proper crematory operation. What to look for in the event of component failure and instruction on performing minor repair.
(40 Minutes with Q & A)**
- Maintenance. Discussion of model specific component and refractory maintenance schedule.
(30 Minutes with Q & A)**
- Discussion of site specific cremation compliance issues. Importance of proper recordkeeping. Establish with facility managers who regulatory agencies are, what requirements are, and system features that can aid with compliance.
(20 Minutes with Q & A)**
- Potential risks relating to handling of case, cremated remains, and contact with equipment. Infection potential of case at various stages. Proper personal protective equipment for case loading and unloading. Importance of keeping loading area of crematory clean. Importance of thorough removal of cremated remains.
(20 Minutes with Q & A)**
- Overview of Crematory Operation Manual provided with equipment to serve as an ongoing site resource for equipment reliability and proper operation.
(30 Minutes with Q & A)**
- Open question and answer period for clarification of subject topics if needed. Closing of Training Program.
(20 Minutes with Q & A)**

(**Stated times are intended to serve as guidelines for complete coverage of syllabus items. Actual session time may be extended or shortened depending on participant background and level of participant interaction.)

✓ INTERACTION BETWEEN PRESENTER AND ALL PARTICIPANTS IS HIGHLY ENCOURAGED.



- DATE OF TRAINING... _____
- FACILITY NAME... _____
- FACILITY LOCATION... _____
- THERM-TEC MODEL #... _____

CERTIFIED OPERATOR INSTRUCTOR...

NAME (THERM-TEC REPRESENTATIVE)

NAME OF TRAINING PARTICIPANTS...

- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____
- _____

✓ **UPON COMPLETION OF TRAINING AND SUBMITTAL OF THIS FORM BACK TO FACTORY THERM-TEC WILL PREPARE TRAINING CERTIFICATES FOR ALL PARTICIPANTS.**

Certificate

This is To Certify That
Operator Name

Has Successfully Completed the " On Site "
Training Course

For The Operation And Maintenance
Of Therm Tec Model SQC-300 Crematory
For Human Cremation At:

Facility Name

Location- State

Given By :

Therm Tec, Inc.

Tualatin, Oregon U.S.A.

Awarded This Date of Month, Year

Corporate Seal

Trainer

Title of Trainer

Technician

Therm Tec, Inc.



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

3740 Lakeside Drive, Suite 201, Reno, Nevada, 89509
Phone (775) 825-5535 * Email nvfuneralboard@fb.nv.gov

Crematory Operator Certification Course
b. Matthews Cremation

Notes:

RECOMMENDATION OF BOARD MEMBER

APPROVE:

DENY:

Continue pending additional information:

Comments: _____

It's Our Duty To

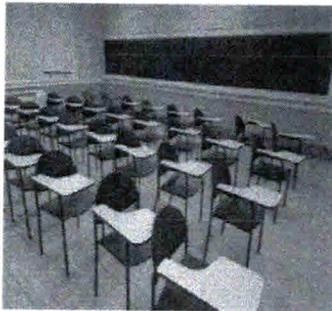
Protect

And To Educate

OPERATOR CERTIFICATION ...

ADDRESSING THE NEEDS OF ALL FUNERAL SERVICE PROFESSIONALS.

Another example of our commitment to the cremationist is our cremator training and certification program. With more governmental agencies requiring operator training, our educational program will heighten the knowledge and awareness of the cremator operator. Our certification training is open to all attendees wishing to expand their knowledge of the industry and the operation of their equipment. We have trained thousands of operators and you can be next.



Benefits >>>

- Increase basic knowledge of cremation equipment, its operation and care.
- Improve job performance by increased knowledge of operation, maintenance and procedures
- Increase environmental awareness and reduce opportunities for visible emissions from the crematory.
- Improve safety techniques through discussion and explanation of the selection and use of personal protection equipment in the crematory
- Complies with most regulatory agencies

Details >>>

Classes are available several times per year at our offices in Apopka, Florida. Our certification program is a one day course that begins at 9:00 AM and concludes between 4:00 and 4:30 PM. We cover topics such as the history of cremation, proper terminology in the workplace, basics of operating cremation equipment, forms and recordkeeping as well as troubleshooting basic components. The cost to provide the certification training is 350.00 per person and includes our instructor led classroom session, lunch, course manual and certificate.

Class size is limited to insure quality student/teacher ratio so reserve your seat early.

Additionally, Matthews is proud to announce our webinar series certification seminars offered one the same dates. Receive your certificate by attending our online session. Call for more details.

Classes available

- February 9, 2016
- April 12, 2016
- June 7, 2016
- August 9, 2016
- October 11, 2016
- December 6, 2016

If you could like more information or to register for this valuable experience, please go to our website at www.matthewscremation.com or contact Yajaira Rosado at 1-800-327-2831



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

3740 Lakeside Drive, Suite 201, Reno, NV 89509
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AGENDA ITEM 14: Approval of Revised FY2016 Budget

Several adjustments have been made to the FY2016 budget. Approval of revised budget requested.

State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD



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

LINE ITEM BUDGET – REVISION 2

Revenue

Source	Fee	Renewal Rev deferred from FY2015	Renewal Rev applicable to FY2016	Total
Adm. Srv Fee (Reissue Licenses)	\$75			\$750.00
Approve New Managing FD	\$225			\$4500.00
Cemetery Renewals	\$200	\$1700.00	\$425.00	\$2125.00
Crematory Renewals	\$200	\$2200.00	\$550.00	\$2750.00
Embalmer Renewals	\$200	\$6100.00	\$1525.00	\$7625.00
Establishment Permit Renewals	\$200	\$6100.00	\$1525.00	\$7625.00
Examinations	\$100			\$16,000.00
Fines (Pass thru to State Treasurer)				\$19,000.00
Funeral Director Renewals	\$200	\$7300.00	\$1825.00	\$9125.00
Miscellaneous				\$4,000.00
Initial Licensing	\$375			\$45,000.00
Study Guides	\$25			\$400.00
Regulatory Fee (12 x \$18,000)	\$10			\$216,000.00
			Total Projected	\$334,900.00

Operating Expenditures

Administrative Fines (Paid to State Treasurer)		\$ 19,000.00
Attorney General – Legal Fees		\$ 18,000.00
Audit Expenses		\$ 7,500.00
Background Checks		\$ 3,000.00
Bank Fees		\$ 3,000.00
Board Member Compensation		\$ 1,500.00
Contractual Services		\$ 8,040.00
Bookkeeping Services Contract	\$1800.00	
On-line Bookkeeping Software	\$ 240.00	
Conference Dues and Testing Updates	\$6000.00	
Conference/Training Registrations		\$ 3,500.00
Equipment and Furnishings		\$ 8,000.00
Insurance		\$ 2,000.00
Worker's Compensation Insurance	\$1,000.00	
General Liability	\$1,000.00	
Licensing Software Subscription-GL Suites		\$ 25,612.00
Meeting Expenses		\$ 500.00
Miscellaneous Expenses		\$ 500.00

Office Supplies		\$ 7,000.00
Office Lease		\$ 16,000.00
Personnel		\$ 129,180.00
Executive Director Salary	\$75,000.00	
Investigator Wages	\$23,960.00	
Assistant Wages	\$22,680.00	
Employer Taxes	\$ 7,540.00	
Postage		\$ 3,500.00
Printing and Copying		\$ 5,000.00
Technical Support/Website/EITS		\$ 4,800.00
Telephone, Internet		\$ 3,000.00
Travel – In State and Out of State		\$ 25,000.00
Utilities/Janitorial		\$ 1,200.00
	Total Projected	\$294,832.00



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

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AGENDA ITEM 15: Financial Reports

Attachments;
Regulatory Fee Collection Report
FY2016 Budget vs. Actuals

State of Nevada Funeral and Cemetery Services
SALES BY CUSTOMER SUMMARY
July - December, 2015

	JUL 2015	AUG 2015	SEP 2015	OCT 2015	NOV 2015	DEC 2015	TOTAL
Autumn Funeral & Creations	180.00	190.00	120.00	350.00	230.00	200.00	\$1,270.00
Bunker's Eden Vale Mortuary	650.00	500.00	540.00	630.00	620.00	940.00	\$3,880.00
Burns Funeral Home, Inc.	300.00	250.00	180.00	180.00	270.00	310.00	\$1,490.00
Final Wishes Funeral Home	160.00						\$160.00
Freitas Ruprecht Funeral Home	70.00	70.00	110.00	80.00	130.00	80.00	\$540.00
Funeral Smith	0.00	0.00	0.00	0.00			\$0.00
Funeraria Casa De Paz	80.00	100.00	100.00	70.00	90.00	170.00	\$610.00
Gunter's Hawthorne Funeral Home	10.00	70.00	40.00	40.00	80.00	60.00	\$300.00
Heritage Mortuary	140.00	70.00	40.00	50.00	90.00	170.00	\$560.00
Hites Enterprises, Inc.	890.00	760.00	900.00	950.00	780.00	810.00	\$5,090.00
Kraft-Sussman Funeral Services	220.00	390.00	150.00	280.00	280.00	310.00	\$1,630.00
La Paloma Funeral Services							\$0.00
La Paloma - Longley	140.00	90.00	120.00	70.00	130.00	50.00	\$600.00
La Paloma - Stephanie	850.00	750.00	670.00	550.00	840.00	740.00	\$4,400.00
Total La Paloma Funeral Services	990.00	840.00	790.00	620.00	970.00	790.00	\$5,000.00
Legacy Funeral Holdings, Inc.							\$0.00
Davis Funeral Home & Memorial Park							\$0.00
Las Vegas Cremations	150.00	150.00	140.00	150.00	150.00	170.00	\$910.00
South Eastern Avenue	790.00	760.00	840.00	630.00	620.00	600.00	\$4,240.00
West Charleston Blvd				100.00	170.00	130.00	\$400.00
Total Davis Funeral Home & Memorial Park	940.00	910.00	980.00	880.00	940.00	900.00	\$5,550.00
Total Legacy Funeral Holdings, Inc.	940.00	910.00	980.00	880.00	940.00	900.00	\$5,550.00
McDermott Funeral Home, LLC	750.00	740.00	810.00	730.00	1,000.00	900.00	\$4,930.00
Mountain View Mortuary	330.00	240.00	220.00	230.00	240.00	200.00	\$1,460.00
Mountain Vista Chapel	90.00	100.00	50.00	90.00	70.00	30.00	\$430.00
Pahrump Family Mortuary Group	340.00	220.00	210.00	230.00	220.00	250.00	\$1,470.00
Reno Cremation & Burial Services	60.00	140.00	170.00				\$370.00
SCI							\$0.00
Alderwoods (Nevada) Inc.							\$0.00
Thomas and Jones - Foremaster Lane	220.00	150.00	190.00	160.00	190.00	190.00	\$1,100.00
Total Alderwoods (Nevada) Inc.	220.00	150.00	190.00	160.00	190.00	190.00	\$1,100.00
Keystone America							\$0.00
FitzHenry's - Fairview	260.00	60.00	160.00	70.00	110.00	100.00	\$760.00
FitzHenry's - Highway 395	90.00	190.00	90.00	180.00	80.00	290.00	\$920.00
Total Keystone America	350.00	250.00	250.00	250.00	190.00	390.00	\$1,680.00
Neptune Management Corp.							\$0.00
Neptune Society - Del Webb	450.00	600.00	650.00	600.00	600.00	680.00	\$3,580.00
Neptune Society - West Moana	340.00	260.00	290.00	330.00	330.00	360.00	\$1,910.00
Total Neptune Management Corp.	790.00	860.00	940.00	930.00	930.00	1,040.00	\$5,490.00
Palm Mortuaries							\$0.00
Affordable Cremation - Decatur	630.00	700.00	750.00	740.00	690.00	840.00	\$4,350.00
King David - Eldorado	110.00	130.00	150.00	170.00	140.00	190.00	\$890.00
Palm - Boulder Hwy	200.00	310.00	250.00	250.00	220.00	230.00	\$1,460.00
Palm - Cheyenne	480.00	380.00	330.00	400.00	350.00	480.00	\$2,420.00
Palm - Downtown (N Main)	740.00	540.00	680.00	660.00	760.00	880.00	\$4,260.00
Palm - South Jones	350.00	460.00	340.00	360.00	380.00	340.00	\$2,230.00
Palm Eastern - Eastern	830.00	950.00	760.00	1,120.00	1,130.00	1,180.00	\$5,970.00
Palm Northwest - North Jones	410.00	370.00	480.00	310.00	340.00	420.00	\$2,330.00
Total Palm Mortuaries	3,750.00	3,840.00	3,740.00	4,010.00	4,010.00	4,560.00	\$23,910.00
Total SCI	5,110.00	5,100.00	5,120.00	5,350.00	5,320.00	6,180.00	\$32,180.00
Serenity VII, LLC							\$0.00
Desert Memorial	1,350.00	1,020.00	1,180.00	1,340.00	1,170.00	1,230.00	\$7,290.00
Sunrise Cremation & Burial Society, LLC	470.00	430.00	320.00	320.00	300.00	430.00	\$2,270.00
Total Serenity VII, LLC	1,820.00	1,450.00	1,500.00	1,660.00	1,470.00	1,660.00	\$9,560.00
Simple Cremation, Inc. -							\$0.00
Henderson SE			20.00	250.00	270.00	380.00	\$920.00
Nevada Funeral Service	140.00	80.00	220.00	100.00	90.00	80.00	\$710.00
Simple Cremation, Inc. - NW (Rancho)	400.00	380.00	500.00	560.00	390.00	510.00	\$2,740.00

	JUL 2015	AUG 2015	SEP 2015	OCT 2015	NOV 2015	DEC 2015	TOTAL
Simple Cremation, Inc. - Reno	360.00	320.00	220.00	290.00	190.00	280.00	\$1,660.00
Simple Cremation, Inc. - SW (Durango)	500.00	540.00	430.00	390.00	290.00	440.00	\$2,590.00
Total Simple Cremation, Inc. -	1,400.00	1,320.00	1,390.00	1,590.00	1,230.00	1,690.00	\$8,620.00
Smith E LLC							\$0.00
Boulder City Family Mortuary	200.00	190.00	70.00	180.00	230.00	330.00	\$1,200.00
Smith Family Funeral Home	170.00	130.00	210.00	190.00	140.00	230.00	\$1,070.00
Total Smith E LLC	370.00	320.00	280.00	370.00	370.00	560.00	\$2,270.00
Sonoma Funeral Home	60.00	100.00	100.00	100.00	90.00	40.00	\$490.00
Southern Nevada Funeral Services, LLC							\$0.00
Lee Funeral Home	130.00	80.00	100.00	190.00	120.00	120.00	\$740.00
Total Southern Nevada Funeral Services, LLC	130.00	80.00	100.00	190.00	120.00	120.00	\$740.00
Southern Nevada Mortuary, LLC	50.00	20.00	0.00	30.00	10.00	40.00	\$150.00
The Funeral Directors Management Group							\$0.00
Moapa Valley & Virgin Valley Mortuaries	220.00	180.00	170.00	140.00	130.00	130.00	\$970.00
Total The Funeral Directors Management Group	220.00	180.00	170.00	140.00	130.00	130.00	\$970.00
The Gardens, LLC	90.00	200.00	110.00	340.00	110.00	140.00	\$990.00
Truckee Meadows Cremation & Burial Svcs	720.00	760.00	660.00	820.00	580.00	730.00	\$4,270.00
Valley Funeral Home	240.00	190.00		240.00	150.00		\$820.00
Walton's Inc							\$0.00
John Sparks Memorial Cremation	280.00	160.00	200.00	130.00	150.00		\$920.00
McCaffery Family Limited Partnership							\$0.00
Ross, Burke & Knobel Mortuary - Reno	260.00	210.00	320.00	270.00	270.00		\$1,330.00
Ross, Burke & Knobel Mortuary - Sparks	20.00	20.00	30.00	30.00	0.00		\$100.00
Total McCaffery Family Limited Partnership	280.00	230.00	350.00	300.00	270.00	0.00	\$1,430.00
Nevada Memorial Estate Plans							\$0.00
Affinity Burial & Cremation	90.00	70.00	150.00	130.00	210.00		\$650.00
Capitol City Cremation	130.00	160.00	150.00	110.00	390.00		\$940.00
Northern NV Memorial Cremation	60.00	120.00	80.00	90.00	100.00		\$450.00
Total Nevada Memorial Estate Plans	280.00	350.00	380.00	330.00	700.00	0.00	\$2,040.00
O'Brien Rogers & Crosby Funeral Home	60.00	190.00	70.00	100.00	110.00		\$530.00
Walton's Chapel of the Valley	240.00	280.00	210.00	150.00	190.00		\$1,070.00
Walton's Funerals and Cremations	30.00	100.00	100.00	70.00	70.00		\$370.00
Walton's Sierra Chapel	370.00	490.00	470.00	380.00	380.00		\$2,090.00
Walton's Sparks Funeral Home	150.00	120.00	150.00	180.00	190.00		\$790.00
Total Walton's Inc	1,690.00	1,920.00	1,930.00	1,640.00	2,060.00	0.00	\$9,240.00
TOTAL	\$18,100.00	\$17,230.00	\$16,770.00	\$17,880.00	\$17,650.00	\$17,410.00	\$105,040.00

Tuesday, Mar 08, 2016 10:04:47 AM PST GMT-8 - Accrual Basis

State of Nevada Funeral and Cemetery Services
BUDGET VS. ACTUALS: FY2016 BUDGET - REVISION 1 - FY16 P&L
 July 2015 - June 2016

	TOTAL			
	ACTUAL	BUDGET	REMAINING	% REMAINING
Income				
Administrative Fee (Reissue or Addl Lic)	375.00	750.00	375.00	50.00 %
Administrative Srv Fee(Inspection)	0.00	0.00	0.00	
Approval of Managing Funeral Director	4,500.00	2,475.00	-2,025.00	-81.82 %
Cemetery Renewals	3,000.00	2,125.00	-875.00	-41.18 %
Crematory Renewals	6,000.00	2,750.00	-3,250.00	-118.18 %
Embalmer Renewals	13,200.00	7,625.00	-5,575.00	-73.11 %
Establishment Permit Renewals	11,200.00	7,625.00	-3,575.00	-46.89 %
Examinations	14,800.00	12,000.00	-2,800.00	-23.33 %
Fines and Miscellaneous Fees	23,685.50	0.00	-23,685.50	
Funeral Director Renewals	18,200.00	9,125.00	-9,075.00	-99.45 %
Initial Licensing	42,625.00	37,500.00	-5,125.00	-13.67 %
NV Regulatory Fee	109,830.00	216,000.00	106,170.00	49.15 %
Study Guide	400.00	300.00	-100.00	-33.33 %
Total Income	\$247,815.50	\$298,275.00	\$50,459.50	16.92 %
Gross Profit	\$247,815.50	\$298,275.00	\$50,459.50	16.92 %
Expenses				
Administrative Fines	19,000.00		-19,000.00	
Administrative Wages	12,842.50	22,680.00	9,837.50	43.38 %
Attorney General - Legal Fees	12,887.42	18,000.00	5,112.58	28.40 %
Auditing	7,500.00	7,500.00	0.00	0.00 %
Background Checks	2,231.10	2,000.00	-231.10	-11.56 %
Bank fees	1,714.19	2,000.00	285.81	14.29 %
Board Member Compensation	600.00	1,500.00	900.00	60.00 %
Conferenc/Training Registration	1,700.00	3,500.00	1,800.00	51.43 %
Contractual services				
Bookkeeping	1,389.95	2,040.00	650.05	31.87 %
Dues and Tests	5,335.00	6,000.00	665.00	11.08 %
Total Contractual services	6,724.95	8,040.00	1,315.05	16.36 %
Employer Taxes	5,345.57	7,540.00	2,194.43	29.10 %
Equipment and Furnishings	2,714.17	4,000.00	1,285.83	32.15 %
Executive Director Salary	43,750.00	75,000.00	31,250.00	41.67 %
Inspector/Investigation Wages	12,385.00	15,960.00	3,575.00	22.40 %
Insurance	1,816.03	2,000.00	183.97	9.20 %
Licensing Software Subscription	10,408.00	25,612.00	15,204.00	59.36 %
Meeting Expenses	63.91	500.00	436.09	87.22 %
Miscellaneous	196.65		-196.65	
Office Lease	9,600.00	16,000.00	6,400.00	40.00 %
Office Supplies	5,139.99	4,500.00	-639.99	-14.22 %
Postage	1,812.31	2,500.00	687.69	27.51 %
Printing and Copying	2,407.33	4,000.00	1,592.67	39.82 %
Technical Support Web Site	2,969.57	3,800.00	830.43	21.85 %

	TOTAL			
	ACTUAL	BUDGET	REMAINING	% REMAINING
Telephone/Internet	1,687.57	3,000.00	1,312.43	43.75 %
Travel - In State	13,137.60	14,000.00	862.40	6.16 %
Travel - Out of State	4,050.16	10,000.00	5,949.84	59.50 %
Utilities		1,200.00	1,200.00	100.00 %
Total Expenses	\$182,684.02	\$254,832.00	\$72,147.98	28.31 %
Net Operating Income	\$65,131.48	\$43,443.00	\$ -21,688.48	-49.92 %
Net Income	\$65,131.48	\$43,443.00	\$ -21,688.48	-49.92 %

Tuesday, Mar 08, 2016 10:06:37 AM PST GMT-8 - Accrual Basis



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

3740 Lakeside Drive, Suite 201, Reno, NV 89509
Phone (775) 825-5535 * Email nvfuneralboard@fb.nv.gov

AGENDA ITEM 16: Current Complaint Status

Attachment: Overview of current complaint status

Complaint Status - Funeral and Cemetery Service Board

Complaint Number	Date Received	Complaint Acknowledgement Letter Sent	233B Letter Sent	General Subject	Status
FB15-01	1/27/2015	1/27/2015	3/9/2015	Delay in Disposition	Dismissed
FB15-02	Inspection	N/A	4/8/2015	Not using full cremation container	Consent Decree
FB15-03	Inspection	N/A	5/12/2015	Using cremator for purpose other than cremation of human remains	Consent Decree
FB15-04	Inspection	N/A	5/26/2015	Not using full cremation container and using cremator to burn waste	Consent Decree
FB15-05	Inspection	N/A	6/22/2015	Not using full cremation container and using cremator to burn waste	Consent Decree
FB15-06	8/28/2015	9/1/2015	9/15/2015	Delay in Disposition	Dismissed
FB15-07	8/31/2015	9/1/2015	9/15/2015	Delay in Disposition	Dismissed
FB15-08	9/1/2015	9/1/2015	9/14/2015	Death Certificate	Dismissed
FB15-09	9/8/2015	9/9/2015	9/15/2015	Delay in Disposition	Dismissed
FB15-10	9/28/2015	9/29/2015	N/A	Casket sale/FD attitude	Dismissed
FB15-11	9/28/2015	9/29/2015	N/A	Casket sale/FD attitude	Dismissed
FB15-12	12/1/2015	N/A	1/27/2016		Possible Consent Decree
FB15-13	Inspection	N/A	1/27/2016		Possible Consent Decree
FB16-01	2/19/2016	2/29/2016			Under Investigation
FB16-02	2/22/2016	2/29/2016			Under Investigation
FB16-03	3/2/2016	N/A			Under Investigation



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AGENDA ITEM 17: Executive Director Report



State of Nevada
FUNERAL AND CEMETERY SERVICES BOARD

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Executive Director Report – March 15, 2016

Renewals

Renewals were processed both using online system and paper forms. Approximately 75% of all licensees renewed through the online system. Received very good feedback on ease of use. We did have some problems with the data syncing, so back end processing was still mostly manual.

Regulations

A second regulation workshop is being held. A second small business impact survey was sent out as the Board did make various changes to accommodate feedback from licensees and completed a revised small business impact statement. Additional changes still being discussed, and a hearing will still be required after finalizing all changes.

Testing

Since July 1, 2015, we have authorized 140 examinations (this includes both the State Board Exam and the Nevada Law Rules and Regulation Exam.

Crematory Certification Courses

CANA held a crematory certification course in November in both Reno and Las Vegas. NFDA held a certification course in Las Vegas in December. CANA held an additional training in Las Vegas in February. Board currently reviewing additional training options from manufacturers.

Fingerprinting

A fingerprint account has been set up with the Department of Public Safety. Currently, we are authorized to fingerprint individuals in discipline proceedings in accordance with NRS 622.360. Authorization for licensing per Senate Bill 286 is still pending through DPS and FBI. We will revise all application forms upon approval.

Office Space

Building owner sold the office building. New office space was located which was approved by the State Board of Examiners (Governor, Attorney General, Secretary of State). We moved in the middle of January and have been working through all of the moving processes (change of address, forms, letterhead, etc.). We experienced some issues with new phone lines, fax line, and mail service.

The Conference Meeting

Executive Director attended the annual meeting of the International Conference of Funeral Service Examining Boards. The meetings focused on model applications for licensure, moral character determinations, The Funeral Rule as it pertains to regulators, and recent regulatory cases.

Employee Reviews

Conducted employee reviews for both assistant and inspector. Both employees received raises which fall within the Board approved hourly rates for both positions.

Licensing Approvals

See attached for individuals approved by Executive Director.

Executive Director Approved Applicants 12/16/2016 – 3/15/2016

1. **For reference only, Funeral Arranger applicants approved by Executive Director:**
 - a. Michelle Dawn Boren – (FA30 – 12/31/2015)
 - b. Beverly Amanda Burton – (FA31 – 12/31/2015)
 - c. Kari Jean Ehrlich – (FA32 – 12/31/2015)
 - d. Broghan Alexandra Nicole Ellis (FA33 – 12/31/2015)
 - e. Maria Elena Cardenas Fernandez (FA34 – 12/31/2015)
 - f. Ana Karen Gomez (FA35 – 12/31/2015)
 - g. Brandy M. Hall (FA36 – 12/31/2015)
 - h. Wendy Ruth Kraft (FA37 – 12/31/2015)
 - i. Gina V. Malaskovitz (FA38 – 12/31/2015)
 - j. Traci Marie Muncy (FA39 – 12/31/2015)
 - k. Katrina M. Noell (FA40 – 12/31/2015)
 - l. Traci Lynn Ortlieb (FA41 – 12/31/2015)
 - m. Nadia J. Rayas (FA42 – 12/31/2015)
 - n. Daniel Jay Sinai (FA43 – 12/31/2015)
 - o. Anthony Albert Mario Valadez (FA44 – 02/01/2016)
 - p. Margarita Rojas (FA45 – 02/01/2016)
 - q. Dana Renee Hauger (FA46 – 02/01/2016)
 - r. April L. Davis (FA47 – 02/01/2016)
 - s. Andre Lorenzo Bailey (FA48 – 02/01/2016)
 - t. Charlene L. Peters (FA49 – 2/8/2016)
 - u. Kristopher Wilks (FA50 – 2/11/2016)
 - v. Christopher Michael Grant (FA51 – 2/24/2016)
 - w. Ahmed Mohamed Raslan (FA52 – 3/1/2016)

2. **For reference only, Funeral Director applicants approved by Executive Director:**
 - a. Paul Edward Noell (FD903 – 12/31/2015)
 - b. Kelly L. Fitzpatrick (FD904 – 02/01/2016)
 - c. James Clark Graff (FD905 – 02/01/2016)
 - d. Bryan Burbank Randall (FD906 – 02/01/2016)
 - e. Coby Jones Zobell (FD907 – 02/01/2016)
 - f. Sean Michael Duggan (FD908 – 2/4/2016)
 - g. Timothy Lawson (FD909 – 2/4/2016)
 - h. Douglas Lee Ray (FD910 2/4/2016)
 - i. Michelle Marie Gonzales (FD911 – 2/10/2016)
 - j. Matthew Richard Hoyle (FD912 – 2/24/2016)