



STATE OF NEVADA
FUNERAL AND CEMETERY SERVICES BOARD

3740 Lakeside Drive, Suite 201, Reno, Nevada 89509
Phone (775) 825-5535 * Fax (775) 507-4102
Email: nvfuneralboard@fb.nv.gov * Website: <http://funeral.nv.gov/>

MINUTES

Wednesday, November 18, 2020, at 10:00 a.m.

Video Conference and Teleconference

Via Video Conference

Zoom Meetings
at <https://zoom.us/>
Meeting ID: 253 977 5871 // Password: 668556

Via Teleconference:

1-669-900-6833
Meeting ID: 253 977 5871 // Password: 668556

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

The meeting was called to order at 10:00 am and a quorum was established.

Board Members Present

Dr. Randy Sharp, Chairman
Loretta Guazzini, Treasurer
Bart Burton
Christopher Naylor
Adam Garcia
Gerald Hitchcock

Board Staff Present

Jennifer Kandt, Executive Director
Marie Paakkari, Administrative Assistant

Board Counsel Present

Henna Rasul, Senior Deputy Attorney General

Board Members Absent

Brian Rebman, Secretary

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)

There was no public comment.

3. Discussion, recommendation, and possible action regarding review and approval of minutes of meetings (For possible action)

a. June 25, 2020

MOTION: GERALD HITCHCOCK MOVED TO APPROVE THE JUNE 25, 2020 MINUTES. LORRETTA GUAZZINI SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.

4. Discussion, recommendation, and possible action regarding consent decree for case number FB20-02 (For possible action)

- a. Smith Family Funeral Home Funeral Establishment Permit No. EST5 and Jeff T. Smith, Funeral Director License No. FD47

Henna Rasul referred the Board to the consent decree document and reminded the Board that it is a settlement agreement, so it is confined to the facts contained in the document.

Gerald Hitchcock asked if the intent of the funeral home by use of the word “mortician” was to refer to being a funeral director and embalmer.

Henna Rasul stated that intent is not taken into account with a violation.

Jennifer Kandt stated that the statutes in Nevada allow a licensed funeral director to use the term mortician. She also stated that the Board has had two previous consent decrees regarding advertising and the adjudication has been the same for each of those.

MOTION: BART BURTON MOVED TO APPROVE THE CONSENT DECREE FOR CASE NUMBER FB20-02. CHRIS NAYLOR SECONDED THE MOTION WITH LORRETTA GUAZZINI RECUSING AND THE MOTION WAS CARRIED.

5. Discussion, recommendation, and possible action regarding managing funeral director requests (For possible action)

- a. Edward Rudolph Rodriguez, Jr. FD892 – Sunrise Cremation DC88L

MOTION: BART BURTON MOVED TO APPROVE THE MANAGING FUNERAL DIRECTOR REQUEST FOR EDWARD RUDOLPH RODRIGUEZ, JR. FD892 – SUNRISE CREMATION DC88L. DR. RANDY SHARP SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.

- b. Russell E. Donaldson FD963 – Bunker’s Eden Vale Mortuary EST10
- c. Russell E. Donaldson FD963 – Bunker’s Memory Gardens Mortuary EST30

MOTION: CHRISTOPHER NAYLOR MOVED TO APPROVE THE MANAGING FUNERAL DIRECTOR REQUESTS FOR RUSSELL E. DONALDSON FD963 FOR BUNKER’S EDEN VALE MORTUARY EST10 AND BUNKER’S MEMORY GARDENS MORTUARY EST30. BART BURTON SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.

- d. Phillip Smith FD922 – Las Vegas Cremations EST103

MOTION: GERALD HITCHCOCK MOVED TO APPROVE THE MANAGING FUNERAL DIRECTOR REQUEST FOR PHILLIP SMITH FD922 – LAS VEGAS CREMATIONS EST103. LORRETTA GUAZZINI SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.

- e. Norma Marie Finkes FD967 – FitzHenry’s Funeral Home EST36
- f. Norma Marie Finkes FD967 – FitzHenry’s Carson Valley Funeral Home EST58

MOTION: ADAM GARCIA MOVED TO APPROVE THE MANAGING FUNERAL DIRECTOR REQUESTS FOR NORMA MARIE FINKES FD967 FOR FITZHENRY’S FUNERAL HOME EST36 AND FITZHENRY’S CARSON VALLEY FUNERAL HOME EST58. DR. RANDY SHARP SECONDED THE MOTION WITH BART BURTON RECUSING AS THEY WORK FOR THE SAME COMPANY AND THE MOTION WAS CARRIED.

6. Discussion, recommendation, and possible action regarding direct cremation facility permit applications (For possible action)

- a. Vegas Valley Cremation, LLC, 6392 McLeod Drive, Suite 3, Las Vegas, NV 89120 with Christopher J. McDermott FD605 as managing funeral director

Gerald Hitchcock pointed out that one of the application pages had “no” answers that appeared to be incorrect.

Jennifer Kandt stated that she believed Wayne had addressed this with the location, and that the Board was in the process of changing forms as the boxes for yes and no can be confusing with how they are located in the forms.

Adam Garcia stated that he would like the applicant to resubmit a revised form with the corrected answers to avoid any issues.

MOTION: ADAM GARCIA MOVED TO APPROVE THE DIRECT CREMATION FACILITY PERMIT APPLICATION FOR VEGAS VALLEY CREMATION, LLC, 6392 MCLEOD DRIVE, SUITE 3, LAS VEGAS, NV 89120 WITH CHRISTOPHER J. MCDERMOTT FD605 AS MANAGING FUNERAL DIRECTOR AND SUBMIT A REVISED APPLICATION WITH CORRECTED LEGAL AND GENERAL QUESTIONS. GERALD HITCHCOCK SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.

- b. Vegas Valley Cremation, LLC, 251 Elliot Road, Suites 3-4, Henderson, NV 89011 with Christopher J. McDermott FD605 as managing funeral director

Jennifer Kandt indicated that a temporary permit had not been issued for this location as the Board had never previously approved a direct cremation facility that intended to store bodies. She said that all other direct cremation facilities are storefronts to sell a direct cremation but that they all outsource storage. She said that funeral establishments and crematories currently store remains, but there currently were not any direct cremation facilities storing remains. She said she did not see anything in statute that would prohibit storage and that regulation references the requirement for a direct cremation facility to refrigerate remains.

Chris McDermott said he was going to use the location for a short time to store remains for his other direct cremation facility where the sales are taking place. He said his other building with a crematory will be ready soon and then he will cease to use this location.

Gerald Hitchcock asked why another license would be needed if someone had a funeral establishment but was storing remains off site.

Jennifer Kandt stated that the permits must pertain to the location itself, so any location where remains were stored would need to be licensed as a funeral establishment, crematory or direct cremation facility, but that this is the first direct cremation facility that would be storing remains.

MOTION: BART BURTON MOVED TO APPROVE THE DIRECT CREMATION FACILITY PERMIT APPLICATION FOR VEGAS VALLEY CREMATION, LLC, 251 ELLIOT ROAD, SUITES 3-4, HENDERSON, NV 89011 WITH CHRISTOPHER J. MCDERMOTT FD605 AS MANAGING FUNERAL DIRECTOR. CHRISTOPHER NAYLOR SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.

- c. Inspired Life Holdings, LLC, 4760 S. Pecos, Suite 103-20, Las Vegas, NV 89121 with Toney Jevon Banks FD960 as managing funeral director

MOTION: BART BURTON MOVED TO APPROVE THE DIRECT CREMATION FACILITY PERMIT APPLICATION FOR INSPIRED LIFE HOLDINGS, LLC, 4760 S. PECOS, SUITE 103-20, LAS VEGAS, NV 89121. LORRETTA GUZZINI SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.

7. Discussion, recommendation, and possible action regarding crematory license application (For possible action)

- a. County Funeral Services, LLC, 1961 Whitney Mesa Drive, Henderson, NV 89104

Bart Burton asked if this was the previous location for Valley.

Jennifer Kandt stated that the location was previously Valley, and currently licensed to Hites. She stated that she believes the location was within 1500 feet of a residential parcel, but the city had

allowed the continued zoning because it was in existence prior to the enactment of the 2013 law. She also stated that the applicant had disclosed a prior DUI within 7 years and that the Board needed to determine whether it had a reasonable relationship to the license.

There were no objections to the criminal history reported.

MOTION: ADAM GARCIA MOVED TO APPROVE THE CREMATORY LICENSE APPLICATION FOR COUNTY FUNERAL SERVICES, LLC, 1961 WHITNEY MESA DRIVE, HENDERSON, NV 89104. BART BURTON SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.

8. Discussion, recommendation, and possible action regarding continuing education approval requests (For possible action)

- a. Gerald Hitchcock – NFDA Policy Board Meeting, requesting 8 CEU's

There was discussion regarding allowing 4 hours for the meeting as 4 hours are allowed for the Funeral Board meetings.

MOTION: LORRETTA GUAZZINI MOVED TO APPROVE THE REQUEST FOR CONTINUING EDUCATION FOR GERALD HITCHCOCK – NFDA POLICY BOARD MEETING FOR 4 CEU'S. ADAM GARCIA SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.

- b. Dara Carno, Palm Mortuary – 2020 Funeral Director Summit presented by Dr. Michael Green, Jeffrey Burr and Jake Johnson, requesting 3 CEU's

MOTION: ADAM GARCIA MOVED TO APPROVE THE REQUEST FOR CONTINUING EDUCATION FOR DARA CARNO, PALM MORTUARY – 2020 FUNERAL DIRECTOR SUMMIT PRESENTED BY DR. MICHAEL GREEN, JEFFREY BURR AND JAKE JOHNSON FOR 3 CEU'S. DR. RANDY SHARP SECONDED THE MOTION WITH BART BURTON RECUSING AS THEY WORK FOR THE SAME COMPANY AND THE MOTION WAS CARRIED.

- c. Nicole Harvey, Esq. - Guide to Handling Disputed Bodies, requesting 1 CEU

MOTION: DR. RANDY SHARP MOVED TO APPROVE THE REQUEST FOR CONTINUING EDUCATION FOR NICOLE HARVEY, ESQ. – GUIDE TO HANDLING DISPUTED BODIES FOR 1 CEU. ADAM GARCIA SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.

- d. Skye Moreland – Office of Vital Records, What to Expect Training – 2020 (Training for Funeral Homes), requesting 2 CEU's

MOTION: ADAM GARCIA MOVED TO APPROVE THE REQUEST FOR CONTINUING EDUCATION FOR SKYE MORELAND – OFFICE OF VITAL RECORDS, WHAT TO EXPECT TRAINING – 2020 (TRAINING FOR FUNERAL HOMES) FOR 2 CEU'S. LORRETTA GUAZZINI SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.

9. Financial Reports

- a. Regulatory Fee Collection
- b. Financial Reports

Jennifer Kandt overviewed the regulatory fee collection and the financial reports. She stated that the regulatory fees were much higher than usual for June and July.

10. Overview of current complaint status

Jennifer Kandt stated that there was one open complaint from 2019 and all other open complaints were for 2020.

11. Report from Executive Director, Jennifer Kandt

Jennifer Kandt overviewed a written report as part of the meeting packet. She added to the information contained in the report by stating that she will now be having a monthly meeting with vital records. She stated that they are using a system called Vital Check and want the funeral homes to use the system. She stated that vital records indicated that they can be overwhelmed by the calls and emails from funeral homes checking on status. She stated that she was told that Vital Check allows for the funeral home to login and check status of orders and expedite the process, but there is a fee.

Gerald Hitchcock stated that orders had been taking a really long time recently and that no one from Vital Records returns phone calls or emails. He said that he has used a system where he enters his credit card but that it still takes a month to get something back. He was not sure if it was Vital Check or not.

Lorretta Guazzini stated that she was also having problems with getting death certificates timely but was not sure about Vital Check and what the difference was.

Jennifer Kandt stated that she was told that the people at Vital Records are now back to working from home, so that may slow things down. She said she will talk to Vital Records during their next conference call about perhaps more education on the Vital Check system as it sounds like there was some uncertainty.

Jennifer Kandt also reiterated what was contained in the report regarding the sunset subcommittee recommending legislation and stated that the Board would want to closely monitor.

12. Board member comments

There were no Board member comments.

13. Discussion regarding future agenda items and future meeting dates

Wednesday, February 3, 2021 at 10:00 am

Wednesday, May 5, 2021 at 10:00 am

Wednesday, August 4, 2021 at 10:00 am

Wednesday, November 17, 2021 at 10:00 am

14. 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)

There was no public comment.

15. Adjournment

The meeting was adjourned at 11:35 a.m.

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. NOTE: If picking up materials, please call office to schedule a time for pick-up.