



STATE OF NEVADA
FUNERAL AND CEMETERY SERVICES BOARD

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MINUTES

Wednesday, November 20, 2024, at 10:00 a.m.

The meeting was held via video conference and teleconference through Zoom Meetings and physically at the Hyatt Place in Reno.

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

Chairman Sharp called the meeting to order at 10:00 a.m. Roll call was taken and a quorum was present. Kim Kandaras was not present.

Board Members Present

Dr. Randy Sharp, Chairman
Laura Sussman, Secretary
Dr. Donald Edward Chaney
Celena DiLullo
Dr. Raymond Giddens
Jeff Long

Board Staff Present

Stephanie Bryant McGee, Executive Director

Board Counsel Present

Matt Feeley, Deputy Attorney General

2. Public comment

Chairman Sharp opened the floor for public comment. There were no comments.

3. Consent Agenda (For Possible Action)

The consent agenda items contain matters of routine acceptance. The Board members may approve the consent agenda as a whole or individually at their discretion.

- A. Discussion, recommendation, and possible action regarding review and approval of minutes of the Board meetings on August 14, 2024. (For possible action.)
- B. Discussion, recommendation, and possible action regarding previously issued temporary establishment permit, direct cremation facility permit, crematory license applications and request for approval of new managing funeral directors. (For possible action.)
 - 1) Crematory License for Inspired Life Cremations, CRE121, located at 3125 Ali Baba Lane, Suite 710, in Las Vegas. Temporary approval pursuant to NAC 642.080 effective August 29, 2024.
 - 2) Direct Crematory License for After.com, located at 9205 West Russell Road, Building 3, Suite 240, in Las Vegas, Managing Funeral Director Aaron Forgey,

FD877. Temporary approval pursuant to NAC 642.080 effective September 17, 2024.

- 3) Direct Crematory License for Caring Cremation, LLC, DBA Horizons Cremation, located at 1631 E. Sunset Road, Suite C104, in Las Vegas, Managing Funeral Director Brandy Hall, FD944. Temporary approval pursuant to NAC 642.080 effective September 17, 2024.
- 4) Managing Funeral Director Request for Davis Funeral Home, EST26, proposed managing funeral director Lauren Guido, FD980, effective August 19, 2024. Temporary approval pursuant to NAC 642.080 granted August 20, 2024.
- 5) Managing Funeral Director Request for Davis Funeral Home, EST28, proposed managing funeral director Lauren Guido, FD980, effective August 19, 2024. Temporary approval pursuant to NAC 642.080 granted August 20, 2024.
- 6) Managing Funeral Director Request for Green Farewells, DC102, proposed managing funeral director Alexis McCurdy, FD1024, effective August 19, 2024. Temporary approval pursuant to NAC 642.080 granted October 8, 2024.
- 7) Managing Funeral Director Request for Las Vegas Cremations, EST103, proposed managing funeral director Sean Winn, FD994, effective August 19, 2024. Temporary approval pursuant to NAC 642.080 granted August 20, 2024.
- 8) Managing Funeral Director Request for Las Vegas Cremations, EST132, proposed managing funeral director Sean Winn, FD994, effective August 19, 2024. Temporary approval pursuant to NAC 642.080 granted August 20, 2024.
- 9) New Managing Funeral Director Request for The Gardens Funeral Home, LLC, EST143, proposed managing funeral director Ted Williams, FD898, effective September 6, 2024. Temporary approval pursuant to NAC 642.080 granted September 5, 2024.

Chairman Sharp stated that the Board members each received a packet with the information for all items on the agenda and had the opportunity to review the packet.

Laura Sussman recused herself from items 3B2 and 3B3.

Action: Laura Sussman made a motion, seconded by Dr. Giddens, to approve all items on the consent agenda. Dr. Giddens seconded. The motion passed unanimously.

Chairman Sharp called for Item 4 to be heard next.

4. Discussion, recommendation, and possible action regarding a funeral arranger application for Mary Gonzales. (For possible action.)

Stephanie McGee stated that Mary Gonzales applied for a funeral arranger license on September 16, 2024, and supplied a criminal history reporting form on which she disclosed a 2012 conviction for a DUI. On September 24, 2024, a background report returned with an additional misdemeanor DWI conviction from 2003. Ms. McGee further stated that, when she asked Ms. Gonzales why she had not disclosed this crime on her initial application, Ms.

Gonzales stated that the crime was over twenty years ago and that she had been advised by her former funeral director to only disclose the most recent crime.

Ms. McGee stated that, when considering whether to license an individual, the Board must consider whether the applicant is of "good moral character" pursuant to NRS 642.362. Ms. McGee explained that Nevada Administrative Code (NAC) 642.085 provides for the initial assessment of an applicant's good moral character, including whether an applicant has committed fraud or misrepresentation on their application. If both crimes had been disclosed on the initial application, this could have been approved at staff level. Because the DWI was not disclosed in the initial application, this case has been referred to the Board regarding good moral character. In the past when applicants did not fully disclose their crimes, the Board denied the application and permitted the applicant to apply again with full, honest answers and to pay the application fee again. The new application would then be considered by either staff or the Board, based on the request of the Board.

Dr. Sharp asked what Ms. Gonzales' understanding was regarding the requirement to disclose all criminal history as opposed to disclosing only those crimes that occurred in the last seven years.

Ms. Gonzales stated that she was brand new and asked Mr. Billy Vallie if she should disclose both crimes on her application. She stated that Mr. Vallie told her to only put the most recent one on her application. She completed the application and did not think any more of it; however, in retrospect, she would not make that mistake again. She further explained that, since she moved to Nevada ten years ago, her lifestyle has changed completely and that she has not had any legal issues. Ms. Gonzales stated that she enjoys this industry and would like to continue in it.

Dr. Giddens pointed out that the application was not as clear as it could be. There has been repetition recently of crimes not being disclosed so maybe the forms need to be updated. Ms. McGee agreed that the forms need to be updated and asked the Board for permission to update the forms. The Board agreed that Ms. McGee could update the forms.

Ms. McGee stated that in this case it is not about the age of the crime as much as the crime was not disclosed. She agreed there is a pattern of nondisclosure. She wasn't sure if this was also perhaps because a previous precedent has been that if a crime was not disclosed, an applicant could immediately reapply and did not have to wait. She does not want to impact the industry's ability to hire but thought that perhaps applicants who were not as forthcoming would need to wait three or six months before reapplication.

Celena DiLullo asked the Board if they felt they had set precedence with previous applicants in this type of situation and if they needed to stick with that. Dr. Chaney said they should stick with the previous precedent until the forms are updated. Dr. Sharp thanked Ms. Gonzales and noted that a pattern was emerging. He stated that the precedent should be held until forms are updated.

Action: Laura Sussman made a motion, seconded by Dr. Chaney, to deny the current application and ask Ms. Gonzales to reapply with truthful and complete answers. The motion passed unanimously.

5. Discussion, recommendation, and possible action regarding a funeral arranger application for Aaronya Lee. (For possible action.)

Dr. Giddens recused himself from this agenda item.

Ms. McGee stated that Ms. Aaronya Lee submitted a Funeral Arranger application on August 22, 2024. In that application, Ms. Lee disclosed a felony conviction to assault with a deadly weapon resulting from an event in 2014. Ms. McGee further explained that the background check indicated that Ms. Lee had been convicted of five crimes: burglary first degree (felony), assault with a firearm (felony), possession of a firearm by a felon (felony), misdemeanor battery and vandalism. Ms. McGee stated that all five crimes resulted from the same event in 2014, and that Ms. Lee entered a plea agreement in 2016, the result of which was a conviction for these crimes. Ms. McGee explained that, because Ms. Lee submitted a criminal history reporting form listing only the assault with a firearm, Ms. McGee asked Ms. Lee to submit a criminal history report form for each charge and include a statement as to why the other convictions were not initially disclosed.

Ms. McGee stated that, pursuant to NRS.642.362 and NAC 642.085, the Board must consider whether an applicant is of good moral character and may consider criminal history in making that determination. The Board's operating procedures provide that staff may approve applications if criminal history is older than seven years. With respect to this application, the convictions were eight years ago, and the convictions were for an event that occurred ten years ago. Ms. Lee was released from prison and placed on parole in 2020.

Ms. McGee further stated that NAC 642.085(2) provides that in making an initial determination of good moral character, the Board will consider any aggravating or mitigating circumstances. Ms. Lee has provided her release documents, three character references, and a personal statement regarding her history. Ms. Lee was sentenced to five years in state prison in addition to paying fees and fines. She was released on parole on September 11, 2020, which was an early release.

Dr. Sharp asked if there was an issue with things not being reported correctly on the application. Ms. McGee stated that Ms. Lee had told her she had listed the most egregious of the crimes, assault with a deadly weapon, and that the form did not provide enough space for the other charges. Ms. McGee stated that this may not have been intentional nondisclosure and that the concern is the recency and severity of the crimes.

Chairman Sharp recognized Aaronya Lee. Ms. Lee explained that her criminal history is not a reflection of who she is as a person and that this was an isolated incident between her and her domestic partner. Ms. Lee stated that nobody was harmed during the altercation. Ms. Lee explained that she was carrying a gun because three of her six children had been shot, one of whom passed away. Ms. Lee explained that she was living in a bad neighborhood and that she wanted to be able to protect herself and her children. Ms. Lee stated that she and her partner got into an altercation and the neighbors called the police. She explained that when the police arrived, she had a gun in her possession. Ms. Lee stated that she and her partner are still together and raising her children. She fought the case for two years and ran out of money for legal assistance, at which time she accepted the plea agreement she was offered. Ms. Lee stated that she came to Nevada to take care of her dad, and that, after he passed, she decided to pursue her lifelong dream of working the death industry. She further stated that she wants to help families during their most vulnerable times.

Dr. Chaney thanked Ms. Lee for coming to the Board and giving insight. He believes in second chances and in looking over the application, feels that Ms. Lee has taken the right steps with a good establishment.

Laura Sussman thanked Ms. Lee and asked Ms. McGee if all charges had been disclosed initially if this application would have been approved at staff level. Ms. McGee responded that had all the charges had been disclosed, this matter would still have been brought before the Board due to the severity of the charges and mitigating circumstances.

Dr. Sharp thanked Ms. Lee for her vulnerability and for appearing before the Board. He requested that, if there were no other questions or discussion, a motion be made.

Action: Dr. Chaney made a motion, seconded by Celena DiLullo, to approve the funeral arranger application submitted by Aaronya Lee. The motion passed unanimously.

6. Discussion, recommendation, and possible action regarding Consent Decree in Case No FB22-19, Kristin Anderson, FD860, former Managing Funeral Director for Desert Memorial EST46. (For possible action.)

Chairman Sharp recognized Deputy Attorney General Matthew Feeley. Attorney Feeley summarized the proposed consent decree agreed to by Kristen Anderson, a licensed funeral director who was the Managing Funeral Director of Desert Memorial in 2022. Mr. Feeley stated that the incident started on March 28, 2022 when respondents accepted cremated remains to be scattered. Respondent engaged in unprofessional conduct when she misrepresented that remains would be scattered before summer and failed to have that done. Respondent engaged in unethical practice contrary to the public interest by never having the cremated remains scattered within the seven months she was employed at Desert Memorial. Attorney Feeley explained that a consent decree was reached in which the respondent would pay a \$200 fine with no grace period. The full terms are provided in the document provided. Attorney Feeley expressed that this was only a summary and that the full terms are included in the consent decree included in the materials before the Board. Mr. Feeley recommended that the adjudication agreement be accepted and submitted it for consideration.

Action: Dr. Giddens made a motion, seconded by Laura Sussman, to accept the terms of consent decree as presented. The motion passed unanimously.

7. Discussion, recommendation, and possible action regarding Consent Decree in Case No. FB23-19, Kraft Sussman EST130. (For possible action.)

Chairman Sharp recognized Deputy Attorney General Matthew Feeley who presented a summary of the proposed consent decree entered with Kraft Sussman. Attorney Feeley stated that that respondent held a permit as a funeral establishment at 3975 S. Durango Drive, Suite 104 in Las Vegas, 89147. Respondent employed a funeral director, Brandy Hall, who met with a customer on June 29, 2023 to arrange transportation of a decedent to Los Angeles for a funeral to be held on July 3, 2023. Respondent itself and through its funeral director, engaged in unprofessional conduct when the funeral director misrepresented that she would have the decedent transported via Delta Cargo and then failed to have that done. The decedent could not be transported via Delta Cargo because he was not taken to the airport on time despite Delta sending the funeral director a confirmation email directing her to make sure that the decedent was delivered to the airport at a specific time. The respondent agreed to payment of a \$500 fine within 60 days of the Board's acceptance of the consent decree. Attorney Feeley stated that this

is a summary of the primary terms and that the full terms are provided in the document itself. Attorney Feeley submitted the terms for the Board's consideration.

Laura Sussman stated that while she is no longer affiliated with Kraft Sussman, she would recuse herself.

Action: Celena DiLullo made a motion, seconded by Jeff Long, to accept the terms of the consent decree. The motion passed unanimously.

8. Discussion, recommendation, and possible action regarding Consent Decree in Case No. FB23-19, Brandy Hall FD944, former Managing Funeral Director for Kraft Sussman EST130. (For possible action.)

Chairman Sharp recognized Deputy Attorney General Matthew Feeley who presented a summary of the consent decree and explained that this case is based on the same facts as set forth in agenda item 7, the difference being that the previous was for the establishment and this item is pertaining to the managing funeral director. Attorney Feeley stated that Brandy Hall, a licensed funeral director, was the managing funeral director for Kraft Sussman during the times relevant to this matter.

Respondent Hall made the arrangement with the complainant and ultimately engaged in unprofessional conduct when the funeral director misrepresented that she would have the decedent transported via Delta Cargo and then failed to have that done. The decedent could not be transported via Delta Cargo because he was not taken to the airport on time despite Delta sending the funeral director a confirmation email directing her to make sure that the decedent was delivered to the airport at a specific time. Based on those facts, the consent decree has been entered, subject to the Board's approval, subjecting Respondent Hall to a \$500 fine. Attorney Feeley stated that this was a summary of the primary terms of the consent decree and that the full terms are provided in the document itself. Attorney Feeley requested that the Board accept the consent decree and submitted the consent decree for the Board's consideration.

Chairman Sharp recognized that Laura Sussman recused herself regarding this matter.

Action: Dr. Giddens made a motion, seconded by Dr. Chaney, to approve the agenda item as presented. The motion passed unanimously.

9. Discussion, recommendation and possible action regarding the written plan concerning communication with customers and the public pursuant to the Order issued in Case No. FB23-10, In the Matter of McDermott's Funeral and Cremation Service, a Funeral Establishment, and Christopher M. Grant, a Funeral Director. (For possible action.)

Chairman Sharp recognized Stephanie McGee who stated that the order in Case FB23-10 was issued on July 30, 2024, and required Respondent Chris Grant to personally or virtually appear before the Board to present his written plan regarding communication with customers and the public. Mr. Grant appeared at the meeting on August 14, 2024, and presented his plan. The Board considered Mr. Grant's presentation on August 14, 2024, and requested that Mr. Grant further update his plan and return before the Board during this meeting to present the updates.

Chairman Sharp recognized Chris Grant and thanked Mr. Grant for putting in so much time and effort, as well as for working with Dr. Giddens to make the requested updates.

Mr. Grant thanked Dr. Giddens for his assistance and for sharing forms, which Mr. Grant used as templates to update the McDermott's cremation authorization regarding visitation and viewing. Mr. Grant described the changes he made to his forms and to his procedure regarding whether a family may view a decedent. Mr. Grant stated that before a viewing can be scheduled or approved, he personally assesses the condition of the body before he recommends whether a family should view the body or not. Mr. Grant explained that, he tells the family the condition and, if a family still insists on viewing against his recommendation, he has a form for them to fill out acknowledging the condition.

Dr. Sharp asked if the forms had been used and if the results were what were needed. Mr. Grant responded that the forms are in use, that there have not been any issues with the forms, and that the forms spell out for the family what to expect. Mr. Grant further stated that the forms also provide protection for him, as there is a written record of what the family requested.

Dr. Sharp noted that as a public member of the Board, he believes that it is helpful to have the family understand the condition of the body and to decide whether to view the body, especially if McDermott's does not consider the body to be in a viewable condition.

Ms. Sussman noted that this may have been a challenging experience for Mr. Grant and thanked him for preparing the documents and providing better service to the public.

Dr. Chaney thanked Mr. Grant for making the adjustments and working with Dr. Giddens. He encouraged Mr. Grant to ask for support as he needs it. Mr. Grant said that while funeral homes are competitors, they are in the same business and the service is what matters. They can all learn from each other.

Ms. McGee noted that the reason this was on the agenda is to make sure that this presentation is within compliance of the Board's request.

Action: Dr. Chaney made a motion, seconded by Dr. Giddens, to accept the necessary changes to McDermott's communication plan pursuant to the Order in case number FB23-10 and consider the Respondents in compliance. The motion passed unanimously passed.

10. Update regarding the status of the Mortuary Science Program at the College of Southern Nevada (CSN), Cassie Gentry, Department Chair – Health Related Professions, CSN Engelstad School of Health Sciences. (For information only.)

This item was heard before Item 4 of this agenda. Cassie Gentry was joined by Dean Dr. Janice Glasper, and Denita Simons, Executive Director of the CSN Foundation. Ms. Gentry presented updates regarding CSN's Funeral Services Program, an associate of applied science degree program and is a two-year degree. Ms. Gentry stated that the program is a limited entry process, meaning prerequisites are required and a student must then apply to the program. The first application deadline is June 1, 2025, for the fall 2025 semester. Position for program director/instructor is currently open, three applicants. The position should be filled by January or February 2025 to allow the director to review the curriculum, become knowledgeable with the accreditation standards, and to prepare to offer the program in the fall semester. Health program advisor met with seven students with two more scheduled. CSN plans to accept 10 students for first cohort. CSN plans to take 10 to 15 students per year in the program.

Dean Glasper added that the marketing team at CSN to market the program in various publications related to the program and that information is posted on CSN's website. She stated that CSN is looking forward to moving forward with this program to support the local employers and is excited to recruit a program director and learners interested in this discipline.

Danita Simons, CSN Foundation, stated that they are diligently working to raise funds for this program. Ms. Simons thanked Celena DiLullo and Palm for their generous gift and noted that they are seeking additional funding.

Dr. Giddens asked if any funeral laws need to be modified to align with the needs of the school. Ms. Gentry said that the laws have been reviewed, and she does not believe any laws need to be modified. Once the program director has been hired, CSN will review these laws again to ensure there are no contradictions. The school will be following the standards set by the Board of Funeral Education. Ms. Gentry noted that there is a statute regarding an apprentice statute for one year that CSN may come back to the Board to ask for a change to allow students to get to work faster coming from an accredited school.

Dr. Sharp asked if program will be accredited. Ms. Gentry stated that the program will be applying for accreditation. She stated that the accreditation program is complex. It is their number one priority for the program director upon hire. There are several steps required before the program is eligible for accreditation. Dr. Sharp asked if the first few graduating classes will be able to obtain employment in Nevada even if the program is not an accredited program at that time. Ms. Gentry stated that CSN's plan is to apply for accreditation right away, so that the program participants who would start the program in 2025 would graduate in 2027 from an accredited institution and would be eligible for licensing.

Dr. Chaney gave congratulations in advance for this program. He asked if the school has reached out to any Board members for assistance in moving forward and getting the program accredited. Ms. Gentry stated that the school has been working with Celena DiLullo and Palm Mortuaries to ensure they will be meeting community needs. They are open to working with others and the program will have a Community Advisory Committee.

Celena DiLullo thanked the staff members of CSN for their efforts. Laura Sussman agreed.

11. Financial Reports (For information only.)

Chairman Sharp recognized Stephanie McGee who presented the financial statements. Ms. McGee stated that the financial statements are included in the packet and provided an overview of the reports. Ms. McGee specifically noted that the year to date examination revenue is 36.25% of the budgeted amount and that background checks were 45% of our budget, both of which could indicate a rise in future applications. Ms. McGee further noted that legal and miscellaneous fees are up due to the hearing in Case FB23-10.

Ms. McGee presented the Sales by Customer Report, which reflects the regulatory fees through the end of September. Ms. McGee explained that blanks indicate entities that have not yet paid their fees for a given month. Ms. McGee cautioned that this report does not reflect the death rate because social service cases are not considered.

12. Report from Executive Director, Stephanie Bryant McGee (For information only.)

Chairman Sharp recognized Stephanie McGee to present the Executive Director Report. Ms. McGee noted that report is included in the materials. Ms. McGee stated that, after the packet was prepared, the Legislative Committee approved Board-adopted changes to Nevada Administrative Code Chapter 642 to require that regulatory fees are due on the last calendar day of the month following the recording month. Ms. McGee stated that the regulatory fee reporting form will be updated accordingly and shared with all entities.

Ms. McGee reported that she received a call from Mike Hixenbaugh, a national reporter with NBC, who was inquiring about the regulation of body brokers in Nevada.

Ms. McGee further reported that the legislative session will be in February. She reported that she will be monitoring legislation for impact on the Board. Ms. McGee specifically highlighted Bill Draft Request (BDR) 301, regarding reorganization boards and commissions.

13. Discussion regarding future agenda items and future meeting dates (For possible action.)

Wednesday, February 12, 2025, at 9 a.m.

Wednesday, May 14, 2025, at 9 a.m.

Wednesday, August 13, 2025, at 9 a.m.

Wednesday, November 12, 2025, at 9 a.m.

No conflicts noted at this time.

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)

Chairman Sharp recognized Chris Grant who inquired about agenda item 6 and wanted to know why the facility was not involved in the consent decree, as they were in items 7 and 8. Deputy Attorney General Matthew Feeley responded that he is not able to fully discuss this as the question is regarding an agreement between the Board and the respondent. Attorney Feeley stated that the public comment is not the best venue for this question. Mr. Grant said that was fine, he was just wondering if he had missed information.

There were no other public comments.

15. Adjournment (For Possible Action)

Chairman Sharp adjourned the meeting at 11:20 a.m.