



STATE OF NEVADA  
**FUNERAL AND CEMETERY SERVICES BOARD**

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MINUTES

**Wednesday, May 15, 2024**

The meeting was held via video conference and teleconference through Zoom Meetings and physically at the Board's office in Reno.

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

Chairman Randy Sharp called the meeting to order at 9:00 a.m. Executive Director Stephanie McGee called roll and confirmed that a quorum was present.

**Board Members Present**

Dr. Randy Sharp, Chairman  
Kim Kandaras, Treasurer  
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 to public comment. There were no comments.

**3. Consent Agenda (For Possible Action)**

Chairman Sharp called for consideration of the items on the consent agenda and whether any Board member wanted to pull any item for separate discussion.

- A. Discussion, recommendation, and possible action regarding review and approval of minutes of the Board meeting on February 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) Direct Cremation Facility Permit for Simple Cremation, DC103L, located at 900 S. Rancho Drive in Las Vegas. Lori Siuba, FD976, as Managing Funeral Director. Temporary approval effective March 18, 2024.
  - 2) Direct Cremation Facility Permit for Perfect Cremation, DC104L, located at 1961 Whitney Mesa in Henderson. Larnique Mickens, FD949, Managing Funeral Director. Temporary approval effective April 22, 2024.

- 3) Establishment Permit for Pulido Funerals, EST142, located at 3390 S. Sandhill Road in Las Vegas. Peter Pulido, FD964, Managing Funeral Director. Temporary approval effective April 22, 2024.
- 4) Establishment Permit and Crematory License for The Gardens Funeral Home, LLC, EST143 and CRE119, located at 2949 Austin Highway in Fallon. Loretta Guazzini, FD600, Managing Funeral Director. Temporary approval effective April 22, 2024.

Kim Kandaras asked for clarification on the minutes from the previous meeting (Agenda Item 3A), as to whether the minutes needed to include more details for items 4 and 5 of the February 14, 2024, meeting. Stephanie McGee and Matthew Feeley clarified that minutes equate to summaries instead of transcriptions but can be fleshed out if desired. Ms. Kandaras stated that as long as minutes remained consistent this was satisfactory.

**Action:** Laura Sussman made a motion to approve all items on the Consent Agenda. Celena DiLullo seconded the motion. The motion passed unanimously.

**4. Discussion, recommendation, and possible action regarding a presentation by Fred Olmstead, General Counsel, Nevada State Board of Nursing regarding adding Licensed Practical Nurses to list of individuals who can pronounce death. (For possible action.)**

Fred Olmstead stated that at present Licensed Practical Nurses (LPNs) are not currently able to pronounce death. He noted that the Nevada State Board of Nursing has reported that many deaths occur in long-term care facilities, which often employ LPNs but where Registered Nurses (RNs) are not always present. The State Board of Nursing will propose a statutory change during the 2024 legislative session to allow LPNs to pronounce death.

Mr. Olmstead explained that the Federal Government has proposed a rule that would require RNs to be onsite at long term care facilities 24 hours a day, but that this law has not passed at this time. Mr. Olmstead further commented that, if the federal law were to pass, the law would raise the cost of long-term care facilities. If the federal law changes, the Nursing Board's proposed statutory change regarding LPNs may not be required.

Chairman Sharp asked about advantages to having LPNs declare death. Mr. Olmstead replied that this could speed up the process of processing a death case. At present, LPNs must call an RN to the scene to pronounce death, which can cause a delay. This proposed change would shorten the timeline and not require an RN to come into the facility.

Celena DiLullo asked whether this means LPNs could pronounce death but not sign death certificates. Mr. Olmstead stated that an LPN could not sign a death certificate and that a physician's signature would be required. Ms. DiLullo commented that requiring a physician's signature will still cause delays.

Kim Kandaras asked about the difference in qualifications between an RN and an LPN. Mr. Olmstead explained that an LPN must complete one year of education while an RN requires three to four years of education and a bachelor's degree. Mr. Olmstead explained that an LPN cannot complete an RN-level assessment, as an LPN can only gather data and conduct a limited assessment and must report the assessment to an RN in certain instances.

Laura Sussman stated that the closer we can get to an accurate time of death that is listed on death certificate the better it is for families. Previous cases included death being pronounced on the following day due to RN not being available.

Jeff Long asked if this is common practice in other states with LPNs and RNs. Mr. Olmstead stated that research is still being conducted, but current answers seem to be half and half. Mr. Olmstead further explained that it is important for the language to be acceptable, even if it means waiting for the 2027 legislative session. Mr. Olmstead is willing to present at a future Board meeting, when the proposed legislation is further developed.

**Action:** Chairman Sharp suggested tabling this until Mr. Olmstead can provide an update. The Board agreed.

Chairman Sharp suggested next considering Agenda Item 10, as there were representatives of the College of Southern Nevada in attendance. There were no objections. Item 10 was presented and discussed prior to Item 5.

**5. Public Hearing on Proposed Regulations. The Board will receive and hear all public comment regarding LCB File Number R143-23 for changes to Nevada Administrative Code Chapter 642. Public comments may be made in person or submitted in writing. (For possible action.)**

Chairman Sharp called the hearing to order at 9:30 a.m. and asked for public comments on the regulation. Chairman Sharp explained that the purpose of the hearing was a continuation of the regulation promulgation process. The floor was opened for public comment. There were no public comments. Chairman Sharp closed the hearing at 9:32 a.m.

**6. Consideration of public comment and possible adoption of LCB File Number R143-23. The Board will consider all public comments received regarding the proposed regulatory changes under agenda item 5. This agenda item may involve the Board proposing changes to the regulation after consideration of all public comments and determining whether to adopt the regulation. (For possible action.)**

Chairman Sharp noted there are no public comments regarding this regulation and that this is the opportunity for the Board to discuss the final regulation for adoption.

Stephanie McGee presented an overview of the regulation and reminded the Board that in a workshop at the November 2023 meeting, Kim Kandaras commented that the due date for regulatory fees of the 15<sup>th</sup> of each month is not ideal for corporate-owned entities and should be changed to the last day of the month. Ms. McGee reminded the Board that this regulation solidifies that regulatory fees are due each month, the date that these fees are due, and what needs to be filed.

Ms. McGee stated that there were no written submitted comments for these items.

**Action:** Kim Kandaras made a motion to amend the proposed due date to be the last calendar day of the month. Dr. Raymond Giddens seconded the motion. The amendment to the regulation was unanimously passed.

**Action:** D. Edward Chaney made a motion, seconded by Laura Sussman, to adopt the regulation as amended. Laura Sussman seconded the motion. The motion passed unanimously.

**7. Discussion, recommendation, and possible action regarding the funeral arranger license application submitted by Sergio Martinez Ramos. (For possible action.)**

Stephanie McGee stated that on February 14, 2024, the Board received a Funeral Arranger application from Sergio Martinez Ramos. In his application, Mr. Ramos answered “no” to the questions of whether he had ever been convicted of, pled guilty or *nolo contendere* to violations of any laws. A background check was ordered, pursuant to licensing procedures.

Mr. Ramos contacted the office to inquire about the status of his application. Ms. McGee informed Mr. Ramos that background checks are sometimes delayed if there is criminal history that must be researched by the reporting company. Mr. Ramos then disclosed that he had been convicted of a misdemeanor that occurred in 2019. Mr. Ramos submitted a criminal history report to supplement the application for this incident.

Ms. McGee further stated that when the background check report was received, the report noted additional convictions that had not previously been disclosed by the applicant. Ms. McGee contacted Mr. Ramos, who then provided additional Criminal History Report Forms for each conviction non the background report. Ms. McGee said that, if these convictions had been disclosed at the time of the application, the application for Mr. Ramos could have been approved at a staff level. However, because the applicant did not disclose the criminal history and answered “no” to the criminal history question on the application, this matter has been brought before the Board.

Ms. McGee stated that, in the past, when criminal convictions were not disclosed, the Board would require the applicant to reapply with truthful answers. Upon receipt of a subsequent application, the application would be reconsidered by either staff or the Board, based on the Board’s procedures and preference.

D. Edward Chaney asked to hear from Mr. Ramos. Mr. Ramos apologized for his criminal record and false report and noted that some of the instances were minor. He wanted to do things correctly.

Chairman Sharp asked if Mr. Ramos was currently employed in the industry. Mr. Ramos confirmed that he is employed at Casa La Paz Funeral Home as manager. Ms. Sussman confirmed with Ms. McGee that the prior convictions Mr. Ramos had would not disqualify him from being a manager at a funeral home.

Ms. McGee confirmed that not being honest on an application may be considered by the Board in determining whether the applicant is of good moral character. Ms. McGee noted that none of Mr. Ramos’ previous crimes were directly involved with the funeral industry.

Laura Sussman noted that the funeral industry needs to stand on honesty and therefore did not want to move forward with the application as it stands.

Chairman Sharp asked for suggestions based on the options to deny the application or to ask Mr. Ramos to reapply with honest answers. Ms. Sussman stated she would like Mr. Ramos to reapply with truthful answers.

Dr. Raymond Giddens suggested that Mr. Ramos also supply letters of support regarding behavior in recent years.

Kim Kandaras stated that she agreed with Ms. Sussman and asked if a license could be issued on a probationary term. Ms. McGee confirmed that would be an option. Ms. Kandaras suggested that there be a period of time before the applicant could reapply, and then the Board could consider a probationary license.

Chairman Sharp noted that the next meeting is in August and asked Ms. Kandaras if she felt this would be enough time to go by to reconsider the application. Ms. Kandaras asked when the last conviction was. Ms. McGee clarified that the most recent conviction was for an incident that took place in 2022 and that the case was closed by the court in April 2023.

Ms. Kandaras suggested that, given how little time had passed since the most recent conviction, that the application be reconsidered at the first meeting in 2025.

Ms. McGee commented that, in similar cases, the Board had historically denied the application and required the individual to file a new application with honest answers.

**Action:** Laura Sussman made a motion, seconded by Kim Kandaras, that the current application be denied, and that the applicant may submit a new application reapply in 2025 and that the individual must include with his application two letters of personal reference. The motion passed unanimously.

**8. Discussion, recommendation, and possible action regarding continuing education approval for Jenna Dumas and Monica Myles, the Nevada Donor Network 2024 Funeral Home Symposium, requesting 4 continuing education units (CEU's). (For possible action.)**

Stephanie McGee stated that she reviewed the course materials and that the request meets the technical requirements for approval. Monica Myles of the Nevada Donor Network was present and offered to take questions or provide an overview of the symposium. Celena DiLullo stated she attended the symposium in the past and that it was very informative. Dr. Giddens concurred.

**Action:** Dr. Raymond Giddens made a motion, seconded by Celena DiLullo, to approve the continuing education course as requested. The motion passed unanimously.

**9. Discussion, recommendation, and possible action regarding disciplinary hearing on Complaint for Disciplinary Action and Notice of Hearing In the Matter of McDermott's Funeral and Cremation Service, a Funeral Establishment, and Christopher M. Grant, a Funeral Director. This agenda items may include review and consideration of any motions and may include review and consideration of a settlement agreement or consent decree if one is presented. (For possible action.)**

Chairman Sharp stated this matter was brought before the Board regarding case number FB23-10. Chairman Sharp noted that neither the respondents nor any counsel for respondents were present.

Deputy Attorney General Matthew Feeley stated that a formal complaint had been filed in this matter and that the matter had been set for hearing during this meeting. Mr. Feeley noted that Mr. Grant submitted via email to Stephanie McGee a request for a continuance for this hearing. Mr. Feeley said he felt the reason was satisfactory. He said this hearing could be continued until the next quarterly Board meeting or on another date that would work for the Board.

Dr. Raymond Giddens asked if any action could be taken regarding Chris Grant or his staff to prevent other similar instances from occurring before the matter is heard. Mr. Feeley stated that until the matter was heard by the Board, the Board could not impose discipline. Mr. Feeley stated that he stood behind the complaint but did not want to enforce anything prior to a hearing on this matter.

Dr. Giddens suggested that a special meeting be held since this occurred over a year ago and the family deserves closure. Laura Sussman concurred.

Jeff Long asked if Mr. Feeley was in contact with the Berryhill family. Ms. McGee said she had been in contact with Mr. Berryhill every few weeks and that Mr. Berryhill wanted this matter resolved as it had been over a year since his wife's death.

D. Edward Chaney agreed that a special meeting would be good and that perhaps there is a way to monitor the situation in the meantime.

Kim Kandaras asked if Mr. Berryhill had received a refund. Ms. McGee said that, to her knowledge, no refund had been given. Ms. Kandaras stated her support for a hearing as soon as possible.

**Action:** D. Edward Chaney made a motion, seconded by Kim Kandaras, for a special meeting on the soonest possible date. The motion passed unanimously.

**10. Report on status of the Mortuary Science Program at the College of Southern Nevada. (For information only.)**

Dr. Janice Glasper presented a report on the status of the College of Southern Nevada's Funeral Service Program. She stated that the Board of Regents approved the program unanimously. The College of Southern Nevada is working with vendors and finalizing the budget for the program to be available for enrollment in Fall 2025.

Dr. Raymond Giddens asked if Dr. Glasper had any recommendations for the Board regarding any statutory or regulatory changes. Dr. Glasper responded that recommendations will be prepared and submitted to the Board.

**11. Discussion, recommendation, and possible action regarding the FY25 budget (For Possible Action)**

Stephanie McGee presented the proposed fiscal year 2025 (FY25) budget, noting that the proposed expenditures were \$12,000 less than anticipated revenue. She noted that the fiscal year 2024 (FY24) budget presented in June 2023 indicated that the expenditures were \$65,000 over anticipated revenue. Ms. McGee stated that she was able to reduce costs in several areas, as well as keeping the administrative assistant/licensing technician position open for several months to make up for payroll expenditures incurred in early FY24. Ms. McGee explained that

regulatory fees are the largest revenue source and that projections are based on year-to-date FY24 extrapolated forward through the end of the fiscal year.

Chairman Sharp asked if travel is for the executive director and the inspector to attend conferences or training as well as to conduct inspections. Ms. McGee confirmed that the budget anticipates 8 trips to Las Vegas each year.

Laura Sussman asked about proposed licensing software. Ms. McGee said that a licensing system is not currently contemplated in the proposed budget.

**Action:** Kim Kandaras made a motion, seconded by Raymond Giddens, to approve proposed budget as presented. The motion passed unanimously.

## **12. Discussion, recommendation, and possible action regarding cost-of-living adjustment (COLA) and retention bonus. (For possible action.)**

Stephanie McGee stated that the Board may consider cost of living adjustment (COLA) each year. Ms. McGee explained that, given current inflation and data, a COLA of 3.5% is appropriate. The cost of the proposed COLA would be \$8,329 for all positions.

Ms. McGee reminded the Board that, in FY24, the Board approved retention bonuses of \$600 per employee for individuals actively employed on June 30 and December 31, 2023. Ms. McGee proposed quarterly retention bonuses for FY25 in the amount of \$250 for each actively employed individual on September 30, 2024, December 31, 2024, March 31, 2025, and June 30, 2025.

Kim Kandaras agreed that this was a fair COLA adjustment and retention bonus. Ms. Kandaras asked how long the State had approved the retention bonuses. Ms. McGee stated that retention bonuses were not currently proposed by the State after FY25. Ms. McGee stated that the State has enacted a law for longevity pay of \$100 per month for every ten years a person is employed.

Ms. Kandaras asked if these bonuses were in the proposed budget approved in Item 11. Ms. McGee said that the COLA and retention bonuses were not in the proposed budget.

**Action:** Kim Kandaras made a motion, seconded by D. Edward Chaney, to approve COLA and retention bonuses as presented. The motion passed unanimously.

## **13. Financial Reports (For information only.)**

Stephanie McGee presented the financial statements to the Board, including the regulatory fee report. Ms. McGee noted that the regulatory fees collected to date are consistent with the anticipated revenue for the year and that compliance rate for filing of regulatory fee reports and timely payment of fees has improved.

Kim Kandaras had no questions but wanted to commend and thank Ms. McGee for everything she has done the past year without administrative help. With Ms. McGee managing the office and handling license renewals by herself, she was able to save the budget from the anticipated \$65,000 shortfall anticipated in FY24. Celena DiLullo and Laura Sussman agreed.

## **14. Report from Executive Director, Stephanie Bryant McGee (For information only.)**

Stephanie McGee presented highlights from her written report, which was included with the meeting materials. Ms. McGee reported that, as of May 7, 2024, the Board has 413 individual licensees and 127 facility licensees.

With respect to legislation, the Board's authorization to obtain criminal history background reports from the Federal Bureau of Investigation remains pending. Until the FBI approves the language in AB503, the Board will continue to order background reports through SentryLink, a third party research facility.

Ms. McGee reported that the Crematory Association of North America has released a natural organic reduction certification course in addition to its crematory operator course. She explained that the laws being passed vary from state-to-state. The Nevada legislature added natural organic reduction as a type of cremation. However, other states have not considered this a type of cremation. Therefore, CANA created a separate course.

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

Wednesday, August 14, at 9 a.m.  
Wednesday, November 13, at 9 a.m.  
Wednesday, February 12, at 9 a.m.

Board members stated no conflicts for upcoming dates. There will be a live meeting in Reno in November, location not yet decided, and the others will be over Zoom.

**16. 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)

No public comment.

**17. Adjournment (For Possible Action)**

**Action:** D. Edward Chaney made a motion, seconded by Laura Sussman, to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 10:46 a.m.