



STATE OF NEVADA
FUNERAL AND CEMETERY SERVICES BOARD
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MINUTES

Wednesday, February 12, 2025, at 9:00 a.m.

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

Laura Sussman called the meeting to order at 9:00 a.m. on Wednesday, February 12, 2025. The meeting was held in Reno and virtually via Zoom. Roll call was taken and confirmed that a quorum was present.

Board Members Present

Laura Sussman, Secretary
Kim Kandaras, Treasurer
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

Board Members Absent

Randy Sharp, Chairman

2. Public comment

Acting Chairperson Sussman 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 November 20, 2024, and December 10, 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) Establishment License for Green Farewells, EST145, located at 3065 N. Rancho Drive, Ste. 176, in Las Vegas. Temporary approval pursuant to NAC 642.080 effective January 6, 2025.
 - 2) Managing Funeral Director Request for Mountain View Mortuary, EST3, proposed managing funeral director Stephanie Shapiro, FD981, effective December 2, 2024. Temporary approval pursuant to NAC 642.080 granted December 3, 2024.

- 3) Managing Funeral Director Request for After NV1, LLC, dba After.com Cremation, DC106L, proposed managing funeral director Paula Rogers, FD1023, effective January 1, 2025. Temporary approval pursuant to NAC 642.080 granted December 17, 2024.
- 4) Managing Funeral Director Request for Palm Downtown, EST17, proposed managing funeral director Matthew Phillips, FD890, effective February 1, 2025. Temporary approval pursuant to NAC 642.080 granted January 24, 2025.
- 5) Managing Funeral Director Request for Palm Eastern, EST27, proposed managing funeral director Michael Roberts, FD968, effective February 1, 2025. Temporary approval pursuant to NAC 642.080 granted January 24, 2025.

Celena DiLullo recused herself from items 3.B.4. and 3.B.5.

Action: Dr. D. Edward Chaney made a motion, seconded by Kim Kandaras, to approve all items on the consent agenda. The motion passed unanimously.

4. Presentation regarding preneed funeral and cemetery licensing by the Department of Business & Industry's Division of Insurance, Insurance Commissioner Scott Kipper. (For information only.)

Insurance Commissioner Kipper provided an overview of the Insurance Division's position regarding funeral and cemetery preneed licensing. Commissioner Kipper stated that he felt that the Division owed the Board and the industry an apology as the Division has, over the last couple of years, distributed different information about who needs a cemetery seller's permit. Commissioner Kipper stated that the Division will issue bulletins to help clear this up. With respect to licensing, Commissioner Kipper stated the following:

- Only a licensed cemetery authority can hold a cemetery seller's permit.
- Only a funeral home can hold a funeral seller's certificate of authority.
- Anyone selling on behalf of either must be employed by a licensed seller to obtain a license.
- The individual agent cannot represent both a funeral home and a cemetery.
- Preneed contracts must be separate and distinct from life insurance contracts.
- Sellers must submit preneed contract forms to Division for approval.

Celena DiLullo asked if a standalone funeral home can sell urns without a cemetery seller's license, as information has been conflicting. Commissioner Kipper responded that the guidance will be clear on that question and that there should not be any question as to whether an entity can sell urns to people. Commissioner stated that the Division would provide absolute clarity as to the answer to that question. Ms. DiLullo asked for clarification that a funeral home could sell urns without the cemetery seller's license. Commissioner Kipper confirmed, though he did not have specifics at this time but that information should be coming out very soon.

5. Discussion, recommendation, and possible action regarding the cemetery certificate of authority for The Gardens Funeral Home, LLC, CEM73, located at 2949 Austin Highway in Fallon. Temporary approval granted December 31, 2024. (For possible action.)

Stephanie McGee stated that the Board received a cemetery application from The Gardens Funeral Home, LLC, in April of 2024. Acquisition of an existing cemetery, formerly owned by The Gardens LLC and now by The Gardens Funeral Home LLC. Brennan Jackson is the sole principal for the Gardens Funeral Home LLC.

Ms. McGee stated that the statutes, specifically, NRS 452.590, provide for approval of an acquisition of an existing cemetery and that the Board may approve the certificate if the Board is satisfied that the proposed owners are qualified by character, experience, as well as business and financial reputability and

responsibility. Ms. McGee explained that the statute prohibits the Board from approving the acquisition of a cemetery without the prior approval of the Division of Insurance and stated that the Division of Insurance approved this application as of December 2024.

Acting Chairperson Sussman recognized Ted Williams as the person proposed to handle the day-to-day activities of the cemetery. Mr. Williams thanked the Board for the temporary approval. Kim Kandaras stated that Mr. Williams worked for Walton's for many years and that she can vouch for his integrity and commitment.

Action: Kim Kandaras made a motion, seconded by Dr. Raymond Giddens, to approve the cemetery application, as presented. The motion passed unanimously.

6. Discussion, recommendation, and possible action regarding continuing education approval for The International Conference of Funeral Service Examining Boards, 121st Annual Meeting and Board/Administrator Training, February 27-29, 2025. Requesting approval for six (6) hours for Board Member Training, two and a half (2.5) hours for Funeral Services Administrators Forum, ten hours and fifteen minutes (10.25) CEU hours for the remainder of the sessions. (For possible action.)

Stephanie McGee stated that on December 20, 2024, the office received an application for approval of continuing education units for each individual education session to be presented at The Conference's annual meeting in February. Ms. McGee stated that the courses and speaker bios submitted meet the technical guidelines for approval by the Board pursuant to NAC 642.015.

Acting Chairperson Sussman remarked that her previous experience at this conference was beneficial both as a Board member and as a funeral director. Dr. Chaney commented that he agreed with Chairperson Sussman and stated that attending the conference was beneficial and insightful. Kim Kandaras agreed that she attended previous events and that the training was wonderful.

Ms. McGee reported that she and Board Member Jeff Long would be attending the conference this year.

Action: Dr. Raymond Giddens made a motion, seconded by Dr. Chaney, to approve the ten and a half hours of training. The motion passes unanimously.

7. Discussion, recommendation, and possible action regarding the funeral arranger application for Mia Guajardo. (For possible action.)

Stephanie McGee explained that the Board's office received the application October 2, 2024, from Mia Guajardo and that, on that application, Ms. Guajardo disclosed a misdemeanor domestic violence charge. As part of that application, Ms. Guajardo checked the box indicating that she had no other crimes to disclose. The criminal history background report indicated that Ms. Guajardo was convicted of two other misdemeanors, one in 2018 and one in 2020.

Ms. McGee explained that the application was being presented to the Board for two reasons: 1) the crimes occurred within the most recent seven years, and 2) the applicant failed to disclose the crimes with her application. Pursuant to the Board's Operating Procedures, staff may only approve applications with criminal history older than seven years.

In addition, Ms. McGee stated that the Nevada Administrative Code provides that, in determining good moral character, two items to consider are: 1) whether crimes are disclosed, and 2) whether, within the previous seven years, the applicant has been convicted of a misdemeanor that could be reasonably construed as having a connection to the person's license. The Board may consider any aggravating or mitigating circumstances.

Acting Chairperson Sussman asked if this was the first time Ms. Guajardo has applied. Ms. McGee confirmed that it was.

Celena DiLullo stated that Ms. Guajardo has worked with her for the last eight or nine years as administrative assistant, now an office manager. Ms. DiLullo stated that she is very comfortable with Ms. Guajardo and has encouraged her to seek this license. Dr. Chaney asked if Ms. DiLullo would consider herself a mentor to Ms. Guajardo. Ms. DiLullo confirmed that she would. Dr. Chaney stated that mentors are needed more in the industry to guide people.

Ms. Guajardo stated that regarding her domestic violence charge, that was a very dark time in her life and her father had recently passed. She stated that she knew there was no excuse, and that she regretted her actions.

Action Chairperson asked Ms. Guajardo if she knew that she was required to include her entire history on the form. Ms. Guajardo said she was not aware of the other charges on her background. She stated that she had thought the obstruction of an officer charge was in 2017, not 2018.

Kim Kandaras thanked Ms. Guajardo for the explanation and stated that Ms. DiLullo vouching for Ms. Guajardo is impactful. Ms. Kandaras stated that she thought that it was important to follow established protocol and to allow Ms. Guajardo to reapply with truthful information.

Celena DiLullo recused herself from this agenda item.

Action: Kim Kandaras made a motion, seconded by Dr. Raymond Giddens, to deny the license based on the current application and to allow Ms. Guajardo to reapply immediately with truthful information. The motion passed unanimously.

8. Financial Reports (For information only.)

Ms. McGee presented the financial statements, including the balance sheet, budget vs actual report of revenue and expenditures, and the report of regulatory fees collected to date. She highlighted that the attorney fees line item reflects the Attorney General's Office legal fees only through September 2024, the last invoice received. She explained that, due to turnover in that office, the billing is behind and that she expects that invoice to be significant.

Ms. McGee stated that a review of regulatory fees has been incorporated into inspection process and that the inspector will ask for a list of signed contracts for certain months within the previous 12 months to reconcile the regulatory fees collected.

Ms. McGee thanked Kim Kandaras for her continued work reviewing the monthly revenue and expenditures.

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

Ms. McGee reported that Beverly's Memorial Chapel, a funeral establishment, closed in December.

Ms. McGee noted that all Board member terms, apart from Dr. Chaney's, are expiring in September 2025, and that Governor Lombardo's office is encouraging interested persons to submit applications for reappointment at this time.

Ms. McGee noted that the legislative session has begun and that she is monitoring legislation. Ms. McGee stated that Senate Bill 78 is the bill providing for funding and more details regarding the consolidation of boards within the Department of Business and Industry. She stated that the bill is in skeleton form and that the bill does not contemplate combining the Board with any other board.

Ms. McGee stated that the Office of Vital Records recently sent out an email regarding recording fetal deaths and inconsistent reporting and provided a recap of the requirements set forth in the email, as follows:

- Records for fetal deaths or still births, as defined at Nevada Revised Statutes 440.070, must be initiated within 24 hours but do not need to be completed in 24 hours.

- These death records are not entirely electronic, and funeral directors will need to communicate with doctors to complete the paperwork.
- Hospitals and funeral homes are equally responsible for reporting stillbirths of 20 weeks or greater.
- Hospitals should be providing written documentation of gestational age to the funeral home.
- Funeral homes must have documented proof of gestational age from the hospital before cremating a fetus.
- A burial permit is required.

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

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

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

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

Wednesday, February 11, 2026, at 9 a.m.

No Board members noted an issue with these dates and times.

Ms. Kandaras asked if there would be an in-person meeting this year. Ms. McGee stated there would be, but it will be in November in Las Vegas. It will be included in the proposed budget at the May meeting.

11. Public comment

Chairperson Sussman opened the floor for public comment.

Dr. Giddens announced that James Jones has passed and that the Funeral Directors and Morticians Association of Nevada is assisting Palm Funeral Home and Thomas and Jones Funeral Home with services scheduled for 10:00 a.m. on February 14 at New Jerusalem Worship Center. Mr. Jones was a mentor to many in the funeral industry. Dr. Chaney acknowledged that James Jones was a great practitioner of the profession and that he had met with Mr. Jones many times. He wanted to acknowledge that he was a great mentor.

Judith Gonzales asked if there were any updates about the College of Southern (CSN) Nevada Funeral Service Program. Ms. McGee noted that representatives of CSN presented at the last meeting and that the minutes approved today will be posted on the website. Ms. McGee stated that CSN will be accepting applications to the program for the fall 2025 semester and, while they are not accredited today, they are hoping to be accredited before the initial class graduates.

There were no additional public comments.

12. Adjournment (For Possible Action)

Action: Dr. Raymond Giddens made a motion, seconded by Kim Kandaras, to adjourn the meeting. The motion passed unanimously.