

WV Board of Funeral Service Examiners

Board Meeting

Stonewall Resort

940 Resort Drive

Potomac Room

Roanoke, WV 26447

Friday June 17, 2022

11:00 a.m.

Members & Staff Present: Eugene Fahey, President, Robert Fields, Vice President, Fred Kitchen, Ron Waybright and John Valentine.

Linda Lyter, Executive Director, Grady Bowyer, Office Manager, Melissa Cyfers, Inspector, Mark Danehart, Inspector and Adriana Marshall, Attorney

Members Absent: Rich Bishoff and Bryan Nichols

Guests Present: N/A

Call meeting to order at 11:05 a.m. by president of board – quorum established.

Motion made by Fred Kitchen to approve the meeting minutes for April 7, April 20 and May 23, 2022. Seconded by Bob Fields. Motion approved.

Motion made by Ron Waybright to go into Executive Session and seconded by Fred Kitchen. Motion approved.

Complaints reviewed and discussed.

Motion is made by Ron Waybright to come out of Executive Session and seconded by John Valentine. Motion approved.

Motion is made by Fred Kitchen to close Complaint # 2022-00 due to being purchased by new owner. Seconded by Ron Waybright. Motion approved.

Complaint # 2022-01 remains open due to licensee expiration date at the end of June. Can potentially be closed at the next meeting if licensee does not try to renew license.

Complaint # 2022-03 A motion is made by Ron Waybright to summon licensee to appear at the next regular scheduled meeting. May attend in person or via Zoom. Seconded by Bob Fields. Motion approved.

Complaint # 2022-06 A motion is made by Bob Fields to close complaint due to no violation of law or probable cause. Seconded by Ron Waybright. Motion approved.

Complaint # 2022-07 A motion is made by Bob Fields for attorney to prepare a consent order and agreement to include: a six-month suspension (to stay) for one year probation, a fine of \$2,500.00, one hour of OSHA continuing education requirement, and an unannounced random inspection on a quarterly basis paid for by the establishment. Seconded by Fred Kitchen. Motion approved.

Complaint # 2022-08 A motion is made by Bob Fields for attorney to prepare a consent order and agreement to include: a six-month suspension (to stay) for one year probation, a fine of \$1,000.00, one hour of OSHA continuing education requirement, and an unannounced random inspection on a quarterly basis paid for by the establishment. Seconded by John Valentine. Motion approved.

Complaint # 2022-09 A motion is made by Fred Kitchen to summon licensee to appear in person at the next regular scheduled board meeting. Seconded by John Valentine. Motion approved.

Complaint # 2022-10 A motion is made by Fred Kitchen to close the complaint due to no violation of law or probable cause. Seconded by John Valentine. Motion approved. Note: Bob Fields recused himself and left the room.

Complaint # 2022-11 A consensus to open and assign a complaint number. Attorney to draft letter. Lyter to contact Diana at Attorney General Pre-need Office for Death Beneficiary Report and General Price List.

Lyter & Bowyer present financial report for April and May. Lyter presents an hourly rate increase for Alice Long and Kendra Zamora from \$12.00 to \$14.00 per hour. A motion to approve the financial report and hourly rate increases is made by Fred Kitchen. Seconded by Bob Fields. Motion approved.

Lyter & Bowyer present P-Card report. A motion to approve the P-Card report is made by Bob Fields and seconded by Ron Waybright. Motion approved.

Executive Director's Report: Discussion of rules updates and submission. Postcards will be mailed out to licensees in coordination with rules. Submission of emergency rules discussed. Crematory operator training discussion of presenting two four-hour versions of the courses. Board consensus below. Discussed the issue of the Conference national exam information and in regard to some states dropping the requirement for state licensure.

Office Manager's Report: License renewal information provided. Annual CE audit discussion for license renewals, reviewed online vs. in person classes.

Lyter discussed being contacted by the WV State Bar regarding unlicensed legal practice by funeral directors. Have been requested by the new executive director to include information relating to this on the Boards website for funeral directors.

Cyfers and Danehart provided inspection reports to the Board. Inspectors are contacting funeral homes in advance and scheduling appointments for an inspection unless it is necessary to do an unannounced inspection. Inspections and follow-ups are going well.

Discussion of mileage reimbursement for inspector. Needs to download Excel spreadsheet to assist with the accurate timely completion and submission of travel forms. Lyter will mail travel direct deposit forms to Danehart. This will also assist in timely receipt of travel reimbursements.

Apprentice reports update. Issue may need addressed at next meeting if apprentice continues to disregard accurately completing and submitting monthly apprentice reports in a timely manner.

Items of Interest/Member Concerns: Online version of crematory operator training – Request by Kimes to offer four hours of this course training to meet the eight-hour requirement. Consensus of the board to offer this to licensees.

The next meeting will be scheduled for August 22, 2022.

Licenses signed by members.

A motion is made by Bob Fields to adjourn the meeting. Seconded by John Valentine. Motion approved.