

**Massachusetts Board of Registration in Embalming and Funeral Directing
Public Session Minutes**

This meeting was held by conference call. Please participate by Phone.

United States (Toll Free): 1 877 568 4106

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Access Code: 499-911-373

At 10:00 a.m. April 21, 2020

Board Members Present:

Paul Phaneuf
Patrick Driscoll
Janet Leombruno
David Brezniak

Staff Members Present:

Michael Hawley, Executive Director
Thomas F. Burke, Assoc. Executive Director
Peter M. Kelley, Board Counsel
Robert Williams, Board Investigator

Board Members Absent:

Richard Gormley

Members of the Public Present:

Margie Nolan

Call to Order:

Mr. Phaneuf called the meeting to order at 10:10 a.m. Executive Director Hawley encouraged callers to identify themselves before speaking and to avoid the use of speakerphone, which may cause feedback and distort conversation.

Review of Minutes:

The Board reviewed staff prepared public session minutes of the meeting held on March 24, 2020.

Mr. Driscoll moved to accept staff prepared public session minutes of the meeting held on March 24, 2020. Mr. Brezniak seconded the motion. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Brezniak: “Yes”, Mr. Driscoll: “Yes”.

The Board reviewed staff prepared executive session minutes of the meeting held on March 24, 2020.

Mr. Brezniak moved to accept staff prepared public session minutes of the meeting held on March 24, 2020. Mr. Phaneuf seconded the motion. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Brezniak: “Yes”, Mr. Driscoll: “Yes”.

Report from Executive Director, Michael Hawley

Mr. Hawley reported that Board staff is working remotely at the present. The public may arrange to meet staff by appointment on a limited basis in light of the emergency order. He recommended that the most expedient way to contact staff is by electronic mail. Mr. Hawley noted that Board staff has received inquiries about the Board approved MFDA Covid-19 bulletin from March 24, 2020 and requested permission to distribute the bulletin in response to public inquiries. The Board granted permission and, in response to Ms. Nolan's concerns, instructed Mr. Hawley and staff to maintain a record of distribution.

Ms. Leombruno joined the meeting at 10:18 a.m.

Report from Board Counsel, Peter Kelley

No report.

Application Review:

Type 6

- Michael Osnoe (Out-of-State)

Ms. Leombruno moved to approve Mr. Osnoe for licensure. Mr. Brezniak seconded the motion. Motion passed by a roll call vote: Mr. Phaneuf: "Yes", Mr. Brezniak: "Yes", Ms. Leombruno: "Yes", Mr. Driscoll: "Yes. Based on prior Board approval to delegate the administration of the oath until the emergency order has ended, Mr. Burke agreed to administer the oath to Mr. Osnoe

Type 3

- Amanda LeBlanc

Ms. Leombruno moved to approve Ms. LeBlanc for licensure. Mr. Driscoll seconded the motion. Motion passed by a roll call vote: Mr. Phaneuf: "Yes", Mr. Brezniak: "Yes", Ms. Leombruno: "Yes", Mr. Driscoll: "Yes.

Funeral Establishment and Type 3

- Avalon Life Celebration Center & Cremation Services Funeral Home
- Jody Darren Newcomb – Type 3 Funeral Director

The Board reviewed the Avalon Life Celebration Center Funeral Home Establishment Certificate application in conjunction with Mr. Newcomb's Type 3 Funeral Director application. Mr. Williams stated that upon inspection the funeral establishment is in compliance and ready to be approved.

After brief discussion, Ms. Leombruno moved to approve both Mr. Newcomb's Type 3 application and the Establishment Certificate application for Avalon Life

Celebration Center & Cremation Services Funeral Home. Mr. Driscoll seconded. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Brezniak: “Yes”, Ms. Leombruno: “Yes”, Mr. Driscoll: “Yes.

Discussion:

- Delegated Approval of Continuing Education Courses

In light of the restrictions on Board staff to work remotely, the Board discussed granting approval, as needed, to the Executive Director and Associate Executive Director to review and approve continuing education course applications.

Mr. Phaneuf moved to delegate the Executive Director and Associate Executive Director to review and approve continuing education course applications until the emergency order has ended and record approval in the Board minutes. Mr. Brezniak seconded. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Brezniak: “Yes”, Ms. Leombruno: “Abstained”, Mr. Driscoll: “Yes.

- Impact of COVID-19

Mr. Hawley reported to the Board that PSI exam testing centers are currently closed. He noted that at the time of the Board meeting three applicants were approved to take WP and JP exams but cannot proceed. Ms. Nolan inquired if exams may be offered as proctored exams and the Board noted that, if possible, the request for proctored exams should come from the applicant. Mr. Kelley stated that the option for proctored exams is not available at present for other Boards and suggested that the Board consider delaying the exam requirement and provide a conditional licensure agreement until emergency order has ended. Mr. Phaneuf concurred and instructed Mr. Hawley to contact Professional Credential Services (“PCS”) to determine what testing options are available. The Board agreed to table the creation of a conditional licensure agreement until Mr. Hawley contacts PCS. The Board discussed the possibility of convening an emergency meeting to address this matter based on Mr. Hawley’s report. Mr. Hawley noted that PCS may accept electronic transcripts if the Board approves.

After discussion, Mr. Driscoll moved to allow PCS to accept electronic transcripts (from the school) and verification statements (from the jurisdiction) directly from the source during state of emergency. Applicants may not submit transcripts and verification statements. Mr. Brezniak seconded. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Brezniak: “Yes”, Ms. Leombruno: “Yes”, Mr. Driscoll: “Yes.

Ms. Nolan inquired if the Board would permit changed price protections in pre-need contracts in light of Covid-19. She speculated that because of the emergency order some funeral establishments may not be equipped to provide visitation hours or burials for the deceased. The Board took her concerns under advisement. Mr. Williams reported that he has encouraged funeral directors to follow Board regulations and DPH and CDC guidelines when conducting services for deceased who may have been infected with Covid-19.

Finally, Mr. Hawley reminded the Board that the public may submit applications electronically and contact the Board to arrange a time for staff to authorize CORI acknowledgement forms.

Compliance Monitoring

The Board reviewed the second monitoring report for April 2020 from Affiliated Monitors, Incorporated (“AMI”) and Mr. John Bresnahan on the status of Graham, Putnam & Mahoney Funeral Parlors (GP&M) and Peter Stefan’s license. Based on their review, the Board requested an update on the recommendations presented by Mr. Bresnahan on page eight of the report as they related to matters of compliance. Mr. Phaneuf instructed the Board staff to request updates. After further discussion, the Board took the following action:

Mr. Phaneuf moved to accept the April 2020 monitoring report. Ms. Leombruno seconded. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Brezniak: “Yes”, Ms. Leombruno: “Yes”, Mr. Driscoll: “Yes.

Open session for topics not reasonably anticipated 48 hours in advance of meeting:

The Board reviewed the transcript of Mr. Albert Reynolds who has submitted a Type 6 Out-of-State application for licensure. The Board determined that, after review of his transcript and application material, Mr. Reynolds possesses the substantial equivalency of associate’s degree and may proceed.

Mr. Phaneuf moved to approve Mr. Reynolds to proceed with his application and exams. Ms. Leombruno seconded. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Mr. Brezniak: “Yes”, Ms. Leombruno: “Yes”, Mr. Driscoll: “Yes.

Mr. Brezniak left the Board meeting at 12:21 p.m.

Closed Session: Investigatory Conferences, pursuant to G.L. c. 112, §65C.

At 12:37 p.m., Mr. Phaneuf moved to suspend the open meeting and enter into closed session to conduct investigatory conferences, pursuant to G.L. c. 112, §65C. Ms. Leombruno seconded the motion. Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Ms. Leombruno: “Yes”, Mr. Driscoll: “Yes.

During the closed session, the Board took the following actions:

- 2020-000257-IT-ENF – Referred to Prosecutions.

At 1:05 p.m., Ms. Leombruno moved to exit closed session and enter open session. Mr. Driscoll seconded the motion. **Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Ms. Leombruno: “Yes”, Mr. Driscoll: “Yes.**

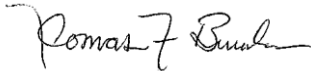
Adjournment

At 1:06 p.m., Ms. Leombruno moved to adjourn the meeting. Mr. Driscoll seconded the motion. **Motion passed by a roll call vote: Mr. Phaneuf: “Yes”, Ms. Leombruno: “Yes”, Mr. Driscoll: “Yes.**

List of Documents used at the meeting:

1. Agenda
2. Minutes from March 24, 2020 meeting.
3. Applications for personal registration
4. Compliance Monitoring Report
5. Board Case

Respectfully submitted,



Thomas F. Burke
Associate Executive Director