



**STATE OF WASHINGTON
DEPARTMENT OF LICENSING
FUNERAL & CEMETERY BOARD
MEETING MINUTES
SPECIAL BOARD MEETING**

DATE: Thursday November 30, 2023
TIME: 9:00 a.m.
LOCATION: Virtual via Microsoft Teams

BOARD MEMBERS: **David Ittner**, Cemetery Member & Chair
Dante Gutierrez-Zamora, Funeral/Embalmer Member & Vice Chair
Pete Cameron, Funeral/Embalmer Member
Constance LeSourd, Cemetery Member
Richard Little, Funeral/Embalmer Member
Cameron Smock, Cemetery Member
Angela Ward, Public Member

STAFF MEMBERS: **Debra Allen-Bâ**, Assistant Administrator
Sydney Muhle, Program Specialist
Susan Nieves, Program Specialist
Pam Griese, Funeral Director & Embalmer Inspector
Grace Hamilton, Investigator

1. Call to Order

Chair David Ittner called the meeting to order at **9:00 a.m.**

2. Roll Call

Program Specialist Susan Nieves conducted Roll Call, and all Board members were present.

3. Approval of Agenda

Board Member Cameron Smock made a **MOTION** to approve the order of the agenda as presented. Board Member Pete Cameron **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

4. Approval of Minutes

4.1. Minutes from August 24, 2023

Board Member Cameron made a **MOTION** to approve the minutes as presented. Vice Chair Dante Gutierrez-Zamora **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

5. Awards/Recognition

5.1. Introduction to New Board, Commission, and Outreach Team Member

Program Specialist Jason Lenn was hired on September 16, 2023, as the Military and Military Spouse Engagement Coordinator.

Mr. Lenn spoke briefly of his background and his new role as the Department of Licensing (DOL)'s Military and Military Spouse Engagement Coordinator.

Mr. Lenn reminded the Board to take the Military Spouse Cultural Competency training that had been sent to the board via email.

6. New Business

6.1. Consideration of an Internship License Extension

The Board will consider a formal request for an extension for Funeral Director Intern License from Danielle Garner.

Program Specialist Sydney Muhle said the requestor was asking for a one-year extension to their funeral director intern license.

Board Member Smock made a **MOTION** to approve Danielle Garner's request for an extension to their funeral director intern license. Board Member Richard Little **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

6.2. Consideration of an Internship License Extension

The Board will consider a formal request for an extension for Funeral Director Intern License from Robyn Watson.

Board Member Little recused himself from discussion and voting of this item and said the requestor was his employee.

Ms. Muhle said the requestor was asking for a two-year extension to their funeral director intern license.

Board Member Smock made a **MOTION** to approve Danielle Garner's request for an extension to their funeral director intern license. Board Member

Cameron **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0, with Board Member Little abstaining.

6.3. National Exam Statistics

Board staff will provide the national exam statistics from The International Conference of Funeral Service Examining Boards Inc. from January 1, 2023, to June 30, 2023.

Ms. Muhle presented the national exam statistics to the Board.

Board Member Smock asked that future exam statistic reports include Mount Hood Community College data.

ACTION ITEM: Staff to include additional requested data in future national exam statistic reports.

6.4. The International Conference of Funeral Service Examining Boards (ICFSEB) Annual Meeting

Board staff will provide details for the upcoming annual meeting and the Board may determine a voting delegate.

Ms. Muhle provided the Board with details of the upcoming ICFSEB annual meeting. She said there was grant money available to cover the attendance costs of one board member. She also said the Board needed to appoint a delegate to attend the meeting and speak on behalf of the Board.

Board Member Little said he would go to the annual meeting regardless of whether he would be funded by the grant. Board Member Angela Ward said she would like to attend. Board Member Cameron said he would not be able to attend.

Board Member Cameron made a **MOTION** for Board Member Little to attend as the Board delegate and be funded by the grant. After discussion, Board Member Cameron **WITHDREW** the motion.

Board Member Cameron made a new **MOTION** for Board Member Ward to attend and be funded under the grant. Board Member Smock **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

Board Member Smock made a **MOTION** to designate Board Member Little as the Board delegate. Board Member Cameron **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

6.5. Discussion and Consideration of Forming an Inspection Committee

Board staff is requesting that the Board take action regarding the formation of an Inspection Committee to advise inspectors on issues that have been raised.

Ms. Muhle said DOL staff recommended an Inspection Committee be formed to hold monthly meetings where DOL Inspectors can ask questions regarding inspections, investigations, and audits.

Vice Chair Guterrez-Zamora and Board Members Smock and Little volunteered to be on the committee.

Board Member Cameron asked whether the committee would provide legal advice. Ms. Muhle clarified that the committee would only provide advice on general questions about common practices/perspectives from current industry professionals.

Ms. Muhle said that Board staff would also be present during meetings to ensure discussions would stay within the committee's purview, and that matters needing full Board discussion would be brought before the Board as appropriate.

Funeral Director & Embalmer Inspector Pam Griese said the committee would provide guidance on general topics, not individual cases.

The Board voted on the **MOTION** to form the Inspection Committee as presented, with Vice Chair Guterrez-Zamora and Board Members Smock and Little as members. It was **APPROVED** by a vote of 7-0.

ACTION ITEM: Board staff to schedule the first meeting, to take place during the month of December, 2023.

6.6. 2024 Meeting Schedule

Board staff will present proposed board meeting dates for 2024 to the Board.

The Board discussed the proposed dates and requested moving the weekday to Wednesday instead of the proposed Thursday and to start each meeting at 10:00 a.m.

Vice Chair Gutierrez-Zamora made a **MOTION** to schedule the 2024 meetings as follows: February 21, May 29, August 28, and November 20 at 10:00 am. Board Member Smock **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

6.7. 2024 Board Goals

The Board will review its established priorities and set goals for 2024.

To accomplish the Board goal of addressing issues regarding pet cemeteries, Chair Ittner suggested establishing a committee to address the scope of pet cemeteries conducting human burials in the state of Washington. Chair Ittner and Board Members Cameron and Smock volunteered to be on the committee.

Board Member Little made a **MOTION** to establish a committee to review the scope of pet cemeteries in Washington state with Chair Ittner and Board Members Cameron and Smock as members. Board Member Ward **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

ACTION ITEM: Staff to schedule the first Pet Cemetery Review Committee meeting.

6.8. Washington Department of Revenue (DOR) 2025 Agency Request Legislation

DOR has requested Board input on proposed legislation clarifying the abandonment period and unclaimed property reporting requirements for prearrangement funeral service contract trusts.

Ms. Muhle provided information on proposed 2024 legislation. She said the proposed verbiage was included in the meeting packet, and that she would provide a copy via email.

Ms. Muhle requested that the Board provide feedback to herself and Ms. Nieves before the end of December 2023.

ACTION ITEMS: Staff to send the proposed legislation to the Board members for further review.

7. Complaint Cases for Review.

Case managers that present their recommendations to the Board shall recuse themselves from voting on the case outcome.

7.1. 2022-02-0216-00CEM (Little)

Board Member Little read the Case Manager Report to the Board as the case manager.

Board Member Cameron asked whether there had been a resolution between the complainant and respondent. Board Member Little said he had not heard of any resolution.

Board Member Cameron made a **MOTION** to close the case with no further action. Board Member Smock **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0 with Board Member Little abstaining as the case manager.

7.2. 2022-09-1337-00FDE (Little)

Board Member Little read the Case Manager Report to the Board as the case manager.

Board Member Smock made a **MOTION** to close the case with a letter of education. Board Member Constance LeSourd **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0 with Board Member Little abstaining as the case manager.

7.3. 2023-03-0372-00CEM (Gutierrez-Zamora)

Vice Chair Gutierrez-Zamora read the Case Manager Report to the Board as the case manager.

Board Member Smock made a **MOTION** to close the case with no further action. Board Member Cameron **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0 with Vice Chair Gutierrez-Zamora abstaining as the case manager.

7.4. 2023-06-1279-00CEM (Smock)

Board Member Smock read the Case Manager Report to the Board as the case manager.

Board Member Little made a **MOTION** to close the case with no further action. Board Member Cameron **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0 with Board Member Smock abstaining as the case manager.

7.5. 2023-07-1590-00FDE (Gutierrez-Zamora)

Vice Chair Gutierrez-Zamora read the Case Manager Report to the Board as the case manager.

Board Member Cameron asked if this situation was a common occurrence for the respondent. Vice Chair Gutierrez-Zamora and Investigator Grace Hamilton confirmed this type of behavior was not reoccurring for the respondent.

Vice Chair Gutierrez-Zamora informed Board Member Cameron that he may need to recuse himself as the respondent was part of a big corporation. Board Member Cameron then recused himself from any further discussion or vote of this item.

Board Member Smock made a **MOTION** to close the case with no further action. Board Member LeSourd **SECONDED** the motion. The motion was **APPROVED** by a vote of 5-0 with Vice Chair Gutierrez-Zamora abstaining as the case manager and Board Member Camron abstaining due to a conflict of interest.

7.6. 2023-07-1386-00FDE (Gutierrez-Zamora)

Vice Chair Gutierrez-Zamora read the Case Manager Report to the Board as the case manager.

Board Member Cameron made a **MOTION** to close the case with no further action. Board Member LeSourd **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0 with Vice Chair Gutierrez-Zamora abstaining as the case manager.

8. Legal Issues for Deliberation

EXECUTIVE SESSION: The Board may, at its discretion, meet in executive session to discuss certain enforcement actions with legal counsel, as allowed by RCW 42.30.110(1)(i). The chair will announce the purpose and estimated duration for the Executive Session. No formal actions will be taken during the Executive Session. Once the Executive Session concludes, the Board will take a break to announce and invite visitors to the Open Session.

8.1. 2021-05-1151-00FDE

Assistant Attorney General Nick Quijas will be presenting a Petition for Reconsideration of Findings of Fact, Conclusions of Law and Default Order.

Chair Ittner turned control of the meeting over to Vice Chair Gutierrez-Zamora and recused himself from this item as the case manager.

At 9:58 am, Vice Chair Gutierrez-Zamora announced that the Board would enter into Executive Session for 15 minutes for discussion with legal counsel.

The Board returned from Executive Session at 10:14 am.

Board Member Smock made a **MOTION** to vacate the default order that was previously approved by the Board, update the legal documents with the missing information, and send those documents to the updated address for the respondent. Board Member Little **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0 with Chair Ittner abstaining as the case manager.

9. Reports

9.1. Committee/Task Force Reports

9.1.1. Licensing Future Task Force Report

Board Member Smock said the Task Force had been looking at different licensing options, including establishing a hybrid role similar to the state of California's funeral arranger license, increasing the functions that fall under the funeral establishment license rather than under an individual funeral director license, removing the five-year cap on internships, and substituting practical experience in lieu of education.

Board Member Smock and Board Member Cameron said it was the Task Force's recommendation that the Board consider removing the five-year cap from Washington Administrative Code (WAC) 308-48-840. Ms. Muhle said the Task Force would meet one more time to put together an official recommendation then present it to the Board at the next meeting.

ACTION ITEMS: Staff and Licensing Future Task Force to create a formal report and recommendation to be presented to the Board at the next meeting.

9.2. Staff Reports

9.2.1. Central Investigations and Audits Unit Reports

9.2.1.1. Complaint Status Report

Ms. Muhle reviewed the Complain Status Report for the Board.

9.2.2. Licensing & Customer Support Services Reports

9.2.2.1. Licensee Count Report

Ms. Muhle reviewed the Licensee Count Reports for the Board.

9.2.3. Boards, Commissions and Outreach Services Reports

9.2.3.1. Action Item List

Ms. Nieves reviewed the Master Action Items list for the Board and provided an update on the status of each item.

10. Public Comments

The public may address the Board on matters within the Board's jurisdiction, either verbally during the meeting or by submitting written comments in advance. Verbal comments are limited to one three-minute comment. Written comments are limited to no more than 500 words and must be emailed to DOLBoards@dol.wa.gov no less than two business days prior to the meeting with the subject line "Public Comment: Funeral and Cemetery Board". In response to all public comments, the Board is limited to requesting that the matter be added to a future agenda for discussion or directing staff to study the matter further. Inflammatory comments and language will not be permitted.

There were no written or verbal comments from the public.

11. Conclusion

11.1. Announcements

None.

11.2. Requests for future agenda items

Board Member Cameron requested an update from the Department on the changing of license dates for funeral directors, embalmers, and interns switching to the January 31st deadline.

11.3. Review of action items and items for next meeting

Ms. Nieves listed the new action and agenda items from this meeting as:

- Ms. Nieves to make arrangements for Board Member Ward as the grant recipient and Board Member Little as the Board delegate for the upcoming annual ICFSEB meeting.
- Ms. Nieves to schedule the first meetings for the newly formed Pet Cemetery Review Committee and Inspection Committee.
- Ms. Nieves to send calendar invitations for the 2024 Board Meetings.
- Ms. Nieves and Ms. Muhle to provide a report on the implementation of the new license dates for funeral directors, embalmers, and interns.
- Ms. Muhle to include additional data on national exam statistics report.
- Ms. Muhle and Ms. Nieves to provide the Board members with information and language at the request of the Department of Revenue. Board Members to review and send comments back to staff.
- Staff and Licensing Future Task Force to create a formal report and recommendation to be presented to the Board at the next meeting.
- Board Members to complete Military Spouse Cultural Competency training.

12. Adjournment

Chair Ittner adjourned the meeting at **10:30 a.m.**

Next Board Meeting:

February 22, 2024

10:00 AM

Virtual via Teams

Submitted by:



 Debra Allen-Bâ, Assistant Administrator

February 21, 2024
 Date

Approved by:



 David W. Ittner, Board Chair

February 21, 2024
 Date