



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

**DATE:** May 29, 2024  
**TIME:** 10:00 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  
**Richard Little**, Funeral/Embalmer Member  
**Cameron Smock**, Cemetery Member  
**Angela Ward**, Public Member

**STAFF MEMBERS:** **Bill Dutra**, Administrator  
**Pam Griese**, Funeral Director & Embalmer Inspector  
**Nick Quijas**, Assistant Attorney General  
**Debra Allen-Bâ**, Assistant Administrator  
**Sydney Muhle**, Program Specialist  
**Susan Nieves**, Program Specialist

**1. Call to Order**

Board Chair David Ittner called the meeting to order at **10:00 a.m.**

**2. Roll Call**

Program Specialist Susan Nieves conducted Roll Call. All Board members were present except Vice Chair Gutierrez-Zamora who had an excused absence.

**3. Approval of Agenda**

Board Member Cameron Smock made a **MOTION** to approve the order of the agenda as presented. Board Member Rick Little **SECONDED** the motion, and it was **APPROVED** by a vote of 5-0.

#### 4. Approval of Minutes

##### 4.1. Minutes from February 21, 2023

Board Member Smock made a **MOTION** to approve the minutes as presented. Board Member Pete Cameron **SECONDED** the motion, and it was **APPROVED** by a vote of 5-0.

#### 5. Old Business

##### 5.1. The International Conference of Funeral Service Examining Boards (ICFSEB) Report

*Board Members will provide a report from their attendance at the ICFSEB Annual Conference.*

Chair Ittner and Board Member Angela Ward reported on their experience attending the ICFSEB Annual Conference.

#### 6. New Business

##### 6.1. Election of Officers

*The Board will elect a Chair and Vice Chair for the upcoming year.*

Board Member Smock made a **MOTION** to elect David Ittner as Board Chair for 2024. Board Member Little **SECONDED** the motion, and it was **APPROVED** by a vote of 5-0.

Board Member Smock made a **MOTION** to elect Dante Guitierrez-Zamora as Board Vice Chair for 2024. Board Member Little **SECONDED** the motion, and it was **APPROVED** by a vote of 5-0.

##### 6.2. Board's Consideration for Oromo Cultural Center's Request for Review of Requirement for Licensure

*Oromo Cultural Center would like the Board to determine if a license is required for ceremonial washing room.*

Ms. Muhle shared that the Oromo Cultural Center and Mosque, a religious facility, was requesting guidance from the Board on whether licensure was required to install and utilize a washroom within their facility. She said the washroom would be used for ceremonial purposes, not for preservation or disposition of bodies. She also said that there were a few other religious facilities with washrooms, so a level of precedent had been set.

Board Member Smock asked whether a different religious facility with a similar washroom had licensure. Inspector Pam Griese confirmed that the facility was not licensed, and that they relied on a decision that had been made by the Department of Licensing (DOL) prior to 1999.

Board Member Little asked whether there would be oversight regarding the condition and safety of the bodies. Ms. Griese said it would be the public health

officer's discretion whether physical contact could be made with a decedent, and that they would employ a licensed funeral establishment to assist with death certificates and transportation.

Board Member Smock made a **MOTION** to affirm that a funeral establishment license was not required for the Oromo Cultural Center and Mosque to install and utilize a washroom for the stated purposes. Board Member Cameron **SECONDED** the motion, and it was **APPROVED** by a vote of 5-0.

### **6.3. Budget Discussion**

*Department staff will provide a brief update regarding potential updates to the Funeral and Cemetery program budget structure.*

Administrator Bill Dutra said that, with the most recent fee increase, the budget seemed to have stabilized.

Mr. Dutra shared that Board chairs and DOL had discussed and were researching the option to include of the Funeral & Cemetery budget in the Business and Professions Division pooled account, also call the 06L account. He said the advantage to moving to the 06L account was that it would provide some additional security for the three-month operating balance the program is required to maintain, similar to overdraft protection on a bank account.

Mr. Dutra said staff would present examples and hard data in a future meeting.

## **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. 2023-12-2817-00FDE**

Ms. Griese read the Case Manager Report to the Board on behalf of the Case Manager, Vice Chair Dante Guitierrez-Zamora.

Board Member Smock asked whether the respondent funeral home was aware of the complainant prior to the complaint. Ms. Griese said the respondent funeral home relied on the information provided by the sister of the complainant and the sister signed a document that said she was representing the deceased and that she had the legal authorization to give consent for disposition.

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 5-0.

### **7.2. 2023-12-2816-00FDE**

Ms. Griese read the Case Manager Report to the Board on behalf of the case manager, Vice Chair Guitierrez-Zamora.

Board Member Cameron asked whether the complainant was notified before or after the transfer. Ms. Griese said the complainant was notified after the transfer, and that the respondent in this case did not perform the disposition.

Board Member Smock made a **MOTION** to close the case with no further action. Board Member Little **SECONDED** the motion, and it was **APPROVED** by a vote of 5-0.

### **7.3. 2023-12-2840-00CEM**

Ms. Griese read the Case Manager Report to the Board on behalf of the Case Manager, Vice Chair Guterrez-Zamora.

Chair Ittner asked whether the cleanup had occurred. Ms. Griese said she had not performed a follow-up or personally checked the mausoleum.

Board Members Cameron and Smock asked whether this was an ongoing issue. Ms. Griese said the flies had been an ongoing issue, but that generally DOL does not inspect mausoleums. She said she would be willing to inspect the mausoleum to verify the respondent took the steps that they said they were going to and report back at the next Board Meeting.

Board Member Little 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 5-0.

### **7.4. 2024-01-0139-00FDE**

Ms. Griese read the Case Manager Report to the Board on behalf of the Case Manager, Vice Chair Guterrez-Zamora.

Board Member Smock asked whether the complainant had the authority to make arrangements for the disposition of the cremated remains. Ms. Griese clarified that it was not an issue in the case, that the respondent did not perform the disposition, and only packaged and shipped the remains.

Chair Ittner asked whether the Revised Code of Washington (RCW) included language specifying the quality of packaging need to ship cremated remains. Ms. Griese said that it did not, and pertained to the crematorium performing the cremation, which was not relevant to the complaint.

Board Member Cameron made a **MOTION** to close the case with a letter of education. Board Member Smock **SECONDED** the motion, and it was **APPROVED** by a vote of 5-0.

### **7.5. 2023-05-0905-00CEM**

Ms. Muhle read the Case Manager Report to the Board on behalf of the Case Manager, Vice Chair Guterrez-Zamora.

Board Member Smock said the case manager's determination was contrary to his interpretation of the law. Chair Ittner and Board Member Cameron agreed.

Board Member Smock made a **MOTION** to close the case with no further action. Board Member Cameron **SECONDED** the motion, and it was **DENIED** by a vote of 0-5.

The Board determined that the case should be returned to the Case Manager for further review.

## 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. 2023-05-0908-00FDE

*Assistant Attorney General (AAG) Nick Quijas will be presenting an Agreed Order.*

AAG Quijas provided a summary of the case and read the agreed order, which included a one-year probation.

Board Member Smock asked whether the language in the order could be changed from "probation" to "stayed suspension." AAG Quijas said the language could be changed, however he believed the current language would suffice so long as the Board understood the meaning of the charges.

Board Member Cameron asked whether there was a history of incidents at the establishment, and what the precedent was for addressing the responsibility the establishment had in the case. Board Member Smock said that as a self-disclosed incident, the establishment was not a respondent in the case.

Board Member Smock said, as a Board, they could reach out to the establishment for further education.

Board Member Smock made a **MOTION** to accept the agreed order as presented. Board Member Cameron **SECONDED** the motion, and it was **APPROVED** by a vote of 0-5.

## 9. Reports

### 9.1. Committee/Task Force Reports

### **9.1.1. Licensing Future Task Force Report**

Ms. Muhle said the Task Force had not been able to meet due to scheduling conflicts.

### **9.1.2. Pet Cemetery Review Committee**

Ms. Muhle said the Committee had met a few times since the last Board meeting. She said the Committee had shifted their focus to working on proposed legislation, in collaboration with DOL and Representative Orwall's office.

Ms. Muhle said Board staff met separately from the committee to narrow down the proposed recommendation. She said they would provide a draft to the Committee in the following weeks for review and approval.

Ms. Muhle said staff would share the final proposed recommendation with Representative Orwall's office as a starting point for the pet cemetery discussion moving forward.

## **9.2. Staff Reports**

### **9.2.1. Centralized Investigations and Audits Unit Reports**

#### **9.2.1.1. Complaint Status Report**

Program Manager Evelyn Manley-Rodriguez reviewed the Complaint Status report with the Board. She also shared trends for the quarter, including the top three types of complaints, and typical responses to complaints.

### **9.2.2. Licensing & Customer Support Services Reports**

#### **9.2.2.1. Licensee Count Report**

Program Manager Tanya Hessler reviewed the Licensee Count reports with the Board.

Board Member Cameron asked for a break-down of license type for new issues and renewals data.

#### **9.2.2.2. SSB 5261 Update**

Ms. Hessler said DOL had provided information on how to renew by paper. She said some people were still going online to renew, and those licensees were receiving refunds.

### **9.2.3. Boards, Commissions and Outreach Services Reports**

#### **9.2.3.1. Hybrid Meeting**

Ms. Nieves provided an update on the August 21, 2024, meeting. She asked Board members to confirm with staff whether they would attend in person and said a quorum of in-person attendees was needed in order to justify funding for DOL to host an in-person

meeting. She said there was not a quorum of confirmed Board members to date.

#### **9.2.3.2. 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](mailto: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.*

Public Member Casey Husseman, Executive Director of the People's Memorial Association, addressed the Board and said due to an increase in deaths, storage space was running low. Mr. Husseman asked what measures were being put in place to ensure facilities could respond to the anticipated surge in deaths over time, or in cases of a sudden increase due to an emergency. Mr. Husseman also said many disposition facilities had old equipment that needed frequent maintenance, causing significant delays in turnaround times for client families and storage challenges. He said newer and cleaner technology was available to replace the equipment, but permitting challenges prevented the implementation. Mr. Husseman asked for the Board's recommendation to the funeral professionals impacted by these circumstances.

For clarification the Board asked whether Mr. Husseman was referring to environmental type restrictions with regards to crematory facilities. Mr. Husseman said this was correct and a lot of new players attempting to install new retorts were met with strict environmental standards, as in compliance with the Puget Sound Clean Air Agency. He said they were unable to create a business that does implement new machines. He thought a lot of the older providers that were already operating fear installing newer machines and as a result, no new machines were being implemented, so even though there were some greener machines on the market today, those were not being installed anywhere in Washington state to his knowledge.

### **11. Conclusion**

#### **11.1. Announcements**

Board Member Smock announced he would be resigning from the Board, with this meeting being his last official meeting. He said he intended to attend the August meeting in an unofficial capacity.

### **11.2. Requests for future agenda items**

There were no requests for future agenda items.

### **11.3. Review of action items and items for next meeting**

Ms. Nieves shared the items captured during the meeting:

#### **AGENDA ITEMS**

- Recommended measures to ensure an anticipated surge in deaths can be managed appropriately in a timely manner.
- Replacing old disposition facility equipment: Implementation has been halted due to permitting challenges.

#### **ACTION ITEMS**

- Ms. Griese to verify that respondent to complaint 2023-12-2840-00CEM took the steps they said they would.
- Staff to provide detailed examples and data to the Board on pooling the funeral & cemetery industry and DOL BPD O6L funds.
- Board staff to schedule a Licensing Future Task Force meeting.
- Staff to provide DOL draft pet cemetery legislation to the Pet Cemetery Committee for review/approval. Staff to send final draft, after any changes, to Representative Tina Orwall's office for discussion and consideration for the 2025 legislative session.
- Staff to provide additional information on the Licensee Count Reports: break-down of license type for new issues and renewals.
- Board members and staff to collaborate on August 21, 2024, meeting logistics, if a quorum of in-person attendees is confirmed.

### **12. Adjournment**

Chair Ittner adjourned the meeting at **11:32 a.m.**

#### **Next Board Meeting:**

August 21, 2024

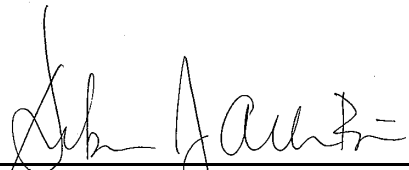
10:00 a.m.

Virtual via Teams

*Potentially in-person, if a quorum of the Board commits to attending.*



Submitted by:

  
\_\_\_\_\_  
Debra Allen-Ba, Assistant Administrator

August 21, 2024  
Date

Approved by:

  
\_\_\_\_\_  
David W. Ittner, Board Chair

August 21, 2024  
Date