

IOWA BOARD OF MORTUARY SCIENCE

June 13, 2013

Lucas State Office Building, 5th Floor Conference Room #526

Des Moines, Iowa

Open Session Meeting Minutes

Call to Order:

Marty Mitchell announced the board did not have a quorum. Any items that need a motion or vote will remain pending until the next scheduled board meeting or until a quorum is reached for this meeting.

Meeting was called to order after Kim Doehrmann joined the meeting by conference call at 9:56 a.m. by Vice-Chair Marty Mitchell.

Roll Call:

MEMBERS PRESENT:

Marty Mitchell, F.D.

Todd Kale, F.D.

Rebecca Ervin, Public Member

Kim Doehrmann, F.D. (joined the meeting by conference call at 9:56 a.m.)

MEMBERS ABSENT:

Barb Teahen, F.D.

Brad Hawn, F.D.

Norene Mostkoff, Public Member

STAFF PRESENT:

Susan Reynolds, Board Executive

Pam Griebel, AAG

Barb Huey, Bureau Chief

Karla Hoover, Licensure Specialist

Barb Christiansen, Administrative Assistant

PUBLIC PRESENT:

Melissa Belle

James M. Fullerton, F.D., Fullerton Funeral Home

Suzanne Gebel, Executive Director, Iowa Funeral Directors Association
Kevin Patterson, Mortuary Science Program Chair, DMAACC

Public Comment:

Embalming report: Suzanne Gebel and Kevin Patterson presented a draft of the new embalming report they developed. The report consolidates standard reporting requirements on one form for interns, funeral directors and students. The document was created in a fillable PDF format and the final document will be accessible on the web sites. The IFDA is currently working on a cell phone application that will be offered to members of the association.

Karla Hoover had several questions on capturing intern remarks and preceptor comments, and character limit. Todd Kale suggested the wording under preceptor remarks should be changed because it eludes that after the first five cases the intern doesn't have to provide much comment. The report should require the preceptor to identify if the student has the ability to do a case analysis, raise vessels, or choose fluids. Kale recommended reformatting the retainable portion of the form to one page and to attain information on what kind of personal and protective equipment was used; and whether the procedure was completed without incident.

Barb Huey asked about the retention period for intern reports. Reports are held until they are approved by the board members and then staff disposes of them. Preceptors are required to sign and date the report. Barb Huey would like the intern reporting process to become electronic.

Reports:

Board Executive: Susan Reynolds presented the new administrative rules on record retention at the Iowa Funeral Directors Association conference in Ames. There was a question of who would be responsible for retaining the record if a trade call was involved. Both parties would need to retain a paper trail of their involvement with the decedent. The 10-year retention period is required under Iowa Code 144.50.

A motion was made by Mitchell to elect Brad Hawn to continue as chair. A second was received from Ervin. All ayes, opposed none, motion carried.

A motion was made by Kale to elect Marty Mitchell as vice chair. A second was received from Ervin. All ayes, opposed none, motion carried.

Suzanne Gebel thanked Susan Reynolds and Marvin Firch for attending the IFDA conference. The round table sessions received high evaluation marks.

Review Agenda: No changes or additions

Approval of Minutes:

A motion was made by Kale to approve the meeting minutes of March 7, 2013. A second was received from Ervin. All ayes, opposed none, motion carried.

Reports Continued:

Bureau Chief: Barb Huey reported the new AMANDA licensure system will go live this October. All board activity and confidential information will be found in a "board meet" folder. Access will be through an A&A account. Marvin Firch is drafting log-in instructions to access the new system. Board members may receive hands-on training as early as the next quarterly board meeting. Licensees will have the ability to complete applications on-line.

AAG: Pam Griebel reported the Governor has signed new legislation on agency rulemaking authority. If the board is considering a rule that might impair someone from becoming licensed, the board's rulemaking authority will be narrowly construed.

Board member contact information: The law states that contact information provided by board members would be considered public information. AAG Griebel suggested that board members let the board executive know what information can be shared with the public. The board member application form states that information included on the application is public information.

AAG Griebel provided a handout on Iowa Code 68B.3 *Restriction on Sales of Goods and Services to State Agencies* (attached as Addendum #1). A board member would have to resign if the goods or services they sell to any state agency fall within the guidelines. AAG Griebel distributed a copy of the Governor's Orientation presentation (attached as Addendum #2). Karla Hoover will provide a copy of the handouts to those members not in attendance.

AAG Griebel reported that more information is needed on closed session minutes before going forward with discussion. This agenda item will be deferred until the next board meeting.

Applications:

Petitioner Eric Collins requested the board to waive the two-year requirement for licensure in Iowa. Mr. Collins is currently finishing a four hour semester course to complete the educational component required to qualify for licensure in Nebraska. Collins has passed the national boards and submitted samples of his case reports to the board executive. AAG Griebel reported that the board has no choice but to deny the application for endorsement since he is not licensed in Nebraska. AAG Griebel suggested the option to defer the waiver until the applicant has completed his educational requirements to be licensed in Nebraska.

A motion was made by Kale to deny the petition for waiver. A second was received from Ervin. All ayes, opposed none, motion carried.

Mr. Collins will need to submit another waiver when his education is complete and he is licensed in Nebraska.

Petitioner Joshua Rodriquez requested the board to waive the educational requirements that would allow him to start his internship with the Iowa Donor Network. Mr. Rodriquez is 9 credit hours short of the 60 academic hours and is currently enrolled at Kirkwood Community College. AAG Griebel stated there is no rule that all educational hours must be completed before beginning an internship. The internship application does indicate that the educational hours must be completed. AAG Griebel suggested referring the issue to the rules committee for clarification.

A motion was made by Doehrmann to deny the petition for waiver. A second was received from Kale. All ayes, opposed none, motion carried.

AAG Griebel would like to see this administrative rule issue placed on the September agenda.

Closed Session:

A motion was made by Kale to enter into closed session at 10:57 a.m. to discuss confidential material related to applications according to Iowa Code § 21.5(1)(a). A second was received from Ervin. Roll call taken.

Mitchell - aye

Doehrmann - aye

Ervin - Aye

Kale - aye
Motion carried.

Board returned to open session at 11:12 a.m.

Closed Session Follow-up:

A motion was made by Kale to approve the internship application of Melissa Belle, with no restrictions. A second was received by Ervin. All ayes, opposed none, motion carried.

Rules Committee:

Marty Mitchell reported the committee discussed issuing burial transit permits to a third party. The committee will discuss at their next meeting religious individuals taking possession of a body for transit. The committee reviewed the use of the first call sheet used by the medical examiner's office that authorizes funeral home personnel to remove a body. The minimum legal requirements to authorize a permit to someone who is not employed by a funeral establishment or unlicensed in the state would require a death certificate and no evidence of a communicable disease. The committee will be addressing rules that would prohibit human remains to be used for cremating animals.

New Business:

The Board discussed the disclosure of exam results from the International Conference of Funeral Service Examining Board. The board office received a request from an applicant for their final score report. AAG Griebel explained there is language in Iowa Code that allows an applicant who has failed the exam to ask for additional information from the Board about their final exam results and areas of deficiencies. The national examination advised not to set precedence by giving out final examination results. Under statute, the board can provide that information, if requested. AAG Griebel stated that the board should tell the national board that if they don't want the information provided to the applicant, they should not provide the information to the board office. Kevin Patterson said DMACC only receives notification of exam scores four times per year.

Motion was made by Kale to release the exam scores for arts and sciences testing information only to the applicant should a written request be received, and only if the applicant has failed the exam. A second was received from Ervin. All ayes, opposed none, motion carried.

Old Business:

During a state auditor's review of Iowa code compliance Chapter 156.10, the auditors found the Department was not in compliance with inspection of funeral homes and crematories. This was the second year the department has been notified to bring this code section into compliance or seek repeal of outdated Code sections. Bureau Chief Barb Huey reported that any proposed legislative code change would be written as a part of the Department's legislative agenda. This section of code was last updated in 2007 to remove the set inspection fee. No inspection fees are retained to offset expenses. AAG Griebel stated the Board would need to decide if inspections were important enough to maintain the code requirement. The Board does not feel there are any immediate environmental concerns to pursue inspections. Todd Kale, FD and Marty Mitchell, FD stated that their funeral homes are already being inspected by their respective city or county officials. Mitchell suggested that it may be more beneficial to leave the authority to inspect funeral homes in code if it was ever needed. Board members agreed that changing the language in code from "shall" to "may" would resolve the compliance problem.

Kevin Patterson asked about the pre-noticed rules from the last meeting. Board gave consensus to send to stakeholders for comment. Rules will be placed on the next agenda for pre-notice.

Kim Doehrmann had to terminate the call. Quorum ended at 11:57 a.m.

Mitchell announced he has asked Margo Eicher to participate on the rules committee.

Adjournment:

A conference call will be scheduled to finalize close session items and pre-notice rules. No motion was made to adjourn the meeting because there was no quorum.