

**KANSAS STATE BOARD OF MORTUARY ARTS  
700 SW JACKSON, SUITE #904  
TOPEKA, KANSAS**

**The Board Meeting of Thursday, October 12, 2017**

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**FORMAT OF MINUTES:**

On each motion there appear the names of two board members in a parenthesis. The first named made the motion, and the second named made the second. Ayes and Nays will be recorded at a voter's request.

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**Thursday, October 12, 2017:**

- I. The regularly scheduled meeting of the Kansas State Board of Mortuary Arts (KSBMA) was called to order by President Barry W. Bedene.

Newly appointed board member Bridgette A. Tinsley, a licensed embalmer, funeral director and crematory operator from Salina, Kansas was administered the Oath of Office by President Bedene and was welcomed by all to the Board. Ms. Tinsley is the first female licensee appointed to the Board!

The Board also acknowledged their appreciation for former board member Steven G. "Steve" Melby, a licensee from Mankato, for his six (6) years of service to the board.

**Roll call** by Executive Secretary Mack Smith found the following board members in attendance: President Barry W. Bedene, Arma, Licensee; Vice President Robert J. "Bob" Steil, Lawrence, Consumer; William L. "Bill" Cozine, Wichita, Licensee, Wichita; Theresa Marcel Schwartz, Lawrence, Consumer and Bridgette A. Tinsley, Salina, Licensee. Assistant Attorney General Jan Arndt and KSBMA Executive Secretary Mack Smith were also in attendance.

The board noted this meeting's tentative agenda that is displayed on the agency's website at: <http://ksbma.ks.gov/> under the heading of *Events* and *October Board Meeting*.

(Steil-Cozine) To approve a **final agenda** for this meeting. Carried.

(Schwartz-Steil) To adopt the **July 13, 2017 regularly scheduled board meeting minutes**. Carried. These minutes will be signed by President Cozine and Executive Secretary Smith, then displayed on the board's website.

The board reviewed results of the written **funeral directors' examination** administered on **July 13, 2017** noting that **81%** (nine of eleven applicants) were successful.

The board reviewed results of the written **assistant funeral directors' examinations** administered from **August** through **October 2017** noting that **67%** (eight of twelve applicants) were successful along with examination information for all applicants since the law requiring examination for assistant funeral directors was enacted in 2008 where **69%** (185 of 268 applicants) were successful.

The board reviewed the '**Interview Times**' and the '**List of Licensure Applicants**' scheduled to interview with the board at this meeting, noting that four (4) applicants are scheduled to meet with the board: two (2) embalmer-funeral director applicants, one (1) funeral director applicant and one (1) reciprocal embalmer-funeral director applicant. Following approval by the Board, five (5) applicants are scheduled to be administered the written funeral directors' examination in conjunction with this meeting including two (2) retake applicants.

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- II.** The board **reviewed individual applications** for licensure along with the executive secretary's summations of the applicant's apprentice and supervising licensee progress reports. Applicants for licensure will be interviewed later in this meeting. All funeral director applicants will be administered the written funeral directors' examination proctored by Funeral Home/ Crematory Inspector Francis Mills at 1:30 p.m. this afternoon in the Florentine Room of the Jayhawk Tower.

Quarterly apprentice progress reports of embalmer/funeral director apprentices and supervising licensees due September 15, 2017 were summarized by the executive secretary with copies of the individual reports available for board members to review.

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**III. Investigative Committee (IC) Report:**

Five (5) files were closed with twenty-four (24) files remaining open at this time. Some of the open files can be contributed due to the IC having to reschedule a meeting.

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**IV. Board Business:**

- 1) (Cozine-Steil) To approve the **quarterly lists of continuing education**. Carried. Lists approved were: *Scheduled Programs (Listing by Date of Program from the KSBMA web site)*, *Ongoing Programs*, *Home-Study/ Correspondence Programs* and the list of *Crematory Operator Programs*. These items are updated regularly and are available on the board's website.
- 2) (Schwartz-Cozine) To approve the list of **lapsed licenses**. Carried. This list contains the names of individuals whose license renewals are past due for longer than six months, who have requested that their licenses be dropped, who have died and in the case of assistant funeral directors, who are no longer employed at a funeral home under the supervision of a funeral director. The current list reviewed and approved by the Board included four (4) assistant funeral director licenses, three (3) crematory operator licenses, ten (10) embalmer licenses and eleven (11) funeral director licenses. This information is provided for a number of reasons,

including use by the Office of Vital Statistics (OVS) for purposes of licensure verification used on death certificates. The board reviewed the list of **Automatically Suspended Licenses**. This list contains the names of individuals who have not paid their license renewal fees by the appropriate due date and have not requested that their licenses be dropped. Once a license is six months in arrears, it is then automatically placed on the lapsed license list for purposes of being dropped. This list included seven (7) embalmer licenses, eight (8) funeral director licenses and two (2) crematory operator licenses for license renewals due through September 30, 2017. The board reviewed the following lists of information for the quarter: **Changes in Funeral Home and Crematory Ownership** with no changes to report and **Closed Funeral Homes and Crematories** with one (1) funeral home closed this quarter.

- 3) (Schwartz-Steil) To approve the **FY 2018 first (1st) quarter (July 1-September 30, 2017) Report** of KSBMA Funeral Home-Crematory Inspector Francis F. Mills. Carried. 215 inspections were conducted during the 1st quarter of FY 2018 with three (3) violations noted. 7,250 miles were traveled involving visits to sixty-three (63) counties.
- 4) The Board reviewed the **current roster of apprentice embalmers and funeral directors**. A total of twenty (20) apprentices are currently registered with the board, including: eleven (11) embalmer-funeral director apprentices, eight (8) funeral director apprentices and one (1) embalmer apprentice.
- 5) Discussion of articles/information of interest involving the agency, licensure, regulation and the funeral profession in general were provided to board members and legal counsel including articles on the West Virginia Funeral Board and on water cremation (alkaline hydrolysis) in the State of California.
- 6) **Board meeting dates for 2018:** January 11, April 12, July 12 and October 11, 2018.
- 7) Information from press releases relating to the election of officers in July and Ms. Tinsley's appointment was provided along with some other draft information.
- 8) The Board signed travel vouchers.

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**V. Executive Secretary's Report:**

- 1) **Budget Information**—Amounts approved by the 2017 Kansas Legislature and adjusted by the State Finance Committee:
  - a) **FY 2017** (July 1, 2016–June 30, 2017) An amount of \$317,503 was approved with actual expenditures coming to approximately \$267,511. The agency came in \$49,920 under budget with all unused funds added to the agency's fee fund account for future use.
  - b) **FY 2018** (July 1, 2017–June 30, 2018) The approved amount is \$295,273.
  - c) **FY 2019** (July 1, 2018–June 30, 2019) The approved amount is \$324,385.
  - d) **Performance Based Budgeting (PBB)**—More information may be available following the Division of the Budget's (DOB) recommendations in November.
- 2) Information regarding the **International Conference of Funeral Service**

**Examining Boards (ICFSEB):**

- a) Information from the *Regulations in Funeral Service Licensing, Continuing Education and Pre-Need* document was discussed.
  - b) Economic Liberty Task Force (ELTF) of the Federal Trade Commission (FTC) Roundtable information was discussed.
  - c) *2017 Statistics for the National Board Examination (NBE)* were reviewed and discussed.
  - d) Via telephone, Mr. Smith participated in the *ICFSEB Board Meeting* held on *August 29, 2017*.
  - e) Kansas examinations–The Board discussed information received from the ICFSEB about the possibility of having the Conference administer the Kansas funeral director and assistant funeral director examinations.
  - f) Information on the 2017 National/State Board Exam Content Outline was presented and discussed.
  - g) Information from an 10-6-2017 Conference Announcement–2019 Annual Meeting was shared with the Board.
- 3) There was no new information from the **Council on Licensure, Enforcement and Regulation (CLEAR)**.
  - 4) There was no new information from the **Federation of Associations of Regulatory Boards (FARB)**.
  - 5) Information for the **Kansas Funeral Directors and Embalmers Association (KFDA)**:
    - a) A copy of the July and August 2017 Journals was provided to all Board members.
    - b) The 2017 Fall KFDA District Meetings were held during the first two (2) weeks of September. Mr. Mills attended a meeting and Mr. Smith presented a Board Update at all six (6) meetings.
  - 6) The **KSBMA's website**, <http://ksbma.ks.gov/> continues to be updated on a regular basis by the KSBMA administrative staff.
  - 7) There was no new information from the **National Funeral Directors Association (NFDA)**.
  - 8) There was no new Information from the **Federal Trade Commission (FTC)** regarding the **FTC Funeral Rule**.
  - 9) There was no new Information from the **American Board of Funeral Service Education (ABFSE)**.
  - 10) There was no new information from the **Cremation Society of North America (CANA)**.
  - 11) Information from the **Funeral Consumer's Alliance (FCA)**:
    - a) The recent newsletter was discussed.
  - 12) Information from the **Funeral Consumer's Alliance of Greater Kansas City (FCA-GKC)**:
    - a) The Fall 2017 edition of the *FCA-GKC Report* was distributed.
  - 13) There was no new information from the **Funeral Ethics Organization (FEO)**.
  - 14) There was no new information from the **Kansas Department of Health and Environment (KDHE), Office of Vital Statistics (OVS)**.
  - 15) There was no new information from **Kansas City Kansas Community College (KCKCC) Mortuary Science Program**.
  - 16) There was no new information from the **Kansas Mass Fatality Planning**

**Task Force.**

- 17) There was no new information from the **Kansas Ebola Preparedness and Response Plan.**
- 18) The agency's **Continuity of Operations Planning System (COOP)** continues to be updated quarterly or more often as is needed. This is the system utilized in cases of emergencies by the State of Kansas for state agencies. COOP also sends monthly planning topics to all state agencies.
- 19) The next meeting of the **Non-Cabinet Agency Heads Meetings** is scheduled for October 26, 2017. Mr. Smith provided an update from the meeting held on July 20, 2017. Meetings are scheduled quarterly.

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VI. The board met with *Applicants for Licensure* to discuss their applications and apprenticeships:

**Embalmer-Funeral Director Applicant: Mr. M. Chad Mitchell**

(Schwartz-Cozine) To grant an embalmer license upon completion of apprenticeship and payment of an initial license fee of \$105.00 and to grant a funeral director license upon completion of apprenticeship, passing of written funeral director examination, which will be administered later today, and payment of an initial license fee of \$30.00. Carried. With continuous full-time employment, Mr. Mitchell is scheduled to complete his embalmer and funeral director apprenticeships on November 23, 2017 at Glidden-Ediger Funeral Home located in McPherson, Kansas. Once issued, the renewal date for the licenses would be January 31, 2019. Mr. Mitchell earned an Associate in Applied Science degree in Mortuary Science at Kansas City Kansas Community College.

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**Embalmer-Funeral Director Applicant: Ms. Ashlyn R. Sklenar**

(Schwartz-Steil) To grant an embalmer license upon payment of an initial license fee of \$154.00 and to grant a funeral director license upon passing of written funeral director examination, which will be administered later today, and payment of an initial license fee of \$44.00. Carried. Ms. Sklenar completed her embalmer and funeral director apprenticeships on September 22, 2017 at Rumsey-Yost Funeral Home and Crematory located in Lawrence, Kansas. Once issued, the renewal date for the licenses would be July 31, 2019. Ms. Sklenar earned an Associate in Applied Science degree in Mortuary Science at Kansas City Kansas Community College.

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**Funeral Director Applicant: Mr. Mark M. "Mitchell" Mathis**

(Steil-Cozine) To grant a funeral director license upon passing the written funeral director examination, which will be administered later today and payment of an initial license fee of \$32.00. Carried. Mr. Mathis completed his funeral director apprenticeship on September 6, 2017 at Amos Family Funeral Home and Crematory in Shawnee, Kansas. Once issued, the renewal date for the license would be January 31, 2019. Mr. Mathis earned a Bachelor of Business degree in Finance at Pittsburg State University in Pittsburg, Kansas.

**Reciprocal (Oklahoma) Embalmer-Funeral Director Applicant: Mr. Larnell G. Jones**

(Tinsley-Schwartz) To grant a reciprocal embalmer license upon payment of the initial license fee of \$91.00 and to grant a funeral director license upon passing of the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$123.50. Carried. Mr. Jones is licensed in the State of Oklahoma and has passed the National Board Examination (NBE) administered by the International Conference of Funeral Service Examining Boards (ICFSEB.) Mr. Jones earned a Bachelor of Science degree in Funeral Science at the University of Central Oklahoma (UCO) in Edmond, Oklahoma. Once issued, the renewal date for the licenses would be October 31, 2018. Mr. Jones is employed at Lawrence A. Jones and Sons Funeral Chapel in Kansas City, Missouri.

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**VII. Assistant Attorney General Jan Arndt Addressed the Board**

Members Bedene and Schwartz exited the meeting.

Members Bedene and Schwartz returned to the meeting.

(Schwartz-Bedene) That the Board delegates its authority under the Kansas Administrative Procedures Act in matters involving any prior proceedings or decisions by the Board's Investigative Committee to Board members who did not serve in such prior proceedings or decisions by the Board's Investigative Committee. This delegation includes, but is not limited to, conducting proceedings and hearings; issuing orders on applications or complaints; considering petitions for reconsideration or petitions for a stay and issuing orders thereon; determining appeals and settlements, or any other matters related thereto. Carried.

(Tinsley-Schwartz) I move that the Board delegates its authority under the Kansas Administrative Procedures Act in matters involving the reinstatement application filed by Douglas L. Watson to Board Member Robert J. Steil. This delegation includes, but is not limited to, conducting proceedings and hearings; issuing orders on applications or complaints; considering petitions for reconsideration or petitions for a stay and issuing orders thereon; determining appeals and settlements, or any other matters related thereto. Carried.

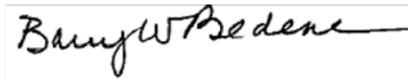
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**VIII. New/Old/Remaining Business/Adjournment**

(Cozine-Steil) To adjourn—subject to recall by the president, vice president or executive secretary. Carried. The date of the next regularly scheduled board meeting is Thursday, January 11, 2018.

At approximately 1:30 p.m. Executive Secretary Smith read instructions to the funeral director examinee applicants prior to the administration of the funeral directors' examination which was proctored by Inspector Francis Mills in the Florentine Room of the Jayhawk Tower.

Respectfully submitted:

A handwritten signature in black ink that reads "Barry W. Bedene". The signature is written in a cursive style and is contained within a thin black rectangular border.

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Barry W. Bedene, President  
Thursday, January 11, 2018  
(Date)

A handwritten signature in black ink that reads "Mack Smith". The signature is written in a cursive style and is positioned above a horizontal line.

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Mack Smith, Executive Secretary  
Thursday, January 11, 2018  
(Date)