

**KANSAS STATE BOARD OF MORTUARY ARTS**  
**700 SW JACKSON, SUITE #904**  
**TOPEKA, KANSAS**  
**Thursday, January 12, 2017**

---

**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.

---

**Thursday, January 12, 2017:**

- I. The regularly scheduled meeting of the Kansas State Board of Mortuary Arts (KSBMA) was called to order by President William L. "Bill" Cozine.

**Roll call** by Executive Secretary Mack Smith found the following board members in attendance: President William L. "Bill" Cozine, Wichita, Licensee; Vice President Barry W. Bedene, Arma, Licensee; Steven G. "Steve" Melby, Mankato, Licensee; Theresa Marcel Schwartz, Lawrence, Consumer, and Robert J. "Bob" Steil, Consumer, Lawrence. Newly reassigned 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 *January Board Meeting*.

(Bedene-Melby) To approve a **final agenda** as amended for this meeting. Carried.

Lunch will be served in the Senate Room following the meeting.

(Bedene-Melby) To adopt the **October 13, 2016 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 **October 13, 2016** noting that **80%** (eight of ten applicants) were **successful**.

The board reviewed results of the written **assistant funeral directors' examinations** administered from **November 2016** through **January 2017** noting that **70%** (seven of ten applicants) were successful. Since the law requiring examination for assistant funeral directors was enacted in 2008, **70%** (175 of 250 applicants) have successfully passed the written examination

The board reviewed the '**Interview Times**' and the '**List of Licensure Applicants**' scheduled to interview with the board at this meeting, noting that ten (10) applicants are scheduled to meet with the board: two (2) embalmer-funeral director applicants, six (6) funeral director applicants, one (1) reciprocal funeral director applicant and one (1) reciprocal embalmer-funeral director applicant. Following approval by the Board, twelve (12) applicants are scheduled to be administered the written funeral directors' examination in conjunction with this meeting including two retake applicants.

- 
- 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 December 15, 2016 were summarized by the executive secretary with copies of the individual reports available for board members to review.

---

III. **Investigative Committee Report:**

The Investigative Committee (IC) reported that they closed eleven (11) complaints with ten (10) complaints open at this time.

---

IV. **Legislative Update:**

- 1) The Kansas Legislature's **2016 Special Committee on Organization of Public Health Boards**. The Committee met on Tuesday, December 6, 2016 and heard presentations from the Governor's Office and public health boards. The Committee also met on Wednesday, December 14, 2016 and heard from stakeholders, including Pam Scott, Executive Director of the Kansas Funeral Director's Association (KFDA.) The committee considered the Kansas Statewide Efficiency Review which was compiled by Alvarez and Marsal (A & M) that addresses Kansas boards and commissions and the section of the A & M report that recommends establishing a separate public health umbrella structure (a Public Health Services Regulation Committee) to leverage shared resources, labor capabilities and mission alignment. The Committee made one recommendation that did not affect the KSBMA.
- 2) **2017 Senate and House Committee Information** was shared and discussed.
- 3) The **2017 Governor's State of the State Address**, given by Kansas Governor Sam Brownback on Tuesday, January 10, 2017, was discussed.
- 4) The current **KSBMA Legislative Report** was discussed. This is the report that includes all bills involving or potentially involving the KSBMA that are being tracked by Executive Secretary Smith.

## V. Board Business:

- 1) (Steil-Melby) To approve the **quarterly lists of continuing education**. Carried. Lists approved were: *Scheduled Programs (Listing by Date of Program from the KSBMA web site)*, *Home-Study/ Correspondence Programs*, *Ongoing Programs*, and the list of *Crematory Operator Programs*. These items are updated regularly and are available on the board's website.
- 2) (Melby-Schwartz) 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 eight (8) assistant funeral director licenses, five (5) crematory operator licenses, seven (7) embalmer licenses and eight (8) 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 nine (9) embalmer licenses, eleven (11) funeral director licenses and zero (0) crematory operator license for license renewals due through December 30, 2016. The board reviewed the following lists of information for the quarter: **Changes in Funeral Home and Crematory Ownership** with one (1) funeral home (one main establishment), and **Closed Funeral Homes and Crematories** with one (1) branch funeral establishment.
- 3) (Melby-Steil) To approve the **FY 2017 second quarter (October 1- December 31, 2016) report** of KSBMA Funeral Home-Crematory Inspector Francis F. Mills. Carried. 180 inspections were conducted during the second quarter of FY 2017 with only two (2) violations noted. 6,900 miles were traveled involving visits to seventy-four (74) counties. The Board noted their appreciation for the professionalism, thoroughness and ongoing efforts of Inspector Mills that along with the fact that inspections are unscheduled contribute to the low amount of violations noted on this and most quarterly inspection reports.
- 4) Reviewed the **current roster of apprentice embalmers and funeral directors**. A total of twenty-nine (29) apprentices are currently registered with the board, including: fifteen (15) embalmer-funeral director apprentices, thirteen (13) 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. The November 2016 edition of the American Funeral Director had a nice article on their 2016 Funeral Director of the Year Runner-Up, Kansas licensee Steve Pierce.
- 6) **Remaining Board meeting dates for 2017:** April 13, July 13 and October 12.

- 7) **Board Member Appointment**—No new information to report at this time.
- 8) The board signed travel vouchers.

---

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

- 1) **Budget Information**—The *Division of Budget (DOB) Recommendations* released November 10, 2017 provided the following information:
  - a) **FY 2017** (July 1, 2016–June 30, 2017) The previously approved amount of \$317,503 was not changed. No additional funds were requested by the agency with their budget request that was submitted on September 15, 2016.
  - b) **FY 2018 Budget Request**—The agency budget request submitted to the Division of the Budget (DOB) by September 15, 2016 was for \$292,617— a decrease of 7.8% from FY 2017. The DOB Recommendations released November 10, 2017 approved the agency's request.
  - c) **FY 2019 Budget Request**—The agency budget request submitted to the Division of the Budget (DOB) by September 15, 2016 was for \$321,958. This request includes a replacement automobile for the agency and represents an increase of 9.1% from FY 2018. The DOB Recommendations released November 10, 2017 approved the agency's request.

From the **DOB Evaluation of the KSBMA Budget Requests**: *"The Board of Mortuary Arts continues to have a well thought-out strategic plan. The agency has given thorough consideration of its goals and objectives to carry out its mission. The agency has excellent performance measures that accurately determine its progress."*

The *Governor's Budget Recommendations* released January 11, 2017, had decreases in agency KPERS payments:  
**FY 2017**—a reduction of \$562, making the revised KSBMA budget: \$316,941.  
**FY 2018**—a reduction of \$2,055, making the revised KSBMA budget: \$290,562.  
**FY 2019**—a reduction of \$2,370, making the revised KSBMA budget: \$319,588.
  - d) **Performance Based Budgeting (PBB)**—Draft information was provided by the KSBMA to the Division of the Budget and Legislative Research by the deadline of Monday, October 17, 2016 with no changes necessary for the December 1, 2016 deadline (all required information was included with our initial documentation.)
- 2) Information regarding the **International Conference of Funeral Service Examining Boards (ICFSEB)**:
  - a) The *Updated Model Practice Act (MPA)* was discussed.
  - b) *National Board Examination (NBE) results* were discussed.
  - c) The *Fall 2016 edition of The Conference Report* was discussed.
  - d) The *December 2016 edition of The Conference Update* was discussed.
  - e) Updated information provided by the **International Conference of Funeral Service Examining Boards (ICFSEB)** regarding their complaint with the **American Board of Funeral Service Education (ABFSE)/Committee on Accreditation (COA)** about the situation

- involving the **American Academy/McAllister Institute (AAMI)** was discussed. The ABFSE is the accrediting organization for mortuary colleges.
- 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) The *November-December 2016 edition of the KFDA Journal* was discussed.
    - b) The *2017 KFDA Embalming Seminar* will be held on Wednesday, January 18, 2017 in Wichita, Kansas.
    - c) The **2017 Spring KFDA Regional Meetings** begin at four different locations from February 27–March 2, 2017. Mr. Smith will be unavailable to attend, but he will provide a written report to the KFDA.
    - d) The *2017 KFDA Annual Convention* will be held in Wichita, Kansas from April 30–May 3, 2017.
  - 6) The **KSBMA's website**, <http://ksbma.ks.gov/> continues to be updated on a regular basis by KSBMA Office Manager Sherry Fergel and Executive Secretary Mack Smith with assistance from the Office of Information Technology Services (OITS.)
  - 7) Information from the **National Funeral Directors Association (NFDA)**:
    - a) The 2016 NFDA International Convention & Expo was held on October 23-26, 2016 in Philadelphia, Pennsylvania where Kansas funeral director Ashley Cozine, son of KSBMA President Bill Cozine, was installed as the 2016-2017 NFDA President.
    - b) **A Lifelong Commitment to Learning (1-5)**, an article written by NFDA President Ashley Cozine published in the October 2016 edition of the *American Funeral Director*, was discussed.
    - c) Information regarding the **funding of prefinanced funeral trusts with insurance**, from another article published in the October 2016 edition of the *American Funeral Director*, was discussed.
  - 8) There was no new information from the **Federal Trade Commission (FTC)** regarding the **FTC Funeral Rule**.
  - 9) Information about and from the **American Board of Funeral Service Education (ABFSE)**:
    - a) An article from the *October 17, 2016 edition of the Funeral Service Insider* regarding the **ABFSE's Committee on Accreditation (COA)** and a complaint involving the **American Academy McCallister Institute of Funeral Service (AAMI)** filed by the **ICFSEB** was discussed.
    - b) On October 23, 2016 in Philadelphia, Pennsylvania, the Committee on Accreditation (COA) re-accredited the Mortuary Science program at Kansas City Kansas Community College (**KCKCC**) for seven (7) years with the requirement that the college submits an updated program assessment plan by September 1, 2017.
  - 10) There was no new information from the **Cremation Society of North America (CANA)**.

- 11) There was no new information from the **Funeral Consumer's Alliance (FCA)**.
- 12) There was no new information from the **Funeral Consumer's Alliance of Greater Kansas City (FCA-GKC)**.
  - a) Information from their *annual price survey* as was reported in the Friday, December 30, 2016 edition of the Kansas City Star was discussed.
- 13) There was no new information from the **Funeral Ethics Organization (FEO)**.
- 14) Information from the **Kansas Department of Health and Environment (KDHE), Office of Vital Statistics (OVS)**:
  - a) *Meeting with OVS representatives*—On Thursday, October 27, 2016, Registration Supervisor Linda Amrine along with Director and Assistant State Registrar Kay Haag came over to the KSBMA Office and met with Mr. Smith and KSBMA Office Manager Sherry Fergel for a meeting and sharing of general information.
  - b) **January 1, 2017 filing change**—Pursuant to House Bill (HB) 2518, effective January 1, 2017 all Kansas death certificates must be filed electronically via the Electronic Death Registration System (EDRS.) Ms. Haag said that currently all Kansas funeral homes are registered as EDRS users with KDHE/OVS.
- 15) **Kansas City Kansas Community College (KCKCC) Mortuary Science Program**
  - a) KCKCC was granted a seven (7) year reaccreditation by the ABFSE requiring the submission of an updated program assessment plan.
- 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) Mr. Smith provided information and discussed the **Non-Cabinet Agency Heads Meetings** held on Thursday, November 10, 2016 and Thursday, January 5, 2017.

---

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

**Funeral Director Applicant: Mr. Michael J. Reeb**

(Melby-Schwartz) To grant a funeral director license upon completion of apprenticeship, passing of the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$12.00. Carried. With continuous employment, Mr. Reeb is scheduled to complete his funeral directors' apprenticeship on January 28, 2017 at Kevin Brennan Family Funeral Home in Topeka, Kansas. Once issued, the renewal date for the license would be June 30, 2017. Mr. Reeb earned an Associate in Applied Science

degree in Mortuary Science at Kansas City Kansas Community College, and he is currently in the process of serving a Kansas embalming apprenticeship.

---

**Funeral Director Applicant: Ms. Rachel R. Caldwell**

(Bedene-Schwartz) To grant a funeral director license upon completion of apprenticeship, passing of the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$30.00. Carried. With continuous employment, Ms. Caldwell is scheduled to complete her funeral directors' apprenticeship on January 28, 2017 at Charter Funerals of Kansas in Merriam, Kansas. Once issued, the renewal date for the license would be March 31, 2018. Ms. Caldwell earned an Associate in Applied Science degree in Mortuary Science at Kansas City Kansas Community College. She intends to apply for a Kansas reciprocal embalmer license (Missouri) in the near future.

---

**Funeral Director Applicant: Ms. Emily F. McCrea**

(Melby-Steil) To grant a funeral director license upon completion of apprenticeship, passing of the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$50.00. Carried. With continuous employment, Ms. McCrea is scheduled to complete her funeral directors' apprenticeship on January 21, 2017 at Eddy-Birchard Funeral Home in Osawatomie, Kansas. Once issued, the renewal date for the license would be January 31, 2019. Ms. McCrea earned an Associate in Applied Science degree in Mortuary Science at Kansas City Kansas Community College.

---

**Funeral Director Applicant: Ms. Natalie M. Lentz**

(Melby-Schwartz) 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 \$48.00. Carried. Ms. Lentz completed her funeral directors' apprenticeship on December 3, 2016 at Capitol City Mortuary Services and Angels Above Cremation Services in Topeka, Kansas. Once issued, the renewal date for the license would be December 31, 2018. Ms. Lentz earned an Associate in Applied Science degree in Mortuary Science at Kansas City Kansas Community College.

---

**Funeral Director Applicant: Mr. Sean O. Ryan**

(Bedene-Schwartz) To grant a funeral director license upon completion of apprenticeship, passing of the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$10.00. Carried. With continuous employment, Mr. Ryan is scheduled to complete his funeral directors' apprenticeship on February 22, 2017 at Ryan Mortuary in Salina, Kansas. Once issued, the renewal date for the license would be June 30, 2017. Mr. Ryan was awarded a Bachelor of Science Degree in Human Biology and Microbiology at Kansas University in Lawrence, Kansas and intends to enroll in mortuary college in the near future.

---

**Funeral Director Applicant: Ms. Mary H. Brennan**

(Melby-Schwartz) 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 \$28.00. Carried. Ms. Brennan completed her funeral directors' apprenticeship on December 8, 2016 at Kevin Brennan Family Funeral Home in Topeka, Kansas. Once issued, the renewal date for the license would be February 28, 2018. Ms. Brennan attended Washburn University in Topeka, Kansas and Kansas City Kansas Community College.

---

**Embalmer-Funeral Director Applicant: Ms. Shelby J. Gaither**

(Melby-Schwartz) To grant an embalmer license upon completion of apprenticeship, payment of an initial license fee of \$126.00 and to grant a funeral director license upon completion of apprenticeship, passing of the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$36.00. Carried. With continuous employment, Ms. Gaither is scheduled to complete her embalmer and funeral director apprenticeships on February 15, 2017 at Baker Funeral Homes in Wichita and Valley Center, Kansas. Ms. Gaither also served a portion of her apprenticeships at Countryside Funeral Home in Chanute, Kansas. Once issued, the renewal date for the licenses would be July 31, 2018. Ms. Gaither earned an Associate in Applied Science degree in Mortuary Science at Kansas City Kansas Community College.

---

**Embalmer-Funeral Director Applicant: Mr. Michael L. "Mike" Hornung**

(Melby-Steil) To grant an embalmer license upon completion of apprenticeship, payment of an initial license fee of \$140.00 and to grant a funeral director license upon completion of apprenticeship, passing of the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$40.00. Carried. With continuous employment, Mr. Hornung is scheduled to complete his embalmer and funeral director apprenticeships on January 29, 2017 at Brenneman Funeral Home and Cremation Service in Liberal, Kansas. Once issued, the renewal date for the licenses would be August 31, 2018. Mr. Hornung earned an Associate of Applied Science Degree in Mortuary Science at Arapahoe Community College in Littleton, Colorado.

---

**Reciprocal (Oklahoma) Embalmer-Funeral Director: Mr. Steven L. Daugherty**

(Bedene-Melby) To grant a reciprocal embalmer license upon payment of the initial license fee of \$112.00 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 \$152.00. Carried. Mr. Daugherty 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.) Once issued, the renewal date for the license would be April 30, 2018. He earned an Associate of Applied Science Degree in Funeral Service at the Dallas Institute of Funeral Service in Dallas, Texas. Mr. Daugherty will be employed at Derfelt Funeral Home in Baxter Springs, Kansas.

**Reciprocal (Missouri) Funeral Director Applicant: Ms. Michelle D. Walker**

(Melby-Schwartz) To grant a funeral director license via reciprocity upon passing the written funeral directors' examination, which will be administered later today and payment of an initial license fee of \$104.50. Carried. Ms. Walker is licensed in the State of Missouri. Once issued, the renewal date for the license would be November 30, 2017. She earned an Associate in Applied Science degree in Mortuary Science at Kansas City Kansas Community College. Once licensed, Ms. Walker will be employed at Church Funeral Associates in Shawnee, Kansas.

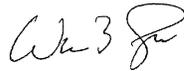
---

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

(Bedene-Melby) 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, April 13, 2017.

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:



---

William L. Cozine, President  
Thursday, April 13, 2017  
(Date)



---

Mack Smith, Executive Secretary  
Thursday, April 13, 2017  
(Date)