



Douglas A. Ducey – Governor

Arizona State Board of Funeral Directors and Embalmers

1740 West Adams Street, Suite 3006 * Phoenix, Arizona 85007

Kristina Dyr, Chairman - James Ahearne, Secretary - Samuel Bueler, Professional Member
Harold Adair, Professional Member – Jack Peterson, Public Member – Amie Gazda, Professional Member

MINUTES REGULAR SESSION

Board Meeting Held On:
Tuesday, December 18, 2018 • 9:00 a.m. • 1st Floor Conference Room “C”
1740 West Adams Street • Phoenix, AZ 85007

CALL TO ORDER: Board Chair - Kristina Dyr, called the Board Meeting to order at 9:02 a.m. The following Members were present for the Board Meeting on December 18, 2018.

MEMBERS PRESENT:

Kristina Dyr, Chairman/Public Member
James Ahearne, Secretary/Professional Member
Samuel Bueler, Professional Member
Amie Gazda, Professional Member
Harold Adair, Professional Member
Jack Peterson, Public Member

STAFF PRESENT:

Judith Stapley, Executive Director
Gary Hendrix, Investigator Manager
Evelyn Estrella, Licensing Administrator
Yazmin Bustamante, Administrative Assistant

ATTORNEY GENERAL’S OFFICE:

Thomas Raine, Assistant Attorney General

CALL TO THE PUBLIC:

Stanley Stobierski addressed the Board and expressed a desire for licensed individuals to be able to receive Continuing Education credit for attending a Board meeting.

1. MINUTES

Board Member-James Ahearne moved to approve the minutes of the November 20, 2018 Board Meeting. This motion was seconded by Board Member Sam Bueler. Motion passed unanimously (6-0).

2. LICENSING

By motion and second, and motion carrying, the following actions occurred relative to applications for licensure subject to the conditions noted:

NAME	TYPE OF LICENSE	ACTION	MOTION BY	SECOND BY
Greenwood Memory Lawn	Endorsement	Approved 6-0	Ahearne	Adair
Graciela Diaz	Funeral Director	Approved 6-0	Ahearne	Bueler
Veronica Hammar	Funeral Director	Approved 6-0	Ahearne	Peterson
Rochelle Illanas	Funeral Director	Approved 5-0 Harold Adair Recused	Peterson	Ahearne
Michelle Schroeder	Funeral Director	Approved 6-0	Bueler	Ahearne
Jeffrey Payne	Embalmer	Approved 6-0	Peterson	Ahearne
Cheryl Tipton	Embalmer	Approved 6-0	Adair	Bueler
Dan Middleton	Cremationist	Approved 6-0	Peterson	Ahearne
Timothy Huerta	Cremationist	Approved 6-0	Ahearne	Peterson
Rebecca Deconcini	Intern	Approved 6-0	Adair	Ahearne
Jeffrey Smith	Intern	Approved 6-0	Peterson	Ahearne
Gaye Denny	Salesperson	Approved 6-0	Ahearne	Adair
Amy Zickert	Salesperson	Approved 6-0	Ahearne	Adair

3. REVIEW, CONSIDERATION AND POSSIBLE ACTION REGARDING:

- A. Docket 16F-201506-FNR (LC2017-000061-001 DT) Saguario Valley Cremation Services, LLC, Jessie Welsh-Alexis, Franklin Lambert and Phillip Scott Warner. Legal update provided by Assistant Attorney General, Thomas Raine. Mr. Raine advised that this case has been appealed to the Arizona Supreme Court.
- B. Docket 16F-201609-FNR, Angel's Cremation and Burial, LLC – Legal Update provided by Assistant Attorney General, Thomas Raine. Mr. Raine advised that the Board has filed a response brief with the Arizona Court of Appeals and is awaiting to hear if the court wants oral briefs.
- C. Saguario Valley Crematory/Angels Cremation and Burial Notice of Claim – Legal Update provided by Assistant Attorney General, Thomas Raine. Mr. Raine advised there have been no updates or changes to report.

4. REVIEW, CONSIDERATION AND POSSIBLE ACTION REGARDING:

The Board may vote to go into Executive Session pursuant to A.R.S. § 32-431.03(A)(2)(to discuss confidential information) or A.R.S. § 38-431.03(A)(3)(to receive legal advice).

- A. Docket 2018-FDE-0025 – Chad Campbell

Mr. Campbell was present to address the Board. He stated that he has completed all requirements mandated by the Indiana State Board of Funeral & Cemetery Service. However, Mr. Campbell also stated that he has not mailed anything to the Indiana Funeral Board yet. Board members asked Mr. Campbell to mail necessary documentation to Executive Director, Judith Stapley when he has completed this action.

5. REVIEW, CONSIDERATION AND POSSIBLE ACTION REGARDING:

The Board may vote to go into Executive Session pursuant to A.R.S. § 32-431.03(A)(2)(to discuss confidential information) or A.R.S. § 38-431.03(A)(3)(to receive legal advice).

- B. Docket 2018-FDE-0024 – Evergreen Mortuary

Peter Callahan-Responsible Funeral Director/General Manager was present representing Evergreen Mortuary. Complainant Josephine Harris was not present. Furthermore, Complainant notified Board staff prior to the meeting that she intended not to pursue this matter any further. After discussion, Board member James Ahearne moved to dismiss this complaint. Board member Amie Gazda motioned to second this. The motion carried 5-1 with Board member Sam Bueler voting nay.

6. REVIEW, CONSIDERATION AND POSSIBLE ACTION REGARDING

The Board may vote to go into Executive Session pursuant to A.R.S. § 32-431.03(A) (2) (to discuss confidential information) or A.R.S. § 38-431.03(A) (3) (to receive legal advice).

A. Board Election

Pursuant to A.R.S. § 32-1303, "The Board shall annually elect from among its members a chairperson and a secretary . . ." After a brief discussion, Kristina Dyrr, Board Chairman, thanked Board members for the opportunity to serve and stated that she will not seek reappointment but will continue to serve until her vacancy has been filled. Board member Harold Adair moved to keep Kristina Dyrr serving as Chairman. This motion was seconded by Board member James Ahearne and carried 6-0. Additionally, Board member Harold Adair moved to reelect James Ahearne as Secretary. This motion was seconded by Board member Kristina Dyrr and carried 6-0.

7. REVIEW, CONSIDERATION AND POSSIBLE ACTION REGARDING

The Board may vote to go into Executive Session pursuant to A.R.S. § 32-431.03(A) (2) (to discuss confidential information) or A.R.S. § 38-431.03(A) (3) (to receive legal advice).

A. Discussion regarding rough draft of proposed bill pertaining to funeral escorts.

Board members discussed the importance of protecting the public from harm and the possible benefits of the proposed bill. Points were brought up regarding the necessity for mandatory compliance of Insurance minimums, which could be set in rule. Also discussed was the need for the Funeral Board to be listed as a "Certificate Holder" on the Certificate of Liability Insurance for the business. This would ensure the Funeral Escort business would be adequately insured and if the insurance was ever dropped, the Funeral Board would be notified. There was also discussion of how the insurance requirement would affect businesses not currently carrying adequate coverage.

8. EXECUTIVE DIRECTOR'S REPORT

A. Quarterly Inspection Report

Gary Hendrix provided a quarterly inspection report stating that during the fourth quarter fourteen inspections were completed. Of those, twelve inspections were establishments two were crematories. Annually, for 2018 there were thirty-six inspections completed. Of those, twenty-nine were establishments and seven were crematories.

9. FUTURE AGENDA ITEMS

10. REVIEW OF SCHEDULED BOARD MEETINGS

2019 BOARD MEETING SCHEDULE

January 15, 2019	*February 19, 2019	March 19, 2019	*April 16, 2019
May 21, 2019	*June 18, 2019	July – CE Only	*August 20, 2019
September 17, 2019	*October 15, 2019	November 19, 2019	*December 17, 2019

SUBJECT TO APPROPRIATE NOTICE THE BOARD RESERVES THE RIGHT TO CHANGE MEETING DATES. AN ASTERISKS (*) DENOTES SCHEDULED DATES FOR CONTINUING EDUCATION ADVISORY COMMITTEE MEETINGS IN ADDITION TO REGULARLY SCHEDULED BOARD MEETINGS.

11. ADJOURNMENT

Board member-James Ahearne moved to adjourn at 9:39 am. This motion was seconded by Board member-Sam Bueler and carried 6-0.

Judith Stapley
Executive Director

APPROVED BY:

Kristina Dyr, Chairman

Jack Peterson, Public Member

James Ahearne, Secretary

Harold Adair, Professional Member

Samuel Bueler, Professional Member

Amie Gazda, Professional Member