



Douglas A. Ducey – Governor

## Arizona State Board of Funeral Directors and Embalmers

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

Samuel Bueler, Chairman/Professional Member \* James Ahearne, Secretary  
Harold Adair, Professional Member \* Amie Gazda, Professional Member  
Joe Hornat, Public Member \* Kristina Dyrr, Public Member \* Helene Bergeon, Public Member

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### MINUTES REGULAR SESSION

Board Meeting Held On:  
**Tuesday, May 19, 2020 • 9:00 a.m. • 1<sup>st</sup> Floor Conference Room “C”**  
**1740 West Adams Street • Phoenix, AZ 85007**

#### 1. CALL TO ORDER

Board Chair Samuel Bueler called the Board Meeting to order at 9:00 a.m. The following Members were present for the Board Meeting on May 19, 2020.

**Members Present:**

Samuel Bueler	Chairman/Industry Member
James Ahearne	Secretary/Industry Member
Amie Gazda	Industry Member
Helene Bergeon	Public Member

**Members Present**

**Telephonically:**

Harold Adair	Industry Member (joined at 9:15 am)
Joe Hornat	Public Member (joined at 9:07 am)
Kristina Dyrr	Public Member

**Board Staff Present:**

Judith Stapley	Executive Director
Brandon Eaden	Investigator
Evelyn Estrella	Licensing Administrator

**2. STATEMENT OF PURPOSE**

Board Chairman Sam Bueler read the Board's Statement of Purpose.

**3. DECLARATION OF CONFLICTS OF INTEREST**

There were no declarations of conflicts of interest.

**4. MINUTES**

Board member James Ahearne moved to approve the minutes of the April 21, 2020 Board meeting. Board member Kristina Dyrr seconded this motion. Motion passed unanimously 5-0.

**5. CALL TO THE PUBLIC**

No one came forward to speak.

**6. LICENSING**

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

<b>NAME</b>	<b>TYPE OF LICENSE</b>	<b>ACTION</b>	<b>MOTION BY</b>	<b>SECOND BY</b>
Kenneth Leslie Provisional	Funeral Director	Approved 6-0	Ahearne	Gazda
Scott Darby	Cremationist	Approved 6-0	Ahearne	Gazda
Nicolas Alba	Cremationist	Approved 6-0	Ahearne	Gazda
Sarah Pfohl	Cremationist	Approved 6-0	Ahearne	Gazda
Summer Bullock	Cremationist	Approved 6-0	Ahearne	Gazda
Pamela Konte	Cremationist	Approved 6-0	Ahearne	Gazda
Jennifer Wells	Cremationist	Approved 6-0	Ahearne	Gazda
Mason Oxendale	Cremationist	Approved 6-0	Ahearne	Gazda
Brittaney Ruiz	Cremationist	Approved 6-0	Ahearne	Gazda
Monet Simpson	Intern	Approved 6-0	Ahearne	Gazda
Greer Van Zanten	Intern	Approved 6-0	Ahearne	Gazda
Leigh Kiernan Provisional	Salesperson	Approved 6-0	Ahearne	Gazda
Bunkers Garden Chapel	Funeral Establishment	Approved 6-0	Ahearne	Gazda
Bunkers University Chapel	Funeral Establishment	Approved 6-0	Ahearne	Gazda
A Wise Choice Desert View Chapel	Funeral Establishment	Approved 6-0	Ahearne	Gazda
East Valley Crematory LLC.	Crematory	Approved 6-0	Ahearne	Gazda
Cremation Society of Arizona, LLC	Sales Endorsement	Approved 6-0	Ahearne	Gazda

**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. Docket 2020-FDE-0003-Angels in Waiting Cremation and Burial Service

The complainant Chet Russell was present telephonically. On behalf of Angels in waiting Cremation and Burial Service (Angels), owner Harold Marcus and Responsible Funeral Director Phillip A. Brown were also present telephonically. Following review and discussion Board member James Ahearne moved to issue a letter of concern to both the Funeral Establishment Angels in waiting Cremation and Burial Service and the Responsible Funeral Director Phillip A. Brown. The letters should focus on their need to develop policies and procedures to ensure all cremated remains are cared for appropriately and in a timely manner.

B. Docket 2020-FDE-0004-Martinez Funeral Chapels-Tucson

Complainant, Cecilia Bracamonte, wife of the decedent was present telephonically along with Patricia Benitez, sister of the decedent. Tomas C. Martinez, owner and Responsible Funeral Director for Martinez Funeral Chapels-Tucson was present telephonically. In addition, present telephonically for part of the discussion to answer questions from the Board was Bianca Soto from the Arizona Department of Health Services Bureau of Vital Records. After some review and deliberation, Board member James Ahearne moved to continue this matter at the Board meeting scheduled for June 16, 2020. This motion was seconded by Board member Helene Bergeon and carried 7-0.

C. Docket 2020-FDE-0002-Legacy Funeral Services (Not licensed in Arizona)

Because of concerns stemming from a complaint the Board received pertaining to this establishment operating in Arizona while unlicensed coupled with a number of actions taken against the establishment's principals and/or their various licenses in other states, Board member Harold Adair moved to refer this case to the Attorney General's Office, Consumer Protection Division. This motion was seconded by Board member James Ahearne and carried 7-0.

**8. 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. Pursuant to A.R.S. § 32-1382 (A) (3) a discussion of whether a Responsible Funeral Director (RFD) should require holding both a Funeral Director and Embalmer license. Also discussed was whether a statutory change is needed to require both licenses as a means to ensure a standard of care in the funeral industry in Arizona.

**9. EXECUTIVE REPORT:**

**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. Update on progress of license renewals: We have had approximately eighteen percent of all renewals processed.
- B. Documents are being created by the Fatality Task Force COVID-19 Work Group, consisting of various state and county emergency planners, to assist with various situations during the COVID-19 pandemic including temporary decedent storage and international decedent ship outs.
- C. Update on the decedent capacity tracker: Funeral homes will be notified when it is ready to be accessed.

**10. SUMMARY OF CURRENT EVENTS:**

**By law, the summary of current events is limited to summarizing recent occurrences. The Board cannot propose, discuss, deliberate or take legal action on any matter in the summary unless the specific matter is properly noticed for legal action.**

No items were discussed.

**11. FUTURE AGENDA ITEMS**

- A. VACANT.

**12. REVIEW OF SCHEDULED BOARD MEETINGS:**

Subject to appropriate notice, the Board reserves the right to change meeting dates.

**2020 BOARD MEETING SCHEDULE**

JUNE 16, 2020

JULY 21, 2020

AUGUST 18, 2020

SEPTEMBER 15, 2020   OCTOBER 20, 2020   NOVEMBER 17 2020

DECEMBER 15, 2020

SUBJECT TO APPROPRIATE NOTICE THE BOARD RESERVES THE RIGHT TO CHANGE MEETING DATES

### **13. ADJOURNMENT**

Board member James Ahearne moved to adjourn the meeting. This motion was seconded by Board Chairman Sam Bueler and carried 7-0. The Board adjourned at 12:28 p.m.

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Judith Stapley  
Executive Director