

BOARD OF FUNERAL DIRECTORS/EMBALMERS

MINUTES OF MEETING

April 23, 2012

Open Session

The Open Session of the Board of Funeral Directors / Embalmers was called to order at 2:00 pm on the above date in Room 104, Cannon Building, Rhode Island Department of Health, Three Capitol Hill, Providence, Rhode Island, pursuant to the applicable provisions of the Open Meeting Law, so called, and other applicable provisions of the General Laws of the State of Rhode Island, as amended. A quorum was established.

Board Members in attendance: Board Members not in attendance:

Edward Murphy, Chairman

Raymond Butterfield, III

Mary Bray Staff members in attendance:

Joan Retsinas J. Michel Martineau

Elizabeth Feid Mr. William McGrath

The minutes of the open session held on January 23, 2012 were reviewed, on motion by Mary Bray, seconded by Edward Murphy; it was unanimously voted to accept the minutes. The minutes of the closed session held on January 23, 2012 were reviewed, on motion by

Mary Bray, seconded by Edward Murphy; it was unanimously voted to accept the minutes.

A board member references the Rules & Regulations section 14.0 Inspections, and notes that in addition to inspecting sanitary conditions, the Inspector has the responsibility and authority to determine if license holders are in conformity with all pertinent RI Funeral Director / Embalmer Law, and Rules & Regulations.

A recent inquiry directed at the Rules & Regulations section 1.17 (iv) resulted in legal guidance from board attorney Thomas Corrigan. Atty. Corrigan references applicable RIGL and indicates any spouse with ownership or any widow/er of a licensed funeral director may continue to serve as funeral director so long as they keep up with renewal of their director's license and fees, and so long as they have been conducting funerals since 11-1-1995. Any spouse/widow/er who assumed their spouse's funeral business after that date are treated as any other funeral director license or renewal applicant.

Having said the above, understanding that previous legal interpretations may not have addressed this or may have been contrary, then there is no need to pursue any complaints against anyone in this class based on anything prior to today regarding failure to get a license, pay fees, or take continuing education. However, from this point forward, the proper way to proceed is to consider all persons in the pre-1995 class to be director/embalmer

licensees and require them to submit renewal applications, fees and continuing educational certifications by December 31, 2012.

Adjournment to Executive Session

On motion of Raymond Butterfield, III, seconded by Mary Bray, it was unanimously voted to adjourn to Executive Session pursuant to sections 42-46-4 and 42-46-5(1) of the Rhode Island General Laws, as Amended, in that confidential issues of fitness for licensure and investigative cases will be discussed. The Open Session adjourned at 2:07 pm.

Chairman Murphy left the meeting at 3:10 pm.

Return to Open Session

The Open Session was called back to order at 4:20 pm. On motion of Raymond Butterfield, III, seconded by Mary Bray, it was unanimously voted to keep confidential all matters discussed in Closed Session and to seal those minutes inasmuch as fitness for licensure and ongoing disciplinary matters were addressed.

FD/EMB C11-974 Complaint Dismissed

FD/EMB 2012-05 Complaint Dismissed

Adjournment

Having no further business, on motion of Mary Bray, seconded by

Raymond Butterfield, III, it was unanimously voted to adjourn. The Open Session of the meeting was adjourned at 4:30 pm.

Respectfully submitted,

J. Michel Martineau

Administrator, Health Professions