

DRAFT- The following is a draft version of the January 11, 2017 Committee Meeting Minutes. Minutes shall be considered unofficial until read and approved by formal vote at a succeeding regular meeting.

Board of Embalmers and Funeral Directors Committee on JCARR Rules Review (Wednesday, January 11, 2017)
Generated by Jarrod Williams on Thursday, January 12, 2017

Meeting called to order at 1:15 p.m.

1. Convening of the Committee

Action, Procedural: 1.01 Calling the Roll

Committee members include Jill Pugh, Thomas Taneff and William Wappner.

Mr. William Wappner called the committee meeting to order. Committee members Ms. Jill Pugh, Mr. Thomas Taneff, and Mr. Wappner were present. Also in attendance were Mr. Eric Anderson, Ms. Linda Clark, Mr. Tim Derickson, Mr. Danny Finrock, Ms. Christie Limbert, Mr. Jon Rettig, Mr. Troy Seahase, and Mr. Jarrod Williams.

Mr. Wappner welcomed additional attendees to the meeting that included Ms. Melissa Sullivan of Ohio Funeral Directors Association and Mark Hamlin, Sarah JanTausch, and Emily Kaylor of Ohio's Common Sense Initiative.

Action, Minutes: 1.02 Consideration of the November 22, 2016 Committee Meeting Minutes

The committee was provided a link ("View Minutes" Icon) to view the meeting minutes in the agenda item details for review.

Committee meeting notation: Ms. Jill Pugh questioned the written notation that she spoke about at-need insurance. She recommended replacing the word "insurance" with "funerals", and removing, "but not pre-need" from the sentence.

A motion was made by Jill Pugh, seconded by Thomas Taneff, to approve the November 22, 2016 Committee Meeting Minutes with the recommended amendments.

Jill Pugh: Yes
Thomas Taneff: Yes
William Wappner: Yes
Motion carries.

Action, Minutes: 1.03 Consideration of the December 09, 2016 Committee Meeting Minutes

The committee was provided a link ("View Minutes" Icon) to view the meeting minutes in the agenda item details for review.

Committee meeting notation: There was no discussion among the committee.

A motion was made by Thomas Taneff, seconded by Jill Pugh, to approve the December 09, 2016 Committee Meeting Minutes as presented.

Jill Pugh: Yes
Thomas Taneff: Yes
William Wappner: Yes
Motion carries.

Action: 1.04 Consideration of amendments to rule 4717-9-01 as recommended by Continuing Education Committee

During its December 9, 2016 meeting, the Board of Embalmers and Funeral Directors Committee on JCARR Rules Review agreed to send recommendations for amendments to rules 4717-9-01 and 4717-9-02 to the Board of Embalmers and Funeral Directors Continuing Education Committee for further deliberation.

The board was provided copy of the recommended amendments in the agenda item details for review. The documents may be located online at the following links:

[http://www.boarddocs.com/oh/boefd/Board.nsf/files/AHFSG72BEDC/\\$file/4717-9-01%20Continuing%20education%20requirements%20\(C%20E%20Committee%20revisions\).pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AHFSG72BEDC/$file/4717-9-01%20Continuing%20education%20requirements%20(C%20E%20Committee%20revisions).pdf)

[http://www.boarddocs.com/oh/boefd/Board.nsf/files/AHFSHA72BB78/\\$file/4717-9-01%20Continuing%20education%20requirements%20\(JCARR%20Rules%20Review%20Committee%20revisions\).pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AHFSHA72BB78/$file/4717-9-01%20Continuing%20education%20requirements%20(JCARR%20Rules%20Review%20Committee%20revisions).pdf)

[http://www.boarddocs.com/oh/boefd/Board.nsf/files/AHFSD72BCFB/\\$file/4717-9-02%20Exemptions%20or%20waivers%20from%20continuing%20education%20\(JCARR%20Rules%20Review%20Committee%20revisions\).pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AHFSD72BCFB/$file/4717-9-02%20Exemptions%20or%20waivers%20from%20continuing%20education%20(JCARR%20Rules%20Review%20Committee%20revisions).pdf)

Committee meeting notation: Mr. William Wappner provided a brief summary of previous committee meetings revisions to rules prior introducing the continuing education committee's recommendations for 4717-9-01.

Ms. Jill Pugh opined that continuing education programs can be provided both privately and open to all. There was discussion among the committee on the differences.

Mr. Wappner questioned Ms. Melissa Sullivan if licensees who are not members of OFDA attend their continuing education programs. Ms. Sullivan replied that non-members typically do not attend.

A motion was made by Jill Pugh, seconded by William Wappner, to approve removal of 4717-9-01 (F)(1)(C) as recommended by the Board of Embalmers

and Funeral Directors Committee on JCARR Rules Review.

Jill Pugh: Yes
Thomas Taneff: Yes
William Wappner: Yes
Motion carries.

A motion was made by Jill Pugh, seconded by Thomas Taneff, to approve amendment to section 4717-9-01(F)(2) as recommended by the Board of Embalmers and Funeral Directors Continuing Education committee as follows:

4717-9-01 (F)(2) A sponsor, organization or person which desires to obtain approval of a course, program, or other continuing education activity shall obtain approval prior to the activity. A sponsor...

Jill Pugh: Yes
Thomas Taneff: Yes
William Wappner: Yes
Motion carries.

Committee meeting notation: Ms. Jill Pugh questioned the recommendation from the continuing education committee to increase the minimum number of continuing education program hours requirement. Mr. Jon Rettig responded with his opinion that the increase may coincide with making a larger percentage of programs available online.

Mr. Thomas Taneff shared that a lawyer's continuing education hours may be obtained entirely online and questioned why this board should be different by limiting online hours. He added that technology has advanced to where many students in college today rarely attend a class in person for a lecture. Mr. Taneff stated many other licensed professionals are capable of obtaining continuing education hours online.

Ms. Melissa Sullivan opined that technology also hinders a person's soft skills. She added that there is value in face-to-face interactive learning. Ms. Sullivan acknowledged that OFDA offers online programs, but continues to offer in-person programs to develop those personal skills.

Ms. Christie Limbert, board counsel, stated that a lawyer's continuing education hours include an option for self-study programs.

Ms. Sullivan stated that OFDA offers self-study and webinar based programs.

Mr. Taneff shared that when he was re-appointed to the Cosmetology Board, he was reminded to stay out of the way of small business when it came to regulations. He suggested the board offer an option to obtain hours online or in-person; but not mandate one over the other.

Ms. Pugh recommended the board not change the number of hours just for the sake of change.

A motion was made by Jill Pugh, seconded by Thomas Taneff, to approve no amendment to section 4717-9-01(A) as recommended by the Board of Embalmers and Funeral Directors Committee on JCARR Rules Review as follows:

4717-9-01(A) Pursuant to section...

Jill Pugh: Yes
Thomas Taneff: Yes
William Wappner: Yes
Motion carries.

Committee meeting notation: There was discussion among the committee on home study programs versus online programs. Mr. Danny Finrock shared that some home study programs found online also includes books.

A motion was made by Jill Pugh, seconded by Thomas Taneff, to approve amendment to section 4717-9-01(H) as recommended by the Board of Embalmers and Funeral Directors Committee on JCARR Rules Review; and to include additional written language to section 4717-9-01(H), as recommended by Board of Embalmers and Funeral Directors Continuing Education Committee as follows:

4717-9-01(H) The board shall may approve nine all hours ~~or one-half~~ of the required continuing education hours fulfilled through courses, programs and other continuing education activities provided by correspondence which includes, but not limited to, online courses and home study per each compliance period.

Jill Pugh: Yes
Thomas Taneff: Yes
William Wappner: Yes
Motion carries.

Committee meeting notation: Ms. Jill Pugh questioned Mr. Danny Finrock if the rule changes will increase his work load. Mr. Finrock replied that it will only during the annual continuing education audit. Mr. William Wappner asked if the inspectors assisted with the audit. Mr. Eric Anderson responded that they did not.

A motion was made by Jill Pugh, seconded by William Wappner, to approve adding a section to 4717-9-01(H) as recommended by Board of Embalmers and Funeral Directors Continuing Education Committee as follows:

(1) Six of the required eighteen hours shall be fulfilled through courses addressing: 1. Ethics (2 hours); 2. Preneed contracts (2 hours); and 3. Laws/ Rules (2 hours).

Jill Pugh: Yes
Thomas Taneff: Yes
William Wappner: Yes
Motion carries.

A motion was made by Jill Pugh, seconded by Thomas Taneff, to approve amendment to section 4717-9-02(E); and to add two sections to 4717-9-02(E) as recommended by the Board of Embalmers and Funeral Directors Committee on JCARR Rules Review as follows:

4717-9-02(E) Physical disability, illness or undue hardship (waivers).

The board may...

Discussion: 1.05 Review of Ohio Administrative Code 4717

Review and discuss rules 4717-07-01 through 4717-8-01 of Chapter 4717 of Ohio Administrative Code.

4717-7-01 Fixed place or location and general requirements for licensure of funeral homes and embalming facilities.

There was discussion among the committee on the role of a manager in facilities. There was consensus among the committee that regulating a manager and an actual in charge is redundant. The actual in charge is ultimately responsible for the facility in all matters concerning compliance.

A motion was made by Jill Pugh, seconded by Thomas Taneff, to approve removal of 4717-7-01(C).

Jill Pugh: Yes
Thomas Taneff: Yes
William Wappner: Yes
Motion carries.

4717-7-02 Requirements for funeral home licensure.

Mr. Thomas Taneff recommended to remove "manager and a funeral director" from section 4717-7-02(C)(1). There was consensus among the committee to accept Mr. Taneff's recommendation.

Ms. Jill Pugh recommended to remove section 4717-7-02(C)(2). There was consensus among the committee to accept Ms. Pugh's recommendation.

Ms. Jill Pugh recommended to remove all notations of "manager" from section 4717-7-02(3). There was consensus among the committee to accept Ms. Pugh's recommendation.

Ms. Christie Limbert suggested the committee address a typographical error written as "third" located within section 4717-7-02(3). Mr. Thomas Taneff recommended to replace "third" with "thirty" in section 4717-7-02(3). There was consensus among the committee to accept Mr. Taneff's recommendation.

Ms. Jill Pugh recommended to remove section 4717-7-02(4). There was consensus among the committee to accept Ms. Pugh's recommendation.

There was discussion among the committee on affixing a name above the main ingress door of a facility. There was debate among the board on the necessity of a name above the main ingress door of a facility.

Ms. Jill Pugh recommended to remove 4717-7-02(5). There was consensus among the committee to accept Ms. Pugh's recommendation.

A motion was made by Jill Pugh, seconded by Thomas Taneff, to approve all changes to 4717-7-02 as recommended by the committee.

Jill Pugh: Yes
Thomas Taneff: Yes
William Wappner: Yes
Motion carries.

Committee meeting notation: Mr. Eric Anderson suggested the committee review 4717-7-02(1)(2) and consider that the public is generally not permitted in a preparation room. He added that the rule does not make sense requiring an embalmer's license to be conspicuously displayed in an restricted area. Mr. Anderson suggested an embalmer's license be displayed like a funeral director's license - in a manner that it may be seen by the general public.

A motion was made by Thomas Taneff, seconded by Jill Pugh, to remove ", or in the preparation room." from section 4717-7-02(1)(2).

Jill Pugh: Yes
Thomas Taneff: Yes
William Wappner: Yes
Motion carries.

4717-07-03 Sale or disposition of existing funeral home.

There was no discussion among the committee. No changes.

4717-7-04 Crematory facilities.

2. Adjournment

Action: 2.01 Adjourn the Committee Meeting

The meeting adjourned at 3:00 p.m.