

Cemetery and Funeral Bureau
Advisory Committee Meeting Minutes

Wednesday, July 12, 2017

Department of Consumer Affairs
1625 North Market Boulevard, El Dorado Room
Sacramento, CA 95834

Advisory Committee Members:

Gerard Reinart
Darin Drabing
Maria Mangini
Christopher Donhost
Suzette Sherman
Jolena Grande
Tracy Hughes

Guest Attendees:

Jerry Desmond	Shun Newborn
Jim Draper	Steve Schacht
Marjorie Bridges	Anne Schillig
John Resich	Jean Okuye

Cemetery and Funeral Bureau Staff: Lisa M. Moore, Bureau Chief; David Edwards, Supervising Auditor; Amber Weaver, Lead Field Representative

Department of Consumer Affairs Staff: Kristy Schieldge, Staff Counsel; Jason Hurtado, Staff Counsel

1. Introduction and Opening Remarks

Bureau Chief Lisa M. Moore called the meeting to order at approximately 10:00 a.m. welcoming those in attendance and introducing Bureau and Departmental staff.

Ms. Moore asked the Committee Members (Members) to introduce themselves and give some brief background about who they are and what they do. Gerard Reinert is the owner of Simplicity Cremation in Southern California and Funeral Convergence, a marketing company, and has been in the industry for 30 years; Darin Drabing, President and CEO of Forest Lawn Memorial Parks and Mortuaries in Southern California, has been in the industry for 32 years; Maria Mangini is a Family Nurse Practitioner and Director of the Family Nurse Practitioner Program at Holy Names University; Chris Donhost works with Sierra Donor Services, an organ procurement organization in California, and has been in the industry for 16 years; Suzette Sherman is founder of SevenPonds, a website-based organization for end-of-life resources and information to educate consumers; Jolena Grande is a Faculty Member with the Mortuary Science Program at Cypress College and has been in the industry for 27 years; and Tracy Hughes is a Deputy District Attorney in the Orange County District Attorney's Office assigned to the Consumer Protection Unit.

Ms. Moore stated that the Bureau is not statutorily mandated to have this Committee but does so because it provides a forum for both consumers and licensees to provide input on funeral and cemetery-related issues and allows the Bureau to do business in an

open and transparent environment. The Committee is a “working committee” and participation and discussion of agenda items is encouraged.

2. Introduction of Department of Consumer Affairs’ (DCA) Director Dean Grafilo

Ms. Moore introduced the Department of Consumer Affairs’ new Director, Dean Grafilo. Director Grafilo welcomed those at the meeting and expressed his appreciation for everyone’s sincere and genuine interest in the work of the Bureau and the expertise and insight they have. He recognized that often times the work those in the industry do involves working with families during difficult times and the work does not go unnoticed. Director Grafilo thanked the Committee for their time and effort.

3. Update on Bureau Activities / Projects: Staffing Update; Examination Development; DCA Annual Report

Staffing Update: At the last meeting, Ms. Moore reported that the Bureau had a vacant auditor position; that position was filled in April by Mona Mathews. The Audit Unit is now fully staffed.

Another new hire was Adrian Carranza who also started in April. Mr. Carranza is in the Enforcement Unit and works on desk investigations and inspection reports.

Amber Weaver was promoted to the Lead Field Representative position in April. Ms. Weaver has worked for the Bureau since October 2013 as a field representative.

In March one of our field representatives, Dan Redmond, retired from the Bureau. With Mr. Redmond’s retirement and Ms. Weaver’s promotion, the Bureau has two vacant field representative positions, one in Northern California and one in Southern California. The Bureau has conducted interviews and is continuing with the hiring process to fill these positions.

Examination Development: Ms. Moore stated the Bureau continuously works on examination development for the five different examinations the Bureau administers: funeral director, embalmer, crematory manager, cemetery manager, and cemetery broker. Last fiscal year the Bureau completed the funeral director and cemetery broker exams. Ms. Moore anticipates new forms of those exams to be out in October. This fiscal year the Bureau is beginning to work on the embalmer and crematory manager exams. The crematory manager exam will include an occupational analysis. These are done every five to seven years for each examination that the Bureau administers. As part of the process, licensed crematory managers will receive a letter asking them to complete an online survey about the tasks and knowledge necessary for entry level into the profession. The survey responses will be reviewed and organized by the Department’s Office of Professional Examination Services. After the occupational analysis is completed workshops for examination development will be scheduled in 2018. Workshops for the embalmer examination development are scheduled for August, October, and November. The Bureau will be soliciting subject matter experts for those workshops.

DCA Annual Report: Every year the Department is statutorily required to prepare an annual report of program and statistical information on all its regulatory boards and bureaus and entities. The Bureau will be providing information about major accomplishments for the past fiscal year as well as information about milestones in the enforcement process, actions taken on complaints, licensing data, examination information, and budget information. The report should be completed later in the year and will be posted on the Department's website (www.dca.ca.gov).

4. Update on Endowment Care Fund Sufficiency Study Required by Assembly Bill 180 (Statutes of 2015)

Ms. Moore reported the Bureau continues to work on this project. Assembly Bill 180 was the Bureau's Sunset Bill and it requires the Bureau to conduct a study on the sufficiency of endowment care funds for future maintenance of cemeteries and report its findings to the Legislature on January 1, 2018. Ms. Moore asked Mr. Edwards to provide an update on this project.

Mr. Edwards provided an overview of the Bureau's timeline on the endowment care fund sufficiency study. He discussed the Bureau's methodology for collecting the data necessary to conduct the study and how the data was analyzed. Mr. Edwards anticipates the report will be completed and submitted to the Department for review on September 1. This will allow a few months for the internal review process before it is submitted to the Legislature on January 1, 2018.

Ms. Moore thanked Mr. Edwards for all his hard work and dedication to getting all cemeteries to respond with information for the study.

5. Update on Legislation: Assembly Bill 926; Assembly Bill 967; Assembly Bill 1381; Senate Bill 800

Ms. Moore provided updates to the Committee on the following proposed Legislation:

Assembly Bill 926: This bill would authorize a cemetery authority to request the trustee of an endowment care fund to make distributions from the fund according to either of two different methods, the net income distribution method or the unitrust distribution method, and establish conditions under which a distribution from the fund could be made under each method. If passed, the Bureau will be required to report about the unitrust method at its next two sunset hearings.

Assembly Bill 967: This bill would require the Bureau to license and regulate hydrolysis facilities, create a certification for crematory managers who operate hydrolysis facilities, and would enact requirements applicable to hydrolysis facilities similar to those applicable to crematories.

Assembly Bill 1381: This bill would require the funeral establishment (instead of the funeral director as required under current law) to submit an application to the Bureau for approval to train an apprentice embalmer. Additionally, funeral establishments could hire a trade embalmer, on a case-by-case basis, to serve as the supervising embalmer over the apprentice.

Senate Bill 800: As it relates to the Bureau, this bill would authorize licensed crematories within close geographical proximity of each other to request authorization from the Bureau to allow a licensed crematory manager to manage, supervise, and direct the business or profession of more than one facility.

Ms. Moore also provided information on the following bill which was not on the agenda:

Senate Bill 547: As it relates to the Bureau, this bill would require any individual employed by a licensed funeral establishment, who consults with the family or representatives of a family of a deceased person, to receive training in all applicable federal and state laws, rules, and regulations including those provisions dealing with vital statistics, the coroner, anatomical gifts, and other laws, rules and regulations pertaining to the duties of a funeral director, be conducted at least once every three years rather than the current requirement of a one-time training.

6. Future Advisory Committee Recruitment

Ms. Moore took a moment to express her sincere thanks to the current Committee, whose term ends on August 31, for their voluntary service to the Bureau.

The Bureau will begin recruiting for new Committee members after the end of August, by sending out information to industry and consumer groups, and individuals on our e-mail list. The Bureau will also post information on our website and request the Department post information on its Twitter and Facebook pages about the Bureau's recruitment. Future meetings will be scheduled after a new committee is in place.

7. Public Comment on Items Not on Agenda

Ms. Moore asked if there was anyone who would like to make public comments about items not on the agenda.

Marjorie Bridges, Funeral Consumers Alliance of California, referenced a news article where a coroner's office misidentified a decedent and, after discussion, asked if there was anything at funeral homes that ensures they bury the right person. Ms. Bridges remarked that she is worried about possible misidentification and would like to see something put in law to require a physical identification of decedents. Ms. Bridges also commented that a General Price List she had obtained charged families to identify their family member. Committee member Darin Drabing commented that he is not aware of funeral establishments charging families to identify a decedent. (Note: funeral establishments commonly charge for a viewing, which is different than an identification.)

Maria Mangini, Committee member, inquired about what would be required to allow a Tibetan Retreat Center to perform open air cremations. Ms. Moore stated that the current law does not allow for open-air cremations.

8. Adjournment

Ms. Moore thanked everyone for attending. The meeting was adjourned at approximately 10:55 a.m.