

**KANSAS STATE BOARD OF MORTUARY ARTS  
700 SW JACKSON, SUITE #904  
TOPEKA, KANSAS 66603-3733  
Wednesday-Thursday, October 13-14, 2010**

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**FORMAT OF MINUTES:**

On each motion there appear the names of two board members in a parenthesis. The first named made the motion, and the second named made the second. Ayes and Nays will be recorded at a voter's request.

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**Wednesday, October 13, 2010:**

- I. The Investigative Committee (IC) of the board met to discuss and make recommendations to the Board on open complaints. Those in attendance included: Charles R. Smith, Overland Park, Consumer, William H. "Bill" Young, Lake Quivira, Licensee, the Board's Litigation/Prosecuting Assistant Attorney General Steve Phillips, and Executive Secretary Mack Smith. Actions from this committee meeting are contained within these minutes.
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**Thursday, October 14, 2010:**

- II. The regularly scheduled meeting of the Kansas State Board of Mortuary Arts (KSBMA) was called to order by President Bill Young.

**Roll call** by Executive Secretary Mack Smith found the following board members in attendance: President William H. "Bill" Young, Lake Quivira, Licensee; Vice President Charles R. Smith, Overland Park, Consumer; Board Member Barry W. Bedene, Arma, Licensee; Board Member Fred G. Holroyd, Topeka, Licensee; and Board Member Diane Minear, Tonganoxie, Consumer. The board's Executive Secretary, Mack Smith and Assistant Attorney General Camille Nohe were in attendance.

The board noted this meeting's tentative agenda that is displayed on the agency's website at: <http://www.kansas.gov/ksbma/> under the heading of *Agency Information and Tentative Board Agenda*.

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(Bedene-Holroyd) To approve a **final agenda** for this meeting. Carried.

The Board decided on eating lunch at the Classic Bean Restaurant located in downtown Topeka as schedule permits.

(Holroyd-Bedene) To adopt the **July 8, 2010 regularly scheduled board meeting minutes** as submitted. Carried. These minutes will be signed by President Young and Executive Secretary Smith, then displayed on the board's website.

The board reviewed results of the written **funeral directors' examination** administered on **July 8, 2010** noting that **45.4% (five of eleven applicants)** were **successful**.

The board reviewed results of the written **assistant funeral directors' examination** administered in **August, September and October of 2010** noting that **100% (one of one )** of all applicants were successful. Since the law requiring examination was enacted on February 8, 2008, **48 of 56** applicants (**86%**) have successfully passed this examination. Unfortunately, there has been a dramatic decrease in the number of new assistant funeral director applicants—which effects the KSBMA's revenue negatively.

The board reviewed the '**List of Licensure Applicants**' scheduled to interview with the board at this meeting, noting the following applicants scheduled to meet with the board: one (1) embalmer-funeral director applicant, four (4) embalmer applicants, one (1) reciprocal (Missouri) funeral director applicant and one (1) reciprocal (Nebraska) embalmer-funeral director applicant. Five (5) of the six (6) applicants that failed the July funeral director examination have applied to retake today's funeral directors' examination—making a total of eight (8) possible applicants to be administered the written funeral directors' examination in conjunction with this meeting.

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- III.** The board **reviewed individual applications** for embalmer and funeral director licensure along with the executive secretary's summations of the applicant's apprentice and supervising licensee progress reports. Applicants for licensure will be interviewed later in this meeting. Funeral director applicants will be administered the written funeral directors' examination by Funeral Home/ Crematory Inspector Francis Mills at 1:30 p.m. this afternoon in the Florentine Room of the Jayhawk Tower.

All quarterly progress reports of embalmer/funeral director apprentices and supervising licensees were summarized by the executive secretary with copies of the individual reports available for board review.

Assistant Attorney Camille Nohe left the meeting.

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- IV.** **Legal Discussion: Individual Complaints/Investigations are listed numerically. The board did not necessarily take action in the order listed below:**

### **Complaints and legal concerns:**

The board reviewed correspondence involving complaints resulting from action taken at the meeting of July 8, 2010.

### **Information on open complaints:**

The Board's Investigative Committee, which is composed of Board Members Young and C. Smith with legal assistance provided by Assistant Attorney General (litigation) Steve Phillips and administrative assistance by Executive Secretary Smith, met Wednesday, October 13, 2010 at 3:00 p.m. to discuss and make recommendations on open complaints. Investigative Committee recommendations are included with the following individual complaints.

**#09-10**—(Bedene-Holroyd) To close the file. Carried. This a criminal case involving missing cemetery preneed and perpetual care funds at a cemetery owned by the individuals who also own a funeral home.

**#10-06**—(Bedene-Holroyd) Following review of all correspondence to close the file. Carried. The complaint involves the failure of the funeral home to provide the family with a refund in an appropriate amount of time.

**#10-20, #10-23, #10-25, #10-30, #10-33 & #10-52**—(C. Smith-Minear) To authorize Assistant Attorney General Phillips to file a Petition revoking the embalmer and funeral director licenses of Daniel J. Oldenettel with fines of \$1,000.00 for each violation but with authority to waive the fines if agreeing to surrender both licenses and agreeing never to reapply for licensure ever again. Carried. If information warrants, Mr. Phillips is also authorized to request criminal prosecution in an attempt to recover missing prefinanced funeral agreement funds.

**#10-24**—(Bedene-Holroyd) Following review of correspondence to close the file. Carried. The complaint involves advertising and inappropriate changes made to the funeral home's *General Price List*. Changes have been made to the price list and advertising in question.

**#10-26**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to advise the funeral home to include all customarily required services and merchandise when advertising cremation or face charges of fraudulent, deceptive and misleading advertising and to supply a copy of the funeral home's price list to the Federal Trade Commission (FTC) for review to determine if there are any violations of the FTC's Funeral Rule. Customarily required services and merchandise include: transportation, cremation, any charges involving permits/documentation, cremation and a temporary container. To not include costs for all services and merchandise is fraudulent, deceptive and misleading advertising. Carried. The complaint involves fraudulent/deceptive/misleading advertising with information provided on the funeral home's *General Price List*.

**#10-27**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to notify both parties of no violations. Carried. The complaint involves fraudulent/ deceptive/misleading advertising by purchasing a cell phone number from a licensee and former owner of a funeral home that is no longer licensed and then answering the phone inappropriately.

**#10-28**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to close the file. Carried. The complaint involves fraudulent/deceptive/misleading advertisement of a no longer license funeral home in the form of a web site. The web site is no longer operational.

**#10-29**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to notify all parties of no violations. Carried. The complaint involves failure of the funeral home to return the funds from a prefinanced funeral agreement to the legal next-of-kin following death where a different funeral home was utilized. The deceased was receiving assistance at the time of death, and the funeral home in question released their collateral assignment on the policy in question.

**#10-31**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to close the file. Carried. The complaint involves fraudulent/deceptive/misleading advertising, unlicensed activity, in the content contained in a newspaper obituary that was determined to contain no violations.

**#10-32**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to advise the licensee to assist any funeral home or transportation company when removing a body from his funeral home and then transferring to an out-of-state location by providing them with an Out-of-State Transit Permit which is required pursuant to KSA 65-2428a. A copy of the statute will be provided with the letter with a copy to be provided to the individual who filed the complaint. Carried. The complaint involves unprofessional conduct by committing abuse/showing disrespect in the handling of a dead human body and failing to issue an out-of-state transit permit.

**#10-34**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to notify the facility of no violations as they have since registered with the Kansas Secretary of State (KSOS) as a preneed provider with a copy of the letter to the KSOS. Carried. The complaint involves the sale of prefinanced cremations without meeting appropriate trusting requirements and registering as a seller of prefinanced funeral agreements with the Kansas Secretary of State's Office.

**#10-35**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to close the file. Carried. Concerns from an audit conducted by the Kansas Secretary of State's Office with the *Prefinanced Funeral Agreement Roster/Report* of this funeral home have been corrected as directed.

**#10-36**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to close the file. Carried. Concerns from an audit conducted by the Kansas Secretary of State's Office with the *Prefinanced Funeral Agreement Roster/Report* of this funeral home have been corrected as directed.

**#10-37**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to notify both parties of no violations. Carried. The complaint involves charging for services not provided.

**#10-38**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to notify both parties of no violations. Carried. The complaint involves unprofessional conduct.

**#10-39**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to close the file. Carried. The complaint involves the listing on an internet site of a closed funeral home. This free listing has since been removed at the request of the KSBMA.

**#10-40**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to close the file. Carried. Concerns from an audit conducted by the Kansas Secretary of State's Office with the *Prefinanced Funeral Agreement Roster/Report* of this funeral home have been corrected as directed.

**#10-41**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to close the file. Carried. Concerns from an audit conducted by the Kansas Secretary of State's Office with the *Prefinanced Funeral Agreement Roster/Report* of this funeral home have been corrected as directed.

**#10-42**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to notify both parties of no violations. Carried. The complaint involves concerns with the handling of cremated remains.

**#10-43**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to close the file. Carried. Concerns from an audit conducted by the Kansas Secretary of State's Office with the *Prefinanced Funeral Agreement Roster/Report* of this funeral home have been corrected as directed.

**#10-44**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to fine the funeral director \$100 for failing to issue an out-of-state transit permit and for public censure by placing the action on the KSBMA web site. Carried. The complaint involves unprofessional conduct with at-need funeral arrangements, concerns with charges, failure to remove jewelry prior to cremation and failure to issue an out-of-state transit permit.

**#10-45**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to close the file. Carried. Concerns from an audit conducted by the Kansas Secretary of State's Office with the *Prefinanced Funeral Agreement Roster/Report* of this funeral home have been corrected as directed.

**#10-46**—(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to close the file. Carried. Concerns from an audit conducted by the Kansas Secretary of State's Office with the *Prefinanced Funeral Agreement Roster/Report* of this funeral home have been corrected as directed.

**#10-47**–(C. Smith-Minear) To adopt the recommendations of the Investigative Committee to close the file–providing information is provided to the KSBMA as directed. Carried. Concerns from an audit conducted by the Kansas Secretary of State’s Office with the *Prefinanced Funeral Agreement Roster/Report* of this funeral home have been corrected as directed. Failure to provide the information will result in the Investigative Committee re-evaluating the situation at their next regularly scheduled meeting.

**#10-48**–No action necessary.

**#10-49**–This application was approved with conditions.

**#10-50**–No action necessary at this time.

**#10-51**–No action necessary at this time.

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**V. Proposed Cremation Regulations**

**Senate Substitute for House Bill 2310**–The KSBMA bill that will license individual crematory operators, set up licensure/renewal maximums, require certain training and continuing education, increases other fee maximums . . . among other things. The bill was effective upon publication in the Statute Book, July 1, 2010, but the provisions within the bill are not effective until July 1, 2011. The executive secretary will have the proposed regulations appropriately filed and available for review at the January 2011 Board Meeting with a public hearing to be scheduled once the Joint Committee on Administrative Rules and Regulations have had an opportunity to review to voice any concerns and recommendations.

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**VI. Board Business:**

- 1) (Bedene-Holroyd) To approve the **quarterly lists of continuing education (CE)**. Carried. One list contains 22 on-site programs, while the other contains over 200 correspondence/home study programs. Both of these lists of approved continuing education programs are regularly updated and are available on the board’s web site on the internet and are mailed quarterly to requesting licensees not having internet access.
- 2) (C. Smith-Bedene) To approve the list of **lapsed licenses** as amended. Carried. The list is a part of these minutes and contains the names of individuals whose license renewals are past due for longer than six months, who have requested that their licenses be dropped, who have died or in the case of assistant funeral directors are no longer employed at a funeral home under the supervision of a funeral director. The list reviewed by the Board included twelve (12) assistant funeral director licenses, eight (8) funeral director licenses, and nine (9) embalmer licenses. Information is provided for a number of reasons, including use by the Office of Vital Statistics (OVS) for purposes of licensure verification used on death certificates.

- 3) The board reviewed the list of **automatically suspended licenses**. This list contains the names of individuals who have not paid their license renewal fees by the appropriate due date and have not requested that their licenses be dropped. Once a license is six months in arrears, it is then automatically placed on the lapsed license list for purposes of being dropped. This list included four (4) embalmer licenses and four (4) funeral directors with renewals due through October 31, 2010.
- 4) (C. Smith-Bedene) To approve the **FY 2011 first quarter** (July 1-September 30, 2010) **Report of Funeral Home/Crematory Inspector**, Francis F. Mills. Carried. 205 inspections were conducted during the quarter with eight (8) violations relating to failure to display licenses appropriately and embalming/preparation room violations. A total of 6,580 miles were traveled involving 55 counties with licensure of one (1) new funeral establishment and one (1) new branch funeral establishment.
- 5) Reviewed the **current roster of apprentice embalmers and funeral directors**. A total of 30 apprentices are currently registered with the board at this time, including: 14 embalmer-funeral directors, four (4) embalmers and 12 funeral directors.
- 6) Discussion of **news articles** relating to the funeral profession that has been provided to board members and legal counsel for their review.
- 7) A reminder of the regularly scheduled 2011 board meeting dates: January 13, April 14, July 14, and October 13, 2011.
- 8) The board **signed travel vouchers** and **licenses**.
- 9) A list of updated **Board Actions** was reviewed.
- 10) A general discussion on the adjudicative action case regarding legislative fee sweeps to the State General Fund was held.
- 11) Press Releases and articles of Board Members were briefly discussed.
- 12) Board contact information was reviewed.
- 13) An updated Roster of Board Member Appointments was distributed.
- 14) The current and potential future status of the Kansas Secretary of State (KSOS) Office's Audit Programs was discussed. Currently the KSOS conducts up to 25 random audits of prefinanced funeral agreements with registered providers in addition to the auditing of cemetery merchandise and perpetual care trusts. Recently passed legislation and the potential of future legislation was discussed.

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## **VII. Executive Secretary's Report:**

- 1) **Budget Update**
  - a) Expenditures for **FY 2010** (July 1, 2009 through June 30, 2010) were \$236,856. With an expenditure limit of \$270,191, expenditures for FY 2010 were \$33,335 (12%) under budget with remaining funds transferred to the KSBMA fee fund for future use.
  - b) The legislature and Governor approved an FY 2011 (July 1, 2010 through June 30, 2011) KSBMA budget of \$272,940 which includes a replacement vehicle for the agency's lone automobile.
  - c) The KSBMA budget request for FY 2012 submitted to the Division of the Budget (DOB) on September 15, 2010 is \$275,239—an increase of \$2,299 or less than 1% from FY 2011.
- 2) Updated information regarding the **International Conference of Funeral Service Examining Boards (ICFSEB)**.

- 3) Updated information on the **Council on Licensure, Enforcement and Regulation (CLEAR)** was discussed.
- 4) Updated information regarding the **Federation of Associations of Regulatory Boards (FARB.)**
- 5) Updated information on the **Kansas Funeral Directors and Embalmers Association (KFDA.)**
  - a) Executive Secretary Smith co-presented the two (2) hour continuing education program at the KFDA Fall 2010 District Meetings along with KFDA Executive Director Pam Scott. He also provided a Board Update during the business portion of the meetings.
- 6) Information relating to the **board's Web Site:**  
<http://www.kansas.gov/ksbma/>.
  - a) There were 53,748 successful requests on the KSBMA web site for the month of September 2010.
  - b) [Kansas.Gov](http://www.kansas.gov) continues to work on setting up the entire KSBMA renewal process, via KanPay, to allow all license renewals to be performed on-line. The administrative staff has had numerous meetings with representatives from both the Information Network of Kansas (INK) and the Division of Information Systems and Communications (DISC) during this on-going process. Services with [Kansas.Gov](http://www.kansas.gov) are provided through a grant while work with DISC is based on an hour rate of \$50 per hour with a 2.50% surcharge.
  - c) The KSBMA has been awarded a two-year grant totaling \$16,900 with [Kansas.Gov](http://www.kansas.gov) for a Content Management System (CMS) relating to the agency's web site. KSBMA costs for years three, four and five will be \$3,700 per year. Oral approval has been received by the KSBMA with a written contract in the process. Initial costs include transfer of all data, ADA accessibility with additional costs relating to Board and Board Committee projects—enabling the KSBMA to save money for postage and paper costs.
- 7) The board discussed information pertaining to the **National Funeral Directors Association (NFDA)**, including:
  - a) Results of the 2010 NFDA General Price List Survey
- 8) Updated information from the **Federal Trade Commission (FTC)** regarding the **Funeral Rule** was discussed.
- 9) Updated information from the **American Board of Funeral Service Education (ABFSE)**, including:
  - a) An article in the October 2010 edition of the American Funeral Director magazine, "*Great Expectations: Are Mortuary School Graduates Properly Prepared?*"
- 10) Updated information from the **Cremation Society of North America (CANA)**
- 11) Updated information from the **Funeral Ethics Association (FEA).**
- 12) Updated information from the **Funeral Consumer Alliance (FCA).**
- 13) Updated information from the **Funeral Consumer's Alliance of Greater Kansas City.**
  - a) The KSBMA administrative staff continues to work with this organization by *providing copies of informational brochures and memorial planning guides* as well as working with volunteers to answer questions they have for their members.
- 14) Updated information from the **Funeral Ethics Organization (FEO).**
- 15) Updated information from the **American Society of Embalmers (ASE.)**

- 16) Updated information from the **Kansas Department of Health and Environment (KDHE), Office of Vital Statistics (OVS.)**
  - a) Computer problems caused a delay in services including providing certified copies of death certificates. That problem has since been corrected.
- 17) Updated information from the **Kansas City Kansas Community College (KCKCC) Mortuary Science Program.**
  - a) Executive Secretary Smith provided an update on his meeting with Kansas City Kansas Community College (KCKCC) Mortuary Science Program Director Wiley Wright. The National Board Examination (NBE) pass rate of college graduates is on the rise since changes were made to the requirements of an Associate in Applied Science Degree in Mortuary Science at KCKCC. **73%** of graduates were successful with the **NBE in 2009**, which is an **increase of 15%** from the 58% in 2008 and *ranked 16<sup>th</sup> overall at all American Board of Funeral Service Education (ABFSE) accredited Community Colleges in the country.* So far in **2010**, 16 of 21 graduates, **76%**, have successfully passed the NBE with ten students scheduled to graduate in the fall. This would mean there would be 31 graduates in 2010—which is five more than in 2009. There was a good enrollment of first year students with a total of 26 new KCKCC Mortuary Students coming from six (6) different states.
- 18) Kansas Mass Fatality Planning Task Force. Not much to report since the Kansas Mass Fatality Plan Draft was provided earlier in 2010.
- 19) SMART/FMS Update—The new financial management system of the State of Kansas which was implemented July 1, 2010 for FY 2011
  - a) Mr. Smith provided an update on the training process used for SMART and how things have gone since implementation of the program on July 1, 2010. Problems in many areas, including but not limited to the inability of the program to provide useful reports, continue to exist.

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**VIII. Board Interviews with Applicants for Licensure:**

**Embalmer-Funeral Director Applicant: Ms. Heather D. Axtell**

(Bedene-Holroyd) To grant an embalmer license upon completion of apprenticeship and payment of an initial license fee of \$105.00 and to grant a funeral director license upon completion of apprenticeship, payment of an initial license fee of \$30.00 and passing of the written funeral director examination, which will be administered later today. Carried. Ms. Axtell is scheduled to complete her apprenticeships on November 4, 2010 at Cimarron Mortuary in Boise City, Oklahoma. Once issued, the renewal date for the licenses would be January 31, 2012. Ms. Axtell earned an Associate in Applied Science degree in Mortuary Science at Amarillo College in Amarillo, Texas.

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**Embalmer Applicant: Ms. Eleanor “Willow” Navarro**

(Bedene-Holroyd) To grant an embalmer license upon payment of an initial license fee of \$35.00. Carried. Ms. Navarro completed her embalming apprenticeship at Resthaven Mortuary in Wichita, Kansas on October 2, 2010. Once issued, the renewal date for her embalming license would be February 28, 2011. She attended Pratt Community College in Pratt, Kansas, earned an Associate in Applied Science (AAS) Degree in Funeral Science at the Dallas Institute of Funeral Service in Dallas, Texas. Ms. Navarro is already a licensed Kansas funeral director.

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**Embalmer Applicant: Mr. Michael G. "Mike" Rorabaugh**

(Bedene-C. Smith) To extend Mr. Rorabaugh's embalming apprenticeship an additional quarter (three months at forty hours per week) beginning with the first day of employment. Carried. His application and embalming apprenticeship will be reconsidered at the January 13, 2011 regularly scheduled board meeting.

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**Embalmer Applicant: Mr. Bryan Talabesky**

(Bedene-C. Smith) To consider Mr. Talabesky's embalmer license application once the embalming apprenticeship has been completed. Carried. Mr. Talabesky has five (5) weeks and eight (8) days of embalming apprenticeship time remaining. He intends to complete his apprenticeship at Abbott Funeral Home in Baxter Springs, Kansas and will transfer his assistant funeral director license to that location, also. Mr. Talabesky has served the greater portion of his embalming apprenticeship at D.W. Newcomer's Son Overland Park Chapel, Kansas. Once the apprenticeship is completed and an embalming license is issued, the renewal date for his embalming license would be August 31, 2011. He attended State Technical Institute at Memphis, Tennessee, Memphis State University in Memphis, Tennessee, earned a Bachelor of Arts Degree in Chemistry at the University of Missouri at Kansas City in Kansas City, Missouri and earned an Associate in Applied Science (AAS) Degree in Mortuary Science at Kansas City Kansas Community College in Kansas City, Kansas. Mr. Talabesky told the Board that he is also a substitute teacher.

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**Embalmer Applicant: Ms. Cassandra J. Woods-Morgan**

(Bedene-Holroyd) To grant an embalming license upon payment of initial licensure fee of \$98.00. Carried. Ms. Woods-Morgan completed her embalming apprenticeship at Bowser-Johnson Memorial Chapel in Topeka, Kansas on October 14, 2010. She served the greater portion of her apprenticeship at Mrs. J.W. Jones Memorial Chapel in Kansas City, Kansas. Once issued, the renewal date for the embalming license would be November 30, 2011. She attended Donnelly College in Kansas City, Kansas, and Kansas City Kansas Community College in Kansas City, Kansas where she earned an Associate in Applied Science (AAS) Degree in Mortuary Science. Ms. Woods-Morgan is a licensed Kansas funeral director.

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**Reciprocal (Missouri) Funeral Director Applicant: Mr. Greg D. Mullinax**

Mr. Mullinax notified the Board that he has withdrawn his application due to time restraints.

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**Reciprocal (Nebraska) Embalmer-Funeral Director Applicant: Mr. Terry G. Lewis**

(Holroyd-C. Smith) To adjourn to Executive Session for twenty minutes until 12:40 p.m. for purposes of deliberation. Carried.

Following the Executive Session, the Board convened in regular session.

(Bedene-Holroyd) To grant a reciprocal embalmer license upon payment of an \$21.00 initial license fee and to grant a reciprocal funeral director license upon payment of a \$28.50 initial license fee and passing the written funeral director examination, which will be administered later today on the condition that he comply with all of the conditions imposed pursuant to the Nebraska Order on Reinstatement issued by the Nebraska Chief Medical Officer, who accepted the recommendations of the Nebraska Board of Funeral Directing and Embalming, subject to the Summary Proceeding Order issued by this agency. Mr. Lewis is also required to provide the Kansas State Board of Mortuary Arts with copies of all reports required under the Nebraska Order on Reinstatement. Carried. The renewal date for the licenses would be December 31, 2010. Mr. Lewis was granted a Nebraska embalmer-funeral director license on January 1, 1984. He attended the Spencer School of Business in Spencer, Iowa, Upper Iowa University in Fayette, Iowa and graduated from the Indiana College of Mortuary Science in Indianapolis, Indiana. He has passed the national examination administered by International Conference of Funeral Service Examining Boards in 1979.

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**IX. New/Old/Remaining Business/Adjournment**

Discussion regarding the drafting of proposed legislation that would address the issue of funeral homes closing being required to notify the general public of closure to allow preneed holders to select another funeral home. Executive Secretary Smith will draft such a proposal for discussion at the January 13, 2011 Board meeting.

(Minear-C. Smith) To adjourn—subject to recall by the president, vice president or executive secretary. Carried. The date of the next regularly scheduled board meeting is Thursday, January 13, 2011.

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At approximately 1:30 p.m. Executive Secretary Smith read instructions to the funeral directors' examinee applicants prior to the administration of the funeral director examination which was proctored by Inspector Francis Mills in the Florentine Room of the Jayhawk Tower. The results of that examination are a part of these minutes.

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Respectfully submitted:

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William H. "Bill" Young, President  
Thursday, January 13, 2011  
(Date)

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Mack Smith, Executive Secretary  
Thursday, January 13, 2011  
(Date)

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