

***The Annual Report of the Kansas State Board of Mortuary Arts, presented at
The 2011 Kansas Funeral Directors Association's 114th Annual Convention, "Your
Password to Success," May 1-4, 2011, Wichita Marriott, Wichita, Kansas***

***Presented by KSBMA Executive Secretary Mack Smith
on behalf of KSBMA President Bill Young***

President Darin (Bradstreet), KFDA Board of Directors, Sales Club, Licensees and Guests. On behalf of the Kansas State Board of Mortuary Arts, I welcome you to Wichita, Kansas and to the 114th Annual Convention! On behalf of KSBMA President Bill Young who is unable to be here today, it's my pleasure to address you this morning with the Annual Report of the Kansas State Board of Mortuary Arts.

Our five board members, who are appointed by the Governor, are: Bill Young, a licensee from Lake Quivira and the current President of the Board; Charles Smith, a consumer from Overland Park and the current Vice President; Immediate Past President Fred Holroyd, a licensee from Topeka; Past President Barry Bedene, a licensee from Arma, and Diane Minear, a consumer from Tonganoxie.

Our administrative staff, is: Administrative Specialist and Office Manager Mary Kirkham, who resides in Valley Falls; Funeral Home/Crematory Inspector Francis Mills, from Overbrook—who is here this morning, and myself, Executive Secretary Mack Smith from Silver Lake.

The Board's legal staff, appointed by the Kansas Attorney General, is: Assistant Attorney General Camille Nohe and Assistant Attorney General Steve Phillips. Camille serves as the board's attorney, while Steve is our litigation attorney and is responsible for prosecuting cases referred by the Board to the Attorney General's office.

If you follow news around the state, you're aware that most of the news from Topeka involving the current Kansas legislative session centers around money. The good news is that fee agencies, such as the Mortuary Arts Board, make the state money from the licensing fees you pay. The bad news is that sometimes legislatures decide to raid and sweep fee funds to assist with the debt problem revolving around the state's general fund—something the Mortuary Arts Board has experienced to the tune of approximately \$50,000 in years past. Licensing fees have stayed the same for the past six (6) years. Budget cuts and fee fund sweeps will determine if it will be necessary to raise fees effective January 1, 2012, something the board hopes to be able to avoid.

Speaking of the current legislative session, the board requested legislation to require that funeral homes closing their doors are required to notify, in writing, all customers with prefinanced funeral agreements of their closure and the need of the consumers to select different funeral homes. That legislation, House Bill 2083, passed both the House and Senate, was signed by Governor Brownback and will become law upon publication in the statute book on July 1, 2011.

Our web site will have a new look that meets the requirements of the Americans with Disabilities Act (ADA) with a tentative start date of later this month. All the information contained within our older web site can be found on the new site—although like anything new it takes a little getting used to before navigation feels comfortable.

We've updated our rule book that contains all laws as of January 1, 2011, and we will update it again a little later in the year once laws involving the licensure of crematory operators

are finalized.

Regarding the licensure of crematory operators—the board will consider regulations at their July meeting that would coincide with legislation passed last year requiring the licensure and regulation of crematory operators. As you've heard me say for the past year, licensure will require six (6) hours of crematory training approved by the board that you must earn within one year of licensure. Previous training will count as long as proof of the training is provided. Two (2) hours of approved continuing education in the specific area of cremation will be required every two (2) years when renewing the crematory operator license. If everything remains on schedule, initial license applications will go out the first week of September and will be due October 31st. Information will be provided to all licensed Kansas crematories with exact dates and information once available.

Some numbers from our Topeka Office:

My Royals—much better. My Chiefs—locked out, but if they ever do play, they have three (3) *Prime Time* evening games vs. the Chargers, Steelers and Patriots on the 2011 schedule.

Since legislation was passed requiring a written examination for assistant funeral directors beginning in February of 2008, a total of 69 examinations have been administered with a success rate of 83%.

In calendar year 2010, 62 complaints were reviewed by the Board's Investigative Committee, including 25 filed by consumers. Those complaints resulted in nine (9) advisory letters, five (5) cases referred to other regulatory agencies, three (3) license revocations, one (1) case referred to the Federal Trade Commission (FTC), one (1) public censure, one (1) fine was issued, one (1) refund was provided, two (2) conditional licenses were granted and one (1) license was dropped before action could be taken against it— for a total of twenty-four (24) actions taken by the board.

Our web site averaged around 65,000 successful hits each month, and there were 1,034 consumer contacts with our office in calendar year 2010.

On behalf of the Kansas State Board of Mortuary Arts, I would like to thank the association for the opportunity to be with you today. Once again, there are many learning possibilities here at the Convention this year—including the opportunity to visit with others to listen, learn and share. I wish everyone the very best during the course of the convention and in the days ahead. Please feel free to discuss any concerns or ideas with fellow Mortuary Arts board members and staff here this week.

Thank you very much! My best to you all!

Respectfully Submitted:



Mack Smith, Executive Secretary
on behalf of Bill Young, President
Kansas State Board of Mortuary Arts

Tuesday, May 3, 2011