

**MINUTES**  
**BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES**  
**TELECONFERENCE MEETING**  
**March 1, 2018 - 10:00 A.M.**

**1. Call to Order, Preliminary Remarks, and Roll Call**

Mr. Jody Brandenburg, Chair – Hello, everybody. Welcome to the Board of Funeral, Cemetery, and Consumer Services’ teleconference meeting. It’s March 1, 2018. Ms. Simon, would you please make the preliminary remarks and do the roll call?

Ms. Ellen Simon – Yes Mr. Chairman. My name is Ellen Simon. I’m the Assistant Director for the Division of Funeral, Cemetery, and Consumer Services. Today is March 1, 2018, and it is 10:00 A.M. This is a public meeting of the Board of Funeral, Cemetery, and Consumer Service. This meeting is held by teleconference. Notice of the meeting has been duly published in the Florida Administrative Register. An agenda for this meeting has been made available to interested persons. The call-in number was placed on the agenda. The Board’s staff present for this meeting are in the Claude Denson Pepper Building, in Tallahassee FL. Ms. LaTonya Bryant is recording the meeting and minutes will be prepared. Persons speaking are requested to identify themselves for the record each time they speak. Participants are respectfully reminded that the Board Chair, Mr. Brandenburg, runs the meeting. Persons desiring to speak should initially ask the Chair for permission. At this time, Mr. Chairman, I will take the roll:

Joseph “Jody” Brandenburg, Chair  
Keenan Knopke, Vice Chair  
Jean Anderson {**ABSENT**}  
Francisco “Frank” Bango {**ABSENT**}  
Andrew Clark  
James “Jim” Davis {**ABSENT**}  
Lewis “Lew” Hall  
Powell Helm  
Ken Jones  
Darrin Williams

**Also noted as present:**

Mary Schwantes, Executive Director  
Tom Barnhart, Board Legal Advisor (via phone)  
LaTonya Bryant, Department Staff  
Jasmin Richardson, Department Staff  
Nicole Singleton, Department Staff  
Lashonda Morris, Department Staff

Ms. Simon – Mr. Chairman there is a quorum for the business of the Board.

**2. Action on the Minutes**

**A. February 1, 2018**

Chair – Thank you. Our next item is action on the minutes from the February 1, 2018 meeting.

**MOTION:** Mr. Lew Hall moved to adopt the minutes of the meeting. Mr. Powell Helm seconded the motion, which passed unanimously.

**3. Application(s) for Preneed Sales Agent**

**A. Informational Item (Licenses Issued without Conditions) – Addendum A**

Ms. Simon – This is an informational item. Pursuant to s. 497.466, F.S., the applicants have been issued their licenses and appointments as preneed sales agents.

4. **Application(s) for Continuing Education Course Approval**
- A. *Recommended for Approval without Conditions – Addendum B*
- (1) *American Academy McAllister Institute of Funeral Service (9808)*
  - (2) *Florida Cemetery, Cremation & Funeral Association (75)*
  - (3) *International Cemetery, Cremation, and Funeral Association (22808)*
  - (4) *National Funeral Directors Association (136)*
  - (5) *New Jersey Funeral Service Education Corp (7002)*

Ms. Simon – Pursuant to s. 497.147, F.S., and Board Rule 69K-17.0041, F.A.C., the courses presented have been reviewed by the CE Committee and the Committee, as well as the Division, recommends approval of the applications for the number of hours indicated.

**MOTION:** Mr. Ken Jones moved to approve the applications. Mr. Helm seconded the motion, which passed unanimously.

5. **Application(s) for Florida Law and Rules Examination**
- A. *Informational Item (Licenses Issued without Conditions) – Addendum C*
- (1) *Funeral Director and Embalmer (Endorsement)*
    - (a) *Dufresne, Kathryn I*
    - (b) *Pyzik, Kathryn A*
  - (2) *Funeral Director and Embalmer (Internship and Exam)*
    - (a) *Avila, Dunay*
    - (b) *Hernandez, Andrea C*
    - (c) *Van Amburgh, Morgan L*

Ms. Simon – This is an informational item. Pursuant to Rule 69K-1.005, F. A. C., the Division has previously approved these applications.

6. **Application(s) for Internship**
- A. *Informational Item (Licenses Issued without Conditions) – Addendum D*
- (1) *Funeral Director*
    - (a) *Menneke, David T F089837*
  - (2) *Funeral Director and Embalmer*
    - (a) *Assidy, Jon G F242181*
    - (b) *Lee, Justin T F237232*
    - (c) *Lucke, Holly M F241355*
    - (d) *Ortiz Jr, Antonio F242194*
    - (e) *Romero, Jami L F240673*
    - (f) *Sturgis, Robert A F074555*
    - (g) *Torres, Anna L F239866*

Ms. Simon – This is an informational item. Pursuant to Rule 69K-1.005, F. A. C., the Division has previously approved these applications.

7. **Application(s) for Embalmer Apprentice**
- A. *Informational Item (Licenses Issued without Conditions) – Addendum E*
- (1) *Cesar, Jamaad M F236933*
  - (2) *Flowers Jr, Michael D F090499*
  - (3) *Hill, Jennifer M F238638*

Ms. Simon – This is an informational item. Pursuant to Rule 69K-1.005, F. A. C., the Division has previously approved these applications.

8. **Application(s) for Registration as a Training Facility**
- A. *Informational Item (Licenses Issued without Conditions) – Addendum F*

- (1) *Bay Area Family Funeral Services Inc. d/b/a Segal Funeral Home Beth David Chapel (F039921) (Tampa)*
- (2) *Professional Funeral Services of Northwest Florida LLC d/b/a Davis-Watkins Funeral Home (F039983) (Fort Walton)*
- (3) *SCI Funeral Services of Florida LLC d/b/a Riverside Gordon Memorial Chapels (F137028) (North Miami Beach)*

Ms. Simon – This is an informational item. Pursuant to Rule 69K-1.005, F. A. C., the Division has previously approved these applications.

**9. Consumer Protection Trust Fund Claims**

**A. Recommended for Approval without Conditions – Addendum G**

Ms. Simon – The CPTF claims presented on the Addendum have been reviewed by the Division and the Division recommends approval for the monetary amounts so indicated.

**MOTION:** Mr. Hall moved to approve all the claim(s), for the monetary amounts indicated. Mr. Darrin Williams seconded the motion, which passed unanimously.

**10. Application(s) for Monument Establishment Sales Agent License**

**A. Informational Item (Licenses Issued without Conditions) – Addendum H**

Ms. Simon – This item is informational only. Pursuant to s. 497.554(3)(a), F.S., the applicants have already been issued licensure as monument establishment sales agents.

**11. Application(s) for Preneed Branch License**

**A. Recommended for Approval without Conditions – Addendum I**

Ms. Simon – The applicant(s) have applied for a preneed branch license. The applications were complete without reportable criminal or disciplinary history. It appears that the applicants qualify for branch licensure and the Division recommends approval of the preneed branch licensure.

**MOTION:** Mr. Jones moved to approve the application(s) for branch licensure. Mr. Williams seconded the motion, which passed unanimously.

**12. Application(s) for Cinerator Facility**

**A. Recommended for Approval with Conditions  
(1) *Atlantic Crematory Inc. (Jacksonville)***

Ms. Simon – An application for a Cinerator Facility was received on November 30, 2017. The application was incomplete when submitted. All deficient items were returned on January 18, 2018. The Funeral Director in Charge will be Roger Delaney (F064835). A background check of the principals revealed no relevant criminal history. The Division is recommending approval subject to the condition that the establishment passes an onsite inspection by a member of Division Staff.

**MOTION:** Mr. Knopke moved to approve the application subject to the condition that the establishment passes an onsite inspection by a member of Division Staff. Mr. Hall seconded the motion, which passed unanimously.

**13. Application(s) for Direct Disposal Establishment**

**A. Recommended for Approval with Conditions  
(1) *Alonia's Cremations & Urns LLC (Port Orange)***

Ms. Simon – An application for a Direct Disposal Establishment was received on December 5, 2017. The application was incomplete when submitted. All deficient items were returned on January 23, 2018. The Funeral Director in Charge will be Alonia Gainous (F058013). A background check of the principals revealed no relevant criminal history. The Division is

recommending approval subject to the condition that the establishment passes an onsite inspection by a member of Division Staff.

**MOTION:** Mr. Jones moved to approve the application subject to the condition that the establishment passes an onsite inspection by a member of Division Staff. Mr. Williams seconded the motion, which passed unanimously.

**(2) *Gilley's Family Cremation LLC (Winter Haven)***

Ms. Simon – An application for a Direct Disposal Establishment was received on January 22, 2018. The application was complete when submitted. The Funeral Director in Charge will be Brian Gilley (F044894). A background check of the principals revealed no relevant criminal history. This entity has, subsequent to the original submission, provided the Division with a revised contract changing the term “Funeral Home” to “Gilley’s Family Cremation” throughout the contract. Based upon some verbiage in the contract that may lead to a false impression, the applicant has assured us that the cinerator facility will meet with no families on their behalf. Only the applicant will be meeting with families. As a result, the Division is recommending approval subject to the condition that the establishment passes an onsite inspection by a member of Division Staff.

**MOTION:** Mr. Williams moved to approve the application subject to the condition that the establishment passes an onsite inspection by a member of Division Staff. Mr. Jones seconded the motion, which passed unanimously.

**14. Collective Application(s)**

**A. *Northstar Funeral Services of Florida LLC***

**(1) *Recommended for Approval with Conditions***

**(a) *Cinerator Facility(s)***

**1) *Northstar Funeral Services of Florida LLC d/b/a Homestead Crematory***

**(b) *Funeral Establishment(s)***

**1) *Northstar Funeral Services of Florida LLC d/b/a Branam Funeral Home Memorial Plan (Homestead)***

**2) *Northstar Funeral Services of Florida LLC d/b/a Funeraria Memorial Plan San Jose (Hialeah)***

**3) *Northstar Funeral Services of Florida LLC d/b/a Funeraria Memorial Plan San Jose Palm (Hialeah)***

**4) *Northstar Funeral Services of Florida LLC d/b/a Funeraria Memorial Plan Westchester Miami (Miami)***

**(c) *Training Facility(s)***

**1) *Northstar Funeral Services of Florida LLC d/b/a Branam Funeral Home Memorial Plan (Homestead)***

**2) *Northstar Funeral Services of Florida LLC d/b/a Funeraria Memorial Plan San Jose (Hialeah)***

**3) *Northstar Funeral Services of Florida LLC d/b/a Funeraria Memorial Plan San Jose Palm (Hialeah)***

**4) *Northstar Funeral Services of Florida LLC d/b/a Funeraria Memorial Plan Westchester Miami (Miami)***

Ms. Simon – Northstar Funeral Services of Florida, LLC (Northstar), a limited liability company, seeks approval for one (1) cinerator facility, four (4) funeral establishments and four (4) training establishments. The change of ownership is due to an asset purchase. Northstar agrees to honor any unfulfilled preneed contracts sold as indicated in the later dated October 13, 2017, by Attorney, Wendy Wiener. The fingerprints for the principals were returned without criminal history. All locations have passed an inspection by a member of Division Staff. More specifically, the entities that are being acquired are as follows:

- 1) Miami Memorial LLC, d/b/a Homestead Crematory, a licensed cinerator facility, license #F081150, physical address: 809 North Krome, Homestead
- 2) Miami Memorial LLC, d/b/a Branam Funeral Home Memorial Plan, a licensed funeral establishment and licensed training facility, license #F081146, physical address: 809 North Krome, Homestead
- 3) Miami Memorial LLC, d/b/a Funeraria Memorial Plan San Jose Palm, a licensed funeral establishment and licensed training facility, license #F081449, physical address: 4850 Palm Ave, Hialeah

- 4) Miami Memorial LLC, d/b/a Funeraria Memorial Plan Westchester, a licensed funeral establishment and licensed training facility, license #F081148, physical address: 9800 SW 24<sup>th</sup> Street, Miami
- 5) Miami Memorial LLC, d/b/a Funeraria Memorial Plan San Jose, a licensed funeral establishment and licensed training facility, license #F081147, physical address: 250 East 4<sup>th</sup> Avenue, Hialeah

The Division is recommending approval subject to the condition(s) as follows:

- 1) That the closing on the transaction to acquire ownership shall occur within 60 days of the date of this Board meeting.
- 2) That the closing on the transaction shall be substantially on terms and conditions as represented to the Board at this Board meeting.
- 3) That Applicant shall assure receipt by the Division within 75 days of the Board meeting, of a letter signed by applicant or applicant's attorney, addressed to the Division, certifying that closing has occurred and stating the date of closing, and stating that closing occurred on terms and conditions not inconsistent with those as represented to the Board at this Board meeting, and providing a copy of the fully Bill of Sale, Asset Purchase Agreement, or other document by which the acquisition transaction is consummated, executed by all parties, and any and all amendments, schedules, and other attachments thereto, also fully executed.
- 4) That the Director of the Division of Funeral, Cemetery, and Consumer Services may extend any deadline set out in these conditions, by up to 90 days, for good cause shown. The Director shall report any such extensions to the Board as an informational item.
- 5) That all representations by the applicant in the application and related materials provided to the Board or FCCS Division by the applicant, in support of the application(s), are deemed material to the Board's action herein.
- 6) That the Applicant (new owner or controlling party) shall assume all existing preneed liabilities of the location(s) being acquired.
- 7) That the Petition relating to continuation of training agency status be approved, so that the training agency status of said locations be continued under the new owners, provided there has been no dispute by the public within thirty (30) days of the date waivers were published.

**MOTION:** Mr. Helm moved to approve the application subject to the conditions recommended by the Division. Mr. Hall seconded the motion, which passed unanimously.

**15. Contract(s) or Other Related Form(s)**

**A. Recommended for Approval with Conditions**

**(1) Preneed Sales Agreement(s)**

**(a) Forest Meadows Funeral Home & Cemeteries, Inc. (F019269) (Gainesville) d/b/a Northeast Florida Cremation LLC and d/b/a A Direct Cremations**

Ms. Simon – Forest Meadows submits the Prearranged Cremation Agreement sales agreement form included in your Board package for approval. If the form is approved, it is to be used for the sale of trust-funded preneed contracts by this preneed licensee and its related preneed branches. The Division is recommending approval subject to the condition that two (2) full sized print-ready copies, of each contract, are received by the Department within 60 days of this Board meeting.

**MOTION:** Mr. Hall moved to approve the request subject to the condition that two (2) full sized print-ready copies, of each contract, are received by the Department within 60 days of this Board meeting. Mr. Jones seconded the motion, which passed unanimously.

**(b) Fred Hunter Memorial Services, Inc. d/b/a Cremation Society of America (F019312) (Hollywood)**

Ms. Simon – Fred Hunter submitted a Financial Accommodation Addendum for the Board's approval. If the form is approved, it is to be used for the sale of trust-funded preneed contracts by this preneed licensee and its related preneed branches. The Division is recommending approval subject to the condition that two (2) full sized print-ready copies, of each contract, are received by the Department within 60 days of this Board meeting.

**MOTION:** Mr. Knopke moved to approve the request subject to the condition that two (2) full sized print-ready copies, of each contract, are received by the Department within 60 days of this Board meeting. Mr. Andrew Clark seconded the motion, which passed unanimously.

*(2) Request(s) for Trust Transfer*

*(a) FPG Florida LLC/Foundation Partners of Florida, LLC (F060727) (Naples)*

Ms. Simon – FPG seeks approval of the below proposed trust asset transfers, and appointment of successor trustee as more specifically set forth in your Board package. Just to provide some background information, on August 3, 2017, the Board approved acquisitions by FPG of the above funeral establishment locations and licensed cemetery company as well as the licensing of these locations as preneed branches under FPG's preneed main license (F060727). FPG acquired all the assets and liabilities for both the cemetery and preneed for these locations. Just to be specific, these licenses are: FPG Florida LLC/Foundation Partners of Florida, LLC d/b/a A Life Tribute Funeral Care, located in Largo FL; FPG Florida LLC/Foundation Partners of Florida, LLC d/b/a Anderson McQueen Funeral Homes, located in St. Petersburg FL; FPG d/b/a E James Reese Funeral Home and Crematory, located in Seminole FL; and FPG d/b/a Sunnyside Cemetery, located in St. Petersburg FL.

FPG acquired all the assets and liabilities for both the cemetery and preneed license at each of these locations. FPG has designated a successor trustee to transfer its existing preneed trust assets from Live Oak Banking Company as it relates to FPG under the Florida Settlor Trust Agreement (70/30 trust) and the First Florida Trust Agreement (90/10 trust) to Regions Bank, N.A. (Regions). Regions will continue to operate under the existing trust agreement for these trust accounts, as identified within your Board package.

Item 2) Proposed Trust Transfers

FPG seeks approval of the transfer of the existing preneed and cemetery trust assets: The FSI Care & Maintenance Master Trust, FSI 1993 Master Trust Agreement (70/30 trust), FSI 1978 Master Trust (70/30 trust), and FSI 1988 Master Trust (70/30 trust), from Live Oak Banking Company, as administered by Funeral Services Inc. (FSI) to the approved FPG Florida, LLC Cemetery Care and Maintenance Trust Agreement and the Florida Settlor Trust Agreement under Regions Bank. If approved, Regions is or will be trustee, as more specifically set out in your Board material.

The Division is recommending approval subject to the conditions set forth below:

Approval of the proposed trust transfers as identified in Item 2 above; and

- 1) That the representations of FPG, as set forth in Attorney's letter dated January 31, 2018 be deemed material to the Board's decisions herein.
- 2) That within 90 days of this Board Meeting Regions provide the FCCS Division (ATTN: LaShonda Morris), the effective date of the transfer and certifications including the following:
  - A letter signed and dated by one of its officers, certifying that it meets one or more of the applicable criteria in s. 497.266(1), and s. 497.458(1)(b), to act as trustee of the trust to be transferred pursuant to Attorney's letter dated January 31, 2018.
  - A letter signed and dated by one of its officers, certifying the dollar amount of trust assets being transferred to the trust as identified under **Attachment 2 and 3**, as referenced in Attorney's letter dated January 31, 2018.
  - Acknowledgement of receipt of the amount of trust assets being transferred as specified under the former trust, as identified under **Attachments 2 and 3**, as referenced in Attorney's letter dated January 31, 2018.
- 3) That the Board's executive director, for good cause shown, may extend the compliance timeframe for the above specified conditions, an additional 90 days.

Mr. Clark – Mr. Chairman?

Chair – Yes?

Mr. Clark – This is Andrew Clark. I just wanted to disclose, for the record, my affiliation with Foundation Partners Group of Florida and I will not be participating in any discussion or voting in this matter.

Chair – Thank you, Mr. Clark. Board?

**MOTION:** Mr. Helm moved to approve the request subject to the conditions recommended by the Division. Mr. Knopke seconded the motion, which passed unanimously.

*(b) Hopewell Memorial Gardens Inc. (F019272 and F039579) (Plant City)*

Ms. Simon – Hopewell Memorial Gardens Inc. seeks approval to transfer its existing Cemetery Care and Maintenance and Merchandise Trust Fund accounts from American Bank and Trust of Polk County to Live Oak Banking Company (Live Oak) as more specifically set forth in your Board package. If approved, Live Oak will be the trustee and will operate under the FSI Master Care & Maintenance Trust and FSI 1993 Trust Agreement (Restated 2015) respectively, for these trust accounts.

The Division is recommending approval subject to the conditions set forth below:

- 1) That the representations of Live Oak, through its representative, Attorney, as set forth in the attached letters dated January 11, 2018 and January 25, 2018, be deemed material to the Board's decisions herein.
- 2) That within 90 days of this Board meeting, Live Oak provide the FCCS Division (ATTN: LaShonda Morris), the effective date of the transfer and certifications, which includes the following:
  - A letter signed and dated by one of its officers, certifying that it meets one or more of the applicable criteria in s. 497.266(1), and s. 497.458(1(b), to act as trustee of the trust to be transferred pursuant to Attorney's letter.
  - A letter signed and dated by one of its officers, certifying the dollar amount of trust assets being transferred to the trust as identified in Attorney's letters dated January 11, 2018 and January 25, 2018.
  - Acknowledgement of receipt of the amount of trust assets being transferred as specified under the former trust, as identified in Attorney's letters dated January 11, 2018 and January 25, 2018.
- 3) That the Board's Executive Director, for good cause shown, may extend the compliance time for the above specified conditions, an additional 90 days, with a report to the Board regarding any extension granted.

**MOTION:** Mr. Jones moved to approve the request subject to the conditions recommended by the Division. Mr. Knopke seconded the motion, which passed unanimously.

**ITEM REVISITED**

**14. Collective Application(s)**  
**A. Northstar Funeral Services of Florida LLC**

Ms. Simon – Mr. Chairman, with your indulgence, I'd like to return to item #14, the application for Northstar Funeral Services of Florida LLC.

Chair – Go ahead.

Ms. Simon – Specifically, in this file, we neglected to rule on the motion for petition or variance, which would lead to the training facilities being approved. The petition for variance or waiver is in your Board package, and I recommend approval.

**MOTION:** Mr. Knopke moved to approve the petition for variance or waiver. Mr. Jones seconded the motion, which passed unanimously.

Chair – Thank you for that.

Ms. Simon – Thank you, sir.

**16. Executive Director's Report**  
**A. Operational Report (Verbal)**

Ms. Simon – At this point, I will turn this over to the Executive Director, Mary Schwantes.

Ms. Mary Schwantes – Good morning.

Chair – Good morning.

Ms. Schwantes - With Session still in, I thought I would give you a legislative update on some of the bills we were following and talked about at the last Board meeting. Not surprisingly, gun control has been the main topic of concern over the past few

weeks. Not sure what impact that will have on Session timing. However, Tuesday, February 27<sup>th</sup> was the 50<sup>th</sup> day of Session, which is the last day for regularly scheduled Committee Meetings, and two (2) more weeks of Session, assuming it does not go into overtime.

We talked about the Department's Bills, HB1073 and SB1292. These bills included amended language regarding a withdrawal of funds from the CPTF (section 497.456), primarily for the purpose of upgrading the Division's outdated and unsupported information technology systems. The provisions providing for a withdrawal of funds from the CPTF were removed from the bills through amendments. Funding for any necessary upgrades to the Division's information technology systems will not come from the CPTF this year. Another item that was of interest to our industry, that was included in the bill, were provisions regarding veterans' preference issues which impacted Chapter 497. Due to the passing of a major bill involving military and veterans' affairs, a separate bill, the veterans' preference issues were also removed from the bills, of the Department, through amendments. So, as a result, all provisions impacting Chapter 497 in the Department's bills were removed. Both bills are expected to pass through. HB1073 has been adopted and placed on third reading for today. SB1292 was also placed on Senate calendar for second reading. So, they are expected to go ahead and pass but they do not impact Chapter 497 issues.

We do have some veterans' preference issues that were addressed in a separate bill, the Military and Veterans Affairs Bill. The House Bill is HB0029. It passed through the House unanimously on February 14<sup>th</sup>, and is in messages to Senate and then before Senate Committees as of February 22<sup>nd</sup>. So the Senate may take this bill up for consideration instead of the companion Senate Bill. The companion Senate Bill is SB1884. It passed all the Committees and has been placed on Special Order Calendar for March 2<sup>nd</sup>. Those are broad bills impacting numerous agencies. We talked about these in great detail last meeting. The bills ease professional licensing fees and requirements for certain active military members, veterans, and their spouses, including creating fingerprinting requirement waivers, expanding the initial licensure fee waivers, and impacting the education/experience requirements. If these pass, we will have to adopt rules regarding particularly the education requirements and some of the other things that impact Chapter 497. Are there any questions regarding the Military and Veterans Affairs bills?

The final issue that we talked about legislatively last Board meeting regarded rule issues. I spoke about three (3) rule related bills that were making their way through Committees at that time. Most aim to pare down the number of agency rules. The one (1) that was of most concern to the Board, we felt, were the Red Tape Reduction Bills. These were the ones if you recall that the basis was if you create a new rule, you have to repeal two (2) rules. That is not moving at this point. It was left off in its third and final House Committee. The companion Senate Bill was referred to three (3) Committees, but didn't move. They're not expected to go any further at this point. That's just the Red Tape Reduction Bill.

There are two (2) bills regarding agency rulemaking, however, which are expected to pass. This is HB83 and SB912. They essentially require an agency to prepare statement of estimated regulatory costs before adopting or amending rules other than emergency rules and also to prepare an estimated regulatory costs before repealing rules, for example as we plan to do with some of the disciplinary guidelines. If these pass before we get to that point, we will be expected to prepare anticipated cost regarding the repeal of those rules. The House Bill passed and is now in messages to Senate. The Senate Bill left off at 2<sup>nd</sup> Committee but it's possible that the Senate will take the House Bill to its floor.

And then finally there were a couple of rules, HB941 and SB1410, which are the Administrative Procedures for 2018. The House Bill on Special Order Calendar for its third reading today, March 1<sup>st</sup>. The Senate Bill never heard in Committee, so I'm not sure what will happen with that. These are the bills that were filed on behalf of the Joint Administrative Procedures Committee (JAPC), which require agencies to periodically review all rules under their purview, even if they don't anticipate any changes. So, even if after reviewing the rules, the agency determines that substantive changes are not needed to a bill, the agency still must re-promulgate the rule to reflect the date of the review. So, again, these bills, if they are made law, will require substantive action on every rule even when no changes are needed to the rule. Right now, those bills we think may pass. We will continue to monitor these matters and let the Board know what potential impact there may be on the Division or Board as we learn of things.

We have a Rulemaking Workshop tomorrow, March 2, 2018, in Tallahassee at the Betty Easley Conference Center. We hope that we will see many of you there. A draft of the guideline worksheet, which incorporated results from the January 18<sup>th</sup> meeting of the Board's Rules Committee, was published last week. We will be working with that draft and it will be used for discussion at the workshop. The next in person Board meeting will be in Orlando on Thursday, April 5, 2018. This ends the Operational Report. Thank you, Mr. Chair.



Chair – Thank you, Ms. Schwantes.

**B. Report: Payment of Disciplinary Fines and Costs (Informational)**

Ms. Simon – This item is informational only. Are there any questions?

Monthly Report of Fines and Costs Assessed and Paid  
 Division of Funeral, Cemetery and Consumer Services  
 March 1, 2018 Board Meeting  
 Date of Report: February 19, 2018

Licensee	Board Meeting	Case No.	Total Fine & Cost Due	Date Due	Paid in Full?	Comments
Emmanuel Funeral Home	1-Feb-17	204697-17-FC	\$28,000	12-Mar-18	Paid in Full	
Marcel's Cremations Inc.	1-Feb-17	198424-16-FC	\$1,500		Paid in Full	
Donald Peter Koma	Dec-17	201961-17-FC; 169273-15-FC	\$1,500	3-Feb-18	Paid in Full	
Abbey Affordable Cremation & Funeral Services	Dec-17	203837-17-FC; 201957-17-FC	\$1,500	3-Feb-18	Paid in Full	
Jeannette Royal	Jun-16	164613-14-FC	\$5,000	12-Jan-16	Note A	
A. When payment in full becomes past due, the FCCS Division works with the DFS Legal Division to enforce payment. B. Once fines and costs are paid in full, licensee kept on this report 3 months, showing Paid in Full, and then dropped off report; also licensee dropped off report after disciplinary action filed due to nonpayment of the fine and costs. C. The Order re this case is still in process, so no Due date is not yet established. D. Due date has not passed, as of the date of this report. E. As of the date of this report, monthly payments were current.						

**17. Chairman's Report (Verbal)**

Chair – As Ms. Schwantes mentioned, our next meeting is April 5<sup>th</sup> in Orlando. I want to remind Board members to mail their thumb drives back to LaTonya. Although there wasn't a return envelope, just take the time to send that to her. That's all I have.

**18. Office of Attorney General's Report (Verbal)**  
**A. Rules Report**

Ms. Simon – Mr. Barnhart?

Mr. Tom Barnhart – Yes. Board members, you see the Rules Report. There have been no changes in the last couple of months. As mentioned before, we have the Rules Workshop tomorrow. There may or may not be another Rules Committee meeting prior to the Board meeting on April 5<sup>th</sup>, but there may need to be a short meeting of some kind just for the Rules Committee to put the final touches on the report that they will be presenting, I believe, at that meeting in Orlando. Are there any questions about the report?

Chair – Thank you, Mr. Barnhart.

Mr. Barnhart – Sure.

**BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES RULES REPORT  
MARCH 2018**

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
69K-30.001*	Disciplinary Guidelines and Penalties for Funeral Directors and Establishments, Embalmers, Removal Refrigeration Services, Direct Disposers and Establishments, and Cinerator Facilities		03/24/2017 (RD)	04/14/2017			
69K-30.0021*	Minor Violations and Notice of Noncompliance for Funeral Directors and Establishments, Embalmers, Removal Services, Refrigeration Services, Direct Disposers and Establishments, and Cinerator Facilities		03/24/2017 (RD)	04/14/2017			
69K-30.003*	Citations for Funeral Directors and Establishments, Embalmers, Removal Services, Refrigeration Services, Direct Disposers and Establishments, and Cinerator Facilities (30.003)		03/24/2017 (RD)	04/14/2017			
69K-21.003	Inspection Criteria (Funeral Establishments).	09/07/2017	05/13/2017 (RD) 09/18/2017 (RN)	05/23/2017	09/26/2017 – Vol. 43/186	11/7/2017	11/27/2017
69K-33.001	Requirements Regarding Handling and Storing of Human Remains	10/05/2017	09/07/2017 (RD)	09/19/2017	10/18/2017 – Vol. 43/202	11/16/2017	12/6/2017

\*Note: Rule Development for 69K-30.001, .0021 and .003 noticed together; however, each proposed rule can be amended separately if needed

\*Note: Workshop on 69K-30.001, .0021 and .003 held June 6, 2017

\*Note: Rules Committee Meetings on 69K-30 held June 28, 2017, August 18, 2017, October 10, 2017, November 9, 2017 and January 18, 2018.

\*Note: Workshop on 69K-30.001 – scheduled for March 2, 2018

**19. Upcoming Meeting(s)**

- A. April 5<sup>th</sup> (DoubleTree by Hilton Orlando Downtown – Orlando)
- B. May 3<sup>rd</sup> (Teleconference)
- C. June 7<sup>th</sup> (Saddlebrook Golf Resort – Wesley Chapel/Tampa)
- D. July 12<sup>th</sup> (Teleconference)
- E. August 2<sup>nd</sup> (Tallahassee)
- F. September 6<sup>th</sup> (Teleconference)
- G. October 4<sup>th</sup> (Miami-Dade College – Miami)
- H. November 1<sup>st</sup> (Teleconference)
- I. December 6<sup>th</sup> (Embassy Suites by Hilton Jacksonville Baymeadows – Jacksonville)

**20. Adjournment**

Chair – Board members, any announcements? Any comments? Anything for the good of the cause? Well, thank you again for being available. Thank you so much for your participation. Ms. Schwantes, did we hear anything from the Governor’s Office on any appointments?

Ms. Schwantes – No sir, we have not.

Chair – Thank you. If there’s no further comments, thank you. The meeting was adjourned at 10:30 a.m.