

MINUTES
BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES
July 12, 2018 - 10:00 A.M.
Department of Financial Services
111 W Madison St, Pepper Bldg. #320
Tallahassee FL 32399

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

Mr. Jody Brandenburg, Chair – Welcome to the Board of Funeral, Cemetery, and Consumer Services’ teleconference meeting. It’s July 12, 2018. Ms. Simon, will you please make your preliminary remarks and do the roll call?

Ms. Ellen Simon – Yes, Mr. Chairman. My name is Ellen Simon. I am Assistant Director for the Division of Funeral, Cemetery, and Consumer Services. Today is July 12, 2018 and it is approximately 10:00, a.m. This is a public meeting of the Board of Funeral, Cemetery, and Consumer Services. This meeting is being held by teleconference. Notice of this meeting has been duly published in the Florida Administrative Register. An agenda for this meeting has been made available to all interested persons. The call-in number was placed on the agenda. The Board 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’s Chair, Mr. Brandenburg, runs the meeting. Persons desiring to speak should initially ask the Chair for permission. At this time, I will take the roll:

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

Also noted as present:

Mary Schwantes, Director
Tom Barnhart, Board Legal Advisor
LaTonya Bryant, Department Staff
Jasmin Richardson, Department Staff
LaShonda Morris, Department Staff
Nicole Singleton, Department Staff

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

Chair – Thank you, Ms. Simon. I hope everyone is having a good summer and enjoying being with family and friends.

2. Action on the Minutes

A. June 7, 2018

Chair –The first item on the agenda is action on the minutes of the June 7, 2018, meeting.

Ms. Simon – Mr. Bango, are you present?

Mr. Frank Bango – Good morning. I’m sorry I’m late.

Chair – Thank you. Is there a motion on the minutes of June 7, 2018?

MOTION: Mr. Lew Hall moved to adopt the minutes of the meeting. Mr. Darrin Williams 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 item is informational only. 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) *Elite CME, Inc. (113)*
 - (2) *International Cemetery, Cremation, and Funeral Association (22808)*
 - (3) *National Funeral Directors and Morticians Association, Inc. (15608)*
 - (4) *National Funeral Directors Association (136)*
 - (5) *New Jersey Funeral Service Education Corp. (7002)*
 - (6) *The Dodge Institute for Advanced Mortuary Stu (81)*

Ms. Simon – Pursuant to s. 497.147, F.S., and 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. Hall moved to approve the applications. Mr. Powell 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 (Internship and Exam)*
 - (a) *Harris, Thomas K*
 - (2) *Funeral Director and Embalmer (Endorsement)*
 - (a) *Heath, Lisa J*
 - (b) *Jelley, Terry R*
 - (c) *Laporte Gonzalez, Zulmarie*
 - (d) *Otero, Joel*
 - (e) *Waggoner, James A*
 - (f) *Zorowski, Samantha J*
 - (3) *Funeral Director and Embalmer (Internship and Exam)*
 - (a) *Batts, Cynthia N*
 - (b) *Dunn, Jacqueline S*
 - (c) *Reese, Christopher*

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) *Holsbeke, Tiffany T (F269879)*
 - (b) *Lynch, Matthew (F270166)*
 - (c) *Toale, Stephanie V (F269893)*
 - (d) *Wilson, Leslie A (F065274)*
 - (2) *Funeral Director and Embalmer*
 - (a) *Boyles, Elizabeth M (F165042)*
 - (b) *Neun, Marybeth (F271462)*

(c) Sellers, Sywania N (F271461)

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) *Klootwyk, Joseph L (F283418)*
- (2) *Reed, Eric A (F034366)*
- (3) *Watson, Kelsie R (F271487)*

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) *JMR Service Group LLC d/b/a Winter Oak Funeral Home & Cremations (F080822) (Winter Garden)*
- (2) *Legacy Funeral Holdings of Florida LLC d/b/a Collison Carey Hand Funeral Home (F079242) (Winter Garden)*
- (3) *Legacy Options LLC (F082117) (Naples)*

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

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. Andrew Clark moved to approve all the claim(s), for the monetary amounts indicated. Ms. Jean Anderson seconded the motion, which passed unanimously.

10. Application(s) for Cinerator Facility

A. Recommended for Approval with Conditions

- (1) *Citrus Crematory LLC (Inverness)*

Ms. Simon – An application for a Cinerator Facility was received on June 4, 2018. The application was complete when submitted. The Funeral Director in Charge will be Sean McGan (F020006). 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. Keenan Knopke moved to approve the application subject to the condition that the facility passes an onsite inspection by a member of Division Staff. Ms. Anderson seconded the motion, which passed unanimously.

- (2) *Jack Spangler & Associates LLC d/b/a Spangler Cremation Service (Bartow)*

Ms. Simon – An application for a Cinerator Facility was received on May 30, 2018. The application was complete when submitted. The Funeral Director in Charge will be Kevin Blackmon (F058054). 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 facility passes an onsite inspection by a member of Division Staff. Mr. Helm seconded the motion, which passed unanimously.

11. Application(s) for Funeral Establishment

A. Recommended for Approval with Conditions

(1) Lawrence J Epps Jr. d/b/a Epps Memorial Funeral Home (Lake Wales)

Ms. Simon – An application for a Funeral Establishment license, due to a change of ownership, was received by the Division on May 8, 2018. The application was incomplete when received. All deficient items were received by June 25, 2018. The Funeral Director in Charge will be Lawrence Epps, Jr (F043918). A background check of the principals revealed no relevant criminal history; however, Lawrence Epps, Jr., does have adverse licensure history. Documents reflecting the adverse history, primarily from the 1980's and 1990's, are included in your Board package. This funeral establishment is not the qualifying entity for a preneed license.

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 executed 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 establishment passes an inspection by a member of Division Staff.

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

12. Application(s) for Preneed Main License

A. Recommended for Approval without Conditions

(1) Kaduk Investments, Inc. d/b/a Prevatt Funeral Home and Cremation Services (Hudson)

Ms. Simon – The Department received the application on March 26, 2018 and all deficiencies were resolved as of June 18, 2018. This is an application for a preneed license that is being filed due to a change in ownership of the funeral establishment. The sole principal and owner of the corporation will be Theodore C. Kaduk. A completed background check of the officer revealed no criminal history. Applicant's qualifying funeral establishment license was approved at the April 5, 2018 Board meeting subject to conditions. If approved, Applicant will sell trust-funded preneed through Independent Funeral Directors of Florida (IFDF), and use their approved pre-arranged funeral agreement.

I have spoken with Mr. Kaduk and he is aware, and I think the documents do reflect it, that the funeral home is fulfilling contracts that were previously entered in to by Prevatt Funeral Home. The Division is recommending approval subject to the condition that the Applicant satisfies all previously stated conditions, within the time frames provided by the Board, for the qualifying entity license as approved at the April 5, 2018 Board meeting.

MOTION: Mr. Helm moved to approve the application subject to the condition that the Applicant satisfies all previously stated conditions, within the time frames provided by the Board, for the qualifying entity license as approved at the April 5, 2018 Board meeting. Mr. Clark seconded the motion, which passed unanimously.

13. Application(s) for Preneed Branch License

A. Recommended for Approval without Conditions – Addendum H

Ms. Simon – The application was complete without reportable criminal or disciplinary history. It appears that the applicant qualifies for branch licensure and the Division recommends approval of the preneed branch licenses.

MOTION: Mr. Helm moved to approve the application. Mr. Hall seconded the motion, which passed unanimously.

14. **Application(s) for Removal Facility**
A. **Recommended for Approval with Conditions**
(1) ***Serenity Removal Services Inc. (Hialeah)***

Ms. Simon – An application for a Removal Service was received on May 21, 2018. The application was incomplete when submitted. All deficient items were returned on June 11, 2018. A background check of the principals revealed no relevant criminal history. The Division recommends approval subject to the condition that the facility passes an onsite inspection by a member of Division Staff.

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

15. **Contract(s) or Other Related Form(s)**
A. **Recommended for Approval with Conditions**
(1) ***Preneed Sales Agreements***
(a) ***FPG FL LLC/ Foundation Partners of Florida, LLC (F060727) (Belleview)***

Ms. Simon – FPG submits the nine preneed sales agreement forms provided in your Board package for approval. If the forms are approved, they are to be used for the sale of trust-funded preneed contracts by this preneed licensee and its related preneed branches. The Division recommends approval subject to the condition that two full sized, print-ready copies are received, by the Department within 60 days of this Board meeting.

Mr. Clark – Mr. Chairman?

Chair – Mr. Clark?

Mr. Clark – Thank you, Mr. Chairman. I just want to state for the record that I am affiliated with Foundation Partners Group and I will not be voting in this matter.

Chair – Thank you, Mr. Clark. Is there a motion?

MOTION: Mr. Helm moved to approve the agreements subject to the condition that two full sized, print-ready copies are received, by the Department within 60 days of this Board meeting. Mr. Hall seconded the motion, which passed unanimously.

- (2) ***Preneed Trust Agreement and Request for Trust Transfer***
(a) ***Treasured Memories FL LLC d/b/a Treasured Memories (F085058) (New Port Richey)***

Ms. Simon – Treasured Memories FL LLC (Treasured Memories), through its Attorney, seeks approval of two (2) trust agreements. Also submitted is a request to transfer trust accounts. These matters are more specifically set forth in Attorney's correspondence dated June 11, 2018 (Exhibit A).

(Exhibit B) Trust Agreements

Treasured Memories seeks approval of the following:

Attachment 1 hereto is an alternative funeral trust agreement, entitled “*Master Preneed Alternative Funeral Trust Agreement*” and attached participation and servicing agency agreement, and a preneed trust agreement, entitled “*Master Preneed Funeral Trust Agreement*”.

(Exhibit C) Trust Transfers

Attachment 2 hereto is a request for transfer by Treasured Memories. This request indicates that Treasured Memories seeks approval to transfer of all its preneed trust funds, as set forth in Attorney's letter dated June 11, 2018, to WesBanco Bank, Inc. If approved, all the preneed accounts will operate under the above proposed trust agreements, also presented for approval at this Board meeting, entitled "Master Preneed Alternative Funeral Trust Agreement" and "Master Preneed Funeral Trust Agreement".

The Division recommends approval of the trust agreement documents and the Licensee's request for trust transfers subject to the conditions as follows:

- 1) That the representations of Treasured Memories, through its Attorney, as set forth in Attorney's correspondence dated June 11, 2018, be deemed material to the Board's decisions herein.
- 2) That within 90 days of this Board Meeting WesBanco 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 June 11, 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 Exhibit C, Attachment 2, as referenced in Attorney's attached letter dated June 11, 2018 (Exhibit A, hereto).
 - Acknowledgement of receipt of the amount of trust assets being transferred as specified under the former trust, as identified under Exhibit C, Attachment 2, as referenced in Attorney's letter dated June 11, 2018 (Exhibit A, hereto).
- 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.
- 4) That fully executed copies of the trust documents as identified above be provided to the Division within 60 days of this Board meeting.

Chair – Is there a motion with conditions?

MOTION: Mr. Knopke moved to approve the trust agreement and request for trust transfer subject to the conditions recommended by the Division. Mr. Hall seconded the motion, which passed unanimously.

16. **Related Items (Wilson's Monument LLC)**

A. Recommended for Approval without Conditions

(1) Wilson's Monument LLC (Quincy) – Monument Establishment Retailer

Ms. Simon – Wilson's Monument LLC submitted an application for a monument establishment retailer license. The application was submitted on May 2, 2018 and all items were resolved as of June 4, 2018. A completed background check revealed no criminal history. This application is being filed by Shironda Wilson, for a new monument establishment retailer license, and if approved, Applicant will operate as a monument establishment retailer at the above specified location. A monument retail sales agreement is also submitted as the next item on the agenda, by the Applicant for approval, and that sales agreement will be used if licensure is granted. The Division is recommending approval without conditions.

MOTION: Mr. Helm moved to approve the application. Mr. Clark seconded the motion, which passed unanimously.

B. Recommended for Approval with Conditions

(1) Wilson's Monument LLC (Quincy) – Monument Establishment Sales Agreement

Ms. Simon – Wilson's Monument LLC has submitted a monument retail sales agreement for approval. If the form is approved, it is to be used for the sale of monuments through the monument retailer establishment license you just approved. The Division is recommending approval subject to the condition that two full sized, print-ready copies are received, by the Department within 60 days of this Board meeting.

Chair – Mr. Helm, did you get an opportunity to review this?

Mr. Helm – Yes. Is anybody from Wilson's Monument on the line?

Ms. Shironda Wilson – Shironda Wilson is on the line.

Mr. Helm – Yes, ma’am. Mr. Chair, can I ask her a question, please?

Chair – Please do, Mr. Helm.

Mr. Helm – Your third line there, on your contract, “_____ herein referred to as Seller.”, is that Wilson Monuments or is that the person that’s selling it? Is that what that blank is for?

Ms. Wilson – Wilson Monuments.

Mr. Helm – I’m sorry?

Ms. Wilson – Wilson Monuments.

Mr. Helm – Okay. Well, I was just wondering why it wasn’t preprinted since that’s who’s going to be in business. That’s the only question I had.

Ms. Wilson – Okay.

Chair – Thank you, ma’am. Thank you, Mr. Helm.

MOTION: Mr. Helm moved to approve the agreement subject to the condition that two full sized, print-ready copies are received, by the Department within 60 days of this Board meeting. Mr. Williams seconded the motion, which passed unanimously.

17. Executive Director’s Report
A. Operational Report (Verbal)

Ms. Simon – At this time, I will turn the meeting over to the Executive Director, Ms. Mary Schwantes, for her Operational Report.

Ms. Mary Schwantes – Thank you. A couple of brief updates on activities that the Division has been involved in:

CONFERENCES

During June, Division staff attended 3 of the industry conferences – IFDF (Saddlebrook/Tampa), FMA (St. Pete), and FCCFA (Bonita Springs). The Board meeting for June was held at the IFDF Conference and we again want to thank the IFDF staff and members for their assistance with that meeting. At the FMA and FCCFA conferences, we gave presentations on Division activities during the past fiscal year and projects on which we are working and also expect to be working on in the near future. A similar presentation will be provided at the upcoming August conference of the Florida Monument Builders Association. This year, we will also be attending and presenting at the Cremation Association of North America (CANA) Conference in Ft. Lauderdale at the end of July. Obviously, these conferences provide a great opportunity for the interaction and exchange of ideas/concerns between our staff and industry members. We are excited to take part in these conferences and look forward to more such opportunities in the future.

It’s the end of the fiscal year. Our fiscal year runs from July 1 to June 30, and so we are in the midst of planning our budget for fiscal years 2019/2020. They are prepared a year in advance. So, there will be a lot of activity during the remainder of the summer and going into the fall on budget, long-range program planning, all of the bureaucratic and administrative type items that are due as part of the State budgeting process.

LEGISLATION 2019 – PUBLIC WORKSHOPS

At our June Board meeting, I announced that the Department would be scheduling 4 public workshops for open discussion on matters regarding the death care industry and Chapter 497, Florida Statutes. Those workshops have been scheduled and notice of the workshop dates were emailed on Monday to:

- Those on our “service list” for Board meetings (which includes Board members, industry representatives and internal Dept. employees)
- Those on our service list for meetings of the Board’s Rules Committee last year, which dealt with disciplinary matters
- The main offices/contacts at the 4 industry associations:
 - Florida Cemetery, Cremation & Funeral Association (FCCFA)
 - Independent Funeral Directors of Florida Association (IFDF)
 - Florida Morticians Association, Inc. (FMA)
 - Florida Monument Builders Association (FMBA)

It has additionally been posted on our Division website under Announcements and News. An email containing the agenda for the first workshop, which will take place on July 23rd in Tallahassee, is being emailed later today and will also be posted on our website. The dates of the workshops are: Monday, July 23rd, Thursday, August 2nd, Wednesday, September 12th, and Thursday, October 4th. You’ll note that two of the workshops, August and October, will be held immediately following the regularly scheduled Board meeting. We hope that Board members will be able to attend, if your schedule permits. For the first workshop on July 23rd, we anticipate that that will be more of a listening session. We are interested in hearing directly from the licensees, their representatives, and the public regarding their thoughts on matters impacting the industry. The agenda we have prepared lists topics that we know to be of interest to at least some of the licensees but the session will be open for other discussion topics as well. Actually, prior to this meeting, I understand from talking to folks here that there may be some folks who’d normally be present who will not be able to attend. If anybody is in that kind of situation, I would recommend that if you have ideas or topics that you know you want to be discussed at these public workshops, even if you cannot be at the July 23rd meeting, if you would, get in touch with me and get those ideas to me, because we want to make sure that they end up on the agenda. If not for July 23rd, that they end up on the agenda going forward. As the public workshops progress, we expect more detailed agendas will be prepared and perhaps even at some point have proposed language for legislative changes, at the workshops. We hope to see many of you at the workshops and look forward to the discussions.

Ms. Schwantes – A couple of quick updates on 2 ongoing projects that I’m going to keep telling you all about:

PNRS

The new online preneed remittance system (PNRS) is still expected to be live by August 1st. Preneed licensees need to remember that their quarterly reports for the 2nd quarter of 2018 must be submitted online using the new system. For any questions or problems using the system, please call the Division.

REPLACEMENT OF MICROSOFT ACCESS DATABASE SYSTEMS

The paperwork necessary to obtain the \$1.2 million, which was allocated by last year’s legislature for replacement of these systems has been completed. Meetings are taking place with legislative staff regarding the next steps. We only have 1 fiscal year to use the funds, and we’re already halfway through July, so we are hoping the funds will be released as soon as possible, because we still have to go through the contracting process. We have a lot of work to do to replace these six to eight systems over the next year. So there will be a continuing update on that as the Board meetings progress in the year.

Ms. Schwantes – The next Board meeting is an in-person meeting on August 2nd in Tallahassee, Florida. It will be followed by the 2nd Public Workshop, which will take place from 1:00 – 5:00 pm that day. That ends the operation report. Thank you, Mr. Chair.

Ms. Simon – 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
 July 12, 2018 Board Meeting
 Date of Report: July 2, 2018

Licensee	Board Meeting	Case No.	Total Fine & Cost Due	Date Due	Paid in Full?	Comments
Marquis R. Turner	5-Apr-18	214752-17-FC	\$1,000	C	Paid in Full	
Emmanuel Funeral Homes, Inc.	5-Apr-18	197151-16-FC; 219751-18-FC	\$5,500	C	Paid in Full	
Fritz Duvigneaud	5-Apr-18	219770-18-FC	\$2,500	C	Paid in Full	
Dianne McCloud	5-Apr-18	198420-16-FC	\$1,500	C	Paid in Full	
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.						

18. Chairman's Report (Verbal)

Chair – I was going to mention the next meeting and the public workshops, but those have all been covered, so that’s the end of my report.

Ms. Simon – Thank you, Mr. Chairman.

19. Public Comments (Verbal)

Ms. Simon – At this point in the meeting I would ask if there is anybody that wishes to make a public comment? Hearing none.

20. Office of Attorney General’s Report

A. Rules Report

Mr. Tom Barnhart – Thank you, this is Tom Barnhart.

Chair – Mr. Barnhart, I want to take this opportunity to welcome you back. We’re so glad to have you back with us. We’re so glad to have you participating. I know that you’re working on a full recovery, but we appreciate you being with us.

Mr. Barnhart – Thank you. As you see, the Rules Report is pretty lengthy. We received a number of JAPC letters that the Board staff and the Office of the General Counsel of the Department of Financial Services and I will be working together trying to come up with responses to some of these letters, because some of the rules, as you probably know, have overlapping responsibilities between the Department of Financial Services and the Board, for coming up with rules and forms. So I’ll be working with the Board staff and the General Counsel’s office to reply to some of those letters. The status of the 69K-30.001 is pretty close to being all approved. I’m going to be bringing that rule briefly onto the agenda for next month. If you recall, we had aggravating and mitigating factors in rule and JAPC did not like the very last one, which was pretty much open ended as

being other factors that might be considered mitigation or aggravation, and JAPC didn't like that at all, so I'm going to be proposing to the Board that we eliminate that letter. I think it's 6(M), but they had no problem with the ones listed in 6(A) through 6(L). So I will be bringing that to the Board at the August 2nd meeting, and that should take care of the all other concerns about that rule. Correct me if I'm wrong, but the intended effective date is January 1st? Is that right?

Ms. Schwantes – Correct.

Mr. Barnhart – Okay. Hopefully these other rules, which don't have a JAPC letter indicated next to it at this point, are going to be sailing through smoothly. We just have to wait and see, but I think that is going to be the case. Are there any questions about the Rules Report? Since there are no questions, Mr. Chairman, that finishes my report.

BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES RULES REPORT JULY 2018

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
69K-1.003	Miscellaneous Fees; Name Changes and Duplicate Licenses		6/11/2018	6/19/2018 Vol. 44/119			
69K-1.004	Exemption of Spouses of Members of Armed Forces from Licensure Renewal Provisions		6/11/2018	6/19/2018 Vol. 44/119			
69K-1.005	Licensure Application Procedures		6/11/2018	6/19/2018 Vol. 44/119			
69K-5.002	Application for Preneed License		6/11/2018	6/19/2018 Vol. 44/119			
69K-5.0021	Application for Preneed Branch Office License		6/11/2018	6/19/2018 Vol. 44/119			
69K-5.003	Application for Preneed Sales Agent License and Appointment		6/11/2018	6/19/2018 Vol. 44/119			
69K-5.012	Application and Renewal Procedures for Broker of Burial Rights License		6/11/2018	6/19/2018 Vol. 44/119			
69K-5.0016	Preneed License; Financial Requirements	05/03/2018	5/14/2018	5/23/2018 Vol. 44/101	6/7/2018 – Vol. 44/111 6/20/2018 JAPC letter rec'd / /2018 JAPC response		
69K-7.009	Reporting Requirements for Preneed Licensees Filing an Initial Application to Utilize a Letter of Credit or Surety Bond in Lieu of Maintaining a Trust Fund	05/03/2018	5/15/2018	5/23/2018 Vol. 44/101	6/7/2018 – Vol. 44/111 6/21/2018 JAPC letter rec'd / /2018 JAPC response		
69K-7.0095	Preneed Trust fund; financial reports	05/03/2018	5/14/2018	5/23/2018 Vol. 44/101	6/7/2018 – Vol. 44/111 6/20/2018 JAPC letter rec'd / /2018 JAPC response		

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
69K-7.010	Reporting Requirements for Preneed Licensees Utilizing a Surety Bond or Letter of Credit in Lieu of Maintaining a Trust Fund	05/03/2018	5/15/2018	5/23/2018 Vol. 44/101	6/7/2018 – Vol. 44/111 6/21/2018 JAPC letter rec'd / / /2018 JAPC response		
69K-7.011	Criteria for Filing a Letter of Credit in Lieu of Maintaining a Trust Fund	05/03/2018 (voted to repeal)	5/14/2018		05/22/2018 - Vol. 44/100 6/6/2018 JAPC letter rec'd 6/11/2018 JAPC response 6/12/2018 Notice of Correction-Vol. 44/114	6/27/18	7/17/2018
69K-7.012	Criteria for Filing a Surety Bond in Lieu of Maintaining a Trust Fund	05/03/2018	5/15/2018	5/23/2018 Vol. 44/101	6/7/2018 – Vol. 44/111 6/21/2018 JAPC letter rec'd / / /2018 JAPC response		
69K-7.0125	Alternative Form of Security for Permanent Outer Burial Receptacle Manufacturers	05/03/2018	5/15/2018	5/23/2018 Vol. 44/101	6/7/2018 – Vol. 44/111 6/21/2018 JAPC letter rec'd / / /2018 JAPC response		
69K-7.017	Trust Fund Deposits; Funeral and Burial Services and Merchandise Preneed Contract Payments	05/03/2018	5/15/2018	5/23/2018 Vol. 44/101	6/7/2018 – Vol. 44/111 6/21/2018 JAPC letter rec'd / / /2018 JAPC response		
69K-10.003	Remittances to the Preneed Funeral Contract Consumer Protection Trust Fund	05/03/2018	5/14/2018	5/23/2018 Vol. 44/101	6/7/2018 – Vol. 44/111 6/20/2018 JAPC letter rec'd / / /2018 JAPC response		
69K-17.002	Application Fees; Licensure by Endorsement for Embalmers and Funeral Directors		6/11/2018	6/19/2018 Vol. 44/119			
69K-17.003	Fees		6/11/2018	6/19/2018 Vol. 44/119			
Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
69K-17.0030	Direct Disposer/Establishment; Fees		6/11/2018	6/19/2018 Vol. 44/119			
69K-18.001	Embalmer Intern Training Program		6/11/2018	6/19/2018 Vol. 44/119			
69K-18.002	Funeral Director Intern Training Program		6/11/2018	6/19/2018 Vol. 44/119			
69K-18.003	Concurrent Internships		6/11/2018	6/19/2018 Vol. 44/119			
69K-25.001	Licensure by Endorsement; Embalmers		6/11/2018	6/19/2018 Vol. 44/119			
69K-25.002	Licensure by Endorsement; Funeral Directors		6/11/2018	6/19/2018 Vol. 44/119			
69K-25.003	Licensure as Temporary Embalmer or Temporary Funeral Director; Manner of Requesting and Fee; Practice Limitations; Expiration		6/11/2018	6/19/2018 Vol. 44/119			
69K-27.001	Embalmer Apprentice Program		6/11/2018	6/19/2018 Vol. 44/119			
69K-30.001*	Disciplinary Guidelines and Penalties for Funeral Directors and Establishments, Embalmers, Removal Refrigeration Services, Direct Disposers and Establishments, and Cinerator Facilities	04/05/2018	03/24/2017 (RD)	04/14/2017 Vol. 43/73	04/16/2018 – Vol. 44/74 5/4/2018 JAPC letter rec'd 5/16/2018 JAPC response 05/25/2018 Notice of Correction – Vol. 44/102 / / /2018 Notice of Change – Vol. 44/		

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective
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

21. Upcoming Meeting(s)

- A. August 2nd (Betty Easley Conference Center, 4075 Esplanade Way, Room 166 – Tallahassee)
- B. September 6th (Teleconference)
- C. October 4th (Miami-Dade College North Campus, Building 3 – Miami)
- D. November 1st (Teleconference)
- E. December 6th (Embassy Suites by Hilton Jacksonville Baymeadows – Jacksonville)

22. Adjournment

Chair – Board members? Any comments? Any questions? Good of the cause? Thank you. See you in August.

The meeting was adjourned at 10:30 a.m.