

WV Board of Funeral Service Examiners

Board Meeting

179 Summers Street

Suite 319

Charleston, WV 25301

December 14, 2022

11:00 a.m.

Members & Staff Present: Eugene Fahey, President, Robert Fields, Vice President/Secretary Ron Waybright, Bryan Nichols, Fred Kitchen and Rich Bishoff. Linda Lyter, Executive Director, Grady Bowyer, Office Manager, Mark Danehart, Inspector and Adriana Marshall, Attorney

Present via Zoom: John Valentine

Guests Present: Rob Kimes and John Taylor

Guests Present: Blair Campbell, Jamie & John Weaver and Karen Slack via Zoom

Call meeting to order at 11:19 a.m. by president of board – quorum established.

A motion made by Rich Bishoff to approve the amended June 17, 2022 minutes to include Melissa Cyfers and Mark Danehart, Board Inspectors as attendees and the October 13, 2022 meeting minutes. Seconded by Bob Fields. Motion approved.

A motion made by Rich Bishoff to go into Executive Session and seconded by Fred Kitchen. Motion approved. Staff & guests are requested to leave the room. Other guests placed in waiting room.

Complaints reviewed and discussed. Guests pertaining to specific complaints were permitted as necessary to enter and leave the room as requested.

Motion is made by Bob Fields to come out of Executive Session and seconded by Bryan Nichols. Motion approved. Attendees return to the meeting.

Complaint # 2023-00 Motion is made by Fred Kitchen to dismiss the complaint due to no probable cause or violation of law. Seconded by Bryan Nichols. Motion approved. Discussion with licensee regarding protocol.

Agenda items have been rearranged due to guests in attendance.

Agenda item #8 Regarding funeral director requirements: discussed while awaiting a guest via zoom. A motion is made by Rich Bishoff to maintain the bachelor's degree requirement for the funeral director license. Seconded by Fred Kitchen. Motion approved.

Agenda item #9 Regarding green burial home: Discussion with guest, relating to the requirements for owner versus operational functions of a funeral establishment.

Motion made by Bryan Nichols to go back into Executive Session to discuss remainder of complaints and seconded by Rich Bishoff. Motion approved.

Motion made by Rich Bishoff to come out of Executive Session and seconded by Ron Waybright. Motion approved.

Complaint # 2023-05 Motion is made by Rich Bishoff to dismiss the complaint due to no probable cause or violation of law. Seconded by Bob Fields. Motion approved.

Complaint # 2022-07 Motion is made by Bob Fields to close the complaint with a reminder of remaining requirements regarding consent agreement. Seconded by Bryan Nichols. Motion approved.

Complaint # 2022-08 Motion is made by Bob Fields to close the complaint with a reminder of remaining requirements regarding consent agreement. Seconded by Bryan Nichols. Motion approved.

Complaint # 2023-01 and Complaint 2023-02 Motion is made by Rich Bishoff regarding probable cause to suspend license and directing licensee to participate in the WV Pharmacy Recovery Network (WVPRN) program within fifteen (15) days of execution of consent agreement. Respondent must comply with the terms/conditions of the WVPRN program timeframe as determined by the program and pay all costs associated with the reinstatement upon successful completion of the program subject to board approval. WVPRN shall provide an interview with the board and the outcome of any criminal charges against him, to include any administrative costs as well. The board attorney to draft a consent agreement. Seconded by Ron Waybright. Motion approved.

Complaint # 2023-04 Motion made by Rich Bishoff to notify owner of funeral home of unlawful business practices. Seconded by Bryan Nichols. Motion approved.

Complaint # 2023-06 Stays open. Letter mailed for response.

Inspector assigned to conduct inspections at specific funeral homes.

Agenda item #12 Items of Interest: Discussion of statute changes relating to crematories and potential name change of the board. Association meeting to be held in February. Crematory Operator training to be offered. Association annual meeting to be held in Charleston in June 2023. Lyter to check on board appointments. John to retire in July and moving out of state.

Executive Director's Report: Discussion of annual licensing board training that was held in November. Discussed the upcoming annual meeting of the Conference in March 2023. Lyter & Bowyer to attend. Will apply for a grant for Lyter attendance. Discussion of office managers salary & hourly pay rate. A motion is made by Rich Bishoff to increase hourly rate for office manager from \$15.00 to \$18.00 per hour. Seconded by Bob Fields. Motion approved. Annual salary amount will remain the same since it is capped for state government retirees.

Office Manager's Report: Discussion of funeral director apprentice report, annual CE audit & provider renewals. Also, discussion on funeral director reciprocity application.

Lyter presented financial report. A motion is made by Fred Kitchen to approve financial report. Seconded by Ron Waybright. Motion approved.

Lyter & Bowyer presented P-Card report. A motion to approve the P-Card report is made by Rich Bishoff and seconded by Bryan Nichols. Motion approved.

Election of Officers: A motion is made by Rich Bishoff to nominate and elect Gene Fahey for president. Seconded by Ron Waybright. Motion approved. A motion is made by Fred Kitchen to nominate and elect Bob Fields for vice president/secretary. Seconded by Rich Bishoff. Motion approved.

Board Member Concerns: Review courtesy card requirements for surrounding states and discuss at next meeting. Also, discussion of updating website at the next meeting.

The next meeting will be scheduled for February 7, 2023.

Licenses signed by members.

A motion is made by Bryan Nichols to adjourn the meeting. Seconded by Fred Kitchen. Motion approved.