

Washington State Funeral & Cemetery Board Meeting Transcript

February 23, 2023

0:0:0.0 --> 0:0:3.530

Little, Rick (Chair)

I'm Rick Little, Chair of the Washington State funeral and cemetery Board.

0:0:4.220 --> 0:0:14.440

Little, Rick (Chair)

And it is now 9:00 o'clock Thursday, February 23rd, 2023 and I'm calling this Board meeting to order.

0:0:15.310 --> 0:0:21.720

Little, Rick (Chair)

We will be providing an opportunity, as always, for public comment later in this meeting.

0:0:22.630 --> 0:0:44.130

Little, Rick (Chair)

As a courtesy, we encourage everyone to mute their microphones, or your phone if you're called in, when you are not speaking. To reduce the background noise when others are speaking. Also, for Board Members to help us capture information correctly, please state your name when making comments. Thank you.

0:0:45.450 --> 0:0:47.40

Little, Rick (Chair)

Item 2, roll call.

0:0:47.900 --> 0:0:51.90

Little, Rick (Chair)

Susan, would you please do a roll call of the Board Members?

0:0:51.920 --> 0:0:53.60

Nieves, Susan (DOL)

Yes, Chair Little.

0:0:54.200 --> 0:0:54.890

Little, Rick (Chair)

I'm present.

0:0:55.890 --> 0:0:56.950

Nieves, Susan (DOL)

Vice Chair Ittner.

0:0:59.580 --> 0:0:59.820

Ittner, David (Vice Chair)

Present.

0:1:1.240 --> 0:1:2.820

Nieves, Susan (DOL)

Board Member Gutierrez-Zamora.

0:1:4.90 --> 0:1:4.670

Gutierrez-Zamora, Dante (Board Member)

I'm here.

0:1:6.450 --> 0:1:7.460

Nieves, Susan (DOL)

Board Member Smock.

0:1:10.730 --> 0:1:13.50

Muhle, Sydney (DOL)

I believe he's going to be a little late today.

0:1:14.580 --> 0:1:15.560

Nieves, Susan (DOL)

Board Member Cameron.

0:1:16.720 --> 0:1:17.250

Cameron, Pete (Board Member)

Here.

0:1:19.10 --> 0:1:19.970

Nieves, Susan (DOL)

Board Member Ward.

0:1:27.300 --> 0:1:28.730

Nieves, Susan (DOL)

And Board Member LeSourd.

0:1:30.940 --> 0:1:32.880

Muhle, Sydney (DOL)

Board Member LeSourd is excused today.

0:1:34.310 --> 0:1:34.800

Nieves, Susan (DOL)

Thank you.

0:1:35.940 --> 0:1:36.310

Little, Rick (Chair)

OK.

0:1:37.880 --> 0:1:40.150

Little, Rick (Chair)

So it sounds like we do have a quorum.

0:1:44.10 --> 0:1:46.160

Little, Rick (Chair)

Item 3, approval of agenda.

0:1:50.750 --> 0:1:51.90

Little, Rick (Chair)

Sydney.

0:2:6.860 --> 0:2:7.90

074181a3-0b43-4528-9625-ac4aa5118a98

The.

0:2:14.720 --> 0:2:14.950

Vargo, Suzanne (Public)

OK.

0:1:55.240 --> 0:2:22.880

Muhle, Sydney (DOL)

Yes. Yeah, just for the sake of time. Because we do have a large number of cases to get through today, I would like to request that the Board hear our old business, Setting the Board Goals, and continuing that discussion after we get through all of the cases. So after item 7, just because that discussion can be trimmed down in consideration of time.

0:2:23.920 --> 0:2:24.250

Little, Rick (Chair)

OK.

0:2:25.50 --> 0:2:26.670

Little, Rick (Chair)

OK so.

0:2:26.210 --> 0:2:27.300

Gutierrez-Zamora, Dante (Board Member)

Do you need a motion?

0:2:27.440 --> 0:2:36.710

Gutierrez-Zamora, Dante (Board Member)

Yes, we do. OK, I move that we approve the agenda moving item 5 to after item 7 as suggested.

0:2:37.130 --> 0:2:40.520

Little, Rick (Chair)

OK. Moved by Dante. Do we have a second?

0:2:41.860 --> 0:2:42.780

Ittner, David (Vice Chair)

This is Dave. I second.

0:2:43.820 --> 0:2:45.730

Little, Rick (Chair)

OK. It's been moved and seconded.

0:2:46.700 --> 0:2:48.220

Little, Rick (Chair)

All those in favor, say aye.

0:2:49.950 --> 0:2:50.410

Gutierrez-Zamora, Dante (Board Member)

Aye.

0:2:50.550 --> 0:2:50.870

Ittner, David (Vice Chair)

Aye.

0:2:50.40 --> 0:2:50.930

Cameron, Pete (Board Member)

Aye.

0:2:52.50 --> 0:2:53.520

Little, Rick (Chair)

Oppositions? Opposed?

0:2:55.610 --> 0:2:56.500

Little, Rick (Chair)

Any abstentions.

0:2:57.860 --> 0:2:58.970

Little, Rick (Chair)

OK, carried.

0:3:0.380 --> 0:3:1.70

Little, Rick (Chair)

Alright.

0:3:2.900 --> 0:3:5.30

Little, Rick (Chair)

Approval of minutes, 4.1.

0:3:5.910 --> 0:3:14.110

Little, Rick (Chair)

We need approval for each set of minutes, so minutes from November 1st, 2022.

0:3:20.130 --> 0:3:20.900

Cameron, Pete (Board Member)

This is Pete.

0:3:22.500 --> 0:3:24.830

Cameron, Pete (Board Member)

I move that we accept the Minutes as presented.

0:3:25.680 --> 0:3:28.520

Little, Rick (Chair)

They've been moved by Pete. Do we have a second?

0:3:30.80 --> 0:3:31.930

Gutierrez-Zamora, Dante (Board Member)

This is Dante. I'll go ahead and 2nd.

0:3:32.890 --> 0:3:34.560

Little, Rick (Chair)

It's been moved and seconded.

0:3:36.170 --> 0:3:37.100

Little, Rick (Chair)

Any questions?

0:3:38.940 --> 0:3:40.770

Little, Rick (Chair)

If not, all those in favor, say aye.

0:3:42.780 --> 0:3:43.170

Ward, Angie (Board Member)

Aye.

0:3:41.970 --> 0:3:43.420

Cameron, Pete (Board Member)

Aye.

0:3:41.970 --> 0:3:43.420

Ward, Angela (Board Member)

Aye.

0:3:44.370 --> 0:3:44.950

Little, Rick (Chair)

Opposed?

0:3:46.990 --> 0:3:47.800

Little, Rick (Chair)

Any abstentions?

0:3:49.390 --> 0:3:54.340

Little, Rick (Chair)

So moved. 4.2 the minutes from November 30th, 2022.

0:3:57.910 --> 0:3:58.260

Little, Rick (Chair)

Yes.

0:4:2.760 --> 0:4:3.80

Little, Rick (Chair)

OK.

0:4:6.530 --> 0:4:6.920

Little, Rick (Chair)

Yes.

0:3:55.540 --> 0:4:14.530

Muhle, Sydney (DOL)

Mr. Chair, if I can interrupt for a second, we do have quite a few Members of the public in our meeting today, so just as a reminder, we're getting a lot of background noise. So for those in attendance or who have called in, if you could mute your phone or your microphone, that'll help us reduce that background noise and make sure that everybody can hear.

0:4:15.30 --> 0:4:19.960

Little, Rick (Chair)

Yeah. Please do. Thank you. Thank you for that reminder there.

0:4:22.100 --> 0:4:24.20

Little, Rick (Chair)

OK, we're at 4.2.

0:4:26.340 --> 0:4:28.770

Little, Rick (Chair)

Minutes from November 30th, 2022.

0:4:32.820 --> 0:4:33.570

Little, Rick (Chair)

Do we have a motion.

0:4:35.50 --> 0:4:39.470

Gutierrez-Zamora, Dante (Board Member)

This, this is Dante. I'll go ahead and move that the minutes be approved as presented.

0:4:40.280 --> 0:4:42.510

Little, Rick (Chair)

OK. Moved by Dante. Do we have a second?

0:4:46.160 --> 0:4:47.190

Ittner, David (Vice Chair)

This is Dave. I'll second.

0:4:46.30 --> 0:4:47.400

Cameron, Pete (Board Member)

This is Pete. I'll second.

0:4:48.40 --> 0:4:51.600

Little, Rick (Chair)

OK, we moved and seconded. Any questions?

0:4:53.890 --> 0:4:55.750

Little, Rick (Chair)

If not, all those in favor say aye.

0:4:56.640 --> 0:4:57.30

Gutierrez-Zamora, Dante (Board Member)

Aye.

0:4:57.430 --> 0:4:57.970

Cameron, Pete (Board Member)

Aye.

0:4:58.160 --> 0:4:58.440

Ittner, David (Vice Chair)

Aye.

0:4:59.980 --> 0:5:0.410

Ward, Angie (Board Member)

Aye.

0:4:59.660 --> 0:5:0.340

Little, Rick (Chair)

Any opposed?

0:5:1.160 --> 0:5:1.420

Little, Rick (Chair)

OK.

0:5:2.890 --> 0:5:4.40

Little, Rick (Chair)

Any abstentions?

0:5:5.610 --> 0:5:6.80

d487e410-b012-4655-8514-929f0db424a1

They're going to.

0:5:5.90 --> 0:5:6.320

Little, Rick (Chair)

So moved.

0:5:7.30 --> 0:5:11.160

Little, Rick (Chair)

Item 4.3, minutes from February 10th, 2023.

0:5:10.670 --> 0:5:12.190

d487e410-b012-4655-8514-929f0db424a1

That is so cool for Annette.

0:5:15.550 --> 0:5:16.800

Little, Rick (Chair)

What's that? Sorry.

0:5:18.50 --> 0:5:18.470

Little, Rick (Chair)

Yes.

0:5:26.440 --> 0:5:26.640

Little, Rick (Chair)

Yep.

0:5:16.820 --> 0:5:29.710

Muhle, Sydney (DOL)

Again, just as a reminder, we have a lot of people on the call today. So if you have called in, or you're a first time attendee, if you could please mute your microphone or your phone, if you have called in, that'll help us reduce the background noise and make sure everybody can hear.

0:5:34.820 --> 0:5:38.520

Little, Rick (Chair)

OK, 4.3, minutes from February 10th, 2023.

0:5:43.360 --> 0:5:46.370

Cameron, Pete (Board Member)

This is Pete. I move that we accept the Minutes as presented.

0:5:47.220 --> 0:5:49.230

Little, Rick (Chair)

It's been moved that Pete, do we have a second?

0:5:50.390 --> 0:5:51.260

Ittner, David (Vice Chair)

This is Dave. I second.

0:5:52.310 --> 0:5:56.150

Little, Rick (Chair)

It's been moved and seconded by Dave. Any questions?

0:5:58.40 --> 0:6:0.360

Little, Rick (Chair)

If not, all those in favor, say aye.

0:6:1.820 --> 0:6:2.250

Ittner, David (Vice Chair)

Aye.

0:6:1.800 --> 0:6:2.370

Gutierrez-Zamora, Dante (Board Member)

Aye.

0:6:2.480 --> 0:6:3.110

Cameron, Pete (Board Member)

Aye.

0:6:3.230 --> 0:6:3.640

Ward, Angie (Board Member)

Aye.

0:6:4.330 --> 0:6:5.290

Little, Rick (Chair)

Any opposed?

0:6:7.380 --> 0:6:8.500

Little, Rick (Chair)

Any abstentions?

0:6:9.490 --> 0:6:9.980

Little, Rick (Chair)

OK.

0:6:10.980 --> 0:6:11.770

Little, Rick (Chair)

Motion carries.

0:6:12.540 --> 0:6:15.810

Little, Rick (Chair)

Moving down to the new business.

0:6:17.150 --> 0:6:19.100

Little, Rick (Chair)

6.1.

0:6:19.730 --> 0:6:20.220

Little, Rick (Chair)

Sydney.

0:6:20.950 --> 0:6:22.660

Little, Rick (Chair)

Committee update discussion.

0:6:26.200 --> 0:6:43.70

Muhle, Sydney (DOL)

Yes, as the Board is aware, we've established a couple of committees. One was for the licensing future Task Force and the other is, or was, formed regarding review of the delegations and the investigations process.

0:6:44.400 --> 0:6:53.620

Muhle, Sydney (DOL)

Because it's been a while since those committees were established and we're reestablishing all of that committee work, the licensing Future Task Force did meet just this past week.

0:6:55.680 --> 0:7:20.190

Muhle, Sydney (DOL)

But wanting to bring a discussion back to the Board and make sure that the reason both of those committees were established is still relevant or see if there's anything that the Board wants to tweak, especially with the complaint investigation process and the delegations, because the Board has just reviewed the delegations and approved them.

0:7:21.760 --> 0:7:27.260

Muhle, Sydney (DOL)

And see if that is still a discussion that the Board feels we need to have, or if that needs to change at all.

0:7:28.120 --> 0:7:28.420

Little, Rick (Chair)

OK.

0:7:29.950 --> 0:7:30.500

Little, Rick (Chair)

Thank you.

0:7:33.70 --> 0:7:42.60

Little, Rick (Chair)

The 6.2 depart department of Health. Natural Organic Reduction Survey and rule.

0:7:45.90 --> 0:8:14.150

Muhle, Sydney (DOL)

Yes, this was just provided as information for the Board. We were asked by the State Department of Health and their outreach team just to provide this information to the Board to be shared out amongst licensees because this does have some impact to our licensees, but not necessarily through the Board's work. So this is just information only that they are looking at some WAC updates regarding natural organic reduction facilities.

0:8:17.670 --> 0:8:20.500

Little, Rick (Chair)

And any other updates on 6.3?

0:8:20.500 --> 0:8:24.180

Little, Rick (Chair)

No.

0:8:24.180 --> 0:8:30.180

Little, Rick (Chair)

OK, alright, let's go ahead and go with the complaint cases for review.

0:8:30.880 --> 0:8:31.480

Little, Rick (Chair)

OK.

0:8:33.0 --> 0:8:36.60

Little, Rick (Chair)

Item 7.1 Mr. Ittner.

0:8:43.480 --> 0:8:53.320

Ittner, David (Vice Chair)

Thank you, Mr. Little. This is case number 2020-05-0236-00CEM.

0:8:54.550 --> 0:9:12.730

Ittner, David (Vice Chair)

Complaint summary. Is as follows, complainant filed a complaint with the Department of Licensing on May 18th, 2020 alleging poor customer service at the respondent location while arranging for burial of the cremated remains of a friend. The complainant had pre-purchased and earn and arranged for her cremated remains to be placed on her son's grave in 2017.

0:9:13.400 --> 0:9:30.90

Ittner, David (Vice Chair)

The respondent cemetery claimed that did not have a record of the urn purchase and were unable to order the urn selected in 2017. Complainant was upset when she finally received a 50% refund for the urn from the respondent. The complaint also claimed the respondent staff refused to give contact information for the main office.

0:9:31.70 --> 0:9:33.880

Ittner, David (Vice Chair)

Complainant's friend passed in March of 2020 and was cremated.

0:9:34.590 --> 0:9:39.710

Ittner, David (Vice Chair)

Complainant contacted the cemetery on March 23rd, 2020 to have the cremated remains buried on her son's grave.

0:9:40.530 --> 0:9:57.460

Ittner, David (Vice Chair)

There were several telephone conversations between the complainant and respondent cemetery staff in April and May 2020 to determine the status of the urn. The respondent was unable to verify the 2017 purchase of the urn, though investigation would eventually produce trust statements verifying the urn purchase.

0:9:58.730 --> 0:10:22.120

Ittner, David (Vice Chair)

The complainant faxed copies of the 2017 cemetery paperwork to the Respondent cemetery on May 6, 2020. Responded staff continue to argue with the complainant about the urn. The complainant asked for the contact information for the owner or supervisor, but respondent ttaff refused to provide any information. Complainant ultimately filed a complaint with the Department of Licensing, which led to the respondent finally refunding the full amount for the urn.

0:10:23.710 --> 0:10:25.760

Ittner, David (Vice Chair)

Recommend a letter of education.

0:10:26.870 --> 0:10:28.150

Ittner, David (Vice Chair)

For in this case.

0:10:30.130 --> 0:10:41.880

Ittner, David (Vice Chair)

Given that suggested violations of potential violations of professional conduct relative to that RCW 18.235.130.

0:10:46.350 --> 0:10:46.830

Little, Rick (Chair)

OK.

0:10:51.220 --> 0:10:53.190

Little, Rick (Chair)

Do we have a motion?

0:10:54.450 --> 0:10:55.160

Little, Rick (Chair)

To this.

0:11:0.920 --> 0:11:2.370

Cameron, Pete (Board Member)

This is Pete, so moved.

0:11:3.690 --> 0:11:6.320

Little, Rick (Chair)

OK. Thank you. Pete. Do we have a second?

0:11:6.770 --> 0:11:8.360

Gutierrez-Zamora, Dante (Board Member)

This is Dante second.

0:11:9.190 --> 0:11:14.980

Little, Rick (Chair)

OK, it's moved by Pete. Second by Dante. Any questions?

0:11:18.290 --> 0:11:20.500

Little, Rick (Chair)

If not, all those in favor, say aye.

0:11:21.150 --> 0:11:21.590

Gutierrez-Zamora, Dante (Board Member)

Aye.

0:11:22.20 --> 0:11:22.590

Cameron, Pete (Board Member)

Aye.

0:11:25.760 --> 0:11:26.490

Little, Rick (Chair)

Any opposed?

0:11:28.650 --> 0:11:29.660

Little, Rick (Chair)

Any abstentions?

0:11:33.410 --> 0:11:40.570

Little, Rick (Chair)

So, just the clarify, we'll do the letter, and then we'll need to the reevaluate that?

0:11:41.760 --> 0:11:42.530

Little, Rick (Chair)

After the letter.

0:11:46.370 --> 0:11:46.780

Ittner, David (Vice Chair)

I believe.

0:11:46.0 --> 0:11:47.530

Little, Rick (Chair)

Because we're not actually closing this.

0:11:49.910 --> 0:11:51.220

Ittner, David (Vice Chair)

Sydney is that, how that..?

0:11:51.820 --> 0:11:52.660

Muhle, Sydney (DOL)

Yes, I believe so.

0:11:52.530 --> 0:11:54.660

Ittner, David (Vice Chair)

Process works. Yeah. Yeah, yeah.

0:11:53.180 --> 0:12:3.230

Little, Rick (Chair)

OK. So they'll be presented again once there's, a letter's been, of education's been resented and talked about. So thank you.

0:12:3.530 --> 0:12:3.720

Ittner, David (Vice Chair)

Yep.

0:12:4.370 --> 0:12:7.230

Little, Rick (Chair)

Item 7.2 Mr. Ittner.

0:12:8.520 --> 0:12:8.930

Ittner, David (Vice Chair)

Thank you.

0:12:8.650 --> 0:12:9.10

Washington, Lanell (Public)

The.

0:12:10.730 --> 0:12:11.20

Ittner, David (Vice Chair)

So.

0:12:8.590 --> 0:12:13.650

Little, Rick (Chair)

No. Excuse me. All those in favor... Do we? Oh, yeah. Right. OK. 7.2. Sorry. Mr. Ittner.

0:12:14.90 --> 0:12:14.570

Ittner, David (Vice Chair)

Yep.

0:12:16.0 --> 0:12:21.70

Ittner, David (Vice Chair)

This is case number 2020-07-0487-00CEM.

0:12:22.580 --> 0:12:34.550

Ittner, David (Vice Chair)

Complainant summary is as follows. Complainant filed a Complainant with the Department of Licensing on July 21st, 2020, alleging the respondent failed to install name bars, a photo, bases, and a military plaque on her parents crypt in the in a timely manner.

0:12:35.310 --> 0:12:52.220

Ittner, David (Vice Chair)

Complainant's mother passed on June 30th, 2019, and was entombed in the mausoleum, along with the cremated remains of her husband, who died in 2012. The name bars, photo, and base were purchased in 2019. The cemetery failed to place the name bars, photos and based on the crypt plate, over a year after placement of remains in the crypt.

0:12:53.730 --> 0:13:1.50

Ittner, David (Vice Chair)

Facts of the case are the complainant contacted the respondent in August of 2018 for an update on the name bars and military plaque to be placed on her parents crypt.

0:13:1.700 --> 0:13:5.550

Ittner, David (Vice Chair)

Respondent said everything should be installed by October or November of 2019.

0:13:6.310 --> 0:13:14.370

Ittner, David (Vice Chair)

Complainant was out of state from December 19 until early March 2020. When the complainant went to the cemetery in March 2020, there was nothing on the trip plate.

0:13:15.560 --> 0:13:23.610

Ittner, David (Vice Chair)

The cemetery office was closed due to COVID-19 and the complainant was unable to leave a voice message on the cemetery's telephone as the cemetery did not have a voicemail system set up.

0:13:24.810 --> 0:13:49.770

Ittner, David (Vice Chair)

April 2020 the complainant visited the cemetery and saw the respondent staff of record walking cemetery grounds with another staff member. Complainant asked about the status of the name bars. The respondent staff did not recall talking with the complainant in August of 2019 about the crypt memorialization. Responded staff did confirm the photo and bases were ready to be installed and said everything would be installed by Memorial Day. Responded staff also asked the complainant to send all the information and cemetery receipts because the cemetery's records were incomplete.

0:13:52.880 --> 0:13:58.920

Ittner, David (Vice Chair)

Complainant received a message later on the same day that only the photo in base could be installed by Memorial Day as the name bars had to be reordered.

0:13:59.540 --> 0:14:15.670

Ittner, David (Vice Chair)

Complainant was also told the cemetery should not order the veteran's plaque, could not order the veterans plaque. On May 1st 2020, the responded visited the cemetery and found her parents photo had been installed on the wrong crypt. Complainant complained to the cemetery and the photo was reinstalled on the correct crypt.

0:14:16.610 --> 0:14:21.40

Ittner, David (Vice Chair)

Vases were still missing from the crypt, which meant there was no place for flowers on Memorial Day.

0:14:21.970 --> 0:14:32.20

Ittner, David (Vice Chair)

Complainant ultimately got assistance to order the veteran's plaque from a funeral home in the local

VFW. By July 2020, the complainant was frustrated with the respondent as the crypt plate still lacked the name, bars, vases, and military plaque.

0:14:34.670 --> 0:14:45.320

Ittner, David (Vice Chair)

In this case, also recommending a letter of education in lieu of remedial counseling. Again, with considering the professional conduct in statute.

0:14:47.840 --> 0:14:52.450

Little, Rick (Chair)

Thank you. Alright. Do we have a motion on that?

0:14:58.850 --> 0:14:59.280

Cameron, Pete (Board Member)

This is.

0:14:58.410 --> 0:14:59.830

Gutierrez-Zamora, Dante (Board Member)

This is Dante, so moved.

0:15:0.970 --> 0:15:3.100

Little, Rick (Chair)

OK. Is there a second?

0:15:5.260 --> 0:15:6.780

Cameron, Pete (Board Member)

Yeah, this is Pete. I'll second.

0:15:7.590 --> 0:15:9.250

Little, Rick (Chair)

OK. Are there any questions?

0:15:10.80 --> 0:15:14.320

Little, Rick (Chair)

And again, this will be another one that will come back after the letters.

0:15:15.170 --> 0:15:15.860

Little, Rick (Chair)

Taking care of.

0:15:15.380 --> 0:15:18.270

Cameron, Pete (Board Member)

Yeah, this is Pete. I've got a question on this one.

0:15:24.400 --> 0:15:24.850

Ittner, David (Vice Chair)

That is.

0:15:19.370 --> 0:15:27.860

Cameron, Pete (Board Member)

Has that finally been completed, and the name bar arrived, and everything is good to go now?

0:15:28.40 --> 0:15:30.20

Ittner, David (Vice Chair)

That is, that is my understanding, Pete, yes.

0:15:31.180 --> 0:15:31.820

Cameron, Pete (Board Member)

OK.

0:15:34.210 --> 0:15:34.450

Ittner, David (Vice Chair)

Yeah.

0:15:33.760 --> 0:15:35.420

Muhle, Sydney (DOL)

And Mr. Chair, to your question.

0:15:35.500 --> 0:15:38.250

Muhle, Sydney (DOL)

And I apologize for misspeaking.

0:15:39.630 --> 0:16:1.40

Muhle, Sydney (DOL)

No, the letter of education does close the case. It's same as remedial counseling. So if we receive another complaint about the same thing, then the investigator would look at moving further or would talk to the case manager about moving further. But no, the letter of education does close the case.

0:16:1.90 --> 0:16:4.980

Little, Rick (Chair)

OK. Thanks for the clarification. Appreciate that.

0:16:6.140 --> 0:16:6.650

Little, Rick (Chair)

Alright.

0:16:8.120 --> 0:16:9.510

Little, Rick (Chair)

Alright, any other discussion?

0:16:12.140 --> 0:16:13.790

Little, Rick (Chair)

If not, all those in favor, say aye.

0:16:14.980 --> 0:16:15.550

Gutierrez-Zamora, Dante (Board Member)

Aye.

0:16:15.790 --> 0:16:16.350

Ward, Angie (Board Member)

Aye.

0:16:15.870 --> 0:16:16.410

Cameron, Pete (Board Member)

Aye.

0:16:18.280 --> 0:16:19.30

Little, Rick (Chair)

Any opposed?

0:16:20.450 --> 0:16:21.490

Little, Rick (Chair)

Any abstentions?

0:16:23.440 --> 0:16:28.10

Little, Rick (Chair)

OK. Item 7.3. Mr. Gutierrez-Zamora.

0:16:28.920 --> 0:16:35.300

Gutierrez-Zamora, Dante (Board Member)

All right, this would be case number 2020-01-0066-00FDE.

0:16:36.110 --> 0:17:6.730

Gutierrez-Zamora, Dante (Board Member)

Complainant summary. The complainant's mother purchased a prearranged funeral plan from the respondent's firm in 2008. At the time of death, November 1st, 2019, the complainant chose to work with another firm. The complainant requested preneed funds that were in trust be refunded. The respondent did not promptly refund those funds and the complainant filed a complaint with the Department of Licensing. The initial request for response was sent to the respondent on February 7th, 2020, with the request for response by February 21st, 2020.

0:17:6.970 --> 0:17:23.120

Gutierrez-Zamora, Dante (Board Member)

The respondent has failed to respond to this request and subsequent subpoenas dated November 5th, 2020.

0:17:23.780 --> 0:17:39.500

Gutierrez-Zamora, Dante (Board Member)

Also, the respondent establishment, uh license has been expired since January 31st, 2019. The responded did issue a check to the performing Funeral Home for the preneed funds on December 14th of 2020.

0:17:40.410 --> 0:17:52.120

Gutierrez-Zamora, Dante (Board Member)

The facts, the respondent has operated a funeral established without a license. Also, the respondent has failed to cooperate with disciplinary authority in course of an investigation.

0:17:52.800 --> 0:18:11.80

Gutierrez-Zamora, Dante (Board Member)

So I think this one is the letters that I've I need to review along with the remedial counseling. And, of course, I've cited the WACs that fall into place with this as far as requiring a license or unprofessional conduct and also failure to cooperate with this disciplinary authority.

0:18:13.480 --> 0:18:13.750

Little, Rick (Chair)

OK.

0:18:16.650 --> 0:18:17.640

Little, Rick (Chair)

Do we have a motion?

0:18:22.440 --> 0:18:23.790

Cameron, Pete (Board Member)

This is Pete, so moved.

0:18:25.10 --> 0:18:25.960

Little, Rick (Chair)

Do we have a second?

0:18:30.440 --> 0:18:31.340

Ittner, David (Vice Chair)

This is Dave. I'll second.

0:18:32.600 --> 0:18:32.880

Little, Rick (Chair)

OK.

0:18:33.590 --> 0:18:36.40

Little, Rick (Chair)

Then moved and seconded. Any discussion?

0:18:38.60 --> 0:18:45.510

Ittner, David (Vice Chair)

This is Dave. Just a question. Dante was there consideration given for formal action in this case?

0:18:48.240 --> 0:18:48.600

Ittner, David (Vice Chair)

And if.

0:18:48.60 --> 0:18:57.40

Gutierrez-Zamora, Dante (Board Member)

I'm trying to remember. I think you know, since I'm not exactly where they're at as far as actually even still operating, to be very candid.

0:18:59.570 --> 0:18:59.890

Ittner, David (Vice Chair)

OK.

0:19:0.620 --> 0:19:0.940

Gutierrez-Zamora, Dante (Board Member)

All right.

0:18:59.800 --> 0:19:4.850

Hamilton, Grace (DOL)

Dave, this is Grace Hamilton. I can give a little bit of insight on that.

0:19:5.410 --> 0:19:5.870

Gutierrez-Zamora, Dante (Board Member)

Perfect.

0:19:6.210 --> 0:19:21.620

Hamilton, Grace (DOL)

That was a consideration, and then the respondent is now currently licensed. So that was where the letter of education decision was... Dante had decided to do that instead because they got currently licensed.

0:19:22.230 --> 0:19:22.500

Little, Rick (Chair)

OK.

0:19:22.120 --> 0:19:23.230

Ittner, David (Vice Chair)

OK, OK.

0:19:26.310 --> 0:19:26.900

Little, Rick (Chair)

All right.

0:19:28.150 --> 0:19:29.150

Little, Rick (Chair)

Any other discussion?

0:19:32.300 --> 0:19:33.670

Little, Rick (Chair)

If not, all those in favor, say aye.

0:19:36.260 --> 0:19:36.810

Cameron, Pete (Board Member)

Aye.

0:19:37.140 --> 0:19:37.530

Ward, Angie (Board Member)

Aye.

0:19:37.500 --> 0:19:37.830

Ittner, David (Vice Chair)

Aye.

0:19:39.140 --> 0:19:39.470

Gutierrez-Zamora, Dante (Board Member)

Aye.

0:19:38.970 --> 0:19:39.720

Little, Rick (Chair)

Any opposed?

0:19:42.220 --> 0:19:43.230

Little, Rick (Chair)

Any abstentions?

0:19:44.790 --> 0:19:45.280

Little, Rick (Chair)

All right.

0:19:46.850 --> 0:19:50.20

Little, Rick (Chair)

Item 7.4, Mr. Ittner.

0:19:51.660 --> 0:19:52.10

Ittner, David (Vice Chair)

Thank you.

0:19:53.90 --> 0:20:2.180

Ittner, David (Vice Chair)

This is case number 2022-03-0402-00FDE.

0:20:3.0 --> 0:20:15.820

Ittner, David (Vice Chair)

Complainant was sent to the Washington State Attorney General's Office on March 14, 2020, alleging the respondent Funeral Home entered the wrong date of death.

0:20:10.50 -->

Ittner, David (Vice Chair)

On his mother's death certificate and failed to make corrections and provide a copy of the funeral arrangement records in a timely manner.

0:20:16.670 --> 0:20:22.100

Ittner, David (Vice Chair)

The decedent passed away on December 2nd, 2021. The complainant's sons directed the respondent.

0:20:23.120 --> 0:20:30.40

Ittner, David (Vice Chair)

To handle the disposition. The respondent filed the death certificate on December 21st, 2021 with the death date of November 4, 2021.

0:20:31.270 --> 0:20:45.340

Ittner, David (Vice Chair)

The complainant first contacted the respondent to obtain a copy of the death certificate on January 11th, and again on January 19th. After not hearing from the respondent since his call, January 11th. After receiving a voicemail in January to January 27th, complainant again tried to contact the respondent.

0:20:46.260 --> 0:20:55.440

Ittner, David (Vice Chair)

Subsequent calls wen unanswered in February and by March 14, the complainant had still not received the documents he requested. So he filed a complaint with the Attorney General's Office, which was forwarded the Department of Licensing.

0:20:56.570 --> 0:21:1.300

Ittner, David (Vice Chair)

In this case, again recommending a letter of education.

0:21:4.340 --> 0:21:5.400

Ittner, David (Vice Chair)

To resolve this matter.

0:21:6.360 --> 0:21:6.600

Little, Rick (Chair)

OK.

0:21:8.210 --> 0:21:8.910

Little, Rick (Chair)

Thank you.

0:21:9.90 --> 0:21:11.300

Little, Rick (Chair)

Do we have a motion?

0:21:18.570 --> 0:21:20.200

Cameron, Pete (Board Member)

This is Pete, so move.

0:21:21.520 --> 0:21:22.550

Little, Rick (Chair)

Do we have a second?

0:21:33.510 --> 0:21:34.740

Little, Rick (Chair)

And again, do we have a second?

0:21:42.170 --> 0:21:42.660

Little, Rick (Chair)

OK.

0:21:45.440 --> 0:21:47.270

Little, Rick (Chair)

Any other discussions on this?

0:21:52.140 --> 0:22:0.610

Cameron, Pete (Board Member)

Yeah, this is Pete. Has this been resolved? Do we know if that death certificate's been corrected and that family has been made right?

0:22:2.20 --> 0:22:3.910

Ittner, David (Vice Chair)

Again, yes Pete. That that is my understanding.

0:22:6.110 --> 0:22:6.580

Cameron, Pete (Board Member)

OK.

0:22:10.250 --> 0:22:11.650

Little, Rick (Chair)

Do we have a second?

0:22:17.80 --> 0:22:19.500

Little, Rick (Chair)

Doesn't sound like that so.

0:22:21.550 --> 0:22:25.320

Little, Rick (Chair)

This... we'll move on to the next case.

0:22:27.550 --> 0:22:30.470

Little, Rick (Chair)

7.5, Mr. Ittner.

0:22:32.790 --> 0:22:33.500

Ittner, David (Vice Chair)

Alright.

0:22:36.340 --> 0:22:42.550

Ittner, David (Vice Chair)

This is case #2022-04-0541-00CEM.

0:22:44.170 --> 0:22:55.620

Ittner, David (Vice Chair)

On March 25th, 2022, the complainant sent a complaint to the washing Attorney General's Office

alleging her husband's son directed a funeral provider to cremate her husband's remains while she was unaware of her husband's death.

0:22:56.580 --> 0:23:3.810

Ittner, David (Vice Chair)

Complainant's husband had funeral prearrangements for a direct burial with a different funeral provider as well as prepaid cemetery arrangements at the Respondent cemetery location.

0:23:4.720 --> 0:23:8.150

Ittner, David (Vice Chair)

Complaint was forwarded to the Department of Licensing on April 15, 2022.

0:23:8.800 --> 0:23:20.130

Ittner, David (Vice Chair)

Department of Licensing assumed the complaint involved the cemetery, who is named as the respondent. The response provided by the cemetery owner explains the events that took place. It appears there is no complaint against any funeral home or cemetery in this situation.

0:23:21.730 --> 0:23:37.680

Ittner, David (Vice Chair)

The respondent was not notified of her husband's death. Rather, she learned of his passing during a trip to verify the cemetery prearrangements on March 23rd, 2020. The cemetery provided the complainant with the copy of the EDRS record for her husband which indicated he was cremated by a funeral provider in March 17th, 2022.

0:23:38.430 --> 0:23:47.310

Ittner, David (Vice Chair)

The EDRS record also indicated the decedent was divorced. The complainant contacted the funeral provider and learned that her husband's remains had not been cremated.

0:23:48.570 --> 0:24:6.340

Ittner, David (Vice Chair)

The respondent directed a different funeral provider with whom the decedent had made prearrangements to take custody of his remains. The Funeral Home provided the goods and services that had been prearranged for the decedent. The complainant's husband remain or husbands remains were buried in the cemetery location referenced in the complaint on April 27th, 2022.

0:24:7.200 --> 0:24:9.180

Ittner, David (Vice Chair)

I recommend close with no further action.

0:24:10.550 --> 0:24:13.600

Little, Rick (Chair)

Good. Thank you. Do we have a motion?

0:24:19.790 --> 0:24:21.300

Cameron, Pete (Board Member)

This is Pete, so move.

0:24:22.260 --> 0:24:23.830

Little, Rick (Chair)

Moved by Pete. Do we have a second?

0:24:32.650 --> 0:24:33.660

Little, Rick (Chair)

Do we have a second?

0:24:36.710 --> 0:24:37.960

Ward, Angie (Board Member)

This is Angie. I'll second.

0:24:38.400 --> 0:24:42.670

Little, Rick (Chair)

Thank you, Angie. So moved and seconded. Is there any other discussion?

0:24:46.540 --> 0:24:48.780

Little, Rick (Chair)

If not, all those in favor, say aye.

0:24:50.280 --> 0:24:50.660

Ward, Angie (Board Member)

Aye.

0:24:51.10 --> 0:24:51.640

Cameron, Pete (Board Member)

Aye.

0:24:54.380 --> 0:24:55.430

Little, Rick (Chair)

Any opposed?

0:24:57.810 --> 0:24:58.840

Little, Rick (Chair)

Any abstentions?

0:25:1.860 --> 0:25:2.220

Little, Rick (Chair)

OK.

0:25:3.750 --> 0:25:7.550

Little, Rick (Chair)

Item 7.6. Is Mr. Smock in yet?

0:25:12.400 --> 0:25:14.490

Muhle, Sydney (DOL)

Mr. Chair, I have not seen him yet.

0:25:14.940 --> 0:25:18.110

Little, Rick (Chair)

OK, so Grace, can you?

0:25:19.420 --> 0:25:47.340

Hamilton, Grace (DOL)

Yes, thank you. Case #2022-10-1438-00FDE. Complaint summary is, the complainant alleges that the respondent Funeral Home has an unfair advantage over other funeral providers with the Sheriff's Office in their county and that the Sheriff's Office contacted the respondent Funeral Home to make the removal without their consent or opportunities to ask questions.

0:25:47.960 --> 0:25:59.300

Hamilton, Grace (DOL)

The complainant further alleges that the respondent Funeral Home has a near monopoly in their service area with only one competitor, and that there is price fixing by the two funeral homes in the area.

0:26:0.220 --> 0:26:26.710

Hamilton, Grace (DOL)

Facts are as follows. During the investigation, it was confirmed that the Sheriff's Office's protocol is to ask the family which Funeral Home to fall in that only if the family is unavailable at the time of death, the Sheriff's Office will contact the nearest Funeral Home to the place of death. The complainant acknowledges that they agreed to have the Sheriff's Office contact the Funeral Home without having time to ask questions or discuss the Funeral Home options.

0:26:27.900 --> 0:26:40.40

Hamilton, Grace (DOL)

The complainant, Matt, with the respondent Funeral Home the following day, made complete arrangements for cremation, was presented with a copy of the respondent Funeral Homes General price list, and signed a statement of goods and services.

0:26:41.310 --> 0:26:50.420

Hamilton, Grace (DOL)

The respondent Funeral Home entered the death certificate information into the electronic Death registration system and forwarded the certificate to the medical certifier the same day.

0:26:51.380 --> 0:27:21.330

Hamilton, Grace (DOL)

The next day, the complainant contacted the respondent Funeral Home with questions about their prices. Two days later, the complainant contacted the respondent Funeral Home after hours to inform them that they wanted their relative transferred to another funeral provider. The on-call staff person told the complainant that someone would contact them the following day to arranged for the transfer. The following day, the respondent Funeral Home contacted the complainant to receive verbal permission to release the remains to the other funeral provider.

0:27:21.440 --> 0:27:40.760

Hamilton, Grace (DOL)

During the phone conversation, the respondent funeral home informed the complainant that they that

there would be a charge for the removal and refrigeration of the remains. The complainant reluctantly paid the charge to the respondent Funeral Home. During the investigation, both funeral homes were contacted to confirm that their charges were for direct cremation and both funeral homes charged a different amount.

0:27:41.800 --> 0:28:15.500

Hamilton, Grace (DOL)

Given the fact that the Sheriff's Office protocol is to have the family decide what Funeral Home they prefer, and would only contact the nearest Funeral Home if the family is not available at the time of death, and that the respondent Funeral Home only charged a modest fee for the removal and refrigeration, even though they performed additional professional services when they met with the family and completed the death certificate and EDRS, and that the two funeral homes in the service area do not have identical pricing, I conclude that the allegations lack merit and the case should be closed with no further action.

0:28:16.770 --> 0:28:17.880

Little, Rick (Chair)

Thank you so much, Grace.

0:28:19.380 --> 0:28:20.290

Little, Rick (Chair)

Do we have a motion?

0:28:25.270 --> 0:28:26.210

Ittner, David (Vice Chair)

This is Dave. So moved.

0:28:25.600 --> 0:28:26.340

Cameron, Pete (Board Member)

This is.

0:28:27.530 --> 0:28:29.160

Little, Rick (Chair)

Do we have a second?

0:28:30.510 --> 0:28:32.110

Gutierrez-Zamora, Dante (Board Member)

This is Dante. I'll go ahead and second.

0:28:33.50 --> 0:28:35.220

Little, Rick (Chair)

OK. Do we have any other discussions?

0:28:39.270 --> 0:28:40.140

Little, Rick (Chair)

If not.

0:28:40.960 --> 0:28:42.270

Little, Rick (Chair)

All those in favor, say aye.

0:28:44.790 --> 0:28:45.400

Cameron, Pete (Board Member)

Aye.

0:28:45.180 --> 0:28:45.470

Ittner, David (Vice Chair)

Aye.

0:28:44.400 --> 0:28:45.740

Ward, Angie (Board Member)

Aye.

0:28:47.770 --> 0:28:48.630

Little, Rick (Chair)

Any opposed?

0:28:50.590 --> 0:28:51.580

Little, Rick (Chair)

Any abstentions?

0:28:52.730 --> 0:28:53.180

Little, Rick (Chair)

Thank you.

0:28:54.550 --> 0:28:57.830

Little, Rick (Chair)

Case 7... Item 7.7.

0:28:59.150 --> 0:29:3.50

Little, Rick (Chair)

Grace, you're gonna do this for Connie LeSourd.

0:29:5.490 --> 0:29:12.280

Hamilton, Grace (DOL)

Case #2022-03-0447-00FDE.

0:29:13.50 --> 0:29:20.690

Hamilton, Grace (DOL)

Point summary the Funeral Home delivered the deceased to the cemetery for burial prior to filing a death certificate and obtaining a burial transit permit.

0:29:21.310 --> 0:29:39.60

Hamilton, Grace (DOL)

The licensee self reported the incident. Burial of a decedent without obtaining the burial transit permit

is a violation of law. The investigator discussed with the respondent the requirements and ways to avoid this from happening in the future. Recommendation is the case be closed with a letter of education.

0:29:40.140 --> 0:29:40.790

Little, Rick (Chair)

Thank you.

0:29:42.270 --> 0:29:43.940

Little, Rick (Chair)

Alright. Do we have a motion?

0:29:46.770 --> 0:29:48.170

Gutierrez-Zamora, Dante (Board Member)

This is Dante. So moved.

0:29:49.340 --> 0:29:51.50

Little, Rick (Chair)

Thank you. Dante. Do we have a second?

0:29:51.340 --> 0:29:53.70

Ward, Angie (Board Member)

This is Angie. I'll second.

0:29:53.340 --> 0:29:56.510

Little, Rick (Chair)

Thank you, Angie. Any other discussions?

0:30:0.450 --> 0:30:2.580

Little, Rick (Chair)

If not, all those in favor, say aye.

0:30:5.160 --> 0:30:5.460

Ward, Angie (Board Member)

Aye.

0:30:4.880 --> 0:30:5.550

Cameron, Pete (Board Member)

Aye.

0:30:5.580 --> 0:30:5.930

Ittner, David (Vice Chair)

Aye.

0:30:5.840 --> 0:30:6.470

Gutierrez-Zamora, Dante (Board Member)

Aye.

0:30:6.940 --> 0:30:7.820

Little, Rick (Chair)

Any opposed?

0:30:10.190 --> 0:30:11.170

Little, Rick (Chair)

Any abstentions?

0:30:12.930 --> 0:30:17.480

Little, Rick (Chair)

Alright, thank you. Item 7.8. Grace.

0:30:19.880 --> 0:30:58.290

Hamilton, Grace (DOL)

Case #2022-09-1386-00CEM. Again complaint was self reported that a decedent was buried on March 20th, 2022 at a cemetery in Seattle, WA without a burial transit permit. The cemetery did bury the decedent without the burial transit permit. Disposition without a burial transit permit is against Washington state law RCW 70.58A.210. And the investigator discussed what the respondent, the requirements and ways to avoid this in the future. Recommendation is to close with the letter of education.

0:31:0.300 --> 0:31:1.50

Little, Rick (Chair)

OK. Thank you.

0:31:2.630 --> 0:31:3.720

Little, Rick (Chair)

Do we have a motion?

0:31:7.350 --> 0:31:8.690

Cameron, Pete (Board Member)

This is Pete, so move.

0:31:9.780 --> 0:31:11.270

Little, Rick (Chair)

Thank you, Pete. Do we have a second?

0:31:12.970 --> 0:31:13.880

Ittner, David (Vice Chair)

This is Dave. I second.

0:31:14.660 --> 0:31:18.30

Little, Rick (Chair)

It's been moved and seconded. Do we have any other discussions?

0:31:19.510 --> 0:31:22.940

Gutierrez-Zamora, Dante (Board Member)

This is Dante. This wouldn't be the same firm, by chance?

0:31:24.360 --> 0:31:25.250

Gutierrez-Zamora, Dante (Board Member)

Or the same incident?

0:31:24.760 --> 0:31:30.370

Hamilton, Grace (DOL)

It's the same incident. The first case was for the Funeral Home and the second case was the cemetery.

0:31:30.830 --> 0:31:32.220

Gutierrez-Zamora, Dante (Board Member)

Oh, sorry. Alright, thank you.

0:31:32.680 --> 0:31:33.100

Hamilton, Grace (DOL)

No worries.

0:31:34.220 --> 0:31:35.470

Little, Rick (Chair)

Any other discussions?

0:31:37.840 --> 0:31:40.190

Little, Rick (Chair)

If not, all those in favor, say aye.

0:31:41.610 --> 0:31:42.50

Ward, Angie (Board Member)

Aye.

0:31:41.920 --> 0:31:42.170

Ittner, David (Vice Chair)

Aye.

0:31:42.240 --> 0:31:42.790

Gutierrez-Zamora, Dante (Board Member)

Aye.

0:31:42.260 --> 0:31:42.990

Cameron, Pete (Board Member)

Aye.

0:31:44.610 --> 0:31:45.640

Little, Rick (Chair)

Any opposed?

0:31:47.660 --> 0:31:48.570

Little, Rick (Chair)

Any abstentions?

0:31:49.900 --> 0:31:53.470

Little, Rick (Chair)

OK, item 7.9.

0:31:57.730 --> 0:31:59.610

Little, Rick (Chair)

That would be Mr. Ittner.

0:32:0.740 --> 0:32:1.120

Ittner, David (Vice Chair)

Thank you.

0:32:2.810 --> 0:32:8.330

Ittner, David (Vice Chair)

This is case #2022-09-1336-00FDE.

0:32:10.490 --> 0:32:34.390

Ittner, David (Vice Chair)

The complainant contacted the Department of Licensing by phone to complain about the respondent on September 20, 2022. The complainant alleged the respondent Funeral Home cremated her husband's remains without notifying her of his death or without her consent. The complainant, who lives in California, learned of her husband's death three months after he died through a notation on her credit report. Complainant found out the respondent handled the disposition, which was authorized by her husband's parents.

0:32:35.240 --> 0:32:49.0

Ittner, David (Vice Chair)

The complainant contacted Department of Licensing again on September 23, 2022, and requested the complaint be filed against the cemetery. Separate complaint for burying her husband's... It is a separate complaint for burying her husband's cremated remains without her permission.

0:32:50.90 --> 0:33:6.270

Ittner, David (Vice Chair)

Complainant's husband died June 2nd, 2022. The decedent's father and stepmother authorized cremation at the respondent location on June 6, 2022. Decedent's Mother also signed a cremation authorization and agreed to have decedent's cremated remains released to her and the decedent's father.

0:33:7.490 --> 0:33:25.370

Ittner, David (Vice Chair)

According to the complainant, the respondent funeral home relied on information provided by her husband's father, who claims his son was never married. The complainant e-mailed a copy of the marriage certificate, dated April 24, 2010, from Nevada. The bride is listed as the complainant and the groom is listed as the decedent.

0:33:26.610 --> 0:33:44.20

Ittner, David (Vice Chair)

The respondent funeral director sent a written response to the complainant on October 19, 2022. The funeral director is also the area general manager for the respondent Funeral Home. The respondent claims that the decedent's parents represented themselves as having the right for control of disposition and indicated that the decedent had never been married.

0:33:44.920 --> 0:33:54.290

Ittner, David (Vice Chair)

The decedent was cremated on June 14, 2022. The respondent stated they were unaware that the decedent had a spouse until the complainant contacted them on September 20, 2022.

0:33:55.950 --> 0:34:3.180

Ittner, David (Vice Chair)

Do the fact that that the respondent's... I'm sorry. Yeah, the respondent's parents...

0:34:4.900 --> 0:34:16.340

Ittner, David (Vice Chair)

And I'm sorry. I'm... that's not the way I want to say... They were... They misrepresented the status of the of the marriage. And so, in that case, I recommend to close this with no further action.

0:34:17.430 --> 0:34:21.260

Little, Rick (Chair)

OK. Thank you, Mr. Ittner. Do we have a motion?

0:34:21.800 --> 0:34:23.540

Gutierrez-Zamora, Dante (Board Member)

This is Dante. So moved.

0:34:24.280 --> 0:34:25.250

Little, Rick (Chair)

Do we have a second?

0:34:27.920 --> 0:34:29.290

Cameron, Pete (Board Member)

This is Pete, I'll second.

0:34:31.150 --> 0:34:32.500

Little, Rick (Chair)

Is there any other discussion?

0:34:37.180 --> 0:34:39.60

Little, Rick (Chair)

If not, all those in favor, say aye.

0:34:40.750 --> 0:34:41.390

Gutierrez-Zamora, Dante (Board Member)

Aye.

0:34:41.550 --> 0:34:41.880

Ward, Angie (Board Member)

Aye.

0:34:41.500 --> 0:34:42.170

Cameron, Pete (Board Member)

Aye.

0:34:43.780 --> 0:34:44.550

Little, Rick (Chair)

Any opposed?

0:34:46.650 --> 0:34:47.760

Little, Rick (Chair)

Any abstentions?

0:34:48.800 --> 0:34:52.870

Little, Rick (Chair)

OK, item 7.10. Mr. Cameron.

0:34:55.410 --> 0:35:3.890

Cameron, Pete (Board Member)

Thank you. This is complaint #2021-07-1806-00FDE.

0:35:5.200 --> 0:35:11.350

Cameron, Pete (Board Member)

This is a program generated complaint by the Funeral and Cemetery Board staff alleging unlicensed practice.

0:35:12.780 --> 0:35:41.450

Cameron, Pete (Board Member)

The facts are that the Funeral Home named in this complaint had its establishment license revoked on April 20th, 2021, and was ordered to wind down the existing business and follow specific guidelines that were established in the final order issued by the Board. The establishment did not follow the guidelines of the final order and continued to represent themselves to the public and serve new client families through July 30th of 2021. The establishment then ceased operations and closed its doors.

0:35:41.530 --> 0:35:58.920

Cameron, Pete (Board Member)

There's clearly constitute unlicensed practice by this establishment and would necessitate some sort of sanction or formal action. However, since the establishment is now closed, there's no license or licensee to be held accountable. I'm recommending that this case be closed with no further action.

0:36:0.250 --> 0:36:1.50

Little, Rick (Chair)

Thank you, Pete.

0:36:2.160 --> 0:36:3.570

Little, Rick (Chair)

Do we have a motion on that?

0:36:6.60 --> 0:36:7.100

Ittner, David (Vice Chair)

This is Dave. So move.

0:36:8.120 --> 0:36:9.390

Little, Rick (Chair)

It's moved. Do we have a second?

0:36:10.400 --> 0:36:11.490

Ward, Angie (Board Member)

This is Angie. I'll second.

0:36:10.850 --> 0:36:12.530

Gutierrez-Zamora, Dante (Board Member)

This is Dante... OK.

0:36:13.180 --> 0:36:16.420

Little, Rick (Chair)

Seconded by Angie. Any other discussions?

0:36:19.130 --> 0:36:21.340

Little, Rick (Chair)

If not, all those in favor, say aye.

0:36:23.210 --> 0:36:23.500

Ittner, David (Vice Chair)

Aye.

0:36:23.30 --> 0:36:23.560

Gutierrez-Zamora, Dante (Board Member)

Aye.

0:36:23.980 --> 0:36:24.230

Cameron, Pete (Board Member)

Aye.

0:36:24.70 --> 0:36:24.450

Ward, Angie (Board Member)

Aye.

0:36:25.620 --> 0:36:26.560

Little, Rick (Chair)

Any opposed?

0:36:28.510 --> 0:36:29.370

Little, Rick (Chair)

Any abstentions?

0:36:31.360 --> 0:36:36.740

Little, Rick (Chair)

OK. 7.11, Mr. Ittner.

0:36:38.420 --> 0:36:38.800

Ittner, David (Vice Chair)

Thank you.

0:36:39.810 --> 0:36:49.970

Ittner, David (Vice Chair)

This is the case number 2022-09-1387-00CEM. The complainant contacted Department of Licensing by phone to complain about a Funeral Home in a separate complaint on September 20, 2022.

0:36:50.640 --> 0:37:21.870

Ittner, David (Vice Chair)

The complainant alleged the Funeral Home cremated her husband's remains without notifying her about his death and without her consent. The complainant lives in California, learned of her husband's death three months after he died through a notation on her credit report. Complainant found out the Funeral Home handled the disposition, which was authorized by her husband's parents. The complainant contacted the Department of Licensing again on September 23, 2022, and requested a complaint be filed against the respondent cemetery for burying her husband's cremated remains without permission.

0:37:22.850 --> 0:37:35.780

Ittner, David (Vice Chair)

Complainant's husband died June 2nd, 2022. The decedent's father and stepmother authorized cremation on June 6, 2022. The decedent's mother also signed a cremation authorization and agreed to have the decedent's cremated remains released to her and the decedent's father.

0:37:36.500 --> 0:37:41.70

Ittner, David (Vice Chair)

The decedent's cremated remains were buried at the respondent cemetery on July 9th, 2022.

0:37:42.290 --> 0:37:55.480

Ittner, David (Vice Chair)

According to the complainant, the Funeral Home relied on information provided by her husband's father, who claimed his son was never married. Complainant e-mailed a copy of a marriage certificate, dated April 24, 2010, from Nevada. The bride is listed as the complainant and the groom is listed as the decedent.

0:37:56.200 --> 0:38:14.530

Ittner, David (Vice Chair)

The respondent cemetery manager sent a written response to the complainant on October 5th, 2022. Their response indicates they were also unaware that season was married until the complainant had contacted them in September 2022. The cemetery has requested the complainant obtain a court order before they are willing to disinter the decedent's cremated remains.

0:38:15.450 --> 0:38:28.600

Ittner, David (Vice Chair)

Now it's, again, it's the situation where the parents misrepresented the right, they had the right to

control disposition indicating the decedent was not married. So, I recommend this case be closed no further action.

0:38:29.100 --> 0:38:29.740

Little, Rick (Chair)

OK.

0:38:30.850 --> 0:38:31.840

Little, Rick (Chair)

Do we have a motion?

0:38:32.980 --> 0:38:34.370

Gutierrez-Zamora, Dante (Board Member)

This is Dante so moved.

0:38:35.420 --> 0:38:36.470

Little, Rick (Chair)

Do we have a second?

0:38:39.170 --> 0:38:40.460

Cameron, Pete (Board Member)

This is Pete. I'll second.

0:38:41.860 --> 0:38:44.60

Little, Rick (Chair)

It's been moved and seconded. Any other discussion?

0:38:47.130 --> 0:38:49.740

Little, Rick (Chair)

Good. If not, all those in favor, say aye.

0:38:51.170 --> 0:38:51.520

Ward, Angie (Board Member)

Aye.

0:38:51.890 --> 0:38:52.520

Cameron, Pete (Board Member)

Aye.

0:38:52.130 --> 0:38:52.580

Gutierrez-Zamora, Dante (Board Member)

Aye.

0:38:54.120 --> 0:38:54.990

Little, Rick (Chair)

Any opposed?

0:38:57.140 --> 0:38:58.190

Little, Rick (Chair)

Any abstentions?

0:39:0.30 --> 0:39:5.730

Little, Rick (Chair)

Thank you. Item 7.12. Mr. Ittner.

0:39:6.670 --> 0:39:13.20

Ittner, David (Vice Chair)

Thank you. This case #2022-03-0430-00CEM.

0:39:14.450 --> 0:39:25.540

Ittner, David (Vice Chair)

The complainant claims their lodge building is ultimately an asset of the State Lodge, who is also named as Co-complained, not an asset of the cemeteries endowment care fund.

0:39:26.310 --> 0:39:46.600

Ittner, David (Vice Chair)

The local and state Lodge want to remove the lodge building from endowment care fund in exchange for \$14,744. Which is the unpaid balance of a loan taken from the fund in 1931, plus interest on the unpaid loan in the amount of \$6160.00. A 2021 tax assessor's value of the building was \$475,150.

0:39:47.400 --> 0:39:54.790

Ittner, David (Vice Chair)

The complainant, the local lodge, has indicated the real property is an asset of the endowment care fund for several years on their endowment care annual reports.

0:39:55.810 --> 0:40:11.940

Ittner, David (Vice Chair)

During December 14, 2021, conversation with the representative of the local lodge, the cemetery's perpetual Care fund, offered mortgages to loan members in 1931. The local lodge borrowed \$18,323.00 from the Endowment Care Fund, which was to be repaid at \$250 per year.

0:40:12.940 --> 0:40:23.260

Ittner, David (Vice Chair)

The local lodge executed a mortgage document creating lean against the Lodge building on February 10th, 1931. The mortgage document required annual payments of \$250 with an interest rate of 6%.

0:40:24.70 --> 0:40:31.310

Ittner, David (Vice Chair)

Attorney for the State Lodge stated the local lodge decided to surrender the lodge building to the Endowment Care fund to satisfy the unpaid debt in the early 1960s.

0:40:32.70 --> 0:40:40.820

Ittner, David (Vice Chair)

The local lodge declared foreclosure on the Lodge building but failed to notify the State Lodge, who has a reversionary interest for all real property owned by the local lodges.

0:40:41.490 --> 0:40:44.460

Ittner, David (Vice Chair)

However, no property deeds were ever transferred to the Endowment Care Fund.

0:40:45.630 --> 0:41:15.70

Ittner, David (Vice Chair)

The attorney's June 22nd, 2022 letter indicates the State Lodge became aware of the Endowment Care Trust Agreement for the cemetery operated by the local lodge in 1991. The state lodge sent a letter on April 8th, 1991 that the local lodge and to the Washington Cemetery Board, which informed them the transfer of the Lodge building to the Endowment Care Fund Trust – the Endowment Care Trust was invalid, though the local lodge has included the Lodge building as an asset of the fund every year since at least 1999.

0:41:16.950 --> 0:41:22.920

Ittner, David (Vice Chair)

However, the attorney indicated the State lodge received an ownership and in Incumbrance and Judgment report from Kittitas title company.

0:41:23.810 --> 0:41:44.740

Ittner, David (Vice Chair)

The state lodge, through their attorney, has offered the following to resolve the matter with the Washington Funeral Cemetery Board: state lodge will deposit, \$20,655 into the Endowment Care Trust Fund for the cemetery operated by the local lodge. The endowment – the amount represents the unpaid balance of the 1931 loan, \$14,494 + 6% interest of \$6,160.00.

0:41:45.470 --> 0:41:59.80

Ittner, David (Vice Chair)

As there are no real records showing the lodge building was ever effectively or legally transferred into the Endowment Care Fund, it is likely to lodge did not have legal – and it is likely to lodge did not have legal authority to do so, I recommend the Board agree to resolve this matter per the complainant's offer.

0:42:0.550 --> 0:42:0.820

Little, Rick (Chair)

OK.

0:42:2.640 --> 0:42:3.190

Little, Rick (Chair)

All right.

0:42:4.630 --> 0:42:6.930

Little, Rick (Chair)

Do we have a motion for closure?

0:42:10.210 --> 0:42:11.870

Cameron, Pete (Board Member)

This is Pete, so move.

0:42:13.10 --> 0:42:14.140

Little, Rick (Chair)

Do we have a second?

0:42:20.800 --> 0:42:22.300

Gutierrez-Zamora, Dante (Board Member)

This is Dante. I'll go ahead and second.

0:42:22.980 --> 0:42:23.370

Little, Rick (Chair)

OK.

0:42:24.190 --> 0:42:26.880

Little, Rick (Chair)

So moved and seconded. Do we have any other discussion?

0:42:29.760 --> 0:42:32.420

Cameron, Pete (Board Member)

Dave, just a couple of quick questions. This is Pete.

0:42:34.110 --> 0:42:38.420

Cameron, Pete (Board Member)

Is this lodge located on cemetery property, or separate locations?

0:42:40.90 --> 0:42:40.920

Ittner, David (Vice Chair)

I believe it is a.

0:42:40.250 --> 0:42:41.130

Cameron, Pete (Board Member)

Or do we know?

0:42:41.860 --> 0:42:43.430

Ittner, David (Vice Chair)

I believe it is a separate location.

0:42:45.160 --> 0:42:45.560

Cameron, Pete (Board Member)

OK.

0:42:44.760 --> 0:42:46.360

Ittner, David (Vice Chair)

I don't know the answer to that, Pete.

0:42:47.810 --> 0:42:48.620

Ittner, David (Vice Chair)

That's a good question.

0:42:50.400 --> 0:42:54.990

Ittner, David (Vice Chair)

Effectively they, the local lodge had had no authority to transfer the...

0:42:56.150 --> 0:43:10.150

Ittner, David (Vice Chair)

I guess, the interest in the building into the Endowment Care fund, given the reversionary nature of the agreement with the, I guess, parent lodge, if you will, so...

0:43:11.230 --> 0:43:19.560

Ittner, David (Vice Chair)

In addition to that, there were just, there were simply no records showing the transfer of that property to the Endowment Care Fund.

0:43:20.830 --> 0:43:34.140

Cameron, Pete (Board Member)

Right, OK. So my only other question then is: The cemetery, is that open to only lodge members, or is that open to non-lodge members as well? It's not their own independent cemetery, is it?

0:43:35.190 --> 0:43:37.310

Ittner, David (Vice Chair)

I do not know the answer to that question.

0:43:39.200 --> 0:43:39.530

Gutierrez-Zamora, Dante (Board Member)

OK.

0:43:40.340 --> 0:43:40.750

Cameron, Pete (Board Member)

OK.

0:43:40.70 --> 0:43:43.460

Ittner, David (Vice Chair)

I think in this case, given the, the original agreement was to.

0:43:46.0 --> 0:44:7.400

Ittner, David (Vice Chair)

The loan proceeds were to be repaid back according to the you know the agreement \$250 per year plus the interest rate and the Lodge has agreed to, I guess, make that whole in terms of the original loan agreement and make the endowment care fund on the whole.

0:44:8.680 --> 0:44:10.270

Cameron, Pete (Board Member)

Right. OK. Thank you.

0:44:10.770 --> 0:44:10.970

Ittner, David (Vice Chair)

Yeah.

0:44:11.470 --> 0:44:24.690

Hamilton, Grace (DOL)

And Pete, this is Grace Hamilton. I can give up a couple of answers to that. The Lodge is not on a cemetery property and it is open to all, not just cemetery members.

0:44:26.980 --> 0:44:27.710

Little, Rick (Chair)

Thanks.

0:44:26.800 --> 0:44:28.80

Cameron, Pete (Board Member)

OK. Thank you.

0:44:29.710 --> 0:44:32.40

Little, Rick (Chair)

OK. Any other discussions?

0:44:34.290 --> 0:44:36.460

Little, Rick (Chair)

If not all those in favor say aye.

0:44:37.750 --> 0:44:38.240

Gutierrez-Zamora, Dante (Board Member)

Aye.

0:44:38.490 --> 0:44:39.130

Cameron, Pete (Board Member)

Aye.

0:44:39.350 --> 0:44:39.840

Ward, Angie (Board Member)

Aye.

0:44:43.220 --> 0:44:44.50

Little, Rick (Chair)

Any opposed?

0:44:45.960 --> 0:44:46.940

Little, Rick (Chair)

Any abstentions?

0:44:48.110 --> 0:44:54.260

Little, Rick (Chair)

OK, so moved, OK. Items 7.13 Mr. Cameron.

0:45:1.660 --> 0:45:11.350

Cameron, Pete (Board Member)

Alright, thank you. This is complaint #2022-09-1248-00FDE.

0:45:12.250 --> 0:45:27.730

Cameron, Pete (Board Member)

Complainant summary is: The complainant is a former employee of responded Funeral Home who alleges 20 different violations occurred during her four-month employment. Respondent Funeral Home believes that complaint was filed in retaliation for the complainant being fired.

0:45:29.270 --> 0:45:44.630

Cameron, Pete (Board Member)

The facts are that during the course of investigation, the Board staff discovered that only three of the 20 complainants were credible and had proof. One, the responded Funeral Home had inadequate refrigeration facilities that were under repair for a short period of time.

0:45:45.400 --> 0:46:3.610

Cameron, Pete (Board Member)

Two, that the respondent Funeral Home had crematory operators that were uncertified. And three, that respondent Funeral Home was not obtaining the majority of next-of-kin signatures required for cremation as required in Washington. There was no indication that any decedent remains or client families were harmed.

0:46:4.500 --> 0:46:18.370

Cameron, Pete (Board Member)

Since the time of the initial investigation, respondent Funeral Home has installed proper working refrigeration facilities, obtained certifications for all Crematory operators, and all staff have been instructed on obtaining the proper signatures required for cremation.

0:46:19.60 --> 0:46:37.0

Cameron, Pete (Board Member)

On response I'm recommending a letter of education be sent to responded Funeral Home to review with their entire staff and emphasizes the importance of maintaining properly running refrigeration facilities, keeping current on all certifications and licenses and review of RCW 68.50.160 for who has the right to control disposition.

0:46:37.990 --> 0:46:43.540

Cameron, Pete (Board Member)

So I'm recommending a letter of education, which has been drafted, and I reviewed it yesterday.

0:46:45.160 --> 0:46:46.190

Little, Rick (Chair)

OK. Thank you.

0:46:47.210 --> 0:46:48.220

Little, Rick (Chair)

Do we have a motion?

0:46:49.440 --> 0:46:50.930

Gutierrez-Zamora, Dante (Board Member)

This is Dante. So moved.

0:46:51.660 --> 0:46:52.670

Little, Rick (Chair)

Do we have a second?

0:46:53.920 --> 0:46:54.740

Ittner, David (Vice Chair)

This is Dave. I'll second.

0:46:56.450 --> 0:46:58.470

Little, Rick (Chair)

And moved and seconded. Any discussion?

0:47:1.610 --> 0:47:3.560

Little, Rick (Chair)

If not, all those in favor, say aye.

0:47:4.560 --> 0:47:5.30

Gutierrez-Zamora, Dante (Board Member)

Aye.

0:47:5.370 --> 0:47:5.820

Ward, Angie (Board Member)

Aye.

0:47:6.200 --> 0:47:6.450

Ittner, David (Vice Chair)

Aye.

0:47:7.810 --> 0:47:8.450

Little, Rick (Chair)

Any opposed?

0:47:10.660 --> 0:47:11.570

Little, Rick (Chair)

Any abstentions?

0:47:12.860 --> 0:47:18.370

Little, Rick (Chair)

OK, let's move on to 7.14.

0:47:20.0 --> 0:47:20.790

Little, Rick (Chair)

Mr. Cameron.

0:47:23.40 --> 0:47:57.950

Cameron, Pete (Board Member)

Thank you. This is complaint. #2022-09-1249-00FDE. Complainant is a former employee of Respondent Funeral Home who alleges 20 different violations occurred during her four-month employment.

Responded Funeral Home believes the complaint was filed in retaliation for the complainant being fired.

This complaint is related to case #2022-09-1248-00FDE that we just did. As the responded Funeral Home has a second location that the same complainant also worked at during her four-month employment.

0:47:59.780 --> 0:48:11.890

Cameron, Pete (Board Member)

During the facts of the, or the course of the investigation, staff discovered that only three out of the 18 complaints were credible and had proof the respondent Funeral Home had inadequate refrigeration facilities that were under repair for short period of time.

0:48:12.630 --> 0:48:27.450

Cameron, Pete (Board Member)

Two, that the respondent Funeral Home and Crematory operators that were uncertified. And three, that the respondent Funeral Home was not obtaining the majority of next-of-kin signatures required for cremation, is required in Washington. There was no indication that any decedent remains or client families were harmed.

0:48:28.70 --> 0:48:40.760

Cameron, Pete (Board Member)

Since the time of the initial investigation, respondent to Funeral Home has installed proper working refrigeration facilities, obtained verifications for all Crematory operators, and all staff have been instructed on obtaining the proper signatures required for cremation.

0:48:41.380 --> 0:48:59.480

Cameron, Pete (Board Member)

So in response, I'm recommending a letter of education be sent to respond at Funeral Home to review with their entire staff that emphasized the importance of maintaining properly running refrigeration facilities, keeping current on all certifications and licenses and review of RCW 68.50.160 for who has the right to control disposition.

0:49:0.120 --> 0:49:5.490

Cameron, Pete (Board Member)

And again, this letter has been created and reviewed yesterday. Is ready to go.

0:49:6.160 --> 0:49:6.520

Little, Rick (Chair)

OK.

0:49:7.700 --> 0:49:8.510

Little, Rick (Chair)

Do we have a motion?

0:49:13.800 --> 0:49:14.650

Ittner, David (Vice Chair)

So moved. This is Dave.

0:49:15.490 --> 0:49:18.180

Little, Rick (Chair)

OK, so moved, Dave. Do we have a second?

0:49:19.340 --> 0:49:19.920

Gutierrez-Zamora, Dante (Board Member)
Dante...

0:49:18.980 --> 0:49:19.940

Ward, Angie (Board Member)
This is Angie. I'll second.

0:49:20.970 --> 0:49:21.260

Gutierrez-Zamora, Dante (Board Member)
Oh.

0:49:21.100 --> 0:49:24.90

Little, Rick (Chair)
Seconded by Angie. Any other discussion?

0:49:26.510 --> 0:49:28.610

Little, Rick (Chair)
If not, all those in favor, say aye.

0:49:29.370 --> 0:49:29.990

Gutierrez-Zamora, Dante (Board Member)
Aye.

0:49:31.410 --> 0:49:32.470

Ward, Angie (Board Member)
Aye.

0:49:31.410 --> 0:49:32.470

Ittner, David (Vice Chair)
Aye.

0:49:33.310 --> 0:49:34.130

Little, Rick (Chair)
Any opposed?

0:49:36.400 --> 0:49:37.530

Little, Rick (Chair)
Any abstentions?

0:49:39.360 --> 0:49:45.210

Little, Rick (Chair)
OK, next is 7.15 Mr. Cameron.

0:49:47.470 --> 0:49:55.160

Cameron, Pete (Board Member)
Thank you. This is complaint #2020-10-1356-00FTE.

0:49:56.380 --> 0:50:6.230

Cameron, Pete (Board Member)

The complainant is from a county vital statistics registrar, filed a complaint against the respondent Funeral Home, alleging they failed to file two death certificates in a timely manner.

0:50:8.90 --> 0:50:36.430

Cameron, Pete (Board Member)

The facts are that during the course of the investigation, it was revealed that there were actually seven death certificates that had not been filed in a timely manner, some dating back four years on indigent remains that were still under refrigeration at a separate off-site storage facility. Responded stated that they were all in various stages of either awaiting information to complete the certificates. Lacking Dr signatures, cremation authorizations or disposition authorization to be issued by the county.

0:50:37.390 --> 0:51:9.140

Cameron, Pete (Board Member)

While this case was under investigation, the respondents funeral establishment license was revoked by the state Board under a separate agreed order and the business was closed. As part of the agreed order, the respondent was ordered to cremate these remains, but they did not do so and instead abandoned them. Board staff worked diligently with the facility where they were being stored, the county Registrar's office, and the medical examiners indigent remain program to ensure that all of these remains were properly cared for and have now been fully cremated according to state law.

0:51:9.930 --> 0:51:27.380

Cameron, Pete (Board Member)

Although this case clearly exposed multiple violations of state rule, law, and the agreed order, as stated above, the respondent Funeral Home has been shut down. There is no establishment license or funeral director license to be held accountable anymore. Therefore, I'm recommending that this case be closed with no further action.

0:51:28.350 --> 0:51:28.820

Little, Rick (Chair)

OK.

0:51:31.80 --> 0:51:32.70

Little, Rick (Chair)

Do we have a motion?

0:51:32.990 --> 0:51:34.520

Gutierrez-Zamora, Dante (Board Member)

This is Dante, so moved.

0:51:35.180 --> 0:51:36.890

Little, Rick (Chair)

OK. Do we have a second?

0:51:42.510 --> 0:51:43.300

Ittner, David (Vice Chair)

Second. This is Dave.

0:51:44.0 --> 0:51:46.640

Little, Rick (Chair)

OK. Any other discussion?

0:51:48.540 --> 0:51:49.590

Ward, Angie (Board Member)

This is Angie.

0:51:50.400 --> 0:51:50.780

Little, Rick (Chair)

Thank you.

0:51:53.570 --> 0:52:28.980

Ward, Angie (Board Member)

So if not for the vital records employee, this could have gone on much longer. And I just am curious about other Board Members' thoughts regarding the plausibility that this could be a problem in other places. And is there anything in place to help us ascertain that? Or do we really think this is a one-off situation?

0:52:34.550 --> 0:52:35.130

Little, Rick (Chair)

Yeah, that's a...

0:52:34.900 --> 0:52:35.530

Cameron, Pete (Board Member)

Well this...

0:52:36.130 --> 0:52:36.580

Little, Rick (Chair)

Go ahead.

0:52:37.370 --> 0:52:38.540

Cameron, Pete (Board Member)

Well, this is Pete.

0:52:39.880 --> 0:52:45.220

Cameron, Pete (Board Member)

As the case manager on here, I'm drastically hoping that this is just a one off.

0:52:47.650 --> 0:52:49.330

Cameron, Pete (Board Member)

I've never heard of this before.

0:52:50.790 --> 0:52:52.420

Cameron, Pete (Board Member)

In all my years of doing this, and I...

0:52:53.880 --> 0:53:5.730

Cameron, Pete (Board Member)

There's really nothing in place that I know of or that I could find to prevent this from happening, just because Funeral Home records are privately held at the Funeral Home.

0:53:6.410 --> 0:53:10.900

Cameron, Pete (Board Member)

Those arrangements are not public knowledge anywhere. So.

0:53:11.950 --> 0:53:15.90

Cameron, Pete (Board Member)

I'm grateful that this finally got accomplished.

0:53:16.610 --> 0:53:24.160

Cameron, Pete (Board Member)

And it was extraordinary work by Board staff to get this done. So I'm hoping and praying this never happens again.

0:53:26.570 --> 0:53:27.860

Ward, Angie (Board Member)

Thank you so much, Pete.

0:53:30.890 --> 0:53:46.230

Ward, Angie (Board Member)

And I apologize if this isn't... if this question is out of turn, but since it had been, what was it seven years? The longest one? Or am I remembering that incorrectly? Four years?

0:53:44.350 --> 0:53:46.260

Cameron, Pete (Board Member)

Four years.

0:53:47.140 --> 0:54:4.270

Ward, Angie (Board Member)

Four years. So. Do we know if there've been any sort of a site visit... I'm not getting the terminology correct... to this operation, to this particular Funeral Home, in those four years? And would there..?

0:54:3.340 --> 0:54:4.460

Cameron, Pete (Board Member)

So there's few.

0:54:5.120 --> 0:54:6.120

Ward, Angie (Board Member)

Yeah, go ahead. Go ahead.

0:54:9.490 --> 0:54:10.810

Ward, Angie (Board Member)

Ohh yeah. Ohh.

0:54:12.290 --> 0:54:12.690

Ward, Angie (Board Member)

OK.

0:54:6.190 --> 0:54:14.740

Cameron, Pete (Board Member)

This Funeral Home used in off-site facility for refrigeration and cremation, so they were not at the actual Funeral Home location.

0:54:14.800 --> 0:54:16.120

Ward, Angie (Board Member)

OK. Gotcha.

0:54:17.190 --> 0:54:19.600

Ward, Angie (Board Member)

Alright. OK. Thank you so much.

0:54:21.710 --> 0:54:22.900

Little, Rick (Chair)

Any other questions?

0:54:25.800 --> 0:54:26.40

Little, Rick (Chair)

OK.

0:54:28.190 --> 0:54:30.750

Little, Rick (Chair)

If not, all those in favor, say aye.

0:54:34.290 --> 0:54:34.750

Gutierrez-Zamora, Dante (Board Member)

Aye.

0:54:36.720 --> 0:54:37.840

Ittner, David (Vice Chair)

Aye.

0:54:36.720 --> 0:54:37.840

Ward, Angie (Board Member)

Aye.

0:54:40.550 --> 0:54:41.450

Little, Rick (Chair)

Any opposed?

0:54:44.850 --> 0:54:45.840

Little, Rick (Chair)

Any abstentions?

0:54:48.140 --> 0:54:48.690

Little, Rick (Chair)

Thank you.

0:54:50.230 --> 0:54:55.800

Little, Rick (Chair)

I appreciate Angie bringing that up, just for clarification. I think that was very good.

0:54:58.0 --> 0:55:4.500

Little, Rick (Chair)

Item 7.16. Mister Gutierrez-Zamora.

0:55:5.570 --> 0:55:12.330

Gutierrez-Zamora, Dante (Board Member)

Alright, this would be a case number 2022-08-1181-00FDE.

0:55:13.150 --> 0:55:34.410

Gutierrez-Zamora, Dante (Board Member)

The summary: The complainant filed the complaint with the funeral and cemetery Board alleging the respondent firm released remains of an 84 year old Native American to an out-of-state Funeral Home, who subsequently transported and buried the deceased out-of-state prior to having a signed death certificate or a burial transit permit.

0:55:35.340 --> 0:56:40.420

Gutierrez-Zamora, Dante (Board Member)

The facts: As an embalming and removal service, the respondent often releases remains to its clients prior to completion of the death certificate or having the burial transit permit. In this case, however, the respondent knew that the client was transporting out of state, and the respondent was aware that the death certificate had not been signed because the respondent was the entity trying to complete that record. The out of state funeral home's assertion that the transit permit and death certificate were not necessary because of the deceased was Native American, notwithstanding, the respondent should have been aware of the requirement for a permit as per RCW 70.58.230. Also, the out-of-state Funeral Home was not from a state contiguous, or I can't say that word, with Washington state. So, a current certificate of removal would not have applied. So, these are recommended to close with letters of education.

0:56:40.520 --> 0:56:42.870

Gutierrez-Zamora, Dante (Board Member)

That are, those are definitely in my queue to review.

0:56:45.220 --> 0:56:45.630

Little, Rick (Chair)

OK.

0:56:47.110 --> 0:56:48.110

Little, Rick (Chair)

Do we have a motion?

0:56:53.550 --> 0:56:55.20

Cameron, Pete (Board Member)

This is Pete, so moved.

0:56:56.390 --> 0:56:57.820

Little, Rick (Chair)

And do we have a second?

0:57:2.460 --> 0:57:3.360

Ittner, David (Vice Chair)

This is Dave. I'll second.

0:57:4.970 --> 0:57:8.80

Little, Rick (Chair)

OK, so moved and seconded. Any other discussion?

0:57:11.180 --> 0:57:12.650

Cameron, Pete (Board Member)

Dante, this is Pete.

0:57:12.650 --> 0:57:13.390

Gutierrez-Zamora, Dante (Board Member)

Yeah?

0:57:13.390 --> 0:57:29.900

Cameron, Pete (Board Member)

It sounds like respondent has been doing this for other locations and other providers for a while. Is there, or do you know, if there's any history of any prior violations of this?

0:57:31.120 --> 0:57:32.50

Little, Rick (Chair)

This was their first.

0:57:30.970 --> 0:57:32.420

Gutierrez-Zamora, Dante (Board Member)

Not to my knowledge.

0:57:33.210 --> 0:57:33.550

Gutierrez-Zamora, Dante (Board Member)

Yeah.

0:57:34.400 --> 0:57:36.790

Gutierrez-Zamora, Dante (Board Member)

Yeah. So anyway, without, you know, give –

0:57:42.200 -->

Little, Rick (Chair)

OK.

0:57:42.200 --> 0:57:57.80

Gutierrez-Zamora, Dante (Board Member)

OK, this is a... not to my knowledge. They do a lot of business, and this just happened to be two states

over instead of one state over, and it wasn't in-state. So normally there's not a problem. But, again, the letter is because they should have known better.

0:57:59.300 --> 0:58:0.770

Cameron, Pete (Board Member)

Right. OK. Thank you.

0:58:0.980 --> 0:58:1.250

Little, Rick (Chair)

OK.

0:58:2.640 --> 0:58:3.660

Little, Rick (Chair)

Any other questions?

0:58:7.450 --> 0:58:7.860

Little, Rick (Chair)

OK.

0:58:8.950 --> 0:58:10.910

Little, Rick (Chair)

If not, all those in favor, say aye.

0:58:13.590 --> 0:58:14.240

Cameron, Pete (Board Member)

Aye.

0:58:14.620 --> 0:58:14.960

Ittner, David (Vice Chair)

Aye.

0:58:14.610 --> 0:58:15.80

Ward, Angie (Board Member)

Aye.

0:58:18.590 --> 0:58:19.490

Little, Rick (Chair)

Any opposed?

0:58:22.340 --> 0:58:23.800

Little, Rick (Chair)

OK. Any abstentions?

0:58:26.190 --> 0:58:26.780

Little, Rick (Chair)

OK.

0:58:29.80 --> 0:58:34.590

Little, Rick (Chair)

Item 7.17 Grace Hamilton will read for Connie.

0:58:46.430 --> 0:58:46.760

Little, Rick (Chair)

It's.

0:58:36.800 --> 0:59:3.230

Hamilton, Grace (DOL)

That case, number 2022-10-1448-00FDE. Complaint summary: Complainant states that the natural organic reduction process at a facility does not sustain the necessary minimum temperature of 131° Fahrenheit for 72 consecutive hours. The second complaint was that the facility allowed the leakage of bodily fluid from the vessel onto the ground.

0:59:3.880 --> 0:59:33.810

Hamilton, Grace (DOL)

Facts: The respondent has stated that they have provided a copy of the temperature log as well as a link to the website which included test results from a reduction completed at the facility. This decedent was oversized. The facility placed a tray underneath the vessel to catch any fluid that leaked and then placed extra wood chips in the tray. Once the leaking stopped the tray with the fluid and wood chips were placed in the vessel as the reduction continued.

0:59:34.340 --> 0:59:37.530

Hamilton, Grace (DOL)

And the recommendation here is to close with no further action.

0:59:39.310 --> 0:59:40.290

Little, Rick (Chair)

Thank you, Grace.

0:59:42.100 --> 0:59:43.30

Little, Rick (Chair)

Do we have a motion?

0:59:46.150 --> 0:59:47.560

Gutierrez-Zamora, Dante (Board Member)

This is Dante, so moved.

0:59:48.580 --> 0:59:50.390

Little, Rick (Chair)

Thank you, Dante. Do we have a second?

0:59:51.340 --> 0:59:52.400

Ward, Angie (Board Member)

This is Angie, I'll second.

0:59:55.390 --> 0:59:57.720

Little, Rick (Chair)

So moved and seconded. Do we have any other discussion?

0:59:58.580 --> 1:0:7.690

Gutierrez-Zamora, Dante (Board Member)

This is Dante. I know Connie's not here, but maybe somebody that investigated the case. Is this a client or a competitor as the complainant? Or do we know?

1:0:11.140 --> 1:0:15.450

Hamilton, Grace (DOL)

I believe it was a competitor, but if you give me just a second, I can verify that.

1:0:35.70 --> 1:0:35.660

Hamilton, Grace (DOL)

Let's see.

1:0:37.240 --> 1:0:39.780

Hamilton, Grace (DOL)

You know, I am not sure...

1:0:41.50 --> 1:0:42.920

Hamilton, Grace (DOL)

Yeah, it looks like it was a competitor.

1:0:43.960 --> 1:0:44.510

Little, Rick (Chair)

OK.

1:0:44.360 --> 1:0:44.810

Gutierrez-Zamora, Dante (Board Member)

OK.

1:0:46.980 --> 1:0:57.840

Ittner, David (Vice Chair)

Follow up question, this is Dave. Was the copy of the temperature log was not reviewed by the investigator and/or the case manager?

1:0:58.930 --> 1:1:3.260

Hamilton, Grace (DOL)

Yes, it was included in the in the case file.

1:0:46.980 --> 1:0:57.840

Ittner, David (Vice Chair)

OK, thank you.

1:1:5.430 --> 1:1:5.690

Little, Rick (Chair)

OK.

1:1:6.950 --> 1:1:8.40

Little, Rick (Chair)

Any other questions?

1:1:8.850 --> 1:1:19.360

Cameron, Pete (Board Member)

Yeah, this is Pete. Do we know if this was just a one off happening, or has this happened before with this facility? Grace, do you know?

1:1:19.800 --> 1:1:24.150

Hamilton, Grace (DOL)

This is the first complaint we've gotten for this facility.

1:1:26.120 --> 1:1:27.250

Cameron, Pete (Board Member)

OK. Thank you.

1:1:25.910 --> 1:1:28.180

Hamilton, Grace (DOL)

Uh-huh.

1:1:29.200 --> 1:1:29.420

Little, Rick (Chair)

OK.

1:1:30.640 --> 1:1:31.690

Little, Rick (Chair)

Any other questions?

1:1:34.650 --> 1:1:35.280

Little, Rick (Chair)

It's not.

1:1:34.750 --> 1:1:37.50

Sura, Cathy (Public)

First, come out to them and his team.

1:1:38.670 --> 1:1:41.330

Little, Rick (Chair)

Just a reminder to please shut off your mic's.

1:1:42.410 --> 1:1:43.990

Little, Rick (Chair)

All those in favor say aye.

1:1:45.920 --> 1:1:46.700

Cameron, Pete (Board Member)

Aye.

1:1:46.900 --> 1:1:47.450

Ward, Angie (Board Member)

Aye.

1:1:47.980 --> 1:1:48.490

Gutierrez-Zamora, Dante (Board Member)

Aye.

1:1:49.570 --> 1:1:50.380

Little, Rick (Chair)

Any opposed?

1:1:53.50 --> 1:1:53.920

Little, Rick (Chair)

Any abstentions?

1:1:55.160 --> 1:1:57.910

Little, Rick (Chair)

Thank you, Grace.

1:1:58.0 --> 1:2:2.290

Little, Rick (Chair)

Alright item 7.18. Mr. Ittner.

1:2:5.110 --> 1:2:5.550

Ittner, David (Vice Chair)

Thank you.

1:2:7.30 --> 1:2:12.390

Ittner, David (Vice Chair)

Case #2021-11-2963-00CEM.

1:2:13.340 --> 1:2:20.440

Ittner, David (Vice Chair)

Complainant filed the complaint with Department of Licensing on November 17th, 2021, alleging the respondent placed cremated remains of another person in her grave.

1:2:21.380 --> 1:2:26.460

Ittner, David (Vice Chair)

The complainant also alleges a memorial cross for someone else was placed on her grave without her permission.

1:2:27.680 --> 1:2:34.810

Ittner, David (Vice Chair)

Complainant... The facts of the case are: The complainant purchased, a grave at the respondent location in November 2021 to place a marker for their son.

1:2:35.680 --> 1:2:38.290

Ittner, David (Vice Chair)

The complainant noticed a memorial cross on the grave for someone else.

1:2:39.10 --> 1:2:45.100

Ittner, David (Vice Chair)

Complainant probed the grave and found something was buried in her grave and then complained to the cemetery office manager.

1:2:46.230 --> 1:2:52.20

Ittner, David (Vice Chair)

The respondent's written response indicates the urn and the grave adjacent to the complainant's grave was partially in the Complainant's grave.

1:2:52.780 --> 1:2:59.490

Ittner, David (Vice Chair)

Respondent contacted the owner of the adjacent grave and obtained permission to move the cremated remains from the Complainant's grave.

1:3:0.670 --> 1:3:8.10

Ittner, David (Vice Chair)

The respondent claims the problem was corrected in the next day. The respondent's written response claims another family put a memorial cross in the complainant's grave.

1:3:9.80 --> 1:3:15.890

Ittner, David (Vice Chair)

Respondent contacted the family and asked them to remove the cross from the grave. The respondent claims the cross was removed from the Complaint's grave.

1:3:16.960 --> 1:3:20.140

Ittner, David (Vice Chair)

In this case I'm recommending a letter of education.

1:3:22.120 --> 1:3:25.250

Ittner, David (Vice Chair)

Which I am in the process of reviewing.

1:3:26.60 --> 1:3:29.260

Little, Rick (Chair)

OK, alright. Do we have a motion?

1:3:33.830 --> 1:3:35.440

Cameron, Pete (Board Member)

This is Pete. So moved.

1:3:36.120 --> 1:3:37.690

Little, Rick (Chair)

OK. Do we have a second?

1:3:40.670 --> 1:3:41.860

Gutierrez-Zamora, Dante (Board Member)

This is Dante. I'll second.

1:3:42.820 --> 1:3:45.520

Little, Rick (Chair)

It's been moved and seconded. Any other discussion?

1:3:49.870 --> 1:3:51.770

Little, Rick (Chair)

If not, all those in favor, say aye.

1:3:53.630 --> 1:3:54.700

Ward, Angie (Board Member)

Aye.

1:3:53.630 --> 1:3:54.700

Gutierrez-Zamora, Dante (Board Member)

Aye.

1:3:54.540 --> 1:3:55.230

Cameron, Pete (Board Member)

Aye.

1:3:57.570 --> 1:3:58.800

Little, Rick (Chair)

Any opposed?

1:4:0.940 --> 1:4:1.860

Little, Rick (Chair)

Any abstentions?

1:4:4.110 --> 1:4:4.500

Little, Rick (Chair)

OK.

1:4:5.640 --> 1:4:9.860

Little, Rick (Chair)

Item 7.19 Mr. Gutierrez-Zamora.

1:4:11.0 --> 1:4:17.940

Gutierrez-Zamora, Dante (Board Member)

All right, this would be case number 2022-09-1311-00FDE.

1:4:18.830 --> 1:4:53.130

Gutierrez-Zamora, Dante (Board Member)

A complaint was filed on behalf of the brother of a man who passed away on August 16th, 2022. The brother alleged that he was not allowed to pray over the remains of his brother and the management of the respondent Funeral Home withheld information. At the time of the complaint, the complainant stated that they had funds for "lesser option" that the.. directed by the deceased's son, then that was chosen, or directed, by the deceased's son.

1:4:53.860 --> 1:5:0.210

Gutierrez-Zamora, Dante (Board Member)

Facts: The complainant came to the respondent Funeral Home on or about August 25th, 2022.

1:5:0.820 --> 1:5:18.970

Gutierrez-Zamora, Dante (Board Member)

At that time, the respondent was arranging for burial with the son of the deceased. As the brother of the deceased, the complainant had two steps, was two steps removed from having the person or persons with the right to control disposition of the remains.

1:5:19.660 --> 1:5:42.790

Gutierrez-Zamora, Dante (Board Member)

Cited the RCW there. And as opposed to the son and his right to control disposition. The complainant also stated that there was an individual that was a daughter of the deceased. That individual well, it's never confirmed to be a daughter, she also made and missed several appointments with the respondent. When given an opportunity, after the son failed to complete the arrangements within the 90 days, the complainant refused to provide for the "lesser option" that he had suggested. The deceased was buried by the respondent on January 13, 2023.

1:6:0.610 --> 1:6:4.120

Gutierrez-Zamora, Dante (Board Member)

So I'm gonna go ahead and move that this case be closed with no further action.

1:6:5.550 --> 1:6:5.880

Little, Rick (Chair)

OK.

1:6:7.410 --> 1:6:8.940

Little, Rick (Chair)

Alright. Do we have a motion?

1:6:23.970 --> 1:6:24.840

Little, Rick (Chair)

Do we have a motion?

1:6:32.730 --> 1:6:33.150

Little, Rick (Chair)

OK.

1:6:36.70 --> 1:6:38.190

Little, Rick (Chair)

Seeing as here's no motion.

1:6:40.840 --> 1:6:41.540

Little, Rick (Chair)

It says... We'll go ahead and proceed.

1:6:46.360 --> 1:6:46.690

Little, Rick (Chair)

Yes.

1:6:43.90 --> 1:6:59.490

Muhle, Sydney (DOL)

So, Mr. Chair, before we move on. I guess the question from staff would then be, "if the Board is not prepared to make a motion on this item, are there additional questions that staff could answer or additional action that the Board would like to see brought back?"

1:7:3.300 --> 1:7:27.340

Ittner, David (Vice Chair)

This is Dave. I'm gonna try to understand the facts of the case here. So the complaint itself was that he was not allowed to pray over the remains of his brother and they withheld information. It it's not that the... this is not a right to control disposition case. Is that correct?

1:7:33.790 --> 1:7:36.280

Gutierrez-Zamora, Dante (Board Member)

Wait, this one's kind of fresh Dave, so...

1:7:37.780 --> 1:8:1.640

Gutierrez-Zamora, Dante (Board Member)

Basically, in the interim, after this person died, shortly after this person died, the brother of the person came and was demanding services. The individual, if I remember correctly from the investigation, wasn't even at the site of the respondent. They were, he was offsite.

1:8:1.640 --> 1:8:6.420

Ittner, David (Vice Chair)

The individual, meaning the deceased?

1:8:7.700 --> 1:8:10.200

Ittner, David (Vice Chair)

Trying to understand. Is that what you're..?

1:8:15.290 --> 1:8:33.930

Ittner, David (Vice Chair)

I guess, like let me let me ask this question. The person who had the right to control disposition was the son. Is that correct? Do we know? Is that established?

1:8:46.820 --> 1:8:47.60

Little, Rick (Chair)

Dante?

1:8:51.920 --> 1:8:52.300

Little, Rick (Chair)

Yes.

1:9:16.140 --> 1:9:16.490

Little, Rick (Chair)

OK.

1:8:45.690 --> 1:9:22.240

Griese, Pamela (DOL)

Mr. Chair. This is Pam Griese, the investigator. I might be able to help with the questions. So the complainant was the brother of the deceased, and he attempted to take over the disposition

arrangements. But the son was working with the respondent, the funeral home, and the son refused to allow his uncle to pray over and take charge. So the funeral home was kind of caught in the middle of a family situation.

1:9:23.530 --> 1:9:23.940

Little, Rick (Chair)

OK.

1:9:25.60 --> 1:9:25.850

Ittner, David (Vice Chair)

OK.

1:9:25.530 --> 1:9:26.210

Little, Rick (Chair)

Thank you, Pam.

1:9:27.50 --> 1:9:39.370

Ittner, David (Vice Chair)

And Pam was... so then, at the end of the day, was it the son then that directed the disposition? Or did he remove himself from the situation?

1:9:42.660 --> 1:9:44.530

Gutierrez-Zamora, Dante (Board Member)

He never completed it, sorry.

1:9:43.520 --> 1:9:45.150

Griese, Pamela (DOL)

So, the son removed...

1:9:46.520 --> 1:9:48.830

Griese, Pamela (DOL)

Yeah. Yeah. No, you're great, Dante.

1:9:49.580 --> 1:9:49.990

Ittner, David (Vice Chair)

OK.

1:9:49.110 --> 1:9:53.670

Gutierrez-Zamora, Dante (Board Member)

Yeah, I got kicked out there for a second. Sorry. So I lost some of that conversation. I don't know what happened.

1:9:54.290 --> 1:10:12.850

Gutierrez-Zamora, Dante (Board Member)

But anyway, long and the short. Yeah, the son never stepped up. Basically. No one, at the end of time, no one ever really stepped up. And it looks like the respondent took care of the burial on their own accord after the, you know, the right, the 90 days for, you know, expired.

1:10:13.670 --> 1:10:18.330

Ittner, David (Vice Chair)

OK, OK. OK. And was there a preneed in place, or was this an at need?

1:10:19.600 --> 1:10:20.220

Gutierrez-Zamora, Dante (Board Member)

At need.

1:10:25.130 --> 1:10:26.900

Ittner, David (Vice Chair)

OK. I think that helps me understand better.

1:10:31.830 --> 1:10:36.410

Little, Rick (Chair)

So do you, with the added information, do we want to..?

1:10:38.210 --> 1:10:41.290

Little, Rick (Chair)

Do we have a motion to accept?

1:10:43.40 --> 1:10:44.820

Ittner, David (Vice Chair)

I would make that motion, yes. This is Dave.

1:10:45.610 --> 1:10:45.920

Little, Rick (Chair)

OK.

1:10:46.780 --> 1:10:47.810

Little, Rick (Chair)

Do we have a second?

1:10:48.500 --> 1:10:54.550

Ward, Angela (Board Member)

This is Angie. I'll second.

1:10:48.500 --> 1:10:54.550

Little, Rick (Chair)

OK. Moved and seconded. Any other discussion?

1:10:58.310 --> 1:10:59.980

Little, Rick (Chair)

If not, all those in favor, say aye.

1:11:1.580 --> 1:11:1.940

Ittner, David (Vice Chair)

Aye.

1:11:2.120 --> 1:11:2.530

Ward, Angie (Board Member)

Aye.

1:11:5.100 --> 1:11:5.680

Little, Rick (Chair)

Opposed.

1:11:8.520 --> 1:11:9.580

Little, Rick (Chair)

Any abstentions?

1:11:11.10 --> 1:11:12.780

Cameron, Pete (Board Member)

Yeah, this is Pete. I abstain.

1:11:13.210 --> 1:11:14.660

Little, Rick (Chair)

OK. Thank you.

1:11:16.10 --> 1:11:22.700

Little, Rick (Chair)

Alright, let's move on to the 7.20. Mr. Cameron.

1:11:25.580 --> 1:11:34.430

Cameron, Pete (Board Member)

Thank you. This is case #2021-01-0239-00CEM.

1:11:35.700 --> 1:12:10.20

Cameron, Pete (Board Member)

This is a reopening of a prior complaint case that was originally filed January 29th, 2021, where the Board was asked to make a determination as to whether or not it had any jurisdiction over a pet cemetery that the owners installed a cell phone tower on. The property also has human cremated remains placed there. That case was closed with no further action after it was determined that the Board had no jurisdiction over a privately owned Pet cemetery as it did not meet the definition of a cemetery as defined in RCW 68.04.040 which states:

1:12:11.340 --> 1:12:59.390

Cameron, Pete (Board Member)

Definition of a cemetery means (1) anyone or combination of more than one of the following in a place used or intended to be used for the placement of human remains and dedicated for cemetery purposes. (a) a burial park, for earth interments (b) a mausoleum, for crypt interments (c) a columbarium, for permanent niche interments, or (2) for the purposes of chapter 68.60 RCW only, cemetery means any burial site, burial grounds or place where five or more human remains are buried. Unless the cemetery is designated as a parcel of land, identifiable and unique as a cemetery within the records of the county assessor, a cemetery's boundaries shall be a minimum of ten feet in any direction from any burials therein.

1:13:0.670 --> 1:13:19.760

Cameron, Pete (Board Member)

The original complainant has requested the Department of Licensing reopened the complaint and is now asking the Board to determine if there's a requirement for this pet cemetery to be licensed with the Board and dedicated as a human cemetery as it has been proven to have more than five sets of human cremated remains placed there.

1:13:21.790 --> 1:13:52.300

Cameron, Pete (Board Member)

The facts: There are several issues to consider here. The first is that before the first human cremated remains replaced on the property, it was not recognized or licensed as a cemetery as defined above by RCW 68.04.040. It was, and still is, private property that the owners decided to sell rights of interments on for pet burials, and they accommodated wishes of some of the pet owners by allowing their cremated human remains to be placed near their pets.

1:13:53.30 --> 1:13:58.970

Cameron, Pete (Board Member)

That is allowed according to RCW 68.50.130, which states:

1:14:0.940 --> 1:14:15.870

Cameron, Pete (Board Member)

It's regarding unlawful disposal of remains. Every person who performs a disposition of any human remains, except as otherwise provided by law, in any place, except in a cemetery or building dedicated exclusively for religious purposes, guilty of a misdemeanor.

1:14:16.670 --> 1:14:38.550

Cameron, Pete (Board Member)

Disposition of human remains following cremation, alkaline hydrolysis, or natural organic reduction may also occur on private property with the consent of the property owner and on public or government lands or waters, with the approval of the government agency that has either jurisdiction or control, or both, of the land or waters.

1:14:39.750 --> 1:15:8.630

Cameron, Pete (Board Member)

That activity of placing human cremated remains on private property is allowed by law and not regulated by the Board, and these families who purchased spaces for human cremated remains within this pet cemetery signed the same contracts that were designed and used for pet burials. The complainant states that because there are more than five sets of human cremated remains on the property, this should qualify under RCW 68.04.040 number 2.

1:15:8.800 --> 1:15:29.100

Cameron, Pete (Board Member)

But that section specifically references abandoned or historic cemeteries for humans which states:

1:15:14.870 --> 1:16:0.590

Cameron, Pete (Board Member)

The definition in this section apply throughout this chapter, unless the context clearly requires

otherwise. (1) quote abandoned cemetery means a burial ground of the human dead. Another factor to consider is that according to RCW 68.04.040 referenced above in the legal definition of a cemetery, this property has never gone through the dedication process as required. That process is covered in RCW 68.24.030 and RCW 68.24.040 which state:

1:16:0.590 --> 1:16:31.690

Cameron, Pete (Board Member)

The declaration of dedication and maps – filing. The cemetery authority shall file a map of, or plat, in the office of the Recorder of the County in which all or a portion of the property is situated. The cemetery authorities shall also file for the record in the County Recorder's Office a written declaration of dedication of the property delineated on the plat or map dedicating the property exclusively to cemetery purposes. Dedication when complete means upon the filing of the map or plat and the filing of the declaration for record the dedication is complete for all purposes and thereafter the property shall be held, occupied, and used exclusively for a cemetery and for cemetery purposes.

1:16:42.480 --> 1:16:55.440

Cameron, Pete (Board Member)

There's currently no law or rule that allows the Board to either force a private property owner into the dedication process or for the Board to arbitrarily start the dedication process on its own.

1:16:55.910 --> 1:17:2.250

Cameron, Pete (Board Member)

It should also be noted that the complainant is neither the property owner, nor the cemetery authority in this case.

1:17:2.970 --> 1:17:11.320

Cameron, Pete (Board Member)

If the owners of this property ever decide to begin the dedication process in the future, the issue of the existing pet burials would certainly be raised.

1:17:12.750 --> 1:17:57.950

Cameron, Pete (Board Member)

Another aspect of this case is that the Washington Department of Historic and Archaeological Preservation, or DAHP, is declared that they consider this property to be a cemetery due to the presence of cremated human remains on it. But their designation does not meet the legal definition referenced above that this Board must adhere to. In conclusion, although this issue is complex and not helped by some confusing and sometimes conflicting language and commonly used terms, the fact is that this is privately owned property that has existing pet burials on it, which precludes it from being legally defined as a cemetery as RCW 68.04.040 is currently worded.

1:17:57.950 --> 1:18:8.250

Cameron, Pete (Board Member)

The property in question also, or has also, never gone through the dedication process as required. Therefore, it does not currently fall under the jurisdiction of the Board.

1:18:8.980 --> 1:18:16.110

Cameron, Pete (Board Member)

As such, there is no violation of rule or law, and I recommend this case be closed with no further action.

1:18:19.210 --> 1:18:19.540

Cameron, Pete (Board Member)

Thank you.

1:18:18.430 --> 1:18:19.810

Little, Rick (Chair)

Thank you, Mr. Ittner.

1:18:21.160 --> 1:18:22.190

Little, Rick (Chair)

Do we have a motion?

1:18:29.710 --> 1:18:30.910

Little, Rick (Chair)

And again, do we have a motion?

1:18:33.770 --> 1:18:34.780

Ittner, David (Vice Chair)

This is Dave. So moved.

1:18:35.900 --> 1:18:38.170

Little, Rick (Chair)

So moved by Dave. Do we have a second?

1:18:40.260 --> 1:18:42.260

Gutierrez-Zamora, Dante (Board Member)

This is Dante. I'll go ahead and second.

1:18:43.180 --> 1:18:44.320

Little, Rick (Chair)

So moved and seconded.

1:18:45.10 --> 1:18:46.910

Little, Rick (Chair)

Do we have any other questions?

1:18:53.330 --> 1:18:57.480

9f4db5c6-596b-4276-b207-54f1ca73e641

Going back to the early definition of cemetery. **(Feedback of Board Member Gutierrez-Zamora speaking)**

1:18:58.590 --> 1:19:3.60

9f4db5c6-596b-4276-b207-54f1ca73e641

Understand that they're very cremated remains. Is it a columbarium..? **(Feedback of Board Member Gutierrez-Zamora speaking)**

1:18:49.740 --> 1:19:5.650

Gutierrez-Zamora, Dante (Board Member)

One, this is Dante. Going back to the early definition of cemetery. I understand that they're burying cremated remains there. Is it a columbarium, or are they being buried in the ground? Or do we know?

1:19:4.350 --> 1:19:6.880

9f4db5c6-596b-4276-b207-54f1ca73e641

Are they being buried in the ground? Or do we know? ***(Feedback of Board Member Gutierrez-Zamora speaking)***

1:19:10.540 --> 1:19:10.920

9f4db5c6-596b-4276-b207-54f1ca73e641

These are. ***(Feedback of Board Member Cameron speaking)***

1:19:8.400 --> 1:19:14.790

Cameron, Pete (Board Member)

This is Pete. These are all ground burials for cremated human remains that we're talking about.

1:19:11.960 --> 1:19:15.920

9f4db5c6-596b-4276-b207-54f1ca73e641

Burials for cremated human remains that we're talking about. ***(Feedback of Board Member Cameron speaking)***

1:19:18.910 --> 1:19:20.290

Little, Rick (Chair)

Are there any other questions?

1:19:20.700 --> 1:19:21.550

9f4db5c6-596b-4276-b207-54f1ca73e641

Other questions? ***(Feedback of Chair Little speaking)***

1:19:24.370 --> 1:19:28.50

Little, Rick (Chair)

OK, if not, all those in favor, say aye.

1:19:29.370 --> 1:19:29.900

Gutierrez-Zamora, Dante (Board Member)

Aye.

1:19:30.230 --> 1:19:30.670

Ward, Angie (Board Member)

Aye.

1:19:30.470 --> 1:19:30.810

Ittner, David (Vice Chair)

Aye.

1:19:30.210 --> 1:19:30.830

Cameron, Pete (Board Member)

Aye.

1:19:33.590 --> 1:19:35.0

Little, Rick (Chair)

Any opposed?

1:19:38.20 --> 1:19:38.960

Little, Rick (Chair)

Any abstentions?

1:19:41.710 --> 1:19:42.80

Little, Rick (Chair)

OK.

1:19:43.510 --> 1:19:44.180

Little, Rick (Chair)

OK.

1:19:45.660 --> 1:19:46.390

Little, Rick (Chair)

Let's.

1:19:54.570 --> 1:19:55.230

Little, Rick (Chair)

Yeah.

1:19:45.560 --> 1:19:48.570

Muhle, Sydney (DOL)

Mr. Chair, before we move on to the vendor reports first, for our, the folks who have called in, if we could ask you to please mute your phones, we're getting quite a lot of feedback.

1:19:58.390 --> 1:19:59.520

Little, Rick (Chair)

Yeah, definitely.

1:20:4.170 --> 1:20:5.0

Little, Rick (Chair)

I hear crickets.

1:20:3.940 --> 1:20:8.0

Muhle, Sydney (DOL)

Unfortunately for callers, it's much more complicated if we try to mute.

1:20:22.460 --> 1:20:22.700

Little, Rick (Chair)

Sure.

1:20:24.450 --> 1:20:24.690

Little, Rick (Chair)

Yeah.

1:20:8.80 --> 1:20:38.170

Muhle, Sydney (DOL)

But Mr. Chair, if staff could request that the Board return to item 7.4 for case number 2022-0304-0200-FDE. This was the case that Mister Cameron made a motion on, but there was never a second. If we could ask that the Board either ask additional questions, if there's additional information that staff could provide on this case, or provide other direction on information they would like to see returned so the we can have a direction regarding that case.

1:20:49.80 --> 1:20:51.670

Little, Rick (Chair)

OK, let's go to 7.4 again.

1:20:57.990 --> 1:21:2.910

Little, Rick (Chair)

I'm just putting it on my bigger screen here just to see.

1:21:8.420 --> 1:21:11.390

Little, Rick (Chair)

OK. Is there anything else we can discuss on this? Mr. Ittner, do you have anything..?

1:21:26.750 --> 1:21:34.100

Ittner, David (Vice Chair)

I guess my, you know, my comment here is that it's certainly a customer service issue, right? It's just plain terrible customer service.

1:21:35.870 --> 1:22:1.600

Ittner, David (Vice Chair)

And so, you know, given their responsibility to, in my opinion, act appropriately and treat people with respect, I think that the a letter of education regarding that matter on the appropriate ways to conduct themselves relative to providing customer service and death certificates that the letter would education is appropriate.

1:22:4.210 --> 1:22:9.40

Ittner, David (Vice Chair)

Beyond that, there's no, in my opinion, violation of statute.

1:22:10.230 --> 1:22:24.880

Little, Rick (Chair)

It could be that, like Dante was mentioning earlier, he couldn't, had a hard time talking into his microphone... So, I know that we actually had a motion, that we just need a second on that.

1:22:26.980 --> 1:22:27.980

Gutierrez-Zamora, Dante (Board Member)

I'll go ahead and second.

1:22:28.740 --> 1:22:29.290

Little, Rick (Chair)

OK.

1:22:30.360 --> 1:22:34.10

Little, Rick (Chair)

It's been moved and seconded. Any other discussion?

1:22:37.730 --> 1:22:39.600

Little, Rick (Chair)

If not all those in favor say aye.

1:22:42.80 --> 1:22:42.670

Cameron, Pete (Board Member)

Aye.

1:22:42.990 --> 1:22:43.440

Ward, Angie (Board Member)

Aye.

1:22:43.230 --> 1:22:43.460

Gutierrez-Zamora, Dante (Board Member)

Aye.

1:22:45.500 --> 1:22:45.810

Little, Rick (Chair)

OK. Any opposed?

1:22:50.400 --> 1:22:51.640

Little, Rick (Chair)

Any abstentions?

1:22:55.580 --> 1:22:58.770

Little, Rick (Chair)

OK. Thank you, Sydney. Let's go to 5.1.

1:23:2.530 --> 1:23:5.210

Little, Rick (Chair)

We're going back on our agenda here.

1:23:6.380 --> 1:23:7.710

Little, Rick (Chair)

Discussed. OK. Sydney.

1:23:17.840 --> 1:24:1.170

Muhle, Sydney (DOL)

So this is just a continuing discussion of the Board goals and priorities that we started on February 10th of this year regarding the Board's priorities and the goals. Again, this is going to be continuing discussion. I know the Board has had this document for a week or so. I guess approaching 2 weeks now.

If there's anything else that the Board would like to add to the priorities at this point, otherwise staff would request that we look at tabling this discussion until the next meeting just in the interest that we do have a lot of members of the public here, in case there are a lot of public comments, we want to make sure that we allow for plenty of time for that.

1:24:4.690 --> 1:24:7.420

Little, Rick (Chair)

Do we have any opposition to table?

1:24:12.690 --> 1:24:15.320

Little, Rick (Chair)

OK, do we have a motion to that? Or do we need one?

1:24:24.850 --> 1:24:25.180

Muhle, Sydney (DOL)

You don't actually need...

1:24:24.850 --> 1:24:25.180

Cameron, Pete (Board Member)

This is Dante. I'll go ahead and move that it gets tabled 'till the next meeting.

1:24:24.850 --> 1:24:25.180

Little, Rick (Chair)

OK. Do we have a second?

1:24:29.720 --> 1:24:30.950

Cameron, Pete (Board Member)

This is Pete. I'll second.

1:24:34.80 --> 1:24:35.180

Little, Rick (Chair)

OK. Any other discussion?

1:24:36.930 --> 1:24:38.490

Little, Rick (Chair)

If not, all those in favor, say aye.

1:24:39.550 --> 1:24:40.920

Ward, Angie (Board Member)

Aye.

1:24:39.550 --> 1:24:40.920

Cameron, Pete (Board Member))

Aye.

1:24:39.550 --> 1:24:40.920

Cameron, Pete (Board Member)

Aye.

1:24:42.540 --> 1:24:43.120

Little, Rick (Chair)

Opposed?

1:24:44.40 --> 1:24:44.820

Little, Rick (Chair)

Abstentions?

1:24:46.170 --> 1:24:50.900

Little, Rick (Chair)

OK. Let's go with, go ahead and go with reports.

1:24:59.940 --> 1:25:2.450

Little, Rick (Chair)

8.1 Committee Task Force reports.

1:25:5.30 --> 1:25:20.810

Muhle, Sydney (DOL)

So just a really brief update for the Board, and the Board Members on this committee are welcome to chime in. But the Licensing Future Task Force did meet earlier this week. The group had some really great discussions trying to kind of get their arms around the different factors that are leading to the issues, particularly on the funeral side, with the projected rapid increase in death rates and a lack of new licensees coming into the profession.

1:25:35.410 --> 1:26:36.480

Muhle, Sydney (DOL)

Just understanding the different impacts from that increase in death rate, in aging workforce in this particular field, lack of interest from the new generations coming in, or where that interest is, if it is appropriate interest or more of morbid curiosity. So, did a really great job of discussing and trying to wrap their arms around what the problem is. They came up with some really great next steps to look in to, including possible alternative pathways to licensure in addition to the current traditional pathways of going through a mortuary sciences education program and obtaining your degree. If there are any other means. So they're really digging in on a lot of research.

1:26:36.480 --> 1:26:53.510

Muhle, Sydney (DOL)

And they're also looking at the possibility to conduct wider surveys across licensees in the state, as well as attracting, research on attracting the new generation. So they're looking at a lot of different things. And I think they're gonna have some good reports to come back to.

1:26:54.360 --> 1:26:54.830

Little, Rick (Chair)

Oh good.

1:26:58.340 --> 1:26:58.660

Little, Rick (Chair)

OK.

1:27:3.700 --> 1:27:5.50

Little, Rick (Chair)

Where are we at? We're at 8...

1:27:8.670 --> 1:27:11.610

Little, Rick (Chair)

Do we have..? Do we do 8.2.2 or..?

1:27:13.770 --> 1:27:16.360

Little, Rick (Chair)

2.3?

1:27:13.770 --> 1:27:16.360

Muhle, Sydney (DOL)

I think 8.2.1 is going to be our next one.

1:27:22.0 --> 1:27:22.440

Little, Rick (Chair)

Alright. Got it.

1:27:24.380 --> 1:27:25.520

Little, Rick (Chair)

There you go. That's it.

1:27:22.40 --> 1:27:27.150

Muhle, Sydney (DOL)

Because it is... There we go. There is our complaint status report for the month.

1:27:28.90 --> 1:27:34.250

Muhle, Sydney (DOL)

So, on the cemetery side, we have a total of 18 closed cases, 10 that are in management review, for a total of 28 cases.

1:27:35.330 --> 1:28:5.770

Muhle, Sydney (DOL)

On the cemetery side, funeral side, 33 cases that have been closed, 11 that are currently under investigation, seven that are in a legal review, and 20 that are in the management review status for a total of 71, giving the program a total of 51 closed cases, 11 currently under investigation, seven in a legal review, 30 in a management review and 99 total to date.

1:28:6.340 --> 1:28:6.670

Little, Rick (Chair)

OK.

1:28:7.740 --> 1:28:8.220

Little, Rick (Chair)

Thank you.

1:28:10.490 --> 1:28:12.220

Little, Rick (Chair)

Alright. And then.

1:28:16.520 --> 1:28:17.130

Little, Rick (Chair)

Is that item...

1:28:16.570 --> 1:28:17.310

Muhle, Sydney (DOL)

So this is.

1:28:18.110 --> 1:28:18.540

Little, Rick (Chair)

Go ahead.

1:28:23.970 --> 1:28:25.30

Little, Rick (Chair)

Item. Yeah.

1:28:19.200 --> 1:28:42.950

Muhle, Sydney (DOL)

I apologize, Mr. Chair, this is going to be item 8.2.2 for our licensee counts, these are the current counts. For cemeteries we have 132, for cemetery remains disposition permits we have 47, and crematories we have 80, for a total on the cemetery side of 259.

1:28:43.750 --> 1:29:13.580

Muhle, Sydney (DOL)

On the funeral side, I won't go through all of the individual categories, but we do have a total of 1,646 for a total number of licensees for the entire program at 1,905. The other piece that I wanted to mention with this, last meeting we had a question about the category that alternative reduction, organic reduction facilities fall on this report. The short answer is that they are not included in this report.

1:29:13.650 --> 1:29:21.490

Muhle, Sydney (DOL)

They are not currently tracked using the licensing program that we use here in house. They're being tracked by hand separately by staff.

1:29:22.270 --> 1:29:40.480

Muhle, Sydney (DOL),

So we are working on how to clean up the report that that is currently in so that we can actually bring those numbers to the Board. It was unfortunately not ready for this meeting, but hopefully by the May meeting, we'll be able to bring that back and give you guys those additional numbers as well.

1:29:40.670 --> 1:29:50.620

Little, Rick (Chair)

And just for clarifications on the funeral side, that also includes all the establishments, it's not all employees and not people, it's the funeral homes as well, so.

1:29:22.270 --> 1:29:40.480

Muhle, Sydney (DOL),
I believe so.

1:29:22.270 --> 1:29:40.480

Little, Rick (Chair)

Yeah, that's quite a huge number. That's a...

1:29:56.90 --> 1:29:56.740

Muhle, Sydney (DOL)
It is.

1:29:57.0 --> 1:29:58.310

Little, Rick (Chair)
Yeah, yeah.

1:30:0.20 --> 1:30:3.70

Little, Rick (Chair)
OK, so then the, we have the...

1:30:11.670 --> 1:30:12.80

Little, Rick (Chair)
Where we at? We have 8.3?

1:30:6.200 --> 1:30:20.170

Muhle, Sydney (DOL)
8.2.3. So very quickly, I just wanted to give this Board a legislative update. There are two main bills that we are watching for this group.

1:30:21.410 --> 1:30:32.620

Muhle, Sydney (DOL)
One is House Bill 1037 that would impact family burial grounds.

1:30:33.770 --> 1:30:41.120

Muhle, Sydney (DOL)
It's not a direct Board impact, but it is certainly we're watching because, something we're watching because there is industry impact.

1:30:43.400 --> 1:31:11.660

Muhle, Sydney (DOL)
At the hearing that I did log in for on this one, there were some comments. Or, there was one comment in support, one requesting technical correction, one expressing concerns. They weren't necessarily opposed, but they were concerned about the impact on counties and how counties would be able to regulate family burial grounds. So, we'll keep the Board posted as that one is moving through the process.

1:31:12.140 --> 1:31:38.170

Muhle, Sydney (DOL)

The other is Senate bill 5261. And that is a request that I believe is being championed by the industry to shift the mandatory, or the statutory, expiration dates for cemetery certificates, prearrangement sale licenses and Crematory permits to March 31st, as opposed to the current January 31st.

1:31:39.180 --> 1:31:50.110

Muhle, Sydney (DOL)

And then it would also shift the funeral director expiration from, I believe it's currently on birth date, and it would shift to January 31st.

1:31:51.470 --> 1:31:57.470

Muhle, Sydney (DOL)

So I will put together a more formal written document to send out to the Board to keep you guys apprised of that.

1:31:57.470 --> 1:32:27.540

Muhle, Sydney (DOL)

The only other one that it's going to impact all of our Boards uniformly. There is a bill, House Bill 1009, that is going to require additional training for Boards and commissions on licensing for military spouses. And so I do believe that that one is going to look at potentially passing. So we'll bring additional information to the Board once we have that.

1:32:27.630 --> 1:32:45.780

Muhle, Sydney (DOL)

And there are a couple of additional bills that impact the industry, but they fall well outside of the Board's authority House Bill 1100, which would require counties to provide disposition of indigent persons remains for those who die within their county.

1:32:46.600 --> 1:32:57.460

Muhle, Sydney (DOL)

And Senate Bill 5262, which affects cemetery authorities filings with the Secretary of State's office. So just something that we wanted to keep you apprised of.

1:32:58.630 --> 1:32:58.970

Little, Rick (Chair)

OK.

1:32:58.560 --> 1:33:44.620

Muhle, Sydney (DOL)

And Susan, if I could get you to scroll to the next page. I also wanted to provide the Board with just a very quick snapshot. I know there have been a lot of questions and a whole lot of discussion surrounding the functional alignment that the division has recently gone through. And so a couple of our boards requested, kind of, before and after snap shot of how things have changed. So this is more or less what our division now looks like. Previously we were program centric. So, the regulatory boards were all lumped together within one unit. But that, as you know, that housed the board support, investigations, compliance, central services reporting, all of that was housed together.

1:33:47.390 --> 1:34:16.560

Muhle, Sydney (DOL)

And now those are broken out into these six individual units. So the head of our unit, our Assistant Director is Jennifer Clawson. She is supported by our Deputy Assistant Director, Sarah Pittman. Ms. Pittman is over the Central Services team who handles reporting and analytics and contract management services for all of our programs. And then our unit as well reports to Ms. Pittman.

1:34:17.610 --> 1:34:25.80

Muhle, Sydney (DOL)

And we do have a new Administrator onboard with us who is taking Mr. Storbeck's place. His name is Bill Dutra.

1:34:25.850 --> 1:34:42.980

Muhle, Sydney (DOL)

And he just joined our team, I think a week ago. So he's still very new to our team, but he has been with the division for quite a long time, serving our real estate program, and then was the Assistant Administrator with the investigations team before coming to us.

1:34:44.400 --> 1:35:11.550

Muhle, Sydney (DOL)

Reporting directly to Miss Clawson, we have our Licensing and Customer Support team. They are headed by an interim administrator right now, Vanessa Simpson. Our Centralized Investigation Audits Unit, whose Administrator is Cathy Naegeli, our Regulatory Compliant UCC and Firearms team is headed up by Andrea Nygard. And then our Prorate and Fuel tax team that does not have Board impact, but they are housed with us is headed by Lynn Briscoe.

1:35:12.660 --> 1:35:14.400

Muhle, Sydney (DOL)

Susan, if you go to the next one for me.

1:35:16.100 --> 1:35:44.230

Muhle, Sydney (DOL)

So this is what our team looks like now. I know, you guys have seen versions of this, but this is the current cleaned up version. So you do have Mr. Dutra as our new Administrator with Alyssa Woods as our Administrative Assistant supporting him, our Assistant Administrator remains Debra Allen-Bâ, and myself and Susan Nieves supporting the regulatory boards and Sandy Baur and Sandra Schaefer supporting our advisory groups.

1:35:45.640 --> 1:36:5.270

Muhle, Sydney (DOL)

And next one. Just one last quick... This is what our group looked like before. So I will make sure I get this document out to the Board so that you guys can study it a little bit more. But this was what our organizational chart was previously. We had Mr. Storbeck as our Administrator and, at the time, Julia Manley as our Assistant Administrator with Kim Hall as the Administrative Assistant supporting them.

1:36:5.850 --> 1:36:49.440

Muhle, Sydney (DOL)

And then we had the Investigations team, like I said, our Management Analysts who provided that data analysis, contract management, those functions. Our licensing and customer service folks were all housed within that one unit. But they became very highly specialized in just a really small handful of things. And so with this functional alignment that's allowed had the customer service folks who are all serving the same function to handle that work and to be able to cross-train and share that wealth of knowledge across all of the programs rather than having one or two people really highly specialized.

1:36:49.940 --> 1:36:58.990

Muhle, Sydney (DOL)

So I will send this out, but just wanted to provide a little bit of that snapshot on how things have changed from pre-functional alignment to now.

1:37:3.430 --> 1:37:10.650

Little, Rick (Chair)

Thank you Sydney. Now we're... comes down to 8.2.3, Board Executive's report.

1:37:10.650 --> 1:37:15.50

Muhle, Sydney (DOL)

Beyond what's already been provided, I don't have much to report, Mr. Chair.

1:37:15.50 --> 1:37:15.460

Little, Rick (Chair)

OK.

1:37:16.660 --> 1:37:19.690

Little, Rick (Chair)

How about action items 8.234, for next meeting?

1:37:21.450 --> 1:37:21.930

Little, Rick (Chair)

Or...

1:37:28.700 --> 1:37:51.430

Nieves, Susan (DOL)

Susan, I will let you cover that for them.

1:37:52.200 --> 1:38:11.650

Nieves, Susan (DOL)

OK. So, I have the action item list up and it looks like assigned on November 2nd, 2021: review complaint process and delegation. And that was with Pete Cameron, Rick Little, Dante Gutierrez-Zamora. And that's currently still in progress. And on April, excuse me, May 2nd, 2022, the Licensing Future Task Force Committee with Pete Cameron, Dave Ittner and Cameron Smock, that's still in progress and they, we had a meeting earlier this week. So yes, Sydney reported on that earlier.

1:38:12.490 --> 1:38:12.810

Little, Rick (Chair)

Good. OK.

1:38:14.60 --> 1:38:14.890

Little, Rick (Chair)

All right. Thank you.

1:38:16.220 --> 1:38:18.590

Little, Rick (Chair)

Alright, let's go with the item 9.

1:38:19.310 --> 1:38:20.210

Little, Rick (Chair)

Public comments.

1:38:22.620 --> 1:38:43.190

Little, Rick (Chair)

The public may address the Board on matters within the Board's jurisdiction. The Board is limited to directing staff to study the matter further or requesting that the matter be rescheduled or discussed and consideration at a later time. Individual comments will be limited to 3 minutes each.

1:38:44.130 --> 1:38:57.690

Little, Rick (Chair)

Prior to the meeting, comments from the public may also be submitted in writing to RBSAdminSupport@dol.wa.gov.

1:38:59.240 --> 1:39:6.850

Little, Rick (Chair)

Written comments will be limited to no more than 500 words and will be provided to the Board during the portion of the meeting.

1:39:8.850 --> 1:39:14.280

Little, Rick (Chair)

So at this point, if you have a comment you'd like to make, you can unmute your mic.

1:39:15.460 --> 1:39:18.750

Little, Rick (Chair)

And you have up to three minutes to comment.

1:39:19.630 --> 1:39:23.750

Little, Rick (Chair)

And please state your name when you are commenting.

1:39:24.630 --> 1:39:25.70

Oeh, Diane and George (Public)

Ohh.

1:39:26.400 --> 1:39:37.150

Oeh, Diane and George (Public)

Is it now? You know, I don't know. Let's see what, who's gonna say something. Phylliss.

1:39:37.150 --> 1:39:37.520

Seitz, Julie (Public)

Added.

1:39:37.120 --> 1:39:37.640

Lundquist, Phylliss (Public)

Hello. Rick?

1:39:35.950 --> 1:39:38.160

Little, Rick (Chair)

Yeah, go ahead, Phyllis.

1:39:37.950 --> 1:39:39.590

Seitz, Julie (Public)

That sounds great.

1:39:40.950 --> 1:40:14.240

Lundquist, Phylliss (Public)

Hi, my name is Phylliss Lundquist P-H-Y-L-L-I-S-S L-U-N-D-Q-U-I-S-T and I live in Kent, WA. I am here in support of the Washington State cemetery law requirement of a cemetery license for a commercial property at 23646 military Rd. S Kent, WA. Washington state for-profit corporations conducting commercial burial service are intentionally buying human remains at this commercial burial site in business transactions for money.

1:40:20.590 --> 1:40:23.100

Oeh, Diane and George (Public)

I don't know how you are... Just start talking?

1:40:20.530 --> 1:41:20.390

Lundquist, Phylliss (Public)

This activity requires a cemetery license, per Washington State cemetery law. We want human remains internments to continue here at the commercial cemetery at 23646 Military Rd. S Kent, WA, just with a cemetery license so the human remains internments are protected and regulated. This commercial cemetery meets Washington State cemetery law to include, but not limited to, RCW 68.04.020 and RCH 68.04.040 and requires a cemetery license for human remains internments. Cemetery licensure and protections here at this commercial cemetery are significant and important to me because I live in this neighborhood and they are not currently protected.

1:41:21.140 --> 1:41:33.890

Lundquist, Phylliss (Public)

Please vote in accordance with the Washington State cemetery law and not on industry standards. The law is clear. This particular cemetery requires a cemetery license.

1:41:34.440 --> 1:41:35.470

Oeh, Diane and George (Public)

Raise your hand.

1:41:36.210 --> 1:41:39.180

Oeh, Diane and George (Public)

OK, I said. How do I get on? She says. Raise your hand.

1:41:41.270 --> 1:41:41.520

Oeh, Diane and George (Public)

OK.

1:41:39.250 --> 1:42:11.920

Lundquist, Phylliss (Public)

And respectfully, I wanted to share that from my point of view, the Funeral & Cemetery Board is missing a customer focus and is not in line with Washington State's priority, the priority for equity diversity and inclusion. The Board here today does not reflect our underserved diverse community of color, immigrants, refugees and low income households, including King County Authority Housing and urban unincorporated South King County on Kent's West Hill.

1:42:15.150 --> 1:42:15.440

Washington, Lanell (Public)

That's.

1:42:12.300 --> 1:42:19.740

Lundquist, Phylliss (Public)

The Board here today is comprised of three cemetery industry members, three funeral industry members and one public member.

1:42:20.210 --> 1:42:24.480

Lundquist, Phylliss (Public)

Currently, only one of the seven Board Members are people of color.

1:42:25.130 --> 1:42:33.750

Lundquist, Phylliss (Public)

Zero of seven Board Member serving as Chair and Vice Chair a Person of Color and two of the seven Board Members are females. And of those females, zero are of color.

1:42:38.350 --> 1:42:49.0

Lundquist, Phylliss (Public)

Two Board Members terms are ending on July 1st of this year, David Ittner. Sorry, I'm not pronouncing it right.

1:42:48.40 --> 1:42:50.80

Lundquist, Phylliss (Public)

OK, I'm out of time. Thank you.

1:42:50.280 --> 1:42:50.750

Little, Rick (Chair)

Thank you.

1:42:51.650 --> 1:42:52.460

Washington, Lanell (Public)

If any couple.

1:42:53.190 --> 1:42:59.500

Little, Rick (Chair)

Just a reminder please mute your mics when, because there's some feedback.

1:43:3.670 --> 1:43:4.680

Little, Rick (Chair)

OK.

1:43:8.160 --> 1:43:9.190

Little, Rick (Chair)

I guess.

1:43:10.30 --> 1:43:11.460

Little, Rick (Chair)

We'll just go down the list here.

1:43:13.130 --> 1:43:13.620

Muhle, Sydney (DOL)

Yes, Sir.

1:43:14.150 --> 1:43:14.950

Little, Rick (Chair)

We have Julie Seitz.

1:43:22.950 --> 1:43:23.540

Little, Rick (Chair)

Did Julie..? Did you?

1:43:23.290 --> 1:43:26.480

Seitz, Julie (Public)

Yes. Hello. This is Julie Seitz. Can you hear me?

1:43:26.930 --> 1:43:27.340

Little, Rick (Chair)

Yes.

1:43:27.860 --> 1:43:41.540

Seitz, Julie (Public)

OK. Thank you. Hello Funeral & Cemetery Board Members. My name is Julie Seitz. I live in Federal Way, WA. My name is spelled J-U-L-I-E S(as in Sam)-E-I-T-Z.

1:43:42.250 --> 1:44:57.830

Seitz, Julie (Public)

I am here in support of the Washington State Cemetery law requirement of a cemetery license for a commercial cemetery at 23646 Military Rd. S Kent, WA. Washington State for-profit corporations

conducting commercial burial services are intentionally burying human remains at this commercial burial site in business transactions for money. This activity requires a cemetery license for Washington State Cemetery law. We want human remains interments to continue here at the commercial cemetery at 23646 Military Rd, South Kent, just with the cemetery license, so the human remains interments are protected and regulated. This commercial cemetery meets Washington state cemetery law to include, but not limited to, RCW 68.04.020 and 68.04.040, and requires a cemetery license for human remains interments. Cemetery licensure and protections at this commercial cemetery are significant and important to me because these are loved humans who had every reasonable and legal expectation of their protection.

1:44:58.930 --> 1:45:7.210

Seitz, Julie (Public)

Please vote in accordance with Washington State cemetery law on industry standards. The law is clear. The cemetery requires a cemetery license.

1:45:7.730 --> 1:45:17.170

Seitz, Julie (Public)

I'd like to quickly address RCW 68.04.040 and the law states that: For the purposes of chapter 68.60 RCW only, "cemetery" means any burial site, burial grounds, or place where five or more human remains are buried, unless the cemetery is designated as a parcel of land identifiable and unique as a cemetery within the records of the County Assessor. A cemetery's boundaries should be a minimum of 10 feet in any direction from wither, any burials within, therein. The cemetery at this address has been in the King County Assessor's office as a cemetery for years.

1:45:49.170 --> 1:46:4.800

Seitz, Julie (Public)

It is recorded in the King County Assessor's Office as a cemetery. I don't see anywhere in Washington State cemetery law the mention of pets. This is about humans and humans only. Thank you very much.

1:46:6.40 --> 1:46:6.860

Little, Rick (Chair)

Thank you, Julie.

1:46:8.530 --> 1:46:10.350

Little, Rick (Chair)

Next, we have.

1:46:10.670 --> 1:46:11.640

Oeh, Diane and George (Public)

You OK?

1:46:10.670 --> 1:46:11.640

Little, Rick (Chair)

Christy?

1:46:14.980 --> 1:46:15.880

Oeh, Diane and George (Public)

I don't know how to do that.

1:46:16.740 --> 1:46:17.150

Maggio, Christy (Public)

Hello.

1:46:17.40 --> 1:46:17.540

Little, Rick (Chair)

Thank you.

1:46:18.30 --> 1:46:18.410

Little, Rick (Chair)

Yes.

1:46:20.670 --> 1:46:21.70

Little, Rick (Chair)

Go ahead.

1:46:20.310 --> 1:46:21.100

Maggio, Christy (Public)

Alright, wonderful.

1:46:26.300 --> 1:46:26.810

Oeh, Diane and George (Public)

At the time.

1:46:21.970 --> 1:46:30.460

Maggio, Christy (Public)

Hi there. My name is Christy Maggio, and C-H-R-I-S-T-Y M-A-G-G-I-O. I live in Shoreline in Washington.

1:46:31.670 --> 1:46:43.650

Maggio, Christy (Public)

I am here in support of the requirement for a license commercial cemetery license for the aforementioned property at Military, on Military Rd.

1:46:45.400 --> 1:48:1.970

Maggio, Christy (Public)

Excuse me. I'm sorry. I wasn't expecting to be called so quickly. Washington State for-profit corporations conducting commercial burial services are intentionally burying human remains at this commercial burial site in business transactions for money. This activity requires a cemetery license, per Washington State Cemetery law. And we want these human remains internments to continue here at the commercial cemetery at 23646 Military Rd, Kent WA, just with the cemetery license, so the human remains interments are protected and regulated. Cemetery licensure and protections at this commercial cemetery are significant and important to me because we need to protect the sacred spaces where human remains are laid to rest. These people who have chosen to be laid to rest next to their pets are as deserving of a peaceful and well regulated and protected final resting place as any other person in their chosen resting place. With multiple people making the decision to have this as their final resting place, with them signing papers under the assumption that they were being buried in a cemetery, with all the protections that being buried in a cemetery provide, they are entitled to some form of protection since they are no longer here to advocate for themselves.

1:48:1.970 --> 1:49:0.040

Maggio, Christy (Public)

These humans are deserving of our respect, of our attention, and our protection of them as well. There has already been violations of the sanctity of the space by building a cell phone tower on the site. This disturbs, you know, the people who are coming to pay their respects to their loved ones, who they're they are coming to visit. It's certainly not something that you would see in a regulated cemetery. And we hope that, going forward, these people who have chosen to make this their final resting place under the assumption, whether they were correct in that assumption or not, they were led to believe that this was a cemetery where they would be protected as if they were in a human cemetery. And they're deserving of our protections at this time. Thank you very much.

1:49:0.040 --> 1:49:1.410

Little, Rick (Chair)

Thank you, Christy. Next, we'll listen, we'll hear from Lisa Jilek.

1:49:1.410 --> 1:49:32.260

Jilek, Lisa (Public)

Yes. Hi. That's me. Hello Funeral & Cemetery Board Members. My name is Lisa Jilek. That's L-I-S-A J-I-L-E-K and I live in Port Orchard, WA. And I too, am here to support the Washington state cemetery law requirement of a cemetery license for commercial, for a commercial cemetery at 23646 Military Rd. S Kent, WA.

1:49:32.690 --> 1:49:38.470

Jilek, Lisa (Public)

Washington State for-profit corporations conducting commercial burial services are intentionally burying human remains at this commercial burial site in business transactions for money, just like the others have said.

1:49:52.870 --> 1:49:53.990

Oeh, Diane and George (Public)

Do you see the picture?

1:49:56.90 --> 1:49:57.110

Oeh, Diane and George (Public)

This picture.

1:49:39.60 --> 1:50:22.770

Jilek, Lisa (Public)

This activity requires a cemetery license, per Washington State Cemetery law. We want human remains interments to continue here at the commercial cemetery at 23646 Military Rd. S Kent, WA, just as a cemetery license. So the human remain interments are protected and regulated. This commercial cemetery meets Washington State cemetery law to include, but not limited to, RCW 68.04.020 and RCW 68.04.040, and requires the cemetery license for human remains interments.

1:50:22.950 --> 1:50:25.20

Oeh, Diane and George (Public)

Do you see the future? Feature.

1:50:59.760 --> 1:51:0.210

Oeh, Diane and George (Public)

Sure.

1:51:5.540 --> 1:51:6.910

Oeh, Diane and George (Public)

I don't see anything I did.

1:50:25.20--> 1:51:7.130

Jilek, Lisa (Public)

Cemetery licensure and protections here at this cemetery are significant and important to me because these are our loved ones. So just, like others have already said, imagine this being your family member and not having the proper protections in place. That would be very hurtful if something should happen and they were no longer protected, if something else were to come in and take that away from you. So, it's very important to all of us here that's speaking today that to have our time, so I do appreciate your time. We're asking you to vote in accordance with the Washington State cemetery law and not on industry standards. The law is very clear. The cemetery requires a cemetery license. And again, thank you for your time.

1:51:8.30 --> 1:51:10.620

Oeh, Diane and George (Public)

Where's future that I can't see anything? I don't know, I can't either.

1:51:10.40 --> 1:51:15.70

Little, Rick (Chair)

Excuse me, can people please mute their mics?

1:51:16.310 --> 1:51:17.900

Little, Rick (Chair)

There's a lot of back talking.

1:51:19.390 --> 1:51:26.890

Seitz, Julie (Public)

Rick, I think that Diane Oeh is not able to find the raised hand screen. I apologize for speaking out of turn.

1:51:27.620 --> 1:51:27.830

Little, Rick (Chair)

Just.

1:51:28.700 --> 1:51:31.210

Little, Rick (Chair)

Just a minute here. I'm going by the list.

1:51:33.710 --> 1:51:35.200

Little, Rick (Chair)

We do have, next is Suzanne Vargo.

1:51:35.200 --> 1:51:51.890

Vargo, Suzanne (Public)

Thank you so much Funeral & Cemetery Board Members for allowing me to speak this morning.

1:51:51.890 --> 1:51:54.780

Little, Rick (Chair)

Could you speak up a little bit, or get closer to your microphone?

1:51:55.920 --> 1:51:56.760

Vargo, Suzanne (Public)

Absolutely.

1:51:57.460 --> 1:51:58.150

Vargo, Suzanne (Public)

Is that better?

1:51:58.950 --> 1:51:59.530

Oeh, Diane and George (Public)

You know, call.

1:51:58.940 --> 1:52:00.300

Little, Rick (Chair)

That sounds good. Thank you.

1:52:08.370 --> 1:52:10.320

Little, Rick (Chair)

I hear some other people talking, so please mute your mics. Go ahead, Susan, Suzanne.

1:52:09.930 --> 1:52:53.480

Vargo, Suzanne (Public)

My name is Suzanne Vargo S-U-Z-A-N-N-E V-A-R-G-O. I live in Federal Way, Washington, and I'm speaking today about the commercial cemetery that lies in urban unincorporated Southern County on Kent's, West Hill, the northern border of Federal Way. I'm asking this Board to support the Washington state law requirement of the cemetery license for this long-time commercial cemetery. It has come to my attention that the Washington state for-profit corporations are conducting commercial burial services, intentionally burying human remains at this commercial burial site in business transactions, exchanged for money. Per Washington State cemetery law, this activity requires a cemetery license. We want human remains interments to continue here at the commercial cemetery at 23646 Military Rd. S Kent, WA with a cemetery license so the human remains are protected. This commercial cemetery meets Washington State cemetery law, to include, but not limited to, RCW 68.04.020 as well as 68.04.040 and requires the cemetery license for human remains interments.

1:53:25.130 --> 1:53:52.350

Vargo, Suzanne (Public)

Speaking as a cemetery consumer, the protections and regulations of human remained interments is the right of the paying cemetery consumer and absolutely paramount. The ability to make sure we, as consumers in Washington state, are not being taken advantage of monetarily and emotionally, and have a fair reasonable recourse, *[inaudible]* need to be guaranteed and safeguarded.

1:53:53.230 --> 1:54:23.200

Vargo, Suzanne (Public)

According to Allison Brooks, Executive Director of the Washington State Department of Archaeology and Historical Preservation, there are 3,054 cemeteries in Washington. The Washington State DOL and this Board say they only have jurisdiction over about 132 of these cemeteries. That is less than 1% of the total. This leaves 99% of cemeteries. What process do the 99% have in which the consumer may register a complaint?

1:54:23.280 --> 1:54:54.100

Vargo, Suzanne (Public)

Where's the care and due diligence of the Washington State DOL and this Board to provide guidance and thorough current resources to consumers for complaints outside of the regulated 1%? In the last two quarterly meetings, May and August, every single complaint was closed by this Board. Are cases being taken seriously, rushed, disregarded through a convoluted process from intake to decision that has little or no checks and balances in place for the consumer? Where is the consumer to go for just and transport process and a resolution to their funeral or cemetery issues?

1:54:58.600 --> 1:54:58.950

Little, Rick (Chair)

OK.

1:55:3.170 --> 1:55:3.460

Oeh, Diane and George (Public)

OK.

1:55:9.50 --> 1:55:9.370

Little, Rick (Chair)

I think...

1:54:54.180 --> 1:55:9.540

Vargo, Suzanne (Public)

If it's not your problem, whose problem is it? I was not given the full 3 minutes. If the public would be able to speak at the beginning of the Board meeting, ahead of complaint review...

1:55:10.580 --> 1:55:11.180

Little, Rick (Chair)

Thank you.

1:55:11.680 --> 1:55:22.330

Vargo, Suzanne (Public)

Sir, I was denied about 30 seconds due to us discussing other people's interruptions and noise. May I please have my last 30 seconds?

1:55:26.790 --> 1:55:28.400

Little, Rick (Chair)

OK. Thank you very much.

1:55:30.650 --> 1:55:30.940

Little, Rick (Chair)

Look.

1:55:33.120 --> 1:55:34.390

Little, Rick (Chair)

Lanell Washington.

1:55:38.880 --> 1:55:39.550

Washington, Lanell (Public)

Hello.

1:55:29.60 --> 1:55:41.20

Vargo, Suzanne (Public)

The Board's limited, as the past meeting minutes show. *[inaudible]* most certainly did not fair and reasonable public comment process. The public should be allowed...

1:55:40.630 --> 1:56:11.980

Washington, Lanell (Public)

Funeral and Cemetery Board Members. My name is Lanell Washington. My name is spelled L-A-N-E-L-L W-A-S-H-I-N-G-T-O-N. I live in the city of Kent in front of the cemetery and in Washington. I am here in support of the Washington State cemetery law requirement of a cemetery licensed for a commercial cemetery at 23646 Military Rd. South Kent, WA.

1:56:13.100 --> 1:56:28.700

Washington, Lanell (Public)

Washington State for-profit corporation conducting a commercial burial service are intentionally burying human remains at this commercial site in business transaction for money.

1:56:29.510 --> 1:56:34.960

Washington, Lanell (Public)

This activity required a cemetery license per Washington State cemetery law.

1:56:35.980 --> 1:57:06.470

Washington, Lanell (Public)

We want human remain interment to continue here at the commercial cemetery at 23646 Military Rd. S Kent, WA, but with the cemetery license so that the human remain interments are protected and regulated. This is a commercial cemetery meeting Washington State Cemetery law to include, but not limited to RCW 68.04.020 and RCW 68.04.040, and requires the cemetery license for human remain interment.

1:57:23.370 --> 1:57:23.950

Oeh, Diane and George (Public)

You're done.

1:57:23.520 --> 1:57:44.710

Washington, Lanell (Public)

Here, the cemetery licensure and protection are significant and important to me. Number one, I feel

that would bring recognition to our community as a growing community surrounded by beautiful scenery, a cemetery that we're proud to have our pets and loved one which are buried there.

1:57:46.130 --> 1:57:57.50

Washington, Lanell (Public)

The cemetery would be filled with, a historic site, filled with great and precious memories of the name. It will be for their loved one.

1:57:57.890 --> 1:58:12.120

Washington, Lanell (Public)

Can you imagine how it feels to have your loved one, even whether they're the pets or human there, unattended? When I first was over here, I saw that the cemetery was, upkeep was beautiful. And now it's neglected.

1:58:13.210 --> 1:58:18.520

Washington, Lanell (Public)

They have a right, our pets that we love, have grown to love, have become a part of the family. We have a right to feel secure in where they are unprotected. We have a right for the loved one to feel secure. And we have a right to rejoice in the fact that this is where we are laying our loved one. Please vote in accordance with the Washington State cemetery law and not on industry standard. The law is clear. This cemetery requires cemetery license. Thank you for talking, or taking time to hear and appreciate our point of view regarding our pet cemetery in Kent WA. And I know that you love pets and humans as much as we do.

1:58:59.420 --> 1:59:1.360

Little, Rick (Chair)

Thank you. Thank you so much.

1:59:0.860 --> 1:59:6.670

Oeh, Diane and George (Public)

Board Member Board Member Rick I don't know how to raise my hand, but I'd like to speak.

1:59:7.680 --> 1:59:22.100

Little, Rick (Chair)

Well, what we'll do is, after all the hands are raised, what we're gonna do is, we're gonna open it up to those that we're unable to raise their hands. So we will give to everybody, OK.

1:59:22.100 --> 1:59:23.370

Oeh, Diane and George (Public)

I can raise my hand, but I don't know where the feature is for the speaking.

1:59:23.370 --> 1:59:27.800

Little, Rick (Chair)

Well, just one, just a... I'm just going through the list here. Let's go with Frank.

1:59:28.550 --> 1:59:28.910

Oeh, Diane and George (Public)

OK.

1:59:30.980 --> 1:59:32.550

Little, Rick (Chair)

Is Frank there? OK.

1:59:34.930 --> 1:59:42.290

Frank (Public)

Hi. Yeah. So, Hello Funeral and Cemetery Board Members. My name is Frank. And that's spelled F-R-A-N-K.

1:59:43.180 --> 2:0:50.180

Frank (Public)

I currently live in Seattle, WA. And I'm here too in support of Washington State law requirements of a cemetery license for a commercial cemetery at 23646 Military Rd. S, Kent, WA. Washington State for-profit corporations conducting commercial burial services are intentionally burying human remains at this commercial burial site in business transactions for money. This activity requires a cemetery license, per Washington State cemetery law. We want human remains interments to continue here at this commercial cemetery at 23646 Military Rd. S Kent, WA, just as a cemetery license, just with a cemetery license so human remains, could be protected and regulated. This commercial cemetery meets Washington State cemetery law to include, but not limited to, WTCW 68.04.020 and RCW 68.04.040, requires the cemetery license for human remains interments. Cemetery license and protection here at this commercial cemetery are significant and important to me because the cemetery is a sacred home to my pet and I would like to see this place well protected and regulated in accordance to law. And, as well, the human remains are there on premise. Please vote in accordance with Washington State cemetery law and not on industry standards. The law is clear. The cemetery requires a cemetery license. Thank you very much for your time.

2:0:50.180 --> 2:1:23.540

Little, Rick (Chair)

Thank you Frank.

2:1:23.540 --> 2:1:24.70

Little, Rick (Chair)

Let's go down to Dennis Jaraczski.

2:1:26.220 --> 2:1:27.660

Jaraczski, Dennis (Public)

Jaraczski.

2:1:27.390 --> 2:1:27.670

Little, Rick (Chair)

Yeah.

2:1:28.920 --> 2:1:44.30

Jaraczski, Dennis (Public)

Yes, thank you. Hello, fellow. Excuse me. Hello Funeral and Cemetery Board Members. My name is Dennis Jaraczski. My last name is spelled J-A-R-A-C-Z-E-S-K-I. I live in Kent, WA.

2:1:44.880 --> 2:1:56.790

Jaraczski, Dennis (Public)

I'm here in support of the Washington State Cemetery law requirement of a cemetery license for Commercial cemetery at 23646 Military Rd. S Kent, WA.

2:1:57.900 --> 2:2:36.880

Jaraczski, Dennis (Public)

Washington State for-profit corporations conducting commercial burial services are intentionally burying human remains at this commercial burial site in business transactions for money. This activity requires a cemetery license per Washington State Cemetery law. We want human remains interments to continue here at this commercial cemetery at 23646 Military Rd. S Kent, WA, just with a cemetery license, so the human remains interments are protected and regulated.

2:2:37.820 --> 2:2:50.870

Jaraczski, Dennis (Public)

This commercial property meets Washington State Cemetery law to include, but not limited to, RCW 68.04.020, and RCW 68.04.040 and requires a cemetery license for human remains interments.

2:2:51.640 --> 2:3:2.820

Jaraczski, Dennis (Public)

Cemetery licensure and protections here at this commercial property are significant and important to me, because everyone should have a choice as to where their final remains will be buried.

2:3:6.10 --> 2:3:17.540

Jaraczski, Dennis (Public)

Please vote in accordance with Washington State cemetery law and not on industry standards. The law is clear. This cemetery requires a cemetery license. Thank you.

2:3:18.90 --> 2:3:21.370

Little, Rick (Chair)

Thanks, Dennis. Let's go to Deborah Stuart.

2:3:23.20 --> 2:3:23.490

Little, Rick (Chair)

Deborah?

2:3:23.490 --> 2:3:31.80

Stuart, Deborah (Public)

Good morning.

2:3:31.80 --> 2:3:31.500

Little, Rick (Chair)

Morning.

2:3:31.500 --> 2:3:57.980

Stuart, Deborah (Public)

My name is Deborah Stuart, spelled S-T-U-A-R-T. I am a resident of the city of Kent, a long-time resident of the city of Kent, a patron of this cemetery in question that my neighbors and colleagues have referred

to, and I also happen to be a former land use planning and development analyst for the City of Seattle where I reviewed land development applications for many years.

2:4:4.10 --> 2:4:50.620

Stuart, Deborah (Public)

I would like politely disagree with the decision of the Board to deny, or not require a commercial license for a business that is clearly operating as a commercial business on private property. And, if I understand correctly, it seems to me to be disingenuous for the Board to not require a license based on the fact that it is a private property, because as my understanding, and feel free to correct me if I'm wrong, the majority of cemeteries are privately owned in the state of Washington.

2:4:50.620 --> 2:5:47.300

Stuart, Deborah (Public)

And so, clearly, we have highlighted in this hearing some issues with your regulations and with the regulations of the state with respect to coverage of the licensing requirements. And it will be my honor and obligation to pursue this with whatever legislative and legal matters to ensure that state laws are followed and that the funeral and, excuse me, the Funeral Board has all of the tools it needs to correctly regulate cemeteries operated, whether they be privately or publicly owned or privately or publicly operated, on behalf of the public or the or private public.

2:5:48.670 --> 2:5:58.70

Stuart, Deborah (Public)

I believe that it's, again, disingenuous to say that you cannot require a license on this property because it's privately owned.

2:5:59.80 --> 2:6:18.220

Stuart, Deborah (Public)

And I would like to incorporate, of course, in the interest of time, all of the comments that my fellow residents can and colleagues have made regarding this property, and I thank you for this opportunity to speak before you.

2:6:19.190 --> 2:6:23.620

Little, Rick (Chair)

Thank you very much, Deborah. Let's go to Barbara McMichael.

2:6:30.170 --> 2:6:58.230

McMichael, Barbara (Public)

Yes. Good morning. My name's Barbara McMichael, last name's spelled M-C-M-I-C-H-A-E-L. I'm joining several of the advocates who have gone before me in advocating for the Washington State cemetery law requirement for a commercial cemetery license at 23646 Military Rd South in unincorporated S King County. It's an important protection, and I'll keep it short and sweet. Just let me join in with my fellow advocates who have testified before me. Thank you.

2:6:59.140 --> 2:7:4.690

Little, Rick (Chair)

Thank you, Barbara. Let's go, Dean Ali, and Ali Blackwell?

2:7:5.560 --> 2:7:5.990

Oeh, Diane and George (Public)

That's it. Dean.

2:7:12.140 --> 2:7:15.270

Little, Rick (Chair)

Blackwells, would you unmute your mic there?

2:7:26.100 --> 2:7:26.710

Little, Rick (Chair)

OK. Is there anyone that I mentioned...? There's a couple that mentioned they cannot raise their hand. Go ahead.

2:7:31.180 --> 2:7:31.840

Bey, Dean-Ali-Blackwell (Public)

Oh, there we go.

2:7:33.100 --> 2:7:33.440

Oeh, Diane and George (Public)

Yes.

2:7:35.330 --> 2:7:36.760

Bey, Dean-Ali-Blackwell (Public)

This is... OK.

2:7:35.220 --> 2:8:27.450

Oeh, Diane and George (Public)

I'd like to sign. Good morning. Funeral and Cemetery Board Members. Our names are George and Diane Oeh. We're a couple who have been married for 60 years. Our last name is spelled O-E-H and pronounced like "A" the first letter in the alphabet. We live in Sunnydale, CA. We are here in support of the Washington State Cemetery law requirement of a cemetery license for a commercial cemetery at 23646 Military Rd. S, Kent, WA. We are a family member of a of Marilyn Auer, who spells her last name A-U-E-R. Her human remains were interred in 1999 at the commercial cemetery at 23646 Military Rd. S Kent, WA.

2:8:28.150 --> 2:8:50.960

Oeh, Diane and George (Public)

Marilyn was George's only sibling. She was a wonderful person and loved very much. We spent many vacations together as we enjoyed each other's company. The Washington Department of Licensing (DOL) has not reached out to us to talk about Marilyn and her human internment here since her burial.

2:8:50.960 --> 2:8:52.870

Wade, Frederick (DOL)

OK. *[inaudible]*

2:8:51.690 --> 2:9:24.200

Oeh, Diane and George (Public)

Washington state for-profit corporations conducting commercial burial services are intentionally burying

human remains at this commercial burial site in business transactions for money, this activity requires a cemetery license, per Washington State cemetery law. We want human remains interments to continue here at the commercial cemetery at 23646 Military Rd. S Kent, WA, just with a cemetery license, so the human remains interments are protected and regulated.

2:9:24.360 --> 2:10:27.700

Oeh, Diane and George (Public)

This commercial cemetery meets Washington State cemetery law to include, but not limited to, RCW 68-04-020 and RCW 68-04-040, and requires a cemetery license for human remains interment. Cemetery licensure and protections here at this commercial cemetery are significant and important to us because Marilyn was adamant on being interred at this location upon her death and wouldn't even consider any other option. We met her request upon her passing in 1999. She and her husband Fred lived in the Federal Way area and were retired from the Boeing company in Seattle. She was active in the community and had many hobbies. Please take in accordance with Washington State cemetery law and not on industry standards.

2:10:27.700 --> 2:10:33.230

Oeh, Diane and George (Public)

The law is clear. This cemetery requires a cemetery license. Thank you.

2:10:34.160 --> 2:10:41.920

Little, Rick (Chair)

Thank you very much, Diane. I see that Dean and Ali was able to unmute. Blackwell Bey?

2:10:42.780 --> 2:10:43.550

Little, Rick (Chair)

You can go ahead.

2:10:43.550 --> 2:10:45.130

Bey, Dean-Ali-Blackwell (Public)

Can you hear me?

2:10:45.130 --> 2:10:45.760

Little, Rick (Chair)

I can hear you.

2:10:46.840 --> 2:10:55.250

Bey, Dean-Ali-Blackwell (Public)

OK, great. My name is Dean-Ali-Blackwell Bey spelled D-E-A-N A-L-I B-L-A-C-K-W-E-L-L B-E-Y.

2:10:57.580 --> 2:11:5.250

Bey, Dean-Ali-Blackwell (Public)

I'm an Indigenous American of the Creek tribe, Nobleman to Omexin.

2:11:6.280 --> 2:11:19.210

Bey, Dean-Ali-Blackwell (Public)

I reside in Omexin, turtle island to you. We don't have borders the way that we live. I'm looking from the outside in, and I...

2:11:22.570 --> 2:11:23.240

Oeh, Diane and George (Public)

It's beautiful.

2:11:29.990 --> 2:11:31.40

Little, Rick (Chair)

Hello? Oh, we lost him.

2:11:33.20 --> 2:11:33.370

Little, Rick (Chair)

OK.

2:11:34.150 --> 2:11:34.700

Little, Rick (Chair)

Yeah, there you go.

2:11:32.850 --> 2:11:46.170

Bey, Dean-Ali-Blackwell (Public)

...shouldn't dig up property and all of a sudden, Indian burial ground... You probably wouldn't require us to necessarily give you a diagram of where all the bodies were, etcetera, etcetera in order to consider it a human burial grave.

2:11:47.90 --> 2:12:4.90

Bey, Dean-Ali-Blackwell (Public)

And I think that's semantics in this situation, where the Board should probably have a little bit more empathy towards people that have already been interred here at this location. We do want additional people to be buried here at this location in Kent, but at the same time, the protections need to be there.

2:12:7.170 --> 2:12:19.770

Bey, Dean-Ali-Blackwell (Public)

The people that did the burials in August, it's a multibillion-dollar corporation. And when I look at you saying that there weren't any laws broken or any codes violations, I think the Department of Revenue would disagree with you.

2:12:23.20 --> 2:12:26.910

Bey, Dean-Ali-Blackwell (Public)

If you're interring a human for money, and you're doing it in a commercial venue, there's taxes that have to be paid.

2:12:27.610 --> 2:12:41.760

Bey, Dean-Ali-Blackwell (Public)

The taxes for the employee that did the burials, the taxes that got paid to the persons that are dealing with buying the stones and gravestones and head graves, those are all revenue issues that should be considered in terms of violations and whatnot.

2:12:42.900 --> 2:13:11.360

Bey, Dean-Ali-Blackwell (Public)

I think that Deborah was correct in the semantic side and also hearing some other people that are talked

in regards to the people that are on your Board, I think maybe if the Board was a little bit more culturally diverse, they might have a little bit more understanding on people's traditions since the burial aspect of people's lifetimes is a extremely traditional and religious connotation to that. It's very important to people that these things are handled properly and that they're protected.

2:13:12.210 --> 2:13:12.810

Bey, Dean-Ali-Blackwell (Public)

That's all.

2:13:14.390 --> 2:13:20.790

Little, Rick (Chair)

Thank you, Dean. Is there anybody else that was unable to raise their hand?

2:13:22.300 --> 2:13:23.190

Yang, Dana (Public)

I'd like to speak.

2:13:25.510 --> 2:13:26.280

Little, Rick (Chair)

And who is this?

2:13:27.600 --> 2:13:29.70

Yang, Dana (Public)

This is Dana Yang.

2:13:32.330 --> 2:13:33.280

Little, Rick (Chair)

Can you spell your name?

2:13:34.390 --> 2:13:40.230

Yang, Dana (Public)

Sure. My name is Dana Yang. Hello, Funeral and Cemetery Board Members. Thank you for your time.

2:13:40.950 --> 2:13:43.330

Yang, Dana (Public)

My name is Dana Yang, spelled D-A-N-A Y-A-N-G.

2:13:44.410 --> 2:14:11.740

Yang, Dana (Public)

I'm an immigrant from Seoul, Korea. My family came here in 80s and we have lived in the area of for over 40 years. We have owned and bought real estate for all over Washington. We own over 100 properties all over Washington, and we know about this property because we obviously had lost pets.

2:14:12.820 --> 2:14:18.710

Yang, Dana (Public)

However, I have witnessed personally the owners of this property, explaining that human burials can be buried here.

2:14:19.910 --> 2:14:33.90

Yang, Dana (Public)

At that time, I wasn't gonna be buried here, however, veterans put down deposits to be buried here. I was shocked how they can operate like this without the proper license.

2:14:35.90 --> 2:14:53.270

Yang, Dana (Public)

I support requiring a law to be placed on this property cemetery located at 23646 military Rd. S Kent, WA, because they continue to bury human here, without disclosing it to the proper law.

2:14:56.40 --> 2:15:28.90

Yang, Dana (Public)

This is a private business. Doing this to make money without paying tax. Without proper license, we cannot allow illegal private transactions to continue. This is a very big disrespect to the people who are being buried here, as well as the neighbors, because they're not keeping the property up to the standard code of a cemetery in the state of Washington code RCW 68.04.020 and 040.

2:15:30.20 --> 2:15:31.160

Yang, Dana (Public)

I know the laws.

2:15:32.40 --> 2:15:34.0

Yang, Dana (Public)

Our family owns a lot of properties.

2:15:35.20 --> 2:15:39.390

Yang, Dana (Public)

We have never seen anything like this anywhere in the state of Washington.

2:15:45.280 --> 2:15:57.380

Yang, Dana (Public)

Also, previous owners have approached my family to buy a plot, just as in human cemeteries sell plots to the person to be buried in the future.

2:15:58.250 --> 2:16:5.900

Yang, Dana (Public)

So that they have the total control of the plot as a real estate in their name to be deeded in their name.

2:16:6.960 --> 2:16:41.860

Yang, Dana (Public)

Of course, he might have tried to scam the money out of us, because this property is not a legal human cemetery. And, had we paid him, we would have been clearly out of that money, \$20,000 or \$25,000. So it's very important that this property be designated as a legal cemetery and follow the law because the current and past owners kept continuing to promote this property as a legal cemetery without the proper laws [*inaudible*] support this law.

2:16:40.880 --> 2:16:44.110

Little, Rick (Chair)

OK. Thank. Thank you so much for your comments.

2:16:44.990 --> 2:16:47.550

Little, Rick (Chair)

Thank you. Is there anybody else?

2:16:51.470 --> 2:16:52.180

Little, Rick (Chair)

OK.

2:16:53.190 --> 2:16:54.480

Sura, Cathy (Public)

I would like to say something.

2:16:54.760 --> 2:16:57.330

Little, Rick (Chair)

Oh, sorry about that. Go ahead. Who's this?

2:16:57.330 --> 2:17:39.200

Sura, Cathy (Public)

This is Cathy Sura, S-U-R-A. I live very close to the cemetery there, the cemetery property. And I just wanted to tell you that, you know, for 40 years, I feel that this whole areas's been swept under the carpet all the time. There have been numerous violations already on this property. They don't wanna comply with the law, then the law needs to step in and take action where it can. In this case, you folks need to step up to the mark and say that this does need to be a licensed property.

2:17:40.490 --> 2:17:57.90

Sura, Cathy (Public)

You just can't wipe away everything all the time. There are human internments in this cemetery, and the law is clear that a cemetery is required to conduct business there, needs a cemetery license.

2:17:58.310 --> 2:18:5.840

Sura, Cathy (Public)

I am going to cut this short and that, and I agree with everything that was said before me. Thank you so much.

2:18:6.170 --> 2:18:6.720

Little, Rick (Chair)

Thank you.

2:18:8.40 --> 2:18:9.480

Little, Rick (Chair)

Is there anybody else?

2:18:13.410 --> 2:18:14.130

Little, Rick (Chair)

OK.

2:18:19.40 --> 2:18:19.710

Little, Rick (Chair)

Let's go to item 10.

2:18:23.300 --> 2:18:25.110

Little, Rick (Chair)

Do we have announcements, Sydney?

2:18:26.750 --> 2:18:58.370

Muhle, Sydney (DOL)

So this is a new item that is appearing on all of our Board agendas. This will be for Board Members who wanna make announcements on anything, attendance at Industry group meetings that aren't reported out, you know, to the Board, things like that, running for representation in one of those groups, things like that. So just if any of the Board Members have any announcements they would like to make, this would be the place to do so on the agenda moving forward.

2:18:59.500 --> 2:18:59.770

Little, Rick (Chair)

OK.

2:19:1.620 --> 2:19:3.460

Little, Rick (Chair)

Any Board Members have any announcements?

2:19:9.180 --> 2:19:19.330

Little, Rick (Chair)

I should have mentioned this before I get to 10.3. I just wanted to thank everybody for the being part of the discussion. It was...

2:19:20.690 --> 2:19:31.380

Little, Rick (Chair)

Clearly we, this is the largest attendance we've had in a long time. So this, again, thank you again for the comments. So then we got 10.3.

2:19:32.70 --> 2:19:32.560

Muhle, Sydney (DOL)

Mr. Chair, item 10.2.

2:19:35.120 --> 2:19:37.270

Little, Rick (Chair)

Oh, sorry. You're still at 10.2?

2:19:39.170 --> 2:19:40.750

Little, Rick (Chair)

We did announcements, don't we?

2:19:44.60 --> 2:19:45.200

Little, Rick (Chair)

OK, got it.

2:19:41.420 --> 2:19:46.500

Muhle, Sydney (DOL)

We did announcements under 10.1. This is 10.2 request for future agenda items.

2:19:47.100 --> 2:19:47.770

Little, Rick (Chair)

OK, got it.

2:19:48.930 --> 2:19:56.390

Little, Rick (Chair)

10.2... Future Agenda Items? That's 10.3, requests.

2:19:57.900 --> 2:19:58.150

Nieves, Susan (DOL)

Yeah.

2:20:7.230 --> 2:20:7.490

Little, Rick (Chair)

OK.

2:19:57.600 --> 2:20:16.550

Muhle, Sydney (DOL)

Item 10.3 is review of the action items and the items for the next meeting. So this is this is another new item. If any Board Members have had anything that's come up or discussions during the course of the meeting that you would like to see an agenda item for the next meeting, this is a good place to request it.

2:20:23.440 --> 2:20:23.810

Nieves, Susan (DOL)

So.

2:20:25.160 --> 2:20:30.310

Nieves, Susan (DOL)

For the future agenda items, does anybody have any agenda items that they would like me to add?

2:20:34.870 --> 2:20:49.570

Cameron, Pete (Board Member)

This is Pete. Has there been any movement on returning these meetings back to in person? I know last time we talked about a little bit and it was a matter of facilities and accommodating both in person and online, but is it, has there been any movement or progress on that part?

2:20:51.230 --> 2:20:53.810

Muhle, Sydney (DOL)

Yes, we have the technology actually in our possession now.

2:20:53.910 --> 2:21:23.800

Muhle, Sydney (DOL)

The staff is, we're testing and working with our technology team on getting installed and making sure it works properly. But we do have technology in place that it'll be a combination camera, microphone

system that will allow us to highlight Board Members as they're speaking to make sure that the public can see all of you and hear all of you, but still allow for that hybrid piece for anybody not attending in person. And so we're just finalizing those technology pieces. Once we have a date, we will bring that back to the Board and let you guys know when we can put that in place.

2:21:34.170 --> 2:21:35.110

Cameron, Pete (Board Member)

Great. Thanks.

2:21:37.50 --> 2:21:37.880

Little, Rick (Chair)

OK. Anyone else?

2:21:48.770 --> 2:21:51.700

Little, Rick (Chair)

OK. So next is... We have... Are we at 10.3?

2:21:52.760 --> 2:21:53.30

Little, Rick (Chair)

Are we?

2:21:53.750 --> 2:21:55.940

Little, Rick (Chair)

We're done with that, so.

2:21:57.630 --> 2:21:59.530

Little, Rick (Chair)

What's... Do you have anything else, Sydney?

2:21:59.530 --> 2:22:16.400

Muhle, Sydney (DOL)

I was just going to say, Susan and Mr. Chair, I apologize, I just caught... On your annotated agenda, that the numbering got off. So I apologize for not catching that before. Susan, did we have any action items or items for the next meeting that came out of this?

2:22:17.340 --> 2:22:17.640

Little, Rick (Chair)

OK.

2:22:17.640 --> 2:22:36.200

Nieves, Susan (DOL)

So there was the future agenda item. We are doing the Board goals. We're just tabling it to the next meeting. And then there was no action items noted. So just the two items with the two committees from previous is still on the action item list. That's all I have today.

2:22:36.200 --> 2:22:45.670

Little, Rick (Chair)

OK. Thank you. I just want to thank again everybody for attendance. And we'll do #11.

2:22:46.950 --> 2:22:51.960

Little, Rick (Chair)

The time is now 11:23. Do we have a motion to adjourn?

2:22:53.370 --> 2:22:54.840

Gutierrez-Zamora, Dante (Board Member)

This is Dante. So moved.

2:22:55.570 --> 2:22:56.540

Little, Rick (Chair)

Do we have a second?

2:22:58.800 --> 2:23:0.170

Cameron, Pete (Board Member)

This is Pete. I'll second.

2:23:0.670 --> 2:23:2.60

Little, Rick (Chair)

OK. Moved and seconded.

2:23:3.60 --> 2:23:3.690

Little, Rick (Chair)

Questions?

2:23:5.260 --> 2:23:11.640

Little, Rick (Chair)

If not everyone, say Aye.

2:23:14.270 --> 2:23:14.830

Cameron, Pete (Board Member)

Aye.

2:23:14.540 --> 2:23:15.310

Ittner, David (Vice Chair)

Aye.

2:23:15.480 --> 2:23:15.810

Gutierrez-Zamora, Dante (Board Member)

Aye.

2:23:16.990 --> 2:23:37.240

Little, Rick (Chair)

Thank you again for coming. And the next meeting will be on May 25th, 9:00 AM. And they'll hopefully down the road they'll be, as stated, will not be as virtual anymore, but have the option of meeting in person. And again, thank you all for coming.

2:23:37.240 --> 2:23:41.170

Muhle, Sydney (DOL)

Thank you everyone.

2:23:41.170 --> 2:23:41.540

Little, Rick (Chair)

You bet.

2:23:41.550 --> 2:23:42.10

Gutierrez-Zamora, Dante (Board Member)

Bye.