



**STATE OF WASHINGTON
DEPARTMENT OF LICENSING
FUNERAL & CEMETERY BOARD
MEETING MINUTES**

DATE: February 23, 2023
TIME: 9:00 AM
LOCATION: Virtual via Microsoft Teams

BOARD MEMBERS: **Richard Little**, Funeral/Embalmer Member & Chair
David Ittner, Cemetery Member & Vice Chair
Pete Cameron, Funeral/Embalmer Member
Cameron Smock, Cemetery Member
Constance LeSourd, Cemetery Member
Dante Gutierrez-Zamora, Funeral/Embalmer Member
Angela Ward, Public Member

ABSENT: **Cameron Smock**, Cemetery Member
Constance LeSourd, Cemetery Member

STAFF MEMBERS: **Sydney Muhle**, Program Specialist
Susan Nieves, Program Specialist
Grace Hamilton, Investigator
Pamela Griese, Funeral Director & Embalmer Inspector

1. Call to Order

Chair Richard Little called the meeting to order at **9:00 AM**.

2. Roll Call

Program Specialist Susan Nieves conducted roll call. All Board members were present, except for Board Member Angela Ward who arrived late, and Board Members Cameron Smock and Constance LeSourd who were excused.

3. Approval of Agenda

Chair Little provided an overview of the agenda for today's meeting.

Board Member Dante Gutierrez-Zamora made a **MOTION** to approve the order of the agenda as presented. Vice Chair David Ittner **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

4. Approval of Minutes

4.1. Minutes from November 1, 2022

Board Member Ward arrived at 9:03 AM.

Board Member Pete Cameron made a **MOTION** to approve the minutes as presented. Board Member Gutierrez-Zamora **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

4.2. Minutes from November 30, 2022

Board Member Gutierrez-Zamora made a **MOTION** to approve the minutes as presented. Vice Chair Ittner **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

4.3. Minutes from February 10, 2023

Board Member Cameron made a **MOTION** to approve the minutes as presented. Vice Chair Ittner **SECONDED** the motion. It was **APPROVED** by a vote of 7-0.

5. Old Business – Moved to after Complaint Cases

5.1. Board Goals for 2023 Discussion

This item was tabled for the next meeting.

6. New Business

6.1. Committee Update Discussion

Program Specialist Sydney Muhle said staff wanted to ensure that both committees were still necessary and that their intents were still accurate. She asked that the Board discuss if any changes were necessary to either established committee.

There was no discussion from the Board.

6.2. Washington State Department of Health's (DOH) Natural Organic Reduction Survey and Rule Update

Ms. Muhle said DOH provided information to the Board to be shared with licensees about potential WAC updates regarding natural organic reduction facilities. These changes will impact licensees, but not through the Board's work.

7. Complaint Cases for Review*

7.1. 2020-05-0236-00CEM

Vice Chair Ittner read the Case Manager Report to the Board as the case manager. The recommendation was to provide a letter of education in lieu of counseling.

Ms. Muhle confirmed that a letter of education closes a case, just like counseling would have in the past.

Board Member Cameron made a **MOTION** to close the case with a letter of education. Board Member Gutierrez-Zamora **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.2. 2020-07-0487-00CEM

Vice Chair Ittner read the Case Manager Report to the Board as the case manager. The recommendation was to provide a letter of education in lieu of counseling.

Board Member Cameron asked if everything has been completed and installed on the crypt. Vice Chair Ittner verified that it has.

Board Member Gutierrez-Zamora made a **MOTION** to close the case with a letter of education. Board Member Cameron **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.3. 2020-01-0066-00FDE

Board Member Gutierrez-Zamora read the Case Manager Report to the Board as the case manager. The recommendation was to provide a letter of education in lieu of counseling.

Vice Chair Ittner asked if consideration for formal action was given. Investigator Grace Hamilton said formal action was a consideration, but as the respondent had become licensed, Board Member Gutierrez-Zamora decided to provide a letter of education.

Board Member Cameron made a **MOTION** to close the case with a letter of education. Vice Chair Ittner **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.4. 2022-03-0402-00FDE

Vice Chair Ittner read the Case Manager Report to the Board as the case manager. The recommendation was to provide a letter of education in lieu of counseling.

Board Member Cameron asked if the complaint had been resolved. Vice Chair Ittner said it had been.

Board Member Cameron made a **MOTION** to close the case with a letter of education. Board Member Gutierrez-Zamora **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.5. 2022-04-0541-00CEM

Vice Chair Ittner read the Case Manager Report to the Board as the case manager. The recommendation was to close the case with no further action.

Board Member Cameron made a **MOTION** to close the case with no further action. Board Member Ward **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.6. 2022-10-1438-00FDE

Ms. Hamilton read the Case Manager Report to the Board in the absence of the case manager, Board Member Smock. The recommendation was to close the case with no further action.

Vice Chair Ittner made a **MOTION** to close the case with no further action. Board Member Gutierrez-Zamora **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.7. 2022-03-0447-00FDE

Ms. Hamilton read the Case Manager Report to the Board in the absence of the case manager, Board Member LeSourd. The recommendation was to provide a letter of education in lieu of counseling.

Board Member Gutierrez-Zamora made a **MOTION** to close the case with a letter of education. Board Member Ward **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.8. 2022-09-1386-00CEM

Ms. Hamilton read the Case Manager Report to the Board in the absence of the case manager, Board Member LeSourd. The recommendation is to provide a letter of education in lieu of counseling.

Discussion:

Board Member Gutierrez-Zamora asked if this was regarding the same incident as case No. 2022-03-0447-00FDE. Ms. Hamilton confirmed it was, clarifying the first case was for the funeral home and the second case was for the cemetery.

Board Member Pete Cameron made a **MOTION** to close the case with a letter of education. Vice Chair Ittner **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.9. 2022-09-1336-00FDE

Vice Chair Ittner read the Case Manager Report to the Board as the case manager. The recommendation was to close the case with no further action.

Board Member Gutierrez-Zamora made a **MOTION** to close the case with no further action. Board Member Cameron **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.10.2021-07-1806-00FDE

Board Member Cameron read the Case Manager Report to the Board as the case manager. The recommendation was to close the case with no further action.

Vice Chair Ittner made a **MOTION** to close the case with no further action. Board Member Ward **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.11.2022-09-1387-00CEM

Vice Chair Ittner read the Case Manager Report to the Board as the case manager. The recommendation was to close the case with no further action.

Board Member Gutierrez-Zamora made a **MOTION** to close the case with no further action. Board Member Cameron **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.12.2022-03-0430-00CEM

Vice Chair Ittner read the Case Manager Report to the Board as the case manager. The recommendation was to resolve the matter per the complainants' offer, with no action from the Board.

Board Member Cameron asked whether the lodge was located on cemetery property, and whether the cemetery was only open to lodge members. Ms. Hamilton said the lodge was not on cemetery property, and the cemetery was open to everyone.

Board Member Cameron made a **MOTION** to close the case with no further action from the Board. Board Member Gutierrez-Zamora **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.13.2022-09-1248-00FDE

Board Member Cameron read the Case Manager Report to the Board as the case manager. The recommendation was to provide a letter of education in lieu of counseling.

Board Member Gutierrez-Zamora made a **MOTION** to close the case with a letter of education. Vice Chair Ittner **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.14.2022-09-1249-00FDE

Board Member Cameron read the Case Manager Report to the Board as the case manager. The recommendation was to provide a letter of education in lieu of counseling.

Vice Chair Ittner made a **MOTION** to close the case with a letter of education. Board Member Ward **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.15.2020-10-1356-00FDE

Board Member Cameron read the Case Manager Report to the Board as the case manager. The recommendation was to close the case with no further action.

Board Member Ward asked if there had been any site visits to this funeral home during the four-year period. Board Member Cameron said the funeral home used an off-site facility for cremations, of which there were no site visits.

Board Member Gutierrez-Zamora made a **MOTION** to close the case with no further action. Vice Chair Ittner **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.16.2022-08-1181-00FDE

Board Member Gutierrez-Zamora read the Case Manager Report to the Board as the case manager. The recommendation was to provide a letter of education in lieu of counseling.

Board Member Cameron asked if the respondent had a history of this kind of complaint. Board Member Gutierrez-Zamora said that the respondent did not.

Board Member Cameron made a **MOTION** to close the case with a letter of education. Vice Chair Ittner **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.17.2022-10-1448-00FDE

Ms. Hamilton read the Case Manager Report to the Board in the absence of the case manager, Board Member LeSourd. The recommendation was to close the case with no further action.

Board Member Gutierrez-Zamora asked if the complainant was a client or competitor. Ms. Hamilton said it was a competitor. Vice Chair Ittner asked if the temperature log was reviewed by the case manager. Ms. Hamilton confirmed it was and said it was included in the case file. Board Member Cameron asked if this was a one-off occurrence with this facility. Ms. Hamilton said yes, this was the first complaint at this facility.

Board Member Gutierrez-Zamora made a **MOTION** to close the case with no further action. Board Member Ward **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.18.2021-11-2963-00CEM

Vice Chair Ittner read the Case Manager Report to the Board as the case manager. The recommendation was to provide a letter of education in lieu of counseling.

Board Member Cameron made a **MOTION** to close the case with a letter of education. Board Member Gutierrez-Zamora **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

7.19.2022-09-1311-00FDE

Board Member Gutierrez-Zamora read the Case Manager Report to the Board as the case manager. The recommendation was to close the case with no further action.

Vice Chair Ittner asked whether there was a pre-need agreement in place. Board Member Gutierrez-Zamora said there was no pre-need agreement.

Vice Chair Ittner made a **MOTION** to close the case with no further action. Board Member Ward **SECONDED** the motion, and it was **APPROVED** by a vote of 6-0 with one abstention from Board Member Cameron.

7.20.2021-01-0239-00CEM

Board Member Cameron read the Case Manager Report to the Board as the case manager. The recommendation was to close the case with no further action.

Board Member Gutierrez-Zamora asked whether any human cremated remains were in a columbarium. Board Member Cameron said all human cremated remains at the location were in-ground burials.

Vice Chair Ittner made a **MOTION** to close the case with no further action. Board Member Gutierrez-Zamora **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0.

8. Reports

8.1. Committee/Task Force Reports

Ms. Muhle said the Licensing Task Force discussed the scope of work, especially regarding the impact of increasing death rates and the lack of new licensees. The committee developed next steps, including looking for alternative paths to licensure, and researching and conducting surveys on ways to attract younger generations to the profession.

8.2. Staff Reports

8.2.1. Central Investigations and Audits Unit (CIAU) Reports

8.2.1.1. Complaint Status Report

Ms. Muhle reviewed the complaint status report for January 18, 2023.

8.2.2. Licensing & Customer Support Services (LCSS) Reports

8.2.2.1. Licensee Count Report

Ms. Muhle reviewed the licensee count report for January 20, 2023.

8.2.2.2. Alternative Reduction/Organic Reduction Facilities

Ms. Muhle clarified that organic reduction facilities were not included on the report as they are tracked separately. Staff was working on providing that separate report soon.

8.2.3. Boards & Outreach Support Services (BOSS) Reports

8.2.3.1. Legislative Update

Ms. Muhle provided a brief update on current relevant bills in the Washington State Legislature and said she will provide a consolidated update to the Board.

8.2.3.2. Business and Professions Division (BPD) & BOSS Staffing Update

Ms. Muhle provided a breakdown of the BPD units and an organizational chart of the BOSS team.

8.2.3.3. Board Executive's Report

Ms. Muhle said there was nothing additional to report.

8.2.3.4. Action Item List

Ms. Nieves reviewed the current Master Action Item List.

8.3. Other Reports

There were no other reports.

9. Public Comments

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 for discussion and consideration at a later time. Individual comments will be limited to three (3) minutes each. Prior to the meeting, comments from the public may also be submitted in writing to DOLBoards@dol.wa.gov. Written comments will be limited to no more than 500 words and will be provided to the Board during this portion of the meeting.

Members of the public, Phylliss Lundquist, Julie Seitz, Christy Maggio, Lisa Jilek, Suzanne Vargo, Lanell Washington, Frank, Dennis Jaraczski, George and Dianne Oeh, and Dana Yang addressed the Board and read the following statement:

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, Washington. 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, Washington, just with 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 a cemetery license for human remains interments. Cemetery licensure and protections here at this commercial cemetery are significant and important to me because *(each listed their individual reason)*. We are asking you to vote in accordance with the Washington State cemetery law and not on industry standards. The law is clear, this cemetery requires a cemetery license. Thank you for your time.

Deborah Stuart addressed the Board and said they were a patron of the pet cemetery and a former land use planning and development analyst. They disagreed with the Board's decision against requiring a commercial license.

Barbara McMichael addressed the Board and said they are joining fellow advocates regarding the pet cemetery, and that it is an important protection.

Dean Ali Blackwell Bey addressed the Board and said the Board should have empathy toward people buried at the pet cemetery and that protections need to be in place. They said the burials in August were performed by a multi-billion-dollar corporation and that the Department of Revenue should be involved in determining whether tax violations have occurred. They said if the Board was more culturally diverse, they would be more understanding of peoples' burial traditions and religious practices.

Cathy Sura addressed the Board and said that there have been numerous violations on the property. They said the Board needs to require the pet cemetery to be a licensed property.

10. Conclusion

10.1. Announcements

Ms. Muhle explained this was a new agenda item to provide space for Board Members to share announcements and news related to the industry but not necessarily within the Board's jurisdiction.

Chair Little thanked the members of the public for being part of today's discussion and pointed out that this was the largest attendance the Board had in a long time.

10.2. Requests for future agenda items

Ms. Muhle explained this item was for Board Members to request agenda items for future meetings.

Board member Cameron asked for an update on in-person meetings. Ms. Muhle said the agency was installing and testing technology for hybrid meetings. Once the technology was working, staff and the Board would determine when an in-person meeting could occur.

10.3. Review of action items and items for next meeting

AGENDA ITEM: Board Goals

ACTION ITEM: No additional items from this meeting

11. Adjournment

Board Member Gutierrez-Zamora made a **MOTION** to adjourn the meeting. Board member Cameron **SECONDED** the motion, and it was **APPROVED** by a vote of 7-0. Chair Little adjourned the meeting at **11:23 AM**.

Next Meeting:

May 25, 2023 at 9:00 AM

Virtual via Microsoft Teams


Submitted by:


Debra Allen-Ba, Assistant Administrator

May 25, 2023

Date

Approved by:


Richard Little, Board Chair

May 25, 2023

Date