

# Washington State Funeral and Cemetery Board meeting transcript

August 24, 2023

David Ittner (00:00:00):

Good morning. Thank you all for being [inaudible 00:00:07] meeting. Good morning. My name is David Ittner, I'm the chair of the Washington Funeral and Cemetery Board. It is now 9:00 AM. Do I need a microphone on? Should I have?

Susan Nieves (00:00:24):

[inaudible 00:00:25].

David Ittner (00:00:26):

All right, thank you. Time is now 9:00 AM on Thursday, August 24, 2023 and I'm calling the special board meeting to order. We will be providing an opportunity for public comment later in this meeting. Please be aware that this is being held as a hybrid format meeting with some members of board and public attending virtually, in addition to here in the room with us. As courtesy, we encourage everyone to mute their microphones or your phone if you called in when you are not speaking to reduce the background noise when others are speaking. For those here in the room with us, we do ask silence your cell phones and reduce the number of side conversations as the microphones are very sensitive and we must be courteous to all of our attendees to ensure everyone can hear the proceedings. Also, for board members, to help us capture information correctly, please state your name before making comments. Agenda item number two, roll call. Susan, would you please call roll? Board members, please respond if you are in attendance.

Susan Nieves (00:01:30):

Chair Dave Ittner?

David Ittner (00:01:32):

Here.

Susan Nieves (00:01:35):

Vice Chair Gutierrez-Zamora?

Dante Gutierrez-Zamora (00:01:37):

Here.

Susan Nieves (00:01:37):

Board member Cameron Smock?

Cameron Smock (00:01:37):

Present.

Susan Nieves (00:01:48):

[inaudible 00:01:42]. Board member Little? Board member Ward?

Angela Ward (00:01:53):

Here.

Susan Nieves (00:01:55):

Board member Cameron said he'd be absent today [inaudible 00:01:59]. Thank you.

David Ittner (00:01:57):

All right, take a seat. Item number three, approval of [inaudible 00:02:07] corrections or additions. Hearing none, [inaudible 00:02:14].

Cameron Smock (00:01:57):

[inaudible 00:02:16]?

Angela Ward (00:01:57):

What was that?

Cameron Smock (00:01:57):

[inaudible 00:02:18].

Angela Ward (00:02:22):

Oh no, that's fine. That's fine. I'll go upstairs. This is only short but I'll go upstairs.

David Ittner (00:02:23):

[inaudible 00:02:25].

Angela Ward (00:02:27):

Yeah.

Speaker 6 (00:02:31):

I'm sorry, for our virtual attendees we are getting a lot of feedback. If we can get you your microphones unless you are speaking, we appreciate it.

David Ittner (00:02:35):

All right, we have a first. Can we have a second? [inaudible 00:02:48] discussion, so the motion passes.

Speaker 6 (00:02:35):

Well, we need a vote.

David Ittner (00:02:35):

Or a vote, I'm sorry. All in favor?

Dante Gutierrez–Zamora (00:02:35):

Aye.

Cameron Smock (00:02:35):

Aye.

Angela Ward (00:02:35):

Aye.

David Ittner (00:03:10):

Any opposed? Any abstentions? Hearing none, the motion passes. Item number four, approval of minutes. Are there any additions or corrections to the minutes?

Cameron Smock (00:03:16):

I move that we approve as presented.

David Ittner (00:03:20):

Motion, do we have a second?

Dante Gutierrez–Zamora (00:03:22):

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

David Ittner (00:03:23):

Any discussion there? All in favor?

Dante Gutierrez–Zamora (00:03:23):

Aye.

Cameron Smock (00:03:23):

Aye.

David Ittner (00:03:33):

Any opposed?

Angela Ward (00:03:34):

Aye.

Speaker 6 (00:03:37):

I think that was a delay.

David Ittner (00:03:47):

Any abstentions? Hearing none, minutes are approved. Item number five, awards and recognition. I'll turn it over to Sydney to do that discussion.

Speaker 6 (00:03:54):

Thank you. So our first recognition today is board member LeSourd, who is here with us virtually today. Board member LeSourd has been with the board since May 26th of 2020, joining during a very difficult time for this industry. She served as an internal case manager for us and so we just wanted to take a moment to recognize her. She is staying with us until a new member is appointed by the governor's office, but not knowing when exactly that would occur, but you have her plaque here. So we wanted to take a moment to recognize her and give the board members a moment to share their appreciation.

David Ittner (00:04:35):

Thanks, Sydney. I would concur with the remarks of that. Board member LeSourd has been very thorough. I appreciate her time and effort and also appreciate her willing to stay on. So we [inaudible 00:04:52]

Angela Ward (00:04:51):

Thank you.

Speaker 6 (00:04:58):

I know it'll be hard for you to see but we do have a plaque for you. It'll be coming in the mail here shortly. We'll get it out to you. Don't know how long it'll take to get to you but we do have it in [inaudible 00:05:11].

Angela Ward (00:05:11):

Thank you so much. It's been an honor to be on the board. And then thank you so much. I enjoyed being a board member.

David Ittner (00:05:26):

Great. Thank you, Connie.

Angela Ward (00:05:30):

You're welcome. I was going to tell you my speaker's acting funny so I'm trying to listen but it's being like I'm in a tunnel or something.

Speaker 6 (00:05:47):

We'll do our best to speak up for you.

Angela Ward (00:05:48):

Thank you so much.

David Ittner (00:06:01):

Item number 5.2, introduction of Department of Licensing director Marcus Glassberg. Turning that over to Sydney as well.

Speaker 6 (00:06:06):

Thank you, board members. It's my pleasure to introduce Director Marcus Glassberg to the board. Director Glassberg joined the Department of Licensing this past spring, so I will turn it over to him to tell you all [inaudible 00:06:18].

Speaker 7 (00:06:19):

Well, good morning, Chair Ittner and members of the board. It's great to be with you this morning. I'm excited to be joining the Department of Licensing of course, and it's great to visit with you this morning to share a little bit about myself. As you can probably tell from the screen there, I'm not a native of Washington state. I'm actually a native of the great state of Louisiana. Some may call it great, some probably don't call it so great. But I've been in Washington state for 30 years now. So I was born and raised in Louisiana. I was reared there, got my education there and moved to Washington to work for the United States Department of Energy. So I lived in the Tri-Cities for the first 10 years of my stay here in Washington. And then I moved over to the west side of the mountains to work for Washington state government starting off with corrections and then moving on to revenue and then to lottery and now I'm here at licensing.

(00:07:27):

So I have a little bit of experience with nuclear waste, with prisons and inmates, with gambling, and now I'm here at licensing. But I think these varied experiences certainly have vested... It's kind interesting, a very divergent pathway. For example, I was actually graduated in engineering but my passion has always been public service and I think that's been the web or the thread that has been consistent throughout all of my career. So I'm really excited to be here at the Department of Licensing, is going on five months now. I've been attending a few of these board meetings and I was looking at a previous, some notes that

I wrote and it said three months and I'm just like, okay, I need to change that because the time is flying much faster than I thought. But I did also get my master's degree in engineering management from Washington State University.

(00:08:39):

I'm a Cougar. My alma mater for [inaudible 00:08:45] University was a Jaguar, so I guess I must love cats for some reason as well. But as you can imagine it's been a fire hose really getting ingrained in the Department of Licensing. It's been a great place to work, but I'm still learning a lot as I get integrated into this great organization. I do have my own priorities that I want to focus on. One of course is including supporting the business and professions, making sure that we are making it easier for our licensees. But other priorities include traffic safety, evaluating the customer experience. We serve almost 8 million residents in the state of Washington, so we touch many, many lives and I think it's important that we place an emphasis on serving the residents of Washington very well.

(00:09:43):

And so with that, I don't want to take up a whole lot of time on your agenda today, but definitely want to thank you for your service to your profession. Definitely the service on this board. And of course for the residents of Washington, your work is important and I'm very thankful for what you do. I know the great staff at the Department of Licensing is supporting you the best they can, but if there's anything that I can do for you, please don't hesitate to reach out and let me know. And with that I'm happy to take some questions, otherwise I don't want to interrupt your very important agenda.

David Ittner (00:10:21):

Any questions for Director Glassberg?

Cameron Smock (00:10:24):

I just want to welcome you.

Speaker 7 (00:10:26):

Thank you very much.

Cameron Smock (00:10:27):

You're welcome.

David Ittner (00:10:30):

Thank you for being here. Our first in-person meeting in so long and customer experience, I think these board members are going to attest in our industry, it's extremely important. So look forward [inaudible 00:10:39].

Speaker 7 (00:10:40):

Excellent, excellent.

Cameron Smock (00:10:41):

Side note, love Louisiana. [inaudible 00:10:47].

Speaker 7 (00:10:47):

It's great food there, great people and everything else, but every state has its pros and cons.

Cameron Smock (00:10:55):

Well, thank you so much.

Speaker 7 (00:10:56):

Thank you.

Cameron Smock (00:10:56):

Appreciate it.

David Ittner (00:10:59):

All right, moving on to item number six, old business. [inaudible 00:11:05]. Okay, great. Moving on to item number seven, new business, consideration of application for [inaudible 00:11:12] license. So I'll turn that over to Sydney.

Speaker 6 (00:11:14):

Thank you. This is an application from Sean Riley who is currently an interim funeral director licensee with us and he has applied for board consideration regarding his education that was received in Australia. His transcript has been included per the board in the board packet for your review, but he's not looking for a full acceptance at this point, but just of the courses that he does have that match what our requirements are for funeral director licensing. And I'll say he doesn't have to start over from scratch with his education here. And because this is a unique request for us, we did want to bring it to the board. We also asked that our assistant Attorney General Rebecca Kim provided an analysis for you which is also included in the packet for your review. So if you have any questions, we'd be happy to answer them. But otherwise I'll turn it over to Pam who has been working more directly with Mr. Riley.

Speaker 8 (00:12:18):

I didn't know I was going to be speaking about this. I do want to just make the board aware that Mr. Riley is with us today. You can see the face that goes with the request. And it's just a matter of the accrediting association is not included in the regulations but the board has the authority to approve accrediting bodies. So while we're all trying to follow the rules, we just wanted to ask if the board might consider that request.

Speaker 6 (00:12:56):

And this is one, the credit authority is not currently approved by the board, however the board does have the authority to approve a single applicant. So that's how we're bringing it to all of you. So you have any questions that we can answer from staff or Mr. Riley is also here if you have any questions for him.

David Ittner (00:12:56):

Are there questions?

Cameron Smock (00:12:56):

This is Cameron Smock. Just to be clear, what you're asking the board to act on is approving the credit hours that he has already achieved that aligned with what our licensing require?

Speaker 6 (00:12:56):

Correct. And that would allow him to continue his education without starting from scratch and continue fulfilling those minimum requirements. And once he meets those then he can apply for an actual license as a funeral director.

Cameron Smock (00:12:56):

Thank you.

David Ittner (00:12:56):

Any other questions from the board?

Cameron Smock (00:14:03):

I move that we approve the recommendation as presented.

Dante Gutierrez–Zamora (00:14:06):

This is...

Speaker 9 (00:14:06):

I'll second.

David Ittner (00:14:06):

[inaudible 00:14:14] Do you have a question?

Dante Gutierrez–Zamora (00:14:16):

No, not a question. But I did think I heard it seconded. If it's already seconded, that's fine. If not, I'll go ahead and second.

David Ittner (00:14:27):

Motion by Mr. [inaudible 00:14:28]. Second by Mr. Little. All in favor?

Dante Gutierrez–Zamora (00:14:49):

Aye.

David Ittner (00:14:49):

I'm sorry, I'm going [inaudible 00:14:50].

Angela Ward (00:14:49):

Aye.

David Ittner (00:14:49):

Is there any discussion pertaining to the motion? [inaudible 00:14:50]. Hearing none. All in favor?

Dante Gutierrez–Zamora (00:14:49):

Aye.

Cameron Smock (00:14:49):

Aye.

David Ittner (00:14:49):

Any opposed?

Cameron Smock (00:14:53):

Aye.

Speaker 6 (00:14:56):

Connie, was that a vote against or just a delay?

Angela Ward (00:15:06):

Are you talking to me, Connie LeSourd?

Speaker 6 (00:15:09):

Yeah, yours came through after [inaudible 00:15:12]

Angela Ward (00:15:14):

I'm sorry.

Speaker 6 (00:15:15):

[inaudible 00:15:15] in favor of the motion?

Angela Ward (00:15:18):

Yes, I said aye. I'm sorry. That's because of my microphone's having trouble but I said aye.

Speaker 6 (00:15:26):

Thank you.

David Ittner (00:15:28):

Any opposed? Any abstentions? Hearing none. The motion passes. Moving on to item 7.2, discussion regarding attendance at the international conference of the funeral service examining boards. Sydney?

Speaker 6 (00:15:54):

This will be a very brief one but wanted to go ahead and get it on the board's calendar that the annual meeting for the conference of funeral service examining boards will be taking place February 28th and 29th of 2024 in Myrtle Beach, South Carolina. So we just wanted to ask that you guys start checking your calendars so that at the next meeting we can determine who is going to attend from the board. The conference is also soliciting topics and speakers for the annual meeting. So if you have anything that you would like to put forth, we have the contact information, we're happy to share it out to the board, we're happy to pass it along for you. But if you want us submit your comments directly to them, we'll go to Allie Sparkman who's the member engagement director for the conference. Otherwise, feel free to send it through staff and we'll forward it on your behalf. But that was it. Just wanted to make sure it was on everybody's radar so that we can make that determination next meeting.

David Ittner (00:16:41):

Great. Thank you. And I'll just the best if not all of us have attended that conference and it's the next one, the resource for board members and especially new board members. [inaudible 00:16:51]. Okay, moving on to agenda item number eight, complaint cases for review. M8.1, Mr. Gutierrez-Zamora.

Dante Gutierrez-Zamora (00:17:01):

This will be case number 2023-02-0277-00CEM. Summary, the complainant and her stepfather contracted with the respondent in February of 2022. The contracted included a memorial marker and bench. In September of 2022, the complainant and her stepfather designed the marker and bench. The respondent told them that the proof should arrive in two months. The complainant contacted the respondent in January of 2023 and was told that the order had been deleted. The marker and bench were paid for at the initial contract in February of 2022. Facts, after the complaint was filed, the respondent reached out to the complainant. A new order was submitted to the monument company and the respondent has received a proof to review. Also, the respondent has added a staff member to help with monument orders. Although the error on the respondent's part represents poor customer

service, the respondent has taken efforts to remedy the present situation and prevent further similar errors. So I recommend that this case be closed with no further action.

David Ittner (00:18:24):

Thank you. Do I hear a motion to that effect?

Cameron Smock (00:18:28):

This is Cameron Smock. I move.

David Ittner (00:18:32):

Is there a second?

Speaker 9 (00:18:33):

This is Rick Little. I'll second.

David Ittner (00:18:36):

Approved by Mr. Smock, second by Mr. Little. Is there any discussion? Hearing none. All in favor say aye.

Speaker 9 (00:18:47):

Aye.

Cameron Smock (00:18:47):

Aye.

Angela Ward (00:18:47):

Aye.

David Ittner (00:18:53):

Any opposed? Any abstentions? The motion passes. Thank you. Moving on to item number 8.2. Board member LeSourd?

Angela Ward (00:19:07):

Can everyone hear me?

David Ittner (00:19:14):

Yes.

Angela Ward (00:19:14):

This is case number 2023-01-0118-00CEM. The complainant summary, the complainant filed a complainant with the Department of Licensing that the respondent cemetery in earned cremated remains in her father's niche without the permission of the owner, who is her father. Also, what was used that belonged to the original owner, her father, who was still alive at that time was the inurnment right, bronze urn and the inurnment fee. So the facts, what I found is the cemetery has offered to disinter the unauthorized urn from the niche at no cost.

(00:20:02):

The cemetery has agreed to inurn the owner's at no cost in the niche he purchased and the owner did die in 2021. Also, the cemetery agrees to provide the owner of the urn that he purchased or if one is not available they will provide an urn of like value. The inurnment of the owner in his niche has not taken place yet. What is holding this up is the daughter of the urn that was not authorized to be inurned in this niche has not returned to the cemetery with the authorization for the removal of that urn. And my recommendations are to close this with a letter of education.

David Ittner (00:20:53):

Thank you, board member LeSourd. Is there a motion to that effect?

Cameron Smock (00:21:00):

This is Cameron Smock. I move.

David Ittner (00:21:01):

Do we have a second?

Speaker 9 (00:21:04):

This is Rick Little. I'll second.

David Ittner (00:21:10):

We have a first and a second. Is there any discussion?

Cameron Smock (00:21:13):

I have a question. This is Cameron Smock. So your last sentence in facts, what is holding this subject is the daughter of the urn that was not authorized to be inurned has not returned to the cemetery, the authorization for the removal of that urn. Seems to me that the cemetery inurned someone in error without proper authorization. The cemetery authority has the right to remove that without any additional authorizations.

Angela Ward (00:21:48):

Is this something that the board would want me to look into further then?

Cameron Smock (00:21:59):

I don't think it needs to hold up... At least from my perspective, I don't think it needs to hold up our decision today. But if the owner of the urn's [inaudible 00:22:07] is being delayed because of this, it seems to be that should be addressed by the cemetery [inaudible 00:22:17].

David Ittner (00:22:21):

This is David Ittner. Just wondering whether or not this was a matter of the cemetery's rules and regulations associated with the policies of disinterment discernment.

Speaker 6 (00:22:46):

Connie, were you able to hear Dave's comments?

Angela Ward (00:22:51):

Not the last. No, not Dave's. No.

David Ittner (00:22:56):

My question was just simply whether the cemetery's rules and regulations with regards to their ability to disinterment.

Angela Ward (00:23:09):

Well, how does the board want me to handle this? Do you want me to do any more... I can't contact... Should I be the one contacting that cemetery?

Speaker 10 (00:23:30):

This is Grace Hamilton, the investigation supervisor. We can add that into the letter of education, Connie, if that's how the board views it, that if it's something that they entered in error that they can disinter it without that authorization. If that's what Cameron and Dave are saying, we can definitely add that into the letter of education to kind of let them know that they can move forward without that authorization. If I'm understanding correctly, I'm also virtually so I want to make sure I'm understanding.

Cameron Smock (00:24:05):

This is Cameron Spunk. I would be comfortable with that solution.

Speaker 10 (00:24:14):

I can add that and I'll send it to you for a review.

Angela Ward (00:24:19):

That sounds fine. I agree with that.

David Ittner (00:24:24):

Thank you, Grace. Thank you, Connie. Any further discussion?

Angela Ward (00:24:29):

You're welcome.

David Ittner (00:24:31):

All in favor say aye.

Cameron Smock (00:24:32):

Aye.

Speaker 9 (00:24:32):

Aye.

Dante Gutierrez–Zamora (00:24:32):

Aye.

David Ittner (00:24:37):

Any opposed? Any abstentions? Hearing none. The motion passes. Agenda item 8.3. Mr. Cameron?

Speaker 6 (00:24:50):

I'll be reading on behalf of Mr. Cameron since he wasn't able to join us today. This is case number 2023-05-0963-00FDE. Complainant alleges respondent funeral home upsold them into involving her mother, then botched the embalming so that viewing was not possible and did not tell them that embalming was done at a third party location. The facts are that the complainant prepaid for a pre-burial package for her mother with respondent funeral home in 2018 that did not include embalming. After the death occurred, complainant decided that she wanted viewing and was told that a simple identification confirmation could be done without embalming and ordered an extended viewing could be done if the remains were embalmed. Complainant agreed to the embalming and paid the additional charges and the embalming was performed by the respondent's third party removal slash embalming provider which was holding the remains under refrigeration at their facility.

(00:25:59):

The embalming report indicated no issues or problems before, during, or after the procedure. Before the viewing was held, respondent informed the complainant that the appearance of the deceased may have changed from what they remember as there was some sagging in the cheeks. The family changed their minds about the viewing without seeing the deceased and respondent refunded the embalming and viewing fees. At the grave side, the family demanded the casket be opened inside the van and they took a picture of the deceased. Burial was then completed. In conclusion, the complainant did not provide any proof or pictures that the embalming was botched and as such there's no actual threshold to be held accountable to. Respondent rightfully refunded the money for the additional services. The

complainant signed the third party's paperwork at the time of their removal so they were aware that the third party services were being used as many funeral homes across the state utilize these providers as well. As such, I can find no violation of rule or law in this case and recommend it be closed with no further action.

David Ittner (00:27:15):

Thank you, Sydney. Is there a motion to that effect?

Speaker 9 (00:27:18):

I'll move.

Dante Gutierrez–Zamora (00:27:23):

This is...

David Ittner (00:27:23):

Motion by Mr. Little. Do I hear a second?

Dante Gutierrez–Zamora (00:27:27):

This is Dante. I'll second.

David Ittner (00:27:29):

Thank you, Dante. Any discussion? All in favor say aye.

Speaker 7 (00:27:38):

Aye.

Dante Gutierrez–Zamora (00:27:38):

Aye.

Angela Ward (00:27:38):

Aye.

David Ittner (00:27:43):

Any opposed? Any abstentions? Hearing none, the motion passes. Agenda item 8.4, moving over to Sydney.

Speaker 6 (00:28:00):

Case number 2023-06-1170-00FDE. Complainant alleged that respondent funeral home collected fingerprints of his deceased wife without his permission before the cremation was performed. The facts

are that the respondent funeral home returned the cremated remains of the complainant's wife along with a brochure for a keepsake jewelry company that uses fingerprints of the deceased. The complainant was extremely upset that his wife's fingerprints were taken without any consultation or authorization and filed a complaint with the Department of Licensing.

(00:28:34):

After being contacted by board staff about the complaint, the respondent reached out to the complainant and agreed to delete the prints and then both state the matter is closed. When asked by the investigator why they took fingerprints without permission, the respondent stated that they do so as part of their intake process when receiving remains, as some people wish they have them later to use for keepsake jewelry. Although this specific complaint is considered settled, I'm recommending a letter of education be sent to the respondent that specifically addresses WAC 308-48-040 and the requirements for obtaining authority from the person's having the right to control the disposition before any set procedures are performed. Recommendation is to closing the letter of education.

David Ittner (00:29:24):

Thank you. Is there a motion to that effect?

Dante Gutierrez–Zamora (00:29:28):

This is Cameron Smock. I move.

David Ittner (00:29:31):

Is there a second?

Speaker 9 (00:29:32):

This is Rick Little. I'll second it.

David Ittner (00:29:37):

Thank you. We have a first and second. Any discussion? All in favor say aye.

Cameron Smock (00:29:47):

Aye.

Speaker 9 (00:29:47):

Aye.

Dante Gutierrez–Zamora (00:29:47):

Aye.

Angela Ward (00:29:50):

Aye.

David Ittner (00:29:52):

Any opposed? Any abstentions? Hearing none. The motion passes. Item 8.5, Mr. Little?

Speaker 9 (00:30:07):

This is case number 2017-12-2602-00FDE. DSHS investigator complained that the funeral establishment received funds from a pre-arrangement service for 13 individuals without depositing the funds into a pre-trust account or obtaining insurance policies for the individuals. The facts are none of these 13 individuals' money was put into an approved insurance policy or trust account. The funeral establishment was operating without a pre-arrangement funeral service contract. The owner of the funeral establishment was not cooperative during the investigation and the information packet that was given out was not complete with an insurance application, which the owner stated was part of the info given to the individuals to complete the pre-arrangement. After the complaint was made, the owner gave back the money to the 13 individuals.

(00:31:17):

The initial recommendation for this case was to proceed with formal action. A statement of charges was served to the respondent and a settlement conference was held in 2020. There was no agreement reached during the settlement conference and due to foreseen circumstances, the formal process was not completed. At the advice of the board's AEG, the statement of charges has been withdrawn and I'm now recommending closure of this case with a letter of education that will address all concerns found in this investigation. I have read the letter. It's very lengthy so it's very clear that if something like this ever happens again that there'll be formal charges. I would like to propose this letter of education.

David Ittner (00:32:12):

Thank you, Mr. Little. Is there a motion to that effect?

Cameron Smock (00:32:16):

This is Cameron Smock. I'll move.

David Ittner (00:32:25):

Is there a second?

Dante Gutierrez-Zamora (00:32:32):

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

David Ittner (00:32:38):

Thank you, Dante. Got a first and a second. Is there any discussion?

Cameron Smock (00:32:40):

[inaudible 00:32:44].

Speaker 9 (00:32:46):

It's supposed to be.

Cameron Smock (00:32:50):

Elizabeth, are you there?

Speaker 6 (00:32:52):

Yes. Rebecca, can you hear us?

Speaker 11 (00:33:00):

I wasn't involved in this one. I'm not sure if it might've been Mr. [inaudible 00:33:04].

Speaker 10 (00:33:07):

Yeah, Nick was the AG on this one.

David Ittner (00:33:09):

[inaudible 00:33:17]

Speaker 12 (00:33:17):

Yes, I'm here.

Cameron Smock (00:33:18):

Can you comment on your advice at all?

Speaker 12 (00:33:24):

If you give me just a moment, I will admit I was not expecting to speak on this. So if you give me a moment I can pull that up.

Cameron Smock (00:33:33):

Thank you.

Speaker 12 (00:33:55):

And yes, much of the advice on this hinged on it. The time that had passed, there were significant concerns about any further action that would be taken as there is a statutory requirement that once a hearing has been requested, that it be held as soon as is reasonably possible. And unfortunately in this case, I believe 18 months had passed. I think some of that may have been due to COVID and other such things, but it seemed like any further action taken here would be on very tenuous grounds given the

passage of 18 months since the hearing had passed and since settlement discussions had broken down. And so it was my opinion that it would be very difficult to proceed forward on this case and very likely to be overturned if any action was taken.

Cameron Smock (00:34:56):

Thank you.

David Ittner (00:35:01):

Any further questions or discussion? All in favor?

Dante Gutierrez–Zamora (00:35:12):

Aye.

Angela Ward (00:35:12):

Aye.

David Ittner (00:35:17):

Any opposed?

Cameron Smock (00:35:19):

I oppose.

David Ittner (00:35:19):

Any abstentions? Motion passes. Moving on to agenda item 8.6, board member Gutierrez-Zamora.

Dante Gutierrez–Zamora (00:35:43):

This will be case number 2022-12-1792-00FDE. Summary, the complainant submitted her complaint through the Attorney General's office voicing her frustration on the timeliness of the transfer of burial rights from the complainant's aunt to the complainant. Facts, the complainant began contacting the respondent cemetery in June of 2022. A quick claim deed for the burial rights was mailed August 22nd, 2022. The request for transfer had not been completed by November 29th, 2022, the date of the complaint. Receipt of the request was acknowledged by the respondent on December 6th, 2022 and the request was completed the next day, December 7th, 2022. The respondent agrees that the request was not handled in a timely manner and states that the issue was a sudden departure of a sales manager involved in the request as well as a lack of staffing. As per the respondent's reply, training and staffing have been put in place to avoid delays such as this in the future. So I'm going to go ahead and recommend that this one be closed with no further action.

David Ittner (00:37:05):

Thank you, Dante. Is there a motion to that effect?

Cameron Smock (00:37:11):

This is Cameron Smock. I'll move.

David Ittner (00:37:15):

Do we have a second?

Speaker 9 (00:37:16):

This is Rick Little. I'll second.

David Ittner (00:37:31):

First by Mr. Smock, second Mr. Little. Is there any discussion? All in favor say aye.

Dante Gutierrez–Zamora (00:37:32):

Aye.

Angela Ward (00:37:32):

Aye.

David Ittner (00:37:39):

Any abstentions? Hearing none. The motion passes. Agenda item 8.7, Mr. Smock.

Cameron Smock (00:37:51):

This is in regards to case number 2019-02-2601-00FDE. The complainant's summary, the complainant alleges that the respondent funeral home and cemetery failed to provide a grave marker within a reasonable period of time. The facts, the grave marker was originally purchased in June of 2017. The complaint was filed in February of 2019. During the investigation, the respondent stated that the complainant's mother caused several delays and failed to approve the marker design. The respondent also stated that the marker was delayed further when the respondent learned that the municipal cemetery would not pour the concrete foundation and the respondent had to make arrangements with a marker company to pour the foundation. The respondent also claimed that part of the delay was caused by an issue with the base that was ordered.

(00:38:54):

During the investigation, the respondent committed to sending the investigator documentation to substantiate their claims but the documents were never sent. Subsequently, the respondent divested of any ownership, interest or involvement in the respondent funeral home and cemetery and his successors worked with the complainant to have the marker delivered and installed. My recommendation, while the respondent failed to have the marker ordered and installed in a timely manner, given the fact that they are no longer involved in the funeral home and cemetery and practicing as a licensee in Washington, I recommend this case be closed with no further action.

David Ittner (00:39:37):

Thank you, Mr. Smock. Is there a motion to that effect?

Speaker 9 (00:39:40):

This is Rick Little [inaudible 00:39:41].

David Ittner (00:39:40):

We have a first by Mr. Little.

Dante Gutierrez–Zamora (00:39:45):

And then Dante, I'll go ahead and second.

David Ittner (00:39:48):

Thank you, Dante. Is there any discussion? All in favor say aye.

Dante Gutierrez–Zamora (00:39:57):

Aye.

Angela Ward (00:39:59):

Aye.

David Ittner (00:40:02):

Any opposed? Any abstentions? Hearing none. The motion passes. Agenda item 8.8, Mr. Smock.

Cameron Smock (00:40:14):

This is in regards to the case number 2023-05-1002-00CEF. The complainant's summary, the complainant alleges that the respondent cemetery failed to provide care for the cemetery grounds where their parents are buried. The facts, the complainant provided photos of grave markers that were covered with dead grass clippings and the grass around the [inaudible 00:40:44]. Within two weeks of filing the complaint, the respondent cemetery contacted the complainant and met with them to walk through the cemetery to discuss their concerns. During this meeting, the respondent identified several maintenance related issues that he is acting on to improve the appearance of the cemetery grounds. Steps the respondent is taking include proper training of employees, adding two new full-time staff members, purchasing mowing equipment to properly bulge grass, improve seeding, fixing and replacing irrigation systems and reinforcing who is responsible for damage to markers and bases. The respondent also indicated that he terminated the grounds superintendent. My recommendation, given the proactive steps of the respondent has taken to address the complainant's concerns, I recommend that this case be closed with no further action.

David Ittner (00:41:45):

Thank you. Is there a motion to that effect?

Dante Gutierrez–Zamora (00:41:54):

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

David Ittner (00:41:57):

Thank you. Is there a second?

Angela Ward (00:42:02):

This is Connie, I second it.

David Ittner (00:42:07):

Thank you, Connie. Any discussion? Hearing none. All in favor say aye.

Dante Gutierrez–Zamora (00:42:19):

Aye.

Angela Ward (00:42:19):

Aye.

David Ittner (00:42:24):

Any opposed? Any abstentions? Hearing none. The motion passes. For the next four agenda items, we'll turn it over to Vice Chair Gutierrez-Zamora.

Dante Gutierrez–Zamora (00:42:41):

Very good. So item 8.9, Mr. Ittner.

David Ittner (00:42:59):

Thank you. This is case number 2022-12-1749-00CEM. Complaint summary is as follows. [inaudible 00:43:02] licensing in December 9th, 2022 alleging that respondent failed to set her mother's grave marker in concrete as agreed upon August 9th, 2021. The complainant also alleges the cemetery operator ordered the wrong marker which caused an additional delay. Complainant's sister notified her on November 23rd, 2022, that the completed marker was sent but not [inaudible 00:43:24] the complainant received an email from the respondent indicating the grave marker was at the cemetery [inaudible 00:43:33]. The respondent remains ordering wrong marker [inaudible 00:43:39] delay. The complainant indicated the receipt of the marker on June 9th was correct.

(00:43:35):

Complainant then received a text message in November 2022 from her sister who had visit the mother's grave and indicated the [inaudible 00:43:54]. The complainant had contacted the cemetery by

telephone and an email but did not receive any response. The investigator requested a response via phone and email as the respondent did not initially respond to the complaint. The respondent responded to the investigator's email on February 9th, 2023 and indicated he had been ill. The respondent claimed that the marker had been set in concrete in December 2022. After a couple requests, the respondent sent a photo of the marker on April 27th, 2023 showing the marker had been set in concrete. During the preparation of this investigation report was noted the cemetery's certificate of authority expired on January 31, 2023. My recommendation is to close this with a letter of education confirming the certificate of authority is renewed and renewed timely moving forward.

Dante Gutierrez–Zamora (00:44:45):

Thank you, Mr. Ittner. Is there a motion?

Cameron Smock (00:44:52):

Cameron Smock, I move.

Dante Gutierrez–Zamora (00:44:55):

Thank you, Cameron. Is there a second?

Speaker 9 (00:44:57):

This is Rick Little. I'll second.

Dante Gutierrez–Zamora (00:45:04):

Before we move on for discussion, people that are on remote, can you mute yourselves? We're getting a lot of background here. Thank you. Any discussion?

Cameron Smock (00:45:19):

This is Cameron Smock. I have a question. So there's a reference that a photo was sent to the family of the marker and then there's a reference that a photo with the concrete base was also produced. Did the complainant ever provide a copy as part of the investigation of the photo that was sent to her, and does it show whether there was a concrete foundation or not?

David Ittner (00:45:53):

My understanding is the complainant was satisfied with the results of the marker.

Cameron Smock (00:45:59):

Thank you.

Dante Gutierrez–Zamora (00:46:05):

Any further discussion? Unheard. All in favor?

David Ittner (00:46:13):

Aye.

Cameron Smock (00:46:13):

Aye.

Angela Ward (00:46:13):

Aye.

Dante Gutierrez–Zamora (00:46:20):

Any opposed? Hearing no opposition. That motion carries. Let's move on to 8.10, Mr. Ittner.

David Ittner (00:46:32):

Thank you. This is case number 2019-08-2600-00FDE. Complaint summary is as follows, the funeral cemetery board received an email complaint on August 20th, 2019 against the respondent. Complaint alleges unprofessional activity and unethical behavior from the respondent firm and its operator slash owner. Facts, the complaint is subsequent to board action with regards to several other investigation reports, which led to the revocation of the respondent's licenses in January 2020. Thus, there's no further action the board can take. So I recommend this case be closed with no further action.

Dante Gutierrez–Zamora (00:47:16):

Is there a motion?

Cameron Smock (00:47:19):

Cameron Smock, I move.

Dante Gutierrez–Zamora (00:47:24):

Do I hear a second?

Speaker 9 (00:47:27):

This is Rick Little. I'll second.

Dante Gutierrez–Zamora (00:47:31):

Any discussion? Hearing none. All in favor?

Speaker 9 (00:47:40):

Aye.

Cameron Smock (00:47:40):

Aye.

Angela Ward (00:47:40):

Aye.

Dante Gutierrez–Zamora (00:47:43):

Any opposed? Any abstention? The motion carries. Let's go ahead to 8.1, again, Mr. Ittner.

David Ittner (00:47:57):

Thank you. This is case number 2018-12-2401-CEM. During December 17th, 2018 examination of the endowment care fund and cemetery rearrangement trust fund, the investigator found the endowment care deposits were all several months late. In addition, there were no deposits made at cemetery rearrangement trust during the 2015 and through 2017 examination period including for reconstruction niches. The exceptions from the previous examination were also not addressed. 2018 examination included testing several contracts written during the 2013 to 2017 examination period to deposit summaries for each year. The investigation included that all endowment care deposits were made late 2015. That deposits were made in 2017, 2016 and 17 deposits were made in 2018. The investigation also concluded there have been no deposits made, the cemetery prearrangement trust since 2012. In addition, respondent failed to make deposits at the cemetery Prearrangement Trust the sale of Preconstruction niches. The respondent was advised during the 2015 on that the prearrange deposits for be made on the sale pre-construction niches. He had no deposits were made. The respondent made deposits to the rearrangement trust in 2019, which appeared to be for contracts written in 2019 followed by the investigator Review additional deposits made in PAT fund for corrective purposes. Summary of tion to close for the letter of education and confirmation that all corrections and recommendations from the audit are properly addressed within inappropriate design.

Dante Gutierrez–Zamora (00:49:39):

Thank you. Is there a motion?

Cameron Smock (00:49:46):

This is Cameron Smock. I move.

Dante Gutierrez–Zamora (00:49:50):

Is there a second?

Speaker 9 (00:50:01):

This is Rick Little. I'll second.

Dante Gutierrez–Zamora (00:50:05):

Any discussion?

Cameron Smock (00:50:11):

I have a question. Was this operator in business before 2015 in previous audits, was there a pattern of similar behavior?

David Ittner (00:50:28):

They were. Pam, I don't know if you want to speak to some of the context on this particular situation.

Speaker 8 (00:50:39):

Yes. In 2015 and earlier, the business had a bookkeeper that oversaw and was compliant but the bookkeeper had subsequently retired and the operator was not as diligent in following through on the deposits to the trust.

Cameron Smock (00:51:08):

Follow up question. Since 2019 have there been any audits? And if so, what are the results?

Speaker 8 (00:51:19):

Yes, I did do an audit in 2022 and all the deficiencies had been deposited.

Cameron Smock (00:51:33):

And they're up-to-date on all of their data?

Speaker 8 (00:51:33):

Yes.

Cameron Smock (00:51:33):

Contributions?

Speaker 8 (00:51:33):

Yes.

Cameron Smock (00:51:33):

Thank you.

David Ittner (00:51:33):

Thank you, Pam.

Dante Gutierrez–Zamora (00:51:43):

Thank you, Pam. Thank you, Cameron, too. Any further discussion? Hearing none. Let's go ahead to a vote. All in favor?

Cameron Smock (00:51:57):

Aye.

Angela Ward (00:51:57):

Aye.

Dante Gutierrez–Zamora (00:51:57):

Aye.

Speaker 10 (00:51:57):

Aye.

Dante Gutierrez–Zamora (00:52:02):

Any opposed? Any abstentions? That heard, we'll go ahead and move that forward and go to 8.12, again, Mr. Ittner.

David Ittner (00:52:23):

Thank you. This is case number 2018 dash zero eight dash 24 0 4 CM. During the routine examination of cemetery endowment care and pre-arrangement trust runs the investigative found cemetery operator made several withdrawals from the cemetery prearrangement trust that were not fulfilled or canceled contracts. Cemetery operator also failed to make deposits to the endowment care trust and the cemetery prearrangement trust in 2016 and 17, cemetery authority also failed to file a cemetery endowment care in prearrangement trust annual reports for 2015, '16 and filed the 2017 annual reports five months late. The facts are the cemetery operator has operated cemetery primarily by themselves, including all the bookkeeping responsibilities during the examination process. The operator stated that he would prefer someone else handle the bookkeeping. There's another person who has agreed to and is in the process of taking over the bookkeeping responsibilities during the review of all cemetery contracts.

(00:53:20):

Investigator found total amount of due to the endowment care fund for 2015, '16, '17 and '18 was \$6,388. The new bookkeeper completed the deposits at 18 and 19. The contract also indicated the amount of cemetery rearrangement trust for 2015, '16, '17 and '18 was \$38,446 and 31 cents. The operator was reprimanded in 2009 for borrowing from funds of the trust account. A prearranged trust account was closed in December 2018 and a deposit of \$37,436 and 31 cents was subsequently made into the American Funeral and Cemetery Trust service pre-cemetery trust. The new bookkeeper plans to hand all keeping and trust account duties moving forward. Endowment care and cemetery of rearrangement trust annual reports for 2015, '16, '17, and '18 were all provided to board staff.

[inaudible 00:54:15] audit revealed progress to bringing all accounts into compliance. The investigator has made additional recommendations and respondent is in the process of making those corrections. Given their efforts, I recommend closing this case with a letter of education.

Dante Gutierrez–Zamora (00:54:30):

Thank you, Mr. Ittner. Do I hear a motion?

Cameron Smock (00:54:37):

This is Cameron Smock. I move.

Dante Gutierrez–Zamora (00:54:40):

Thank you Mr. Smock. Is there a second?

Angela Ward (00:54:45):

This is Connie. I second it.

Dante Gutierrez–Zamora (00:54:47):

Thank you, Mrs. LeSourd. Any discussion? Hearing none. Let's move to a vote. All in favor?

Cameron Smock (00:55:02):

Aye.

Speaker 10 (00:55:02):

Aye.

Angela Ward (00:55:02):

Aye.

Dante Gutierrez–Zamora (00:55:03):

Any opposed? Any abstentions? That motion will carry and I will turn things back over to Mr. Ittner.

David Ittner (00:55:20):

Thank you. Moving on to [inaudible 00:55:24] used for deliberation, item 9.1. The discussion will be led by Assistant Attorney General [inaudible 00:55:32]

Speaker 12 (00:55:37):

Good morning, everyone, once again. I am here to present a proposed default order, and this is for matter 2021-05-1151-00FDE. And this is a matter that had a stipulated... Sorry, not stipulated, a statement of charges brought up and was served on the respondent. This involves a respondent that

was more or less reformed after the prior funeral establishment and director both had faced disciplinary action. A conditional license had been granted here with conditions that the establishment not be affiliated with the prior establishment and that the prior director not in any way be affiliated with this new establishment.

(00:56:33):

There was essentially a two-year investigation here, partially due to COVID, but that found ongoing use of the prior establishment's name as well as day-to-day involvement by the prior director in violation of that conditional license order, as well as additional violations involving the marking up of cash advance items that had been billed to the consumers. And based on that, this statement of charges was drawn up, noting a number of violations. It was served on the respondent and no answer was received. Thus, this proposed order of default has been prepared for presentation to the board today. I'm happy to answer any questions you might have.

David Ittner (00:57:26):

Any questions for Mr. [inaudible 00:57:27]? Is there a motion to approve the default court?

Cameron Smock (00:57:47):

This is Cameron Smock. I move.

David Ittner (00:57:50):

Thank you. Is there a second?

Speaker 9 (00:57:51):

This is Rick Little. I'll second.

David Ittner (00:57:57):

Hearing first and a second. Is there any discussion? Hearing none. All in favor say aye.

Speaker 9 (00:58:07):

Aye.

Dante Gutierrez–Zamora (00:58:08):

Aye.

David Ittner (00:58:10):

Any opposed? Any abstentions? Hearing none. Motion passes. Would be under tab 10, item 10.1, committee task force reports. Mr. Cameron is out so...

Speaker 6 (00:58:33):

[inaudible 00:58:32] turn off your mic. There we go. I'll give what I can on behalf of Mr. Cameron and then ask that the other members of committee join with any comments that they have. So regarding the delegation and complaint process review, this group has met a couple of times. They did go through the complaint process, found a couple of [inaudible 00:58:57] that they felt could be updated, one which being the case manager reports all being on the same format, being able to sign virtually, things like that which we have confirmed. We can sign the case manager summaries virtually. And the updated case manager format was sent out and we're asking that everybody start using that.

(00:59:25):

Other than that, they did look at some differences regarding letters of education versus statements of charges, things like do we send items or return receipt, which we do not. Just a couple of other process things but overall felt that that was sufficient for this year. So I believe this group is planning a meeting on an annual basis from here on out just to address any emerging issues that come throughout the year and so that we can get on top of those. But with that I'd be happy to answer any questions. I was just looking through my notes, but I believe I covered everything.

Dante Gutierrez–Zamora (01:00:11):

Yes.

David Ittner (01:00:14):

Thank you, Sydney. Any questions in regards to the committee report? Okay, thank you. Moving on to item 10.112, licensing future task force committee/ Mr. Smock?

Cameron Smock (01:00:32):

Thank you, Mr. Chair. The licensing future task force committee met is made up of myself and Chair Ittner and Pete Cameron as well. We had a very productive conversation. Just for context, those of you that may be here for the first time, we're hearing this for the first time. Given the challenges in our profession with recruiting licensed staff and giving demographic information, which suggests that the number of deaths in our communities that we serve could increase two to three times in the next seven to 10 years, we feel that this is an important issue to make sure that we have appropriately licensed staff to be able to serve the families in our communities who experience death.

(01:01:30):

So during our discussion we looked at several different things for consideration. We looked at historical licensing trends, going back as far as we could to see how licensing was handled previously, comparing this with the death rate over the same timeframes to understand both death rates and the number of licensees that were there to serve those deaths. But we also looked at a generational look across the profession, looking at terms of different, the newer generations and what are their expectations in terms of work expectations, work schedules, et cetera. We talked about identifying who is interested in the death care industry and also reaching out to educational resources. We looked at doing some research on the state of California. They have a hybrid role called a funeral arranger. And so we're looking at what that looks like in terms of how California uses that and is that something that we want to consider as a possibility?

(01:02:43):

Importing to Washington state, we also talked about a transition that happened years ago where it used to be that transfers cannot be made unless you were a licensed funeral director or a registered intern. And the regulations were changed to bring those under the funeral establishment license. So we can now unlicensed staff assist with transfers. Is the funeral establishment license that is responsible for that and do we want to consider that for other work that falls under our stewardship? We discussed at length dropping the five-year cap on internships. There's some concerns that this may be an impediment to licensure and for those of you that are relatively new to our state, I got in federal service 38 plus years ago, we did not have a cap on internships and so you could be an intern for a longer period of time. So we're evaluating whether we want to reconsider going back to that. We also looked at practical experience in lieu of education.

(01:04:08):

Is there experience, practical experience that we feel would be appropriate that would translate or replace some traditional education as it currently is constructed, specifically work they have to do within an extended internship period of time and potentially having a requirement for a higher number of arrangements than what is currently required. And then lastly, we looked at is there a possibility for more of a trade school approach given the fact that we're now competing with other industries who are trying to recruit more trade oriented technicians? And do we want to consider looking at that as well as an option? So these are all the things we discussed. We're doing more research on each of them. We're not prepared to bring any recommendations forward today, but I think we all felt that the conversation we have is productive. There's a lot of opportunities for us to look at how we might be able to expand licensure or make it more available to others that are currently not able to qualify. Mr. Ittner, anything that I missed?

David Ittner (01:05:33):

Well, first of all, thank you for the thorough report. You captured our discussions very well there. I would just say that large part of the discussion surrounded alternative pathways to licensure, which it sounds like we are not the only industry that's experiencing some concern there. And so the department staff has worked with us in providing some excellent information with regards to other industries that are working along the same path or already have completed that. So just express our gratitude for that. So thank you for the report, appreciate it. I don't know if it's appropriate to ask any questions from board members or comments at this time, but if there are, please direct them to board member Smock. Moving forward, 10.2 staff reports. Item 10 [inaudible 01:06:34] investigations of audit units report complaint status report, Sydney.

Speaker 6 (01:06:39):

Thank you, Mr. Chair. For the cemetery side, as of July 26th of this year, we have 31 closed cases are currently taken through the process yet, 14 that are under an investigation and 23 that are under management review for a total of 70 on the cemetery side. Funeral, we have 57 that are in [inaudible 01:07:08] status, three that are currently in intake, eight that are under investigation and the eight that are with a legal review, 14 that are in a management review for a total of 90 cases. So grand total across both industries, 160 pieces so far this year.

David Ittner (01:07:37):

Thanks, Sydney. Item 10.212, review [inaudible 01:07:37] complaint process, investigator Grace Hamilton.

Speaker 10 (01:07:43):

Good morning. So I'm going to go over the complaint process. This is similar to what you guys have seen in the past. It was a little little bit of differences due to the realignment. So when we get the complaint submitted to us, it gets reviewed initially by our complaint intake people and they determine whether there's jurisdiction. If there's not, that's delegated to just administratively close those cases. If it is, we move forward and send out acknowledgement letters to the respondent and give them, usually it's a two-week time period to respond. If they need additional time, they contact us and request that and we typically work with them on that. Once we get the response back, it gets assigned to an investigator. The investigation looks different for every case. A lot of different things can happen during that time. And once it's all completed and reports written up and the case files all put together, we get that assigned to a board member who acts as a case manager and reviews that case file to make a determination on the next step.

(01:09:07):

The case manager, once they review it, sometimes there's additional information that you guys want us to do and that'll put it back into the investigation box there. So the case can kind of move backwards sometimes, depending on the circumstances answers. You can go to the next slide if you want to. There's about three options. Usually we're looking when a case manager determines what recommendation they want to set forward and it can be closed because there's no violation. And then there's also an opportunity to close it with a letter of education, which we've been doing a lot more this year. And in those letters it lays out the concerns that the board has and gives them the appropriate laws and rules that go with those concerns and let them know that we've closed it at this time. But if we get an additional complaint for the same situation that we can reopen that case and move forward to sanctions or a statement of charges. Charges. And then the third option that they can recommend is moving forward to do a statement of charges and sanctioning the license and go to the next slide.

(01:10:42):

So once there is the recommendation to sanction, it goes through our legal process. And so it moves out of centralized investigation and audit unit, which is where the investigators lie and it'll move over to our regulatory group and we'll get the case file forwarded to them. And typically, especially for funeral and cemetery cases, the investigator will put together a worksheet that will lay out the laws that have been violated that the case manager points out and the evidence that's in the file that supports that violation. And then they'll do, we call it a dart meeting.

(01:11:41):

I don't even actually know what it means, but what it stands for. But the regulatory group comes together and they look at the case file and they just make sure that all of, there's everything supporting what the recommendation is. There'll be a conversation with the regulatory group and the case manager to talk about sanctions and if they want to do fines or suspensions or revocations, things like

that, that conversation will be between the case manager and someone in the regulatory group. And then once that's all determined, it'll have the statement of charges drafted up and be served to the respondent. And then the respondent, if they don't respond, we'll have the situation like we had today in today's meeting where a default order is presented to the board and they will, you guys will be able to review that and say, yes, we agree with that or whatnot. And then you can go to the next slide.

(01:12:53):

If they do respond, they have 20 days to respond, they can request a hearing or a settlement conference. And so that kind of looks typically if they respond, a settlement conference comes first and we'll go through those channels where someone from the respondent represents the respondent and the regulatory group and also the case manager would be involved in that as well typically. And if there's an agreed order that's settled on within that settlement conference, then that gets presented to the full board for your guys' approval. If it does move to a hearing, that's obviously a lot more in depth scenario and a handful of you guys have been involved in those as well in the past. You can go to the next slide. So this kind of outlays the hearing process and there'll be a lot of different things that happen.

(01:14:07):

The board clerk will be involved in this with scheduling the pre-hearing conferences and having all these, the dispositive motion filed and all those things. But once the hearing's complete, the board is everybody on the board besides the case manager. The case manager will act as part of the PROTECTIVE team and you guys will hear the case and decide on what the outcome is and work with our advising AEG on drafting a final order. And then that would also be approved by the full board. And I believe that Ron Brose and Andrea Nygard are here. If they are, they could probably be a lot better explaining that process to you guys. So if you have any questions on that, they may be available for questions on that as well.

David Ittner (01:15:16):

Thank you, Grace, for that. I think that was an excellent description of that process and I'd just like to take a moment to just express my appreciation for the investigators and the department staff that you can see this process can be quite involved. There's lots of steps and I know that I've had a number of cases the last year or so, and when I received the reports they were very thorough. And then of course I'm about to have lots of questions and so the response from both, again for staffing and investigators, has been just on point, very great to work with. So I just thank you for everything that you guys do there. It's quite helpful to board members to have people prepared and on point. So thank you so much. Are there any questions with regards to that process? Moving on to the next item, licensing and customer support services report. Turn that over to Sydney.

Speaker 6 (01:16:03):

So for our cemetery accounts, we have a total of 437 licensees and I would like to point out that we are now equipping the hydraulic facility operators as well as the national [inaudible 01:16:35] reduction facilities and operators in that number. So very excited to see that. And then the funeral side, we have 1,622 licensees for a grand total of 2059. And then we also received some historical trend numbers that were also included. We'll go through those for the board to be able to see what the numbers are doing.

We did see it during COVID entirely, understandably, but I think across all of our professions and licensing types, we're seeing this slide. So hopefully that is an indication of a positive trend.

David Ittner (01:17:23):

Thank you for the report. Next item, 10.23, boards and commissions outreach support services reports. Susan?

Susan Nieves (01:17:35):

For review for the master action item list, we received a report out today for the review complaint and delegation committee, and that's going to be about once a year to revisit some of the things that they discussed. The Licensing Future Task Force committee, they have met a few times and they're eager to meet again. And so I will get out some meeting goals so that we can get those scheduled so they can continue to work on there, make some progress. We got the historical data report that was just presented with the five years. Sydney sent out the legislation update back in May and the hybrid meeting is taking place today. So most of the items are all completed except for the task force.

David Ittner (01:18:40):

Thank you, Susan. Next item, board goals. Sydney?

Speaker 6 (01:18:48):

This is going to be very brief. I'm not going to go through it in super fine detail because the board is well aware of it, but we did want to make sure that the board goals was included in the packet just to keep it in front of the board's mind. We will be adding this as an item to our next agenda with a caveat hopefully that the next agenda doesn't get super packed because we've had that happen a couple of times where we end up with 25 cases. So if everything goes according to plan, we'll have the 2024 goals on the next meeting agenda so that you can look at it, any adjustments that need to be made, any final response that need to be settled and carry those forward to the next calendar year.

David Ittner (01:19:33):

Great. Thanks so much. Our next agenda item is item 11, public comments. Public may address the board on matters within the board's jurisdiction, either verbally during the meeting or by submitting written comments in advance. Verbal comments are limited to one three minute comment. Written comments are limited to no more than 500 words and must be emailed to [DOLboards@dol.wa.gov](mailto:DOLboards@dol.wa.gov) no less than two business days prior to the meeting with the subject line, public comment funeral and cemetery board. In response to all public comments, the board is limited to requesting that the matter be added to a future agenda or discussion or directing staff to study the matter further. Inflammatory comments and language will not be permitted.

(01:20:19):

We will begin with our in-person attendees. If there is anyone present who wishes to make comments at this time, please approach and address the board. Seeing none, we'll now move to our virtual participants. If there is anyone online who wishes to make comments, please raise your virtual hand and

staff will call on you in the order in which your hands are raised. When your name is called, please unmute yourself and address the board. There are no public comments so that takes us to our next conclusion, 12.1 announcements. Are there any announcements board or staff members would like to share? 12.2, request for future agenda items. Any members of the board like to request any agenda item? You guys are too easy. 12.3, review of actions and items for next meeting, Susan?

Susan Nieves (01:21:38):

So like I said, I'll be reaching out to the task force committee to schedule meetings. And as Sydney mentioned, the 2024 goals would be an agenda item on the next board meeting.

Speaker 6 (01:21:52):

And we'll also have the attendance at the conference annual meeting.

David Ittner (01:21:58):

Great, thank you. That takes us to our last agenda item, adjournment. [inaudible 01:22:04]

Speaker 6 (01:22:10):

We don't do questions.

David Ittner (01:22:11):

Just call? All right. Well, let's see. What time is it? 10:22. Time is now 10:22 and this meeting is adjourned. Thank you all for attending.

Dante Gutierrez–Zamora (01:22:22):

Thank you, Mr. Ittner.

Angela Ward (01:22:25):

Thank you, Mr. Ittner, and thank you to all of you.