



STATE OF WASHINGTON
DEPARTMENT OF LICENSING
FUNERAL & CEMETERY BOARD
MEETING Minutes
SPECIAL BOARD MEETING

DATE: August 2, 2022

TIME: 10:00 am

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

STAFF PRESENT: **Rick Storvick**, Administrator
Kimberly Hall, Program Specialist 3
Deb Allen- Ba, Assistant Administrator
Katherine Ataman, Assistant Administrator
Sydney Muhle, Program Specialist 5
Shari Honeywell, Program Specialist 3
Pam Griese, Investigator
Grace Hamilton, Investigator Manager
Jeannie Todd, Customer Service Specialist
Elizabeth Lagerberg, AAG

1. Call to Order 10:01 AM
1.1. Introductions

Program Specialist Kim Hall conducted a roll call, and all Board members and listed staff were present.

1.2. Order of Agenda
Agenda was reviewed.

1.3. Approval of Minutes: May 3, 2022

MOTION: Board member Cameron made a MOTION to approve the minutes as presented. Board member Gutierrez-Zamora seconded the MOTION and it passed.

1.4. Review Communications
None.

2. New Business
None.

3. Old Business

3.1. Review Master Action Items List

Ms. Hall reviewed the Master Action Items List with the Board.

4. Complaint Cases for Review*

4.1. 2021-11-3067-00FDE (Cameron)

The complainant was upset because she felt the respondent funeral home director was not clear about his COVID-19 vaccination status. The facts were the complainant made funeral arrangements with a funeral director who was fully vaccinated. The next day she met with a different funeral director and assumed since he was not wearing a mask he was vaccinated. The complainant got upset when she learned he was not vaccinated. He had natural immunity to COVID from having it and did not need to be vaccinated. No violations of rule or law were made. The case manager recommends the case be closed with no further action.

MOTION: Board member Smock made the MOTION to close the case with no further action. Vice Chair Ittner seconded the MOTION and it passed.

4.2. 2022-03-0392-00FDE (Cameron)

The two complainants are former employees of the respondent funeral home. They alleged another employee had thrown a decedent's clothing and jewelry in a dumpster in an effort to discredit them and get them in trouble. The facts are a bag of clothing and jewelry that belonged to the decedent was found in the dumpster. No proof of who threw the items in the dumpster and the two complainants resigned a week later after feeling mistreated. No violations were found. The case manager recommends the case be closed with no further action.

MOTION: Board member Gutierrez-Zamora made the MOTION to close the case with no further action. Board member Smock seconded the MOTION and it passed.

4.3. 2022-04-0609-00FDE (Cameron)

The complainant purchased a small marker from the respondent cemetery in August 2021. In October she contacted the cemetery after not receiving an update. She was told the person she was working with was no longer with the cemetery and the order was never placed. The respondent worked with the complainant to get the proof done and order placed. It was a custom order that came from China. It took longer due to

supply-chain issues. The marker was placed on May 19, 2022. No violations were found. The case manager recommends the case be closed with no further action.

MOTION: Board member Smock made the MOTION to close the case with no further action. Vice Chair Ittner seconded the MOTION and it passed.

4.4. 2022-01-0035-00FDE (Smock)

The complainant alleges the respondent sent them screen shot photographs of deceased individuals from the respondent funeral director intern. The complainant feels the owner should have self-reported and should not continue to employ the intern. The facts were during the investigation, it was confirmed the respondent funeral director intern did send the photographs of deceased individuals to the complainant and accepted full responsibility for doing so. The owner and the other staff stated it was against policy to take photos of the deceased. The intern was terminated. The intern will no longer be practicing funeral director work. The case manager recommends the case be closed with no further action.

MOTION: Board member Cameron made the MOTION to close the case with no further action. Board member Gutierrez-Zamora seconded the MOTION and it passed.

4.5. 2017-12-2600-00FDE (Cameron)

The complainant alleges the respondent funeral staff arrived at the cemetery without burial/transit permit. The funeral home failed to obtain the permit in a timely manner and made the family wait. This violates RCW 75.58.240. The case manager recommends the case be closed with no further action since the funeral home has since been closed.

MOTION: Board member Smock made the MOTION to close the case with no further action. Vice Chair Ittner seconded the MOTION and it passed.

4.6. 2017-12-2601-00FDE (Cameron)

The complainant alleges the respondent arrived at the cemetery without obtaining a burial transmit permit. The complainant would not allow the funeral to start without the permit first. The funeral was delayed. The funeral home has been closed. This violates RCW 75.58.240. The case manager recommends the case be closed with no further action since the funeral home has since been closed.

MOTION: Board member Gutierrez-Zamora made the MOTION to close the case with no further action. Board member Smock seconded the MOTION and it passed.

4.7. 2021-10-2784-00CEM (Ittner)

The complainant alleges the respondent refused to refund a cancelled prearrangement contract. The facts were the complainant stopped making payments to the prearrangement contract. The complainant received a portion of funds back. No violations were found. The case manager recommends the case be closed with no further action.

MOTION: Board member Cameron made the MOTION to close the case with no further action. Board member Smock seconded the MOTION and it passed.

4.8. 2021-11-2959-00FDE (LeSourd)

The complainant alleges the respondent mistreated her and replaced her as next of kin with her stepson. She alleges her late husband had prepaid for his funeral expenses. The facts were the complainant made it clear to the respondent she did not want to make the arrangements and that the kids were to. The complainant's late husband did purchase 2 graves and 2 vaults, but the cemetery went bankrupt. Her late husband received a credit. No violations were found. The case manager recommends the case be closed with no further action.

MOTION: Board member Smock made the MOTION to close the case with no further action. Board member Cameron seconded the MOTION and it passed.

4.9. 2021-11-2847-00CEM (Gutierrez-Zamora)

The complainant alleges the respondent placed a cenotaph marker on the grave of her grandfather without the proper authorization. She requested it be removed. The facts were the complainant discovered that the cenotaph had been placed before Memorial Day in 2021. The respondents' records show it was placed in 2017. It has since been removed. No violations were found. The case manager recommends the case be closed with no further action.

MOTION: Board member Cameron made the MOTION to close the case with no further action. Board member LeSourd seconded the MOTION and it passed. Mr. Smock abstained from vote.

4.10 2022-02-0242-00CEM (Gutierrez-Zamora)

The complainant's family purchased three graves with the right to single interment per grave. One grave was used. The complainant alleges one of the remaining graves was sold to another family and is now occupied. The complainant is requesting the respondent pay for new items at a different cemetery due to lack of trust. The respondent admits to the error but the issue between the two has not been resolved. The Funeral and Cemetery board does not have authority over a civil matter. The case manager recommends the case be closed with no further action.

MOTION: Board member Cameron made the MOTION to close the case with no further action. Board member Smock seconded the MOTION and it passed.

4.11 2021-12-3123-00FDE (Ittner)

The complainant alleges the respondent did not inform them the person they thought they were working with had a revoked license. The complainant also states they never gave permission for embalming. The facts were the respondent never claimed to be working with such person. The respondent received a signature for embalming on 11/11/21. The next of kin put in a transfer request on 11/18/21. The respondent has

not received payment for services. No violations were found. The case manager recommends the case be closed with no further action.

MOTION: Board member Smock made the MOTION to close the case with no further action. Board member Gutierrez-Zamora seconded the MOTION and it passed.

5. Legal Issues for Deliberation*

5.1. Orders to Be Presented

None.

6. Disciplinary & Investigation Items

6.1. Closed Session Deliberation Report (only necessary if closed session is held)

None.

6.2. Disciplinary Cases Report

Board and Commission Support Services (BCSS) Administrator Rick Storvick shared the disciplinary report. Investigator Grace Hamilton explained the different columns and how the changes happen.

7. Assistant Attorney General's Report

None.

8. Committee/Task Force Reports

None.

9. Board Staff Report

9.1. Program Operations

Mr. Storvick shared the licensee count report. He said that a budget report would be shared at the next meeting.

9.2. Department of Licensing

Mr. Storvick announced this was his last board meeting along with Customer Service Specialist Jeannie Todd as both are retiring. He said that Ms. Hall is also departing from the Department of Licensing (DOL). He introduced Customer Service Specialist Jessica Maya who is replacing Ms. Todd.

The Board said farewells and thanked the Board staff who are departing.

9.3. Other Items

Prorate and Fuel Tax Assistant Administrator Katherine Ataman introduced herself and provided an overview of the Prorate and Fuel Tax Unit within the DOL Business and Professions Division (BPD). She explained how the unit is structured and the role they play within the department and the state.

10. Other Business

10.1 Any Other Business

Vice Chair Ittner provided an update regarding an ongoing issue with pet cemeteries. He said that the definition of a cemetery is being worked on and a consultant was hired to provide recommendations for how to handle ongoing issues. He said that a report will be created to go to the Legislature.

10.2 Action Items from this meeting

- None

10.3 Agenda Items for next meeting

- 2023 Meeting schedule

11. Public Comment Opportunity


There were no public comments.

12. Adjournment --- Chair Little ADJOURNED the meeting at 11:19 AM.

Next Meeting:

November 1, 2022
10:00 am
Virtual

Submitted by: Debra Allen-Ba 11-01-2022
Debra Allen-Ba, Assistant Administrator Date

Approved by:  11-01-2022
Rick Little, Board Chair Date