



State of New Hampshire

OFFICE OF PROFESSIONAL LICENSURE AND CERTIFICATION DIVISION OF LICENSING AND BOARD ADMINISTRATION

Board of Registration of Funeral Directors and Embalmers

7 Eagle Square, Concord, NH 03301-2412

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PUBLIC MINUTES

March 9, 2022

The regular meeting of the State Board of Registration of Funeral Directors and Embalmers was called to order at 3:32 pm at 7 Eagle Square, Concord, NH. Members present included; Vincent A. Baiocchetti III (Chairman), Timothy P. Kenney, Eric P. Rochette, and Susan J. Hopkins. Absent; Daniel B. Stockbridge

On a motion made by Timothy P. Kenney and seconded by Eric P. Rochette, the Board approved the regular meeting minutes of February 9, 2022.

HEARING(S):

James Roy, Adjudicative Hearing

The hearing proceeded at 3:33 p.m. Vincent A. Baiocchetti recused. The Licensee failed to appear for the hearing. After confirming that the Licensee had been properly noticed, the Presiding Officer, in consultation with the Board, determined to move forward with the hearing without the Licensee present pursuant to Rule 205.02(f). The hearing concluded at 3:55 p.m.

On a motion from Timothy P. Kenney and a second by Susan J. Hopkins, the Board voted to enter into non-public session for deliberation. The Board returned to public session at 4:13 p.m. On a motion from Timothy P. Kenney and a second by Susan J. Hopkins, the Board voted to seal the minutes of the non-public session. After deliberation in Non-Public session, on a motion from Susan J. Hopkins and a second by Timothy P. Kenney, the Board voted unanimously to revoke the Roy Funeral Home license and Mr. Roy's Funeral Director and Embalmer license retroactively to the date it expired, June 30, 2021.

APPLICANTS:

Cara Magarian (Roan Funeral Home) - Embalmer Apprentice

Ms. Magarian and her sponsor attended via zoom. The Board reviewed the 6 month apprenticeship application and discussed apprenticeship requirements, laws and rules with Ms. Magarian, noting that all requirements must be completed within the 6 months, extensions are not allowed for 6 month apprenticeships.

Justin Perrin (Wilkinson Beane Funeral Home) - Embalmer Apprentice

Mr. Perrin and his sponsor were present to meet with the Board. The Board reviewed the apprenticeship application and discussed apprenticeship requirements, laws and rules with Mr. Perrin.

Ashlee Christopher (Zis-Sweeney & St. Laurent Funeral Home) – Embalmer

The Board reviewed the apprenticeship reports and confirmed that all of the requirements of the

apprenticeship had been completed and that Ms. Christopher is qualified to take the practical exam, to be proctored by Timothy P. Kenney.

On a motion from Vincent A. Baiocchetti, seconded by Susan J. Hopkins, the Board voted to approve the applications above.

REVIEW APPRENTICE EXTENSION REQUEST(S):

The following requests were approved by the Board contingent upon being enrolled in mortuary program on a motion from Timothy P. Kenney and seconded by Vincent A. Baiocchetti.

Jacob Godfrey - 1st extension
Brittanie Coyle - 1st extension
Hollie Preston - 1st extension

APPRENTICESHIP SPONSOR CHANGES:

None received

LICENSES ISSUED:

Kelly Gagnon was issued an Embalmer Apprentice license.
Emma Crews was issued an Embalmer Apprentice license.
Taylor Gaudet was issued an Embalmer Apprentice license.
Chris Laurin was issued an Embalmer Apprentice license.

REVIEW FUNERAL HOME AND CREMATORY INSPECTIONS:

None received

MISCELLANEOUS & OTHER INFORMATION:

Tom McAnespie, Director, Abandoned Property Division met with the Board in February to discuss the unclaimed property compliance initiative to identify deceased/presumed deceased preneed contract beneficiaries. The Abandoned Property Division requested input from the Board regarding unclaimed preneed contracts where services were not provided.

The Board discussed the Abandoned Property Division's request for guidance and answered the questions below;

Q: Who is the owner of proceeds of a revocable preneed contract where the beneficiary has died but the contract remains unperformed?

A: Revocable Trust goes to the Estate.

Q: Who is the owner of proceeds of an irrevocable preneed contract where the beneficiary has died but the contract remains unperformed?

Irrevocable Trust goes to the Estate.

Q: Where a beneficiary has died or is presumed to have died, what amounts, if any, may the preneed contract seller rightfully withhold from the unclaimed contract proceeds?

A: The opinion is that up to 10% retained would be fair.

Q: To what extent is the answer to the question a function of the terms of the preneed contract?

A: None.

John Lacasse notified the Board that he is now employed at Bryant Funeral Homes of Berlin and Gorham.

Petit-Roan Funeral Home has notified the Board of its name change to Roan Family Funeral Home.
Still Oaks Funeral and Memorial Home has notified the Board of its name change to Roan Family Funeral Home – Still Oaks Chapel.

Cara Magarian notified the Board that she is now employed at Roan Funeral Homes and Cremation Service effective February 28th, 2022.

CONTINUING EDUCATION:

On a motion from Timothy P. Kenney, seconded by Vincent A. Baiocchetti, the Board voted to approve the following continuing education courses;

Web CE requested 2 hours of continuing education credit for the following home study course;

- What Every Funeral Professional Should Know About Alkaline Hydrolysis

The National Funeral Directors Association requested 8.5 hours of continuing education credit for the following course;

- NFDA Professional Women’s Conference to be held April 30, 2022 – May 1, 2022 in Miami, FL.

The National Funeral Directors Association requested 9.5 hours of continuing education credit for the following course;

- 2022 NFDA Embalming & Restorative Arts Seminar to be held April 28, 2022 – April 29, 2022 in Pittsburg, PA.

The National Funeral Directors Association requested 1 hour of continuing education credit for the following online course;

- Workplace Safety: Upside Potential and Downside Risk to be held on April 14, 2022.

The National Funeral Directors Association requested continuing education credit for the following home study courses;

- Bereavement Groups and The Role of Social Support 8 hours
- Control the Conversation: How to Charm, Deflect, and Defend Your Position Through Any Line of Questioning 4 hours
- Customer Service Revolution 4 hours
- Disrupt Yourself 4 hours
- Embalming and Renal Failure: A Silent Danger for Embalmers 4 hours
- Embalming Standards of Care 6 hours
- The Essential HR Handbook – A Quick and Handy Resource for Any Manager or HR Professional 4 hours
- Thrive: Strategies to Turn Uncertainty to Competitive Advantage 6 hours
- 2021 Annual All-Staff FTC Training 3 hours
- A Radically Simple Blueprint for Success and Growth 2 hours
- A Reimagined Funeral and Cemetery Profession 2 hours
- Connecting with the LGBTQ Community 2 hours
- Cremation Litigation: How to Avoid the Courtroom & What to Do When You Can’t 2 hours
- Final Acts of Care Following the Death of a Child 2 hours

- Is It Sexual Harassment? 3 hours
- It's Not Just a Cremation 2 hours
- The Delicate Balance of Your Family, Your Life and Your Family Business 2 hours

The International Order of the Golden Rule requested 8 hours of continuing education credit for the following course;

- 2022 OGR Annual Conference to be held May 15, 2022 – May 17, 2022 in Carmel, IN.

The International Cemetery, Cremation and Funeral Association requested 14 hours of continuing education credit for the following course;

- ICCFA Annual Convention and Exposition to be held March 22, 2022 – March 25, 2022 in Las Vegas, NV.

The New Hampshire Funeral Directors Association requested 2 hours of continuing education credit for the following course;

- The Young and The Restless to be held June 15, 2022 – June 16, 2022 in Whitfield, NH.

On a motion from Timothy P. Kenney, seconded by Susan J. Hopkins, the Board voted to deny the following continuing education courses;

The National Funeral Directors Association requested continuing education credit for the following home study courses;

- A Radically Simple Blueprint for Success and Growth 2 hours
- A Reimagined Funeral and Cemetery Profession 2 hours

BOARD BUSINESS:

Peter Morin provided an update to the Board that HB 1320 has passed the committee 20-0, and that House consent floor anticipated to vote the following day. Once voted on House consent floor, HB 1320 will pass on to Senate committee. There is consideration of requesting an amendment to clarify language. Mr. Morin noted that FTC has rules that address embalming to rely on.

Board Chair Vincent A. Baiocchetti provided the Board with an update regarding the monthly OPLC Board Chair open forum that was held the previous week. Items that were discussed included the new complaint process, OPLC quarterly updates, and the status of Board member training modules almost complete.

NON-PUBLIC SESSION:

At 5:08 pm, on a motion by Timothy P. Kenney, seconded by Vincent A. Baiocchetti and by a unanimous roll call vote the board voted to enter non-public session for the purpose of discussing investigations of alleged licensee misconduct and other confidential board business and noting that such a non-public session is authorized by RSA 91-A:3, II (c), RSA 91-A:3, II (e), RSA 91-A:5, IV, RSA 325:33, I, RSA 325:34, VI, and the board's executive and deliberative privileges. The Board returned to Public Session at 6:12 p.m.

The Board returned to Public Session at 6:12 p.m. On motion by Vincent A. Baiocchetti, seconded by Eric P. Rochette the Board voted to seal and withhold the minutes of the non-public session from public disclosure pursuant to RSA 91-A:3, III on the grounds that public disclosure would be likely to affect

adversely the reputation of a person other than a board member and/or to render the proposed action ineffective is not subject to public disclosure pursuant to RSA 325:33, I, RSA 325:34, VI.

The meeting adjourned at 6:13 p.m.