

STATE OF MAINE
BOARD OF FUNERAL SERVICE

Minutes of March 13, 2007 Board Meeting

Members Present: Robert Barnes, Chair; Normand Lambert, Hervey Clay, John Dunn, Bethel Shields and Ernest Marriner

Others Present: Penny Vaillancourt, Administrator; Jack Richards, Assistant Attorney General; Jennifer Mooney, Board Clerk

Members Absent: Jennifer Minkowitz

CALL TO ORDER

Robert Barnes, Chair, called the meeting to order at 9:01 a.m.

OLD BUSINESS

A. APPROVAL OF MINUTES

In a motion by Normand Lambert, seconded by Bethel Shields, the minutes from the February 13, 2007 meeting were approved as amended.

Vote: 6 in favor

NEW BUSINESS

A. LICENSE APPLICATION REVIEW

Steven Hilton

After review and discussion of the application, a motion was made by Robert Barnes and seconded by Hervey Clay to approve Mr. Hilton's application for licensure pending passage of the state exam.

Vote: 6 in favor

B. RENEWAL APPLICATION REVIEW

Michael McMahon– Renewal Practitioner

After review and discussion of the renewal application and request for inactive status a motion was made by Ernest Marriner and seconded by Hervey Clay to approve the renewal application and grant inactive status.

Vote: 2 in favor, 4 opposed (Motion Failed)

A motion was made by Ernest Marriner and seconded by John Dunn to deny the request for inactive status.

Vote: 4 in favor, 2 opposed

A motion was made by Bethel Shields and seconded by John Dunn to preliminarily deny the application and offer a consent agreement to resolve the continuing education issue.

Vote: unanimous

A motion was made by Bethel Shields and seconded by John Dunn to rescind the original motion to deny the renewal application and denial for inactive status.

Vote: unanimous

A motion was made by Ernest Marriner and seconded by Bethel Shields to offer the licensee a consent agreement. The terms of the consent agreement are: admission to not meeting the ceu requirements, issue a formal warning, and require the licensee to complete the 6 hours within XX days from the receipt of the consent agreement.

(Jack Richards, AAG, indicated that the Attorney General's Office would not sign the consent agreement.)

Vote: No vote taken

A motion was made by Ernest Marriner and seconded by Bethel Shields to rescind the offer of a consent agreement.

Vote: No vote taken

A motion was made by Normand Lambert and seconded by Hervey Clay to approve the request for inactive status effective February 27, 2007.

Vote: 5 in favor, 1 Opposed (John Dunn)

A motion was made by Hervey Clay to amend the approval of inactive status request to accept the renewal application submitted as an inactive renewal request. Hervey Clay withdrew his motion.

C. APPROVAL OF CONTINUING EDUCATION PROGRAMS

A motion was made by Ernest Marriner and seconded by Bethel Shields to approve the following continuing education program(s) as reviewed by the Continuing Education Committee:

Vote: Unanimous

1. Michael Regan – approved for 3 hours

Approval letters will be mailed out by the board clerk.

D. CORRESPONDENCE

Robert E. Laite

After review and discussion of the board's requirements upon a change of ownership, a motion was made by Bethel Shields and seconded by John Dunn to file a complaint against the funeral practitioner for failure to comply with the board's request to file a new application for the change of ownership.

Vote: 3 in favor, 3 opposed. Motion failed

A motion was made by Bethel Shields and seconded by John Dunn to file a complaint against the funeral practitioner for failure to comply with the board's request to file a new application for the change of ownership dated November 27, 2006.

Vote: 4 in favor, 2 opposed (Please insert board member names here)

Maine Funeral Directors Association

Sally Belanger, Executive Director of the MFDA, made an announcement to the board regarding a MFDA's partnership with a Maine wreath business to honor veterans cemeteries.

CHAIR'S REPORT – ROBERT BARNES

Robert Barnes will be attending the International Conference in New Hampshire for the April 2007 meeting.

ADMINISTRATOR'S REPORT – PENNY VAILLANCOURT

Penny Vaillancourt provided a legislative update regarding LDs 820 and 1289.

ADJOURN

There being no further business, in a motion by Hervey Clay and seconded by Normand Lambert, the Board voted unanimously to adjourn at 12:45 p.m.

Respectfully submitted,

Jennifer Mooney
Board Clerk