MINUTES

UTAH
FUNERAL SERVICE LICENSING
BOARD MEETING

May 23, 2012

Room 210 – 2nd Floor – 9:00 A.M.
Heber Wells Building
Salt Lake City, UT 84111

CONVENED: 9:02 a.m.	**ADJOURNED:** 10:02 a.m.
Bureau Manager:	Clyde Ormond
Board Secretary:	Yvonne King
Board Members Present:	Brent Russon, Board Chair Reginal V. Ecker Mary Bearnson Louie Hamner P. Mark Brown
Board Members Absent	Ned Nordgren Mitchell Blackburn
DOPL Staff Present:	Mark Steinagel, Division Director Deanna Herring, Legislature Auditor
Guests:	Christopher Battrick, Application Review Gene Hoopes, Application Review Dave Malmfeldt, Application Review Brian Buxton, Application Review

ADMINISTRATIVE BUSINESS:

Approval February 15, 2011 Board Meeting Minutes	Mr. Russon seconded by Mr. Hamner made a motion to approve the February 15, 2012 minutes as written. The motion carried unanimously.
Nominations for Chair	Mr. Brown nominated Mr. Russon for Chair. There were no other nominations. The nomination carried unanimously for Mr. Russon to become the new Chair.

APPOINTMENTS

Christopher Battrick	Mr. Battrick appeared before the Board for his

scheduled appointment. Mr. Ormond reviewed the application.

Mr. Battrick explained that he had full licensure as a funeral director in two other states and thought this would fill the five year requirement for endorsment however the time was not served consecutively and overlapped for a short period of time. Mr. Battrick had also completed a four year internship working under the supervision of a Funeral Service Director in another state.

The Board felt Mr. Battrick fulfilled the experience requirement for a regular license and did not need to come in by endorsement.

Mr. Ecker seconded by Mr. Hamner made a motion to approve Mr. Battrick for full licensure as a Funeral Director. The motion carried unanimously.

Brian Buxton

Mr. Buxton appeared before the Board for his scheduled appointment. Mr. Ormond reviewed the application.

Mr. Buxton explained that he had a satisfaction of judgment from the Utah Department of Insurance and explained the incident occurred about six years ago. Mr. Buxton then explained that there had been no action with the Insurance Commission.

Mr. Ecker seconded by Mr. Brown made a motion to approve Mr. Buxton for full licensure as a Pre-need Funeral Arrangement Agent. The motion carried unanimously.

David Malmfield

Mr. Malmfield appeared before the Board for his scheduled appointment. Mr. Ormond reviewed the application.

Mr. Malmfield explained that he had been injured in a vehicle accident, sustained injuries and could not keep his business afloat for a period of time while recovering from his injuries. This caused financial difficulties which resulted in a denial of his license. Mr. Malmfield stated that he has since resolved all issues.

Mr. Brown seconded by Ms. Bearnson made a motion

to approve Mr. Malmfield for full licensure as a Pre-need Funeral Arrangement Agent. The motion carried unanimously.

Gene Hoopes

Mr. Hoopes appeared before the Board for his scheduled appointment. Mr. Ormond reviewed the application.

Mr. Hoopes was in the process of opening a funeral business and was also in the process on renewing his Funeral Directors licensee which was put on hold until the Board approved his Funeral Establishment License. This was due to a previous conviction.

Mr. Hoopes explained that all matters were resolved with the conviction. Mr. Hoopes had also explained that he applied for expungement of that conviction and was waiting for the courts for final clearance.

Mr. Ecker seconded by Ms. Bearnson made a motion to grant a Funeral Establishment License for Dalton - Hoopes Funeral Parlor & Undertakers Inc. The motion carried unanimously.

TOPICS FOR DISCUSSION

Rules Hearing

Mr. Ormond explained that there will be a rules hearing held on May 31, 2012 at 10:00 am in room 474 which would recommend eliminating the 30 day waiting period for those individuals that fail the Pre-need exam.

Investigative Report

Mr. Ormond reviewed the investigative report with the Board. The report was a year end 2011 to May 2012. This report for 2012 included 8 received cases, 8 assigned cases, 2 administrative sanction stipulations, 2 citations issued, 1 inspection, 2 unfounded cases, 1 voluntary compliance, 8 total closed cases and 7 open cases.

Mr. Ormond also stated that the Board should appoint a contact person to be used as an expert witness for investigations.

Mr. Ecker then asked Mr. Ormond if this had to be a Board member. Mr. Ormond stated that it did not. Mr. Ecker volunteered to be a contact person as an expert witness with the Board's recommendation. The Board

was in agreement with that.

CORRESPONDENCE:

Funeral Home and Cemetery	Reviewed, with no further action taken.
The Conference (Annual Conference)	Reviewed, with no further action taken.
The Compass (Newsletter)	Reviewed, with no further action taken.

ADJOURN: 10:02

HEARING The Hearing for John Smith proceeded as scheduled immediately after the Board meeting.

NEXT MEETING: August 15, 2012

ADJOURN: 10:32 a.m.

Note: These minutes are not intended to be a verbatim transcript but are intended to record the significant features of the business conducted in this meeting. Discussed items are not necessarily shown in the chronological order they occurred.

9-18-13
Date Approved

Chairperson, Utah Funeral Service Licensing Board

9-18-13
Date Approved

Bureau Manager, Division of Occupational & Professional Licensing