

# State Board of Mortuary Science of New Jersey

September 13, 2001

## Open Session Meeting Minutes

### IN ATTENDANCE

Gerald P. Scala, Esq., President, Public Member  
Donald P. Codey, Secretary  
Peter P. Horvath  
Kevin G. Quinn

### ABSENT

Charles D. Sidun  
John DeCicco, Esq., Public Member  
Marius R. Lombardi, Government Member  
Bernadette Stoecker-Rossi

Mr. Brush stated that there not being a quorum, members would meet as a Committee of the Board.

### ALSO ATTENDING

Paul C. Brush, Executive Director  
Africa Lee, Computer Operator Assistant

### COMMENTS BY THE BOARD PRESIDENT

Mr. Scala introduced members of the Board and thanked them for their work on the Board. He stated that once again this year, the Board is pleased to conduct a public meeting at the convention and he welcomed comments from the attendees. He also stated that Mr. Brush had been elected president of the new association of executive directors at the International Conference of Funeral Service Examining Boards.

### EXECUTIVE DIRECTOR'S REPORT AND COMMENTS

Mr. Brush asked for a moment of silence for the victims of the attack on the World Trade Center. He then gave the following report:

#### Legislation:

Licensure by credentials - amended statute signed into law on May 4, 2001.

#### Regulations proposed and/or adopted during past year:

Proposed new and amended regulations were published in the August 6, 2001 issue of the New Jersey Register. The comment period ended September 5, 2001. The regulations pertain to record keeping by the

practitioner; practical examination requirements; display of the "manager" sign; advertising; business cards; divulging secrets; presence of the licensee at final disposition; multiple burials; public accommodations; referral fees; and the General Price List.

**Other Board activities during past year:**

A) Funeral home inspections will be an ongoing process.

B) Website for the Board of Mortuary Science:

<http://imweb04.state.nj.us/lps/ca/nonmed.htm#mort7>

Website contains: Board meeting dates, Board meeting minutes, licensee directory, complaint form, rule proposals and other informational notices.

C) Continuing discussions with Pennsylvania Board re reciprocity.

D) Renewal fees for funeral directors and funeral homes have been waived.

E) Executive Director has met with the Morris County FDA January 2, 2001 and the Sussex, Warren, Huntington Tri-Counties FDA March 21, 2001.

F) Board has reiterated its support of 100% trusting of preneed funds.

G) Licensure by credentials - fourteen (14) out-of-state applicants have been licensed by credentials.

**ANNUAL REPORT TO THE CONVENTION  
SEPTEMBER 13, 2001**

**Presented by Paul Brush, Executive Director**

Good morning, Mr. President, officers and members of the New Jersey State Funeral Directors' Association. It is my pleasure to address you this morning and present our annual report to the convention. The membership of the Board consists of the following:

Mr. Gerald P. Scala, Esq., President (Public Member)

Mr. Donald R. Codey, Secretary

Mr. John DeCicco, Esq. (Public Member)

Mr. Peter P. Horvath

Mr. Marius R. Lombardi (Government Member)

Mr. Kevin G. Quinn

Mr. Charles D. Sidun

Ms. Bernadette M. Stoecker-Rossi

During the fiscal year 7/1/00 - 6/30/01 the Board held thirteen (13) public meetings. Also, Board members conducted seventy-one (71) practical examinations during the fiscal year.

**LICENSING INFORMATION:**

As of:	6/30/00	6/30/01
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Licenses Issued	70	85
# of Licensees	1,767	1,792
Interns registered	93	98
New Interns	55	55
New Installations	18	24
Establishment permits	742	763

## JURISPRUDENCE EXAMINATION RESULTS FOR FY 2001:

	PASS	FAIL
October 22, 2000	21	0
February 26, 2001	12	0
June 18, 2001	41	2
<b>Total</b>	74	2
	97%	3%

## DISCIPLINARY MATTERS:

During the fiscal year ending 6/30/01, **82** complaints were opened. This compares to **91** in the previous year.

The following is a categorization of the complaints received in fiscal year 2000 and 2001:

	<b><u>FY 2000</u></b>		<b><u>FY 2001</u></b>	
	<b><u>#</u></b>	<b><u>%</u></b>	<b><u>#</u></b>	<b><u>%</u></b>
Advertising	22	24%	12	15%
Pricing/billing	11	12%	10	12%
Other	4	5%	2	2%
Preneed	7	8%	1	1%
Prof. misconduct	25	27%	33	40%
Quality of services	2	2%	3	4%
FH inspections	13	14%	11	14%
Unlicensed practice	7	8%	10	12%
<b>Total</b>	91	100%	82	100%

The Board imposed the following sanctions:

	<u>FY 2000</u>	<u>FY 2001</u>
Penalties & costs	\$64,750	\$30,650
Restitution	\$0	\$0
Suspensions	0	0
Revocations	1	1

In closing, I would like to remind you that, as we announced here last year, due to a reduction in operating costs, funeral establishments will be given a one-time credit for the full amount of their renewal fee effective with the next license renewal on December 31, 2001. This means that the renewal fee of \$500 for funeral establishments will not have to be paid for the upcoming renewal period only. Renewal applications should be mailed to the establishments in October. Thank you.

## **PUBLIC COMMENTS**

Wilson Beebe, Executive Director of the NJSFDA, asked for a status report on the complaints that have been filed with the Board against certain casket stores. Mr. Scala stated that the matter is under review by the Board and that it would be inappropriate to comment further on the matter until it is resolved. Mr. Beebe suggested that omnibus legislation may be necessary addressing third parties and intermediaries in funeral service.

Timothy Ryan, funeral director, stated that there are many funeral home owners in New Jersey who own more than one funeral home and it is not uncommon to use one central preparation room for all establishments. He asked the Board to consider waiving the preparation room requirements for those establishments who do not use their preparation room in these situations. Mr. Brush stated that the Board's Regulations Committee will consider his request.

Several funeral directors asked the Board to look into the possibility of adding a photo to the practitioner's license. Mr. Brush stated that for logistical reasons, this idea had been rejected in the past by the Division of Consumer Affairs; however, given the heightened concern for security, he will bring their suggestion again to DCA.

At 11:15 a.m. on motion made by Mr. Scala, seconded by Mr. Horvath, the Committee voted to adjourn.

Respectfully submitted,

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Donald R. Codey  
Secretary

Date



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*Posted September 2001*