

**THE NEW JERSEY STATE BOARD OF MORTUARY SCIENCE  
124 HALSEY STREET  
NEWARK, NJ 07102  
3:45 P.M., MONDAY, SEPTEMBER 20, 2004, ATLANTIC, NJ**

**OPEN SESSION MEETING MINUTES**

**IN ATTENDANCE**

Marius R. Lombardi, President (Government Member)  
Richard J. Galante, Jr.-Secretary  
Richard R. Bradley  
Thomas C. Brown  
Dr. Edith C. Churchman  
Martin Goldstein  
Fanny Jaramilo  
William C. Mc Criskin  
Gerald P. Scala, Esq. (Public Member)  
Anthony P. Vainieri, Jr.  
Frederick R. Whiteley III

**ABSENT**

Bernard Horwitz, Esq. (Public Member)

**ALSO ATTENDING**

William Mandeville, Executive Director Jodi C. Krugman, Deputy Attorney General

**COMMENTS BY THE BOARD PRESIDENT**

Mr. Lombardi introduced members of the Board and staff and thanked them for their work on the Board. He stated that the Board was pleased to conduct a public meeting at the convention and after the reports by the Secretary, the Executive Director and a power point presentation questions and comments would be welcomed by the attendees.

**ANNUAL REPORT TO THE CONVENTION**

**SEPTEMBER 20, 2004**

Presented by Richard J. Galante, Jr. Secretary

Good afternoon, Mr. President, officers, members of the New Jersey State Funeral Directors' Association and members of the public.

It is my pleasure to address you this morning and present our annual report to the convention.

During the fiscal year 7/1/03 - 6/30/04 the Board held (12) public meetings. Also, the Board members conducted thirty five (35) practical examinations during the fiscal year.

**LICENSING INFORMATION:**

As of	6/3/02	6/30/03	6/30/04
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Licenses Issued	64	32	58
# of licensees	1839	1748	1687
Interns Registered	100	114	113
New Interns	58	49	56
New Installations 37	30	37	
Establishment permits 787	765	758	

### JURISPRUDENCE EXAMINATIONS RESULTS FOR 2003/2004

	PASS	FAIL
October 2003	17	3
February 2004	8	4
June 2004	18	1
TOTAL	43	8
	84%	16%

### DISCIPLINARY MATTERS:

During the fiscal year ending 6/30/04, 167 complaints were opened. This compares to 119 in 2003 and 78 in 2002.

	FY2002	FY2003	FY2004
Advertising	15	18	31
Pricing/Billing	12	11	15
Other	2	11	5
Preneed	9	5	3
Prof. Misconduct	34	34	26
FH Inspections	6	40	70
Unlicensed Practice	0	0	17
Total	78	119	167

The Board imposed the following sanctions

	FY2002	FY2003	FY2004

Penalties & cost assessed	\$149,548.00	\$113,659.61	\$146,840.00
Restitution	\$0	\$0	\$0
Suspensions	3	1	5
Revocations	3	3	0

**September 20, 2004**

**EXECUTIVE DIRECTOR'S REPORT AND COMMENTS-MR. MANDEVILLE**

A) Legislation/Regulations

Sunsetting of Mortuary Science Regulations: Because the proposal has not yet been published we cannot discuss it. We anticipate it will be published in the NJ register the week of October 18, 2004.

New Jersey Statutes Annotated Currentness

Title 45. Professions and Occupations (Refs & Annos)

Subtitle 1. Professions and Occupations Regulated by State Boards of Registration and Examination

Chapter 7. Embalmers and Funeral Directors (Refs & Annos)

45:7-95. Written authorization for disinterment or disposition of human remains

A funeral director may permit the funeral, disinterment or disposition of human remains on the written authorization of a person who claims to be, and is believed to be, a person who has the right to control the funeral, disinterment or disposition as provided by sections 22 and 23 of P.L.2003, c. 261 (C.45:27-22 and 45:27-23). A cemetery or funeral director shall not be liable for the funeral, disinterment or disposition pursuant to this authorization unless it had reasonable notice that the person did not have the right to control the funeral, disinterment or disposition. If there are no known living relatives, a funeral director may rely on the written authorization of any person acting in good faith on behalf of the decedent.

A person who signs an authorization for the funeral, disinterment or disposition of human remains warrants the truth of the facts stated, the identity of the person whose remains are disposed, and the authority to order the funeral, disinterment or disposition. A cemetery or funeral director shall not be liable for the funeral, disinterment or disposition in accordance with the authorization unless it had reasonable notice that the representations were untrue or that the person lacked the right to control the funeral, disinterment or disposition.

CREDIT(S)

L.2003, c. 261, ' 41.

**HISTORICAL AND STATUTORY NOTES**

2004 Electronic Update

L.2003, c. 261, ' 43, approved January 14, 2004, provides: APRIL 14, 2004 ENACTED

"This act shall take effect on the 90th day following enactment."

N. J. S. A. 45:7-95, NJ ST 45:7-95

Current through L.2004, c. 1 to 111

B) Comments and Other Activities During the past year

On behalf of the Board and myself we would like to invite all licensees to attend the Board's public meetings. The meetings are usually held on the first Tuesday of each month but do check with the Board office since holidays due conflict with meetings from time to time.

Be sure to complete your continuing education credits during the biennial period. Keep proof of your CE for the past two biennial periods.

The biennial renewal application for all licensees will be mailed out the beginning of October 2004.

Visit the Board's website at <http://www.NJconsumerAffairs.com> Website contains Board meeting dates, public meeting minutes, licensee directory, registered mortuary directory, complaint form, statutes and regulations, proposed regulations and other information. Website on the top of your agenda.

Power Point Presentation presented by Board President

Question and Answer session by licensees

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Richard J. Galante, Jr., Board Secretary Date

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