



# Maryland State Board of Morticians

Board of Morticians

Volume I, Issue I  
Fall, 2005

## Message from the President

The Board of Morticians started a new way of handling Board business in July. All of the committees – Complaint (Mike Ruck, Chair), Inspections/Funeral Est. (Gladys Sewell, Chair), Preneed (Faye Peterson, Chair) and Apprentice (Mike Kruger, Chair) meet on the normal scheduled Board day. The committees sort through their respective work load. Normal questions, inspection reports, etc. are handled by the committees. Anything problematic is referred to the entire Board. It is our intent to make the Board more inclusive in its operation and decision making process. The public session begins at 10:00 am and normally

lasts for about 90 minutes. We then will break for a 30 minute lunch followed by the Board’s closed session.

At the present time we have in the issues bin – Crematory regulation, Use of business names, review of Apprentice hours, definition of Supervising Mortician, Preneed (Family security trust), Sunset review of the Board and the Auditors looking at the paper trail of the Board. It has been and will continue to be a busy time for the Board.

At this time we want to acknowledge those licensees, that we are aware of, that have deployed to the area affected by Hurricane

Katrina and Rita. Jim Bruzdinski, Dave Weber, Joe Canby, Gary Upchurch, Mike Marzullo, Sherri Witzke-Collins, Adrian Monaco, Derek Slocum, Odyssey Gray, Sean Ambrose, Ellen and Richard Rapp, John Holloway, Bob Randall, Frank George and Pam Hovatter. If we have missed anyone or there is a new deployment, please let the office know so we can acknowledge your service to our fellow Americans.

David L. Hovatter,  
President.

### Inside this issue:

<i>Pre-need Accounts; Dos and Don'ts</i>	2
<i>Executive Director's Report</i>	2
<i>New Licensees</i>	3
<i>Complaints in FY '05</i>	3
<i>Public Orders</i>	3
<i>Achievements</i>	4
<i>New on the Web</i>	4

### Board Members

David Hovatter  
Board President

Michael Ruck, Sr.  
1st Vice President

Gladys Sewell  
2nd Vice President

Faye Peterson  
Secretary

#### Members at Large

Donald Borgwardt

Michael Kruger

Marshall Jones, Jr.

Vernon Strayhorn, Sr.

Brian Haight

Robert Bradshaw, Jr.

Jeffrey Pope

## New Regulations proposed for Vital Records

### REGULATORY REVIEW AND EVALUATION

In accordance with the Regulatory Review and Evaluation Act (§§10-130 through 10-139 of the State Government Article), the Department of Health and Mental Hygiene, Vital Statistics

Administration, is currently reviewing and evaluating COMAR 10.03.01 under COMAR Title 10.

The purpose of the review and evaluation is to determine whether existing regulations continue to accomplish the purposes for which they were adopted, clarify ambiguous or unclear language, and repeal any obsolete or duplicative

provisions. Pursuant to its work plan, DHMH will evaluate the need to retain, amend, or repeal the regulations based on whether the regulations are:

- still necessary to the public interest;
- drafted in a clear and understandable manner;
- still supported by statutory authority

Continued on page 2

## Preneed Accounts; the dos and don'ts

In FY 04 preneed issues accounted for 36% of the complaints filed with the Board. In FY '05 40% of the complaints filed with the Board revolved around preneed issues. Obviously, the issue of preneed contracts can be complicated and confusing.

To help eliminate problems the Board has the following suggestions:

### Do

- Put 100% of all goods and services and 80% of a casket's selling price into an FDIC, interest bearing account.
- Deposit all preneed money

within 10 days of receipt of that money.

- Notify the buyer if the funeral home is closing or sold. The seller **MUST** offer the buyer different options:
  1. money back with interest or
  2. the buyer may transfer the money to a new Funeral Home or keep the money in the existing home under new ownership
- If the buyer wants to close a preneed account or transfer the account to another funeral home **DO** return the money with interest.

- Do remind customers to consider carefully before accepting an irrevocable agreement because once signed the contract cannot be cancelled.
- Do make sure the contract lists all of the funeral goods and services purchased, or in lieu thereof, attach the statement of goods and services selected.



### Don't

- Pass along to the buyer retainage fees or other account fees. The buyer is not responsible for those fees.
- Don't allow anyone but a mortician, funeral director or surviving spouse to execute the preneed contract.
- Don't co-mingle preneed funds with the funeral home's operating expenses or other accounts.

## Vital Records...continued from page 1

consistent with federal regulations and other State regulations;

- still effective in accomplishing the intended purpose of the regulations;

- obsolete, duplicative, or otherwise appropriate for amendment or repeal.

## OPPORTUNITY FOR PUBLIC COMMENT

DHMH would like to provide interested parties with an opportunity to participate in the review and evaluation process by submitting comments on these regulations. The

comments may address any concerns about the regulations. If the comments include suggested changes to the regulations, please be as specific as possible and provide language for the suggested changes.

Comments should be directed to Geneva G. Sparks, Deputy Director and State Registrar, Vital Statistics Administration, and transmitted by mail

to 6550 Reisterstown Road, Baltimore Maryland 21215, by fax to 410-358-0738, or by e-mail to [spartsg@dhmh.state.us](mailto:spartsg@dhmh.state.us).

Comments must be received by December 1, 2005.

For more information please visit the website <http://www.ded.state.md.us/comear/titlesearch/searchtitle10.htm> to read the regulations.

## Executive Director's report

Greetings! It is with pleasure that I introduce myself to you. Prior to serving as Executive Director for this Board, I worked as the Deputy Director for the Board of Podiatry.

I have a B.A. in Communications and a B.A. in Religion from Hamline University in Minnesota. I received a Master of Divinity Degree from Wesley Semi-

nary in Washington D.C. My husband, also a United Methodist minister, and I have two children.

Since joining the Board in May, I have been impressed with the dedication of the Board Members and Board staff. Board Members are strongly committed to the work of the Board and volunteer a

great deal of their time to the Board. In fact, I joke with David Hovatter, Board President, that I have his phone number on speed dial. I do call him and other Board Members often.

I have been impressed with the Board's staff. It has been LouAnn Cox, Joan James and Grant Gerber's willingness to work longer and harder that has allowed

the Board to function effectively despite the Board vacancies.

A special thank you to LouAnn Cox, former Acting Director and current Administrative Officer who has been a tremendous help in easing me into the Executive Director's role.

I look forward to meeting you and working with you as we protect the public and serve the licensee.

## Welcome New Licensees

Since January of 2005, the Board has issued the following licenses:

### Apprentice Licenses

Myron Nathaniel Davis  
 Barbara S. Collins  
 Lindsay M. Ridenour  
 Angela A. Koerber  
 Alexander J. Bates  
 Shawn Michael Johnson  
 Matthew S. Levinson  
 Terri Brown  
 Shanequa Ann Thompson  
 Timothy Nathaniel Taravella  
 Christopher Todd Dring  
 Lawrence Johnson, Jr.  
 Christopher C. Lawson  
 Zachary Thomas Parnell  
 Joanna Hodges

Louis Fiorucci  
 Cynthia Jones  
 Talana Watson  
 Ira S. Murray  
 Beth Ann Kehl  
 Michael Brown, Jr.  
 Jacqueline E. Roane  
 John Francis Holmes  
 Daniel Thomas McLaren  
 Robert Biedelman, Jr.  
 Daniel Timothy Lindamood, Jr.  
 Selena Shirk  
 Mia Giniunans  
 Russell Andrew Sliger  
 Melvin Montgomery, Jr.  
 Maiyana S. Greene  
 Joy Fairman Neeson  
 Rachel Frances Howe-Sterling  
 Barbara S. Collings  
 Myron Nathaniel Davis

Lindsay M. Ridenour  
 Angela A. Koerber

### Mortician Licenses

Richard O. Biedelman, Jr.  
 Kimberly D. Davidson  
 Michael Brown, Jr.  
 Jacquelyn Evans  
 Joy Fairman Neeson  
 Katherine Kilpatrick Wilson  
 Russell Andrew Sliger  
 James Bowersox  
 Kristen Hicks Erisman  
 Veronica L. Radder  
 Michael Brown  
 Kimberly D. Davidson  
 Jacquelyn D. Evans  
 Russell Andrew Sliger  
 Ralph E. Williams, II

Vilroy Ransford McBean  
 Michael William Murname  
 Lynda Sue Ritter  
 Christina Rolfes  
 Michael Montgomery, Jr.  
 Rachael Francis Sterling  
 Danielle L. Daugherty  
 Stacy Flores  
 Mark Oellig  
 Jared A. Elder, Sr.  
 Priscilla Ann Brown  
 Lavana T. Jenkins  
 John Collins McHugh  
 Ronald M. Taylor, II  
 Dominico Amodeo  
 Michelle Dawn Tulloch  
 Robert O. Biedelman, Jr.  
 Joy Fairman Neeson

## Public orders issued since January, 2005

### Lani' Trent Holland

Order For Summary Suspension  
 April 13, 2005  
 Order Continuing Summary Suspension  
 July 29, 2005

### Ernest R. Terry Jr

Order For Summary Suspension  
 October 20, 2004  
 Order Lifting/Terminating Summary Suspension  
 August 4, 2005

### Herbert Nutter

Order for Summary Suspension  
 October 28, 2004  
 Order Lifting/Terminating Summary Suspension  
 February 22, 2005

### Lewis T Gwynn

Order for Summary Suspension  
 September 15, 2004

### Lani' Trent Holland

Letter of Surrender  
 September , 2005



## Complaints in FY '05

There are currently 1448 licensees practicing in the state of Maryland. Last fiscal year, July 1, 2004-June 30, 2005 the Board investigated 74 complaints that were lodged against licensees. Some of the complaints were closed and dismissed because there was no violation of the Mortician's Act. Other complaints resulted in informal or formal action. Informal action includes a letter of education and a letter of admonishment. These informal actions are confidential and the information concerning the complaint can not be disclosed. Formal actions may include a fine, a cease and desist letter, or the suspension or revocation of a license. Formal actions result in a Public Order which are available

to the public.

Below is a breakdown on the types of complaints the Board investigated in FY '05:

- 40% Preneed complaints
- 10.5% Unlicensed individuals performing the work of a mortician
- 10.5% Fee disputes
- 9% Unprofessional conduct
- 4.5% Referrals to Cemetery Oversight Committee
- 4.5% Unable to view body
- 4.5% Problems with the death certificate
- 3% Refusal to release body
- Embalming without consent
- Other

## Quality Assurance

Don't be surprised if after your annual inspection, you receive a call from LouAnn Cox, Administrative Officer for the Board. LouAnn might be calling to ask you how you felt the inspection went and whether the inspection was a helpful process. These phone calls will help the Board determine what the Board is doing right and what should be changed with regards to inspecting your Funeral Home.

## Board of Morticians

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Email: [sheffield@dhhm.state.md.us](mailto:sheffield@dhhm.state.md.us)  
Web address: [www.dhhm.state.md.us/bom](http://www.dhhm.state.md.us/bom)

### Board Staff:

Laurie Sheffield-James  
Executive Director

LouAnn Cox  
Administrative Officer

Larry Blickman  
Health Occupations Investigator

Joan James  
Office Secretary

Grant Gerber  
Board Counsel, AG's Office



STATE OF MARYLAND

DHMH

Maryland Department of Health and Mental Hygiene

Robert L. Ehrlich, Jr., Governor – Michael S. Steele, Lt. Governor – S. Anthony McCann, Secretary

## Board Meetings

The State Board of Morticians meets the second Wednesday of each month at the Department of Health and Mental Hygiene, 4201 Patterson Ave., Baltimore, Maryland, 21215. The Public Session begins at 10:00 and is open to everyone.

Licensees who attend the Public Session may earn 1 continuing education unit per hour up to three CEU's per renewal cycle.

For further information regarding these meetings, or to place an item on the public agenda, please contact the Board office at (410) 764-4792.

## Achievements

### Bennie Smith

Who received a Honorary Doctorate from the University of Maryland on May 15, 2005.

### Grant Gerber

On the birth of his daughter, Estelle Krupp on August 24, 2005.

### Hari Close

Who donated a kidney to his son, Travis Close on August 11, 2005.

## New on the Web

Did you know that you can find Board approved Public Minutes on our website? Also, continuing education opportunities will be added to the site when they are approved by the Board.

The Board is updating the Web in an effort to make Board information more accessible to you and to the public. The Board hopes to add other information to the site including Public Orders, newsletters, Board fees for licensure, address change forms etc. So please continue to frequent [www.dhhm.state.md.us/bom](http://www.dhhm.state.md.us/bom) to see what's new and to receive the latest news.

## Moving? Moved?

Please remember to contact the office in writing when your business address has changed. Placing a change of address card with your local post office will not insure that you will receive correspondence from the Board, such as your renewal notice. Please note that there is a \$50.00 fee that is charged to licensees who fail to notify the Board of an address change. The Board staff thanks you for your cooperation.