



**April 11, 2023, General Session Meeting Minutes FINAL approved
July 11, 2023**

Board Members Present: Angela **McKenzie-Tucker**, President; Rob **Gaskill**, Vice President; Nancy **Felton**, Secretary / Treasurer; Joseph **Britton**; Ruggiero **Canizares**; Craig **Collins**; Deborah **Harris**; Kevin **Loveland**; Elizabeth **Pacheco**; Melissa **Porter**.

Board Members Absent: none.

Staff Members Present: Chad **Dresselhaus**, Executive Director; Marianne **Itkin**, Investigator; James **Liddle**, Compliance Specialist; Greg **Brown**, Compliance Specialist; Ryan **Christopher**, Office & Licensing Manager; Sylvie Huhn, IDP Administrator; AAG Catriona **McCracken**.

Guests: Michael **Turner**, owner Pendleton Pioneer Chapel, Folsom-Bishop.

I Call to Order

The General Session of the Mortuary and Cemetery Board (Board) was called to order at 9:01 am via Microsoft Teams and phone. After the roll call President McKenzie-Tucker got right to business.

II General Session

A Approval of Meeting Minutes

Board Meeting Minutes, Draft – **January 10, 2023**

President McKenzie-Tucker asked if there were any comments or suggestions regarding the January 10, 2023, Board meeting. There were none.

President McKenzie-Tucker asked if there was a motion to approve the January 10, 2023, minutes draft. She recognized member Loveland.

Member Loveland so moved. Member Felton seconded. President McKenzie-Tucker asked those in favor to signify by saying aye. All others were aye, and the motion passed unanimously. Those voting in favor: Members Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco, Porter

B. President's Comments

1. Welcome Comments from Angela McKenzie-Tucker

President McKenzie-Tucker mentioned that there was a lot on the agenda and moved on.

C. Presentation and Approval of Executive Director's Report for April 2023

Director Dresselhaus expressed excitement and pointed out that the budget summary exceeded projected revenue. He indicated that we are continually fiscally responsible and in good place financially. He stated that we would hear from member Felton later. He stated that last week our budget bill was in front of a Joint Ways and Means committee and that it went well.

He briefly went over the licensing details of the report.

He discussed the Compliance aspect of the report and mentioned that we are anticipating a 100% inspection KPM for the first time in this agency's history. He indicated that we would continue to do virtual inspections but that we will not do more than one virtual inspection in a row. He stated that we are doing extremely well and complimented James and Greg.

He mentioned an exciting proposal that would be discussed later but that he didn't want to give too much away.

McKenzie-Tucker asked about licensing details, specifically about permanently lapsed licenses and why those details were not any reflected.

Manager Christopher expressed that due to a high volume of paper facility renewal applications that were recently received which still needed to be input, as well as dynamics related to the number of facility licenses that were not correctly charged a reinstatement fee by our online system, we were unable to pull accurate reporting for the number of permanently lapsed licensees and that we would have clear reporting on the permanently lapsed licensees by the July meeting.

He asked if there were any questions. There were none.

President McKenzie-Tucker asked if there was a motion to approve the Executive Director's Report. She recognized member Gaskill.

Member Gaskill so moved. Member Canizares seconded.

President McKenzie-Tucker asked those in favor to signify by saying aye. All others were aye, and the motion passed unanimously. Those voting in favor: Members Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco, Porter.

D. Public Comments

1. Written Request from Michael Turner

President McKenzie-Tucker recognized a written comment from Michael Turner which had been previously provided to the Board members to review.

Director Dresselhaus mentioned that Mr. Turner recently purchased a funeral home in Pendleton and that Mr. Turner has been working with apprentice applicant McKay Hazel. Director Dresselhaus turned the floor over to Mr. Turner.

Mr. Turner mentioned the OAR and having a hard time finding employees. He stated that as a new business owner, not having a qualified apprentice it makes it difficult to help families. He pointed out that he had recently taken and passed the Oregon state law exam. He provided details about his licensure history and indicated that he wants to help young people entering the industry. He stated that he appreciated the Board's time.

Member Loveland stated that unless the ORS says that it must be consecutive then there's a loophole.

President McKenzie-Tucker replied that we are not going to pass something through on a loophole.

Member Loveland stated that he needs to see that word “consecutive”.

President McKenzie-Tucker thanked Mr. Turner.

Mr. Turner reiterated the wording found in OAR 830, “Apprenticeship for embalmer, funeral service practitioner, or intern apprentice must be served under persons who are and have been licensed and working in Oregon for at least one year.”

Member Felton questioned where Mr. Turner’s last place of employment was as an embalmer and funeral service practitioner.

Mr. Turner stated that it was around 2019.

Manager Christopher asked if he was working as embalmer and funeral service practitioner and not just holding a license.

Mr. Turner stated that yes, he was working as embalmer and funeral service practitioner.

President McKenzie-Tucker thanked him again. She asked if there were any other public comments. There were none.

E. General Discussion & Action Items

1. Standing Item: Board Best Practices 2 min. Check In for FY 2023 (July 2023 – June 2024)

Director Dresselhaus reminded the members that this is reviewed every board meeting and that this will be voted on at the end of the year.

2. Board Treasurer Annual Review of Finances and Financial Controls Report

President McKenzie-Tucker turned the floor over to member Felton.

Member Felton stated that each month the officers get financial documents for review. She questioned the \$13,000 in reinstatement fees that are showing as accounts receivable.

Manager Christopher explained that this was a result of the issue with the reinstatement fees not being correctly applied by our system due to an error on the developer’s side. He indicated that he had to manually add the fees to each account and that we are still working on the messaging to those facilities that are affected by this.

Member Felton indicated that we need to watch the Indigent Disposition Program and those funds.

She asked if there were any questions. There were none.

President McKenzie-Tucker asked if there was a motion to approve.

Member Gaskill moved. Member Porter seconded.

President McKenzie-Tucker asked those in favor to signify by saying aye. All others were aye, and the motion passed unanimously. Those voting in favor: Members Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco, Porter.

None opposed.

3. Board Member Stipend Update

Director Dresselhaus stated that most of the members should have received a direct deposit on March 1, and that should have everyone caught up through 2022.

President McKenzie-Tucker asked if there were any questions. There were none.

4. License Renewal Update

Manager Christopher provided a general update of the current apprentice and facility renewal cycle status. He indicated that as of now it appears that out of 745 licensed facilities that were due to renew, 635 had submitted and been approved, 66 had submitted, been reviewed, and were affected by the reinstatement fee dynamics or some other variable, and 44 had not submitted renewal applications.

President McKenzie-Tucker asked if we were working to resolve the reinstatement fee issue.

Manager Christopher expressed the rough timeline of communication and back and forth with the developers and confirmed that as of now they have not resolved the issue.

President McKenzie-Tucker asked if Director Dresselhaus was going to reach out to them on this.

Director Dresselhaus indicated that he would do that and would report back next board meeting and see what result he can get.

President McKenzie-Tucker asked him to keep the members posted.

5. Board Member Terms/Executive Appointments

Director Dresselhaus pointed out that there should be a document on member I pads with Board member details. He asked if member Gaskill and member Harris had been reappointed not too long ago.

Member Gaskill indicated that he was not aware of having been.

Member Harris indicated that she thought she had been.

Director Dresselhaus stated that he thought their terms ended at the end of last year and indicated that he will look into this and follow up. He pointed out that there was one vacancy that he was in the process of getting someone appointed for in May to fill the vacancy member Bone left. He stated that everywhere he speaks he also puts it out there that if anyone knows anyone who is interested in serving on the board to please have them reach out. He mentioned that it is always nice to have individuals in the queue. He mentioned that they are appointed by the governor but confirmed by the senate. He went over details of the document.

President McKenzie-Tucker stated that at the end of 2025 multiple members will term out. She pointed out that she won't be here to help for that. She told the members to encourage people to apply and indicated that she would like to see a little more diverse cross section of the state.

Member Felton asked what position member Bone was leaving.

Director Dresselhaus it was stated that it was for Funeral Service Practitioner.

President McKenzie-Tucker asked if there were any other questions. There were none.

6. Education & Compliance Program Manager Recruitment Update

President McKenzie-Tucker mentioned previous staff member, education and compliance manager, Pete Burns and the open position he left.

Director Dresselhaus mentioned that he had been working on getting that position filled. He stated that we had a final candidate. He mentioned that we had a meet and greet with staff a week or so ago and now the process is in the HR realm. He is hoping to bring this person on by the beginning of May.

President McKenzie-Tucker mentioned there had been a lot of interest.

Director Dresselhaus stated there were 16-18 who made it through the initial process.

President McKenzie-Tucker asked if there were any questions. There were none.

7. OFDA Annual Convention

President McKenzie-Tucker mentioned that the Annual OFDA Convention was last week.

Member Gaskill mentioned that Director Dresselhaus did a good job of promoting. He stated it that was good to connect with other directors.

Member Felton mentioned that some of the topics were really good and that the highlight for her was the hypnotist. She indicated that Wally Ordeman put on a good program and that she was excited to be going to in-person events.

President McKenzie-Tucker mentioned that she only made to the first day of the convention. She mentioned that it was clear that many licensees are having struggles. She mentioned the memorial services and that many licensees had died.

Director Dresselhaus stated there was lot of meaty information that he shared. He briefly discussed the challenges that manager Christopher faces on a daily basis. He turned the floor over to manager Christopher.

Manager Christopher mentioned that staff had recent discussions related to getting assistance.

Member Collins asked if that was really an option.

President McKenzie-Tucker mentioned that it comes down to budget.

Director Dresselhaus indicated there was a lot that it would take to create a new position, would need to work with HR. He stated that it would be a huge undertaking and he wants to see how the "borrowing of other staff" option might work.

AAG McCracken stated that it would be first a matter of working with our LFO.

Member Felton asked when the last time was that we had a fee increase.

Director Dresselhaus stated he was unsure and that he would report back on that.

Member Loveland stated that he would like to look into the people that are using the program and accessing the funds the most.

President McKenzie-Tucker asked if he was talking about the Indigent Disposition Program.

Member Loveland said yes.

President McKenzie-Tucker said those dynamics will need to be considered. She then moved on.

8. Ten Day Hold Notification Status Update

Director Dresselhaus stated that he got feedback from previous staff member, education and compliance manager, Pete Burns on this, and that following the January 2023 board meeting his understanding was that the Advisory Committee all agreed that the 10-day hold should be increased to 20 days. He indicated that he would have a draft for approval in July.

President McKenzie-Tucker indicated that sounded like a good idea.

For the record Staff was given direction to have the draft ready for the July meeting.

President McKenzie-Tucker moved on.

9. Indigent Disposition Program (IDP) Year in Review

Director Dresselhaus mentioned that some of the newer board members probably hadn't seen this as it hadn't been done in a while. He briefly went over the document. He stated that this document was emailed to members this morning. He brought attention to page three and the current rate of reimbursement and proposed an increase based upon the healthy state of the fund. He recommended that the Board increase the rate of reimbursement from \$500 to \$550. He added that this would be great for all the funeral establishments providing this altruistic service. He briefly discussed some of the other details of the document and reiterated the proposed increase from \$500 to \$550.

He asked if there were any questions.

President McKenzie-Tucker stated this was fantastic. She expressed appreciation for the staff who put this document together, and for bringing a more analytical approach to this aspect of the agency. She briefly discussed the inequity that member Loveland had pointed out. She mentioned being surprised that Multnomah County was not number one.

Member Gaskill asked if we are making sure that before we are paying out IDP claims that they have paid their filing fees.

Administrator Huhn replied yes.

President McKenzie-Tucker asked if she could get a vote to increase the reimbursement amount from \$500 to \$550.

Member Gaskill moved. Member Collins seconded.

President McKenzie-Tucker asked those in favor to signify by saying aye. All others were aye, and the motion passed unanimously. Those voting in favor: Members Britton, Canizares, Collins, Felton, Gaskill, Harris, McKenzie-Tucker, Pacheco, Porter

10. New IDP Reimbursement Claim Application

Director Dresselhaus stated this had been a long time coming and many years in the making. He mentioned that each year we get better and more educated. He reviewed the application that had been previously provided to members and pointed out the 90-day requirement to submit.

AAG complimented administrator Huhn for her efforts on the revised application and made a suggestion regarding the language related a social security number on page one.

Administrator Huhn stated that an email had been sent out to all funeral establishments that had made recent claims.

11. Location of Next Board Meeting (PSOB)

Director Dresselhaus mentioned that the July 11, 2023, meeting will be in person at the Portland State Office Building.

President McKenzie-Tucker asked if there anything else. Hearing nothing, she adjourned the general session of this meeting at 10:50 am.

III Executive Session as authorized by ORS 192.660(2)(a), (b), (f), (h), (i) and / or (l)

At 10:52 am, President McKenzie-Tucker then directed the Board to enter into executive session. The executive session was held pursuant to ORS 192.660(2)(a), (b), (f), (h), (i) and / or (l). If present, representatives of the news media and designated staff would have been allowed to attend the executive session, but all other members of the audience would have been asked to leave the room. Representatives of the news media would have been specifically directed not to report on any of the deliberations during the executive session, except to state the general subject of the session as previously announced. Note that no decision can be made in executive session. At the end of the executive session, the Board returned to open session. Executive session adjourned at 3:46 pm.

IV General Session

President McKenzie-Tucker called the general session of the Board back to order at 3:46 pm. (All Board members who were in attendance for the earlier general session were present.)

F Licensing Actions

President McKenzie-Tucker asked if there was a motion to approve this agenda item. She recognized member Harris.

Member Harris so moved. Member Collins seconded. President McKenzie-Tucker asked those in favor to signify by saying aye. All others were aye, and the motion passed unanimously. Those voting in favor: Members Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco, Porter.

Those voting no: None. Those abstaining: None.

G Michael Turner request

President McKenzie-Tucked stated that there will be a change in Board Interpretation as it relates to OAR 830-011-0020 Trainee (Apprenticeship) — Generally (1) Apprenticeship for embalmer, funeral service practitioner, or intern apprentice must be served under persons who are and have been licensed and working in Oregon for at least one year.

The Board will no longer require that a funeral service practitioner having been licensed working in Oregon for at least one year to mean one consecutive year, and we will handle situations like Michael Turner's on a case-by-case basis.

H Board Inspection Report

President McKenzie-Tucked asked if there was a motion to approve this agenda item. She recognized member Gaskill.

Member Gaskill so moved. Member Britton seconded. President McKenzie-Tucker asked those in favor to signify by saying aye. All others were aye and the motion passed unanimously. Those voting in favor: Members Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco, Porter.

I Investigations

1. 22-1029A Addendum – Action

Moved: Gaskill. Second: Felton.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, Pacheco, Porter.

Against: None.

Recused: McKenzie-Tucker.

Motion Passes: 9 - 0.

22-1029B Addendum – Action

Moved: Gaskill. Second: Felton.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, Pacheco. Porter.

Against: None.

Recused: McKenzie-Tucker.

Motion Passes: 9 - 0.

2. 22-1047A – Action

Moved: Gaskill. Second: Harris.

For: Britton, Canizares, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco.

Against: None.

Recused: Collins.

Motion Passes: 9 - 0.

22-1047B – Action

Moved: Gaskill. Second: Loveland.

For: Britton, Canizares, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco.

Against: None.

Recused: Collins.

Motion Passes: 9 - 0.

3. 22-1048 – Table

Moved: Felton. Second: Porter.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

4. 22-1049 – Table

Moved: Felton. Second: Porter.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

5. 22-1050 – Table

Moved: Felton. Second: Porter.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

6. 22-1051 – Table

Moved: Felton. Second: Porter.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

7. 22-1052 – Action

Moved: Harris. Second: Pacheco.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

8. 22-1053 – Action

Moved: Britton. Second: Collins.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

9. 22-1054 – No Action

Moved: Loveland. Second: Gaskill.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, Pacheco. Porter.

Against: None.

Recused: McKenzie-Tucker

Motion Passes: 9 - 0.

10. 22-1055 – Table

Moved: Felton. Second: Collins.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

11. 22-1056 – Table

Moved: Felton. Second: Collins.

For: Britton, Canizares, Collins, Felton , Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

12. 22-1057 – Table

Moved: Felton. Second: Collins.

For: Britton, Canizares, Collins, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

13. 22-1058 – Ratify

Moved: Britton. Second: Porter.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

14. 22-1059 – Ratify

Moved: Britton. Second: Porter.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

15. 22-1060 – Table

Moved: Gaskill. Second: Collins.

For: Britton, Canizares, Collins, Felton, Gaskill, Felton, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

16. 22-1061– Table

Moved: Gaskill. Second: Collins.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

17. Unresolved Cases Consolidated Addendum

14-1071 – Action

Moved Collins. Second: Gaskill.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

15-1065 – Rescind.

16-1096 – Rescind.

18-1031 – Rescind.

15-1048BC – Rescind.

16-1006AB – Rescind.

Moved: Collins. Second: Gaskill.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

17-1009AB – Action

Moved: Collins. Second: Gaskill.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

16-1020ABC – Rescind.

17-1016AB – Rescind.

17-1031 – Rescind.

Moved: Felton. Second: Gaskill.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

14-1051 – Rescind.

17-1049 – Rescind.

17-1069 – Rescind.

18-1008 – Rescind.

17-1054CD – Rescind.

17-1075AB – Rescind.

18-1023A – Rescind.

18-1039AB – Rescind.

Moved: Gaskill. Second: Collins.

For: Britton, Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco. Porter.

Against: None.

Recused: None.

Motion Passes: 10 - 0.

After voting AMT thanked everyone for coming and reminded that the next meeting will be in person.

V Adjournment - the meeting adjourned at 3:59 pm.