



**July 12, 2022, General Session Meeting Minutes FINAL
approved by Board October 11, 2022**

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

Board Members Absent: David **Bone**; Melissa **Porter**

Staff Members Present: Chad **Dresselhaus**, Executive Director; Pete **Burns**, Education and Compliance Manager; Marianne **Itkin**, Investigator; James **Liddle**, Compliance Specialist; Greg **Brown**, Compliance Specialist; Ryan **Christopher**, Office & Licensing Manager; Sylvie Huhn, Program Administrator Indigent Disposition Fund; and Catriona **McCracken**, AAG.

Staff Members Absent: None

Guests: Brian **Louie**, **NOR Committee** Jessica **Daaling**, Lauren **Pettine**, Jason **Widing**, **NOR Committee**; Haylee **Morse-Miller**, **Legislative Fiscal Office**; Alicia Michelson, **Legislative Fiscal Office**.

I. Call to Order

The General Session of the Mortuary and Cemetery Board (Board) was called to order at 9:11am at the Oregon State Library Building in Conference Rooms 102 and 103. Member Pacheco, AAG McCracken, and some guests were present remotely by Microsoft Teams. After the roll call President McKenzie-Tucker welcomed those in attendance.

II. General Session

A. Approval of Meeting Minutes

Board Meetings Minutes, Draft – **April 12, 2022**

President McKenzie-Tucker asked if there were and any recommendations for edits or additions to the minutes. Hearing none she asked if there was a motion to approve the April 12, 2022, minutes as presented. She recognized Member Gaskill.

Member Gaskill so moved. Member Loveland 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 Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco.

B. President's Comments

1. Welcome Comments from Angela McKenzie-Tucker

President McKenzie-Tucker expressed her excitement to be meeting in person. She extended thanks to the Oregon State Library for the use their space. She acknowledged that she wished the AC worked a little better. She thanked the guests attending.

She stated that some of the things she's been working on include reviewing the embalming authorization for trade embalming dynamics. She indicated that there was very little follow up from email sent to industry members. She indicated that she was glad the question had come from a licensee.

She stated that we are starting to see other organizations meeting in person and that she is waiting to hear from OFDA. There has been discussion about a Board retreat and a plan to do that in person early 2023, possibly 2022, but most likely 2023.

C. Presentation and Approval of Executive Director's Report for July 2022

Director Dresselhaus discussed the budget and stated that the increase in the death registration filing fee has resulted in the increase in the IDP account funds. He indicated that as far as expenditures go, we are doing well and being fiscally responsible. He stated that he has been meeting with Board Officers to review financial documents. He asked if anyone had any questions to please reach out to any of the officers or him.

Member Canizares suggested that the retreat should also be a strategic planning session.

Director Dresselhaus agreed and explained that before the pandemic, that was the plan. Ideally, we would coordinate with OFDA and help with participation. Hearing no further discussion, he asked Manager Christopher to give an update regarding the licensing details of the report.

Manager Christopher briefly discussed the licensing details of the report. He asked if there were any questions. There were none.

Manager Burns presented the compliance details of the report. He expressed excitement about staff getting out in the field for in person inspections. He indicated that the milestones have been exceeded for the KPM for number of facilities inspected. He acknowledged the inspectors for doing a nice job. He pointed out other details in the report. He mentioned that inspectors have been cross training and supporting licensing in various aspects. He mentioned that they are looking into dynamics around cemetery exemptions.

President McKenzie-Tucker was happy we are meeting that mark.

Manager Burns provided case status updates. He asked if there were any questions. There were none.

Administrator Huhn provided some details about the Indigent Disposition Program She stated that there has increase in paid claims and incoming funds.

President McKenzie-Tucker asked what is the average time for a claim to be processed?

Administrator Huhn indicated that it is about 45 days.

Director Dresselhaus indicated that delays in processing stem from applications not being filled out correctly, that and the check needing to be written. He stated that we are trying to get all those who file claims that we have them set up with direct deposit.

Member Loveland asked if there will there be an email when the direct deposit occurs?

Director Dresselhaus indicated that he would see if there was something that could be done about that.

Member Collins asked how do we get signed?

Member Gaskill asked how much is being paid out?

Director Dresselhaus stated that it is \$500 but that after a while we can readjust that.

Member Collins asked if after having filled out about 75 applications for reimbursement, does he need to wait for the VA to respond?

Member Felton asked if the direct deposit will it indicate which decedent it is for?

Director Dresselhaus stated no.

President McKenzie-Tucker stated that we are in the early stages of this process. Staff will have some time to work on the communication and have a more robust update in the future.

Member Loveland stated that just having the last name would help.

President McKenzie-Tucker asked if there were any questions or comments.

Hearing none she asked if there was a motion to approve the Executive Director's Report. She recognized member Gaskill.

Member Gaskill so moved. Member Felton seconds.

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 Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco.

D. Public Comments

President McKenzie-Tucker stated that there was time reserved for public comments and asked if there were any comments from the guests.

Hearing none she moved on.

Director Dresselhaus pointed out that Haylee Morse Miller and Alicia Michelson from the Legislative Fiscal Office were present today. He stated that they had recently joined OMCB staff on a tour of a funeral home, and they had also sat in on a recent staff meeting.

E. General Discussion & Action Items

1. Standing Item: Board Best Practices 2 min Check In for FY 2022 (July 2021 – June 2022)

Manager Burns stated he had given the vote log to each member and now was the time to vote. Members can send him an email to get them back to him. If anyone had any questions let him know.

2. Administrative Fee Schedule

Manager Christopher presented the Administrative Fee Schedule for approval and pointed out that there were no changes.

President McKenzie-Tucker asked if there was a motion to approve. She recognized Member Harris.

Member Harris so moved. Member Loveland seconds.

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 Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco.

3. Workday/ Stipend Update

Director Dresselhaus expressed that this had been quite an ordeal and he sees the finish line. He had sent emails to all Members. Once he gets everyone's response, he will submit the first stipend. He thanked everyone for their patience. He stated that Members should be aware of how much they will be receiving.

Member Gaskill expressed thanks.

Dresselhaus expressed his frustration and indicated that he is looking forward and we are well positioned.

President McKenzie-Tucker asked if there were any questions.

Hearing none she moved on.

4. Natural Organic Reduction Administrative Rule Update

Manager Burns welcomed the NOR committee members that were present as guests. He expressed thanks and commented on the efficient smart team.

He stated that at a special meeting in May the Board approved the NOR rules. These have been updated with the Secretary of State, and there was a public comment period that was quiet. He indicated that we haven't received any applications for an NOR facility yet.

Director Dresselhaus asked if there was any interest being that any of the members were aware of.

Compliance Specialist Brown mentioned that a new facility Earth Funeral has expressed interest.

President McKenzie-Tucker expressed her thanks to the committee and is looking forward to seeing what this brings to our state.

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

5. Accounts Receivable (Civil Penalties Update)

Manager Burns indicated that Board members had been provided a report. He read through the report. He mentioned that we will go over some of the ones that are ready for write off during the Executive Session.

Member Loveland asked if liens have been placed on their buildings.

Member Canizares stated that we need to write it off to clear it from out books.

President McKenzie-Tucker stated that the thing to highlight is that this goes back to 2004.

Member Loveland stated that eventually these people will be selling their property.

Member Canizares acknowledged Member Loveland but pointed out that we don't want this left on the books.

Director Dresselhaus pointed out that it also has a negative effect on our budget. He indicated that we could discuss some of the details further during Executive Session.

6. Ten Day Hold Notification Committee

President McKenzie-Tucker stated that as Administrator Huhn has been processing claims it has become clear that many industry members are not familiar with the requirement regarding the 10 day hold. She stated that we want to put together a committee to review the dynamics around this rule.

She asked if there was a current Board member who would be willing to act as the committee chair?

Member Gaskill volunteered.

She asked if there were any question about diving into this content matter.

Director Dresselhaus stated that staff will work on a call out email and he will present that to the executive team and have an update for next meeting.

President McKenzie-Tucker stated that is all we have for General session and asked if there was anything else.

Hearing no further comments President McKenzie-Tucker stated there would be a 15-minute break and gaveled out of General Session at 956 am.

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

At 10:09am, President McKenzie-Tucker 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 2:50pm.

IV. General Session

President McKenzie Tucker called the general session of the Board back to order at 2:50pm. All Board members who were in attendance for the earlier general session, were still present.

F. Licensing Actions

President McKenzie-Tucker asked if there was a motion to approve this agenda item as presented, except for the Special Request. Direction was given to staff to gather more information regarding the Special Request and present to the Board at a future Board meeting for a possible determination. She recognized Member Gaskill.

Member Gaskill 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 Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco.

Those voting no: None. Those abstaining: None.

G. Board Inspection Report

President McKenzie-Tucker asked if there was a motion to approve the Board Inspection Report.

She recognized Member Loveland.

Member Loveland so moved. Member Harris seconded. President McKenzie-Tucker asked if there was discussion. Hearing none, she then asked those in favor to signify by saying aye. All others were aye and the motion passed unanimously. Those voting in favor: Members Canizares, Collins, Felton, Gaskill, Harris, Loveland, McKenzie-Tucker, Pacheco.

H. Investigations

President McKenzie Tucker asked the Board if there was any discussion. There was none.

1. 21-1036 A1 and A2 – No Action

Moved: Gaskill. Second: Collins.

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

Against: None.

Recused: McKenzie-Tucker

Motion Passes: 7 - 0.

2. 22-1002 A1, A2, and A3 – No Action

Moved: Loveland. Second: Harris .

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

Against: None.

Recused: None.

Motion Passes: 8 - 0.

3. 22-1003 A1(a)(b), A2(a)(b) – Action

Moved: Harris. Second: Felton.

For: Canizares, Felton, Harris, McKenzie-Tucker, Pacheco.

Against: none

Abstained: Gaskill, Loveland

Recused: Collins.

Motion Passes: 5 - 0.

4. 22-1005 A1 and A2 – Action

Moved: Gaskill. Second: Felton.

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

Against: None.

Recused: McKenzie-Tucker

Motion Passes: 7 - 0.

5. 22-1006 – Ratify

Moved: Loveland. Second: Gaskill.

For: Bone, Canizares, Collins, Felton, Gaskill, Harris, Pacheco.

Against: None.

Recused: McKenzie-Tucker

Motion Passes: 7 - 0.

6. 22-1009 A1 and A2 – No Action

Moved: Loveland. Second: Collins.

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

Against: None.

Recused: None.

Motion Passes: 8 - 0.

7. 22-1010 A1, A2, and A3 – No Action

Moved: Felton. Second: Pacheco.

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

Against: None.

Recused: None.

Motion Passes: 8 - 0.

8. 22-1011 – No Action

Moved: Harris. Second: Gaskill.

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

Against: None.

Recused: None.

Motion Passes: 8 - 0.

9. 22-1012 – Ratify

Moved: Loveland. Second: Pacheco.

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

Against: None.

Recused: None

Motion Passes: 8 - 0.

10. 22-1014 – Ratify

Moved: Loveland. Second: Harris.

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

Against: None.

Recused: None.

Motion Passes: 8 - 0.

11. 22-1018 – Not Action

Moved: Felton. Second: Gaskill.

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

Against: None.

Recused: None.

Motion Passes: 8 - 0.

After voting concluded President McKenzie Tucker thanked everyone for participating and adjourned the meeting.

V. Adjournment - the meeting adjourned at 2:59pm.