

IDAHO BOARD OF MORTICIANS
Division of Occupational and Professional Licenses
P.O. Box 83720
Boise, ID 83720-0063

Conference Call Minutes of 3/3/2022

BOARD MEMBERS PRESENT: Steve Gordon - Chair
Brian T. McBride
James R. Sommer

DIVISION STAFF: Anne Lawler, Bureau Chief
Kent Absec, Licensing Program Manager
John Price, Investigative Unit Manager
Nicole Kittle, Investigator
Nicholas Krema, General Counsel
Eric Nelson, Board Prosecutor
Cesley Metcalfe, Board Support Supervisor
Christian Runnalls, Board Support Specialist

OTHERS PRESENT: Eric English, Idaho Funeral Service Association

The meeting was called to order at 12:06 PM MST by Steve Gordon.

INTRODUCTIONS

Mr. Absec introduced the following people to the board: himself as the Board's Executive Officer and the Licensing Program Manager; Anne Lawler as the Bureau Chief for the Occupational Licenses Bureau within the Division; Christian Runnalls as the Board Support Specialist; Cesley Metcalfe as the Board Support Supervisor; Nicholas Krema as General Counsel; John Price as Investigative Unit Manager; and Nicole Kittle as an Investigator.

APPROVAL OF MINUTES

Mr. Sommer made a motion to approve the minutes of 6/29/2021 and 9/13/2021. It was seconded by Mr. McBride. Motion carried.

LAWS AND RULES

Mr. Absec presented a legislative update. He explained the history and purpose of Zero-Based Regulation (ZBR) and informed the Board that it is tentatively scheduled to perform its rule chapter review in 2024. All regulatory boards will go through a sunset review of their statutes, but a schedule has not yet been provided

DIVISION UPDATES

Mr. Absec presented the organizational charts of the Division's staff structure to the Board. He also stated that the Division should be moving to its permanent building by July. Mr. Absec explained that a financial report was unavailable due to issues created by the consolidation of multiple financial systems within the Division.

BOARD MEMBER TRAINING

Board member training was deferred to a future meeting.

EXECUTIVE OFFICER REPORT

INTERNATIONAL CONFERENCE OF FUNERAL SERVICE EXAMINING BOARDS

Mr. Absec summed up the International Conference of Funeral Service Examining Board's Annual Meeting. He expressed his appreciation for the opportunity to learn more about the profession and how other states regulate the profession. Mr. Gordon represented the Board at the Annual Meeting. He stated that the Conference is going through a five-year analysis of the mortician job description. He also stated that a survey about the mortician exam will be available soon and hopes that all licensees will provide feedback.

MORTICIAN RESIDENT TRAINING TOWARD FUNERAL DIRECTOR LICENSURE

Mr. Gordon briefed the Board on a letter he received that asked if an individual could use education and experience completed in anticipation of a mortician's license toward obtaining a funeral director license.

Mr. Sommer made a motion directing Division staff to draft a response for approval by the Board chair. It was seconded by Mr. McBride. Motion carried.

EXAM REGULATIONS

The Board discussed whether it wanted to return to pre-COVID in-person jurisprudence exams or continue accepting mail-in exams. Division staff will present information at the next meeting regarding whether discipline cases increased during the time that the Board has accepted mail-in exams.

APPLICATION APPROVAL PROCESS

Mr. Absec discussed Board governance versus board operations in relation to documents for Board review. He stated that the goal is to have the Board govern and the Division staff manage the administrative work for licensing.

Mr. McBride made a motion to authorize Division staff to approve clean exam and Certificate of Authority applications. It was seconded by Mr. Sommer. Motion carried.

CONTINUING EDUCATION APPROVAL PROCESS

The Board discussed its current process for continuing education approval. No action was taken.

COMPLAINT MEMORANDUM

Mr. Price gave the investigative report, which is linked above.

EXECUTIVE SESSION

Mr. McBride made a motion that the Board go into executive session under Idaho Code § 74-206(1)(d) to consider records that are exempt from disclosure under the Idaho Public Records Law, Idaho Code § 74-106(9). The purpose of the executive session was to discuss documents relating to the fitness of a licensee to retain a license or registration. It was seconded by Mr. Sommer. The vote was: Mr. Gordon, aye; Mr. McBride, aye; and Mr. Sommer, aye. Motion carried.

Mr. Sommer made a motion to come out of executive session. It was seconded by Mr. McBride. Motion carried.

The Board provided recommendations to the Board Prosecutor during executive session.

QUARTERLY MEETING DATES

The 2022 quarterly meeting dates were scheduled for:

June 16, 2022, at 2:00 PM MDT
September 15, 2022, at 2:00 MDT
December 8, 2022, at 2:00 MST

ADJOURNMENT

Mr. Gordon adjourned the meeting at 2:23 PM MST.

Steve Gordon, Chair