

APPROVED

BOARD OF FUNERAL DIRECTORS AND EMBALMERS MINUTES OF TASK FORCE ON THE RESIDENT TRAINEE PROGRAM

REVISED

Wednesday, February 9, 2005

Department of Health Professions
6603 W. Broad Street, 5th Floor Room 1
Richmond, Virginia, 23230

- CALL TO ORDER:** A meeting of the Virginia Board of Funeral Directors, Task Force on the Resident Trainee Program was called to order at 9:00 a.m.
- PRESIDING:** Randy Minter, Chair
- MEMBERS PRESENT:** Robert Burger, Board Member
Billie Watson-Hughes, Board Member
Joseph Jenkins, Jr., Board Member
Rick Sikon, Program Director, JTCC
Frank Walton, Program Director, NSU
William Carter, Director of Training,
Joseph Bliley and Sons Funeral Home, Inc.
D. D. Watson, President, V.M.A.
- MEMBERS ABSENT:** Skip Tharp, Board Member
- COUNSEL:** Jack Kotvas, Assistant Attorney General
- STAFF PRESENT:** Elizabeth Young, Executive Director
Annie B. Artis, Operations Manager
Virginia Davis, Administrative Assistant
- OTHERS PRESENT:** Meredyth Partridge, Regulatory Support Services
- QUORUM:** With 7 members present, a quorum was established.
- ORDER OF AGENDA:** On a properly seconded motion by Mr. Jenkins, the Committee moved to accept the agenda.
- INTRODUCTION OF BOARD AND STAFF** Members of the Board, the Task Force Committee, DHP staff and guests introduced themselves.
- PUBLIC COMMENT:** Ms. Partridge stated that her firm, Regulatory Support Services, offers tutoring to individuals preparing to take the FDE state exam. She has noticed a weakness in the knowledge area of pre-need funeral contracts.

Mr. Sikon stated that funeral service licensees lack the knowledge of pre-need law. He suggested the Board examine requiring continuing education training to include mandatory hours in the regulations and laws, specifically preneed funeral planning and the Federal Trade Commission rule. He suggested that the Board require that at least two of the required five hours address funeral laws and regulations.

Ms. Young read a letter from Mr. Phillip Murray requesting to pursue a resident trainee program part-time due to his current employment status with Chesterfield County. Mr. Murray anticipates retiring from his county position by the end of 2005. Mr. Murray has completed mortuary school and has passed the national examination. Mr. Sikon stated that he believed that the current regulation limits entry by second career professions, who are the majority of individuals entering the profession today.

Ms. Young stated that 54.1-2817 of the Code of Virginia allows the Board to waive resident trainee requirement if they cause any undue hardships on those persons entering the funeral profession.

PROCEDURES FOR REVIEW

EDUCATION

Mr. Sikon stated that those students who complete the apprenticeship prior to mortuary school are more successful in mortuary school. Mr. Minter and Mr. Burger shared their experiences and concurred with Mr. Sikon's statement. There was discussion regarding whether or not an apprenticeship should be served before or after entering school. Some felt that it would be helpful in making a determination as to whether or not individual seriously wished to pursue the profession of funeral service before pursuing a degree in the field of funeral service. The Committee deferred any recommendation at this time regarding this debate.

With a properly seconded motion by Mr. Jenkins, the Committee directed staff to provide a comparison study of which is required first: education or apprenticeship among neighboring states. Ms. Hughes voted no to the motion.

A question was asked regarding licensure of convicted felons. Ms. Young stated that there is legislation currently in the General Assembly removing the absolute prohibition of felons for licensure by the Board. If passed, the law

will become effective July 1, 2005. If the bill does pass, it will mean that if the Board receives an application, it will be accepted; however, it will be submitted to the Enforcement Division for an investigation. The Board will review the conviction as well as the applicant's competency. The Board will also examine the initial felony, revocation and findings of fact.

REPORTING FORMS

Mr. Burger stated that the current program has no true monitoring of trainees and supervisors. The Task Force stated that there are certified preceptor training programs in Pennsylvania and South Carolina. Also, it was stated that guidelines and curriculum directives are needed for supervisors. Mr. Watson stated that trainees need necessary training, "the right and easy way of doing things". Further, Mr. Watson stated that the training holds all parties more accountable, but currently there are no checks and balances in the resident trainee program. Mr. Sikon concurred that accountability is needed along with certified trainers.

Mr. Sikon also discussed the issue of funeral homes providing the embalming portion of the education requirement. Mr. Sikon stressed that currently the process is not accepted by the American Board of Funeral Service Education.

Mr. Carter discussed the interpretation of "direct supervision". He asked if it meant in the room. The Task Force said no, it means on the premises.

Ms. Hughes stressed the need for the training should be in conjunction with schools. Currently, South Carolina seeks individuals in funeral homes who are willing to be trainers.

Mr. Sikon asked how funeral homes will view the proposed changes, specifically the certification of the supervisor. Ms. Hughes asked what may be the financial impact on the funeral home and does the requirement increase accountability by all parties to the trainee. Mr. Sikon suggested that with a new resident trainee program and possibly a training program, the board should provide a letter to the funeral homes, guidance documents on requirements of program and that embalming reports should be signed by resident trainee and supervisor.

The Task Force recommended the possible review of training reports During the inspection and to add an attestation of completion of 25 embalmings and 25 directings to the resident trainee report.

AMENDMENTS TO REGULATIONS

The Task Force recommended the following amendments to the resident trainee regulations:

18 VAC 65-40-10. Definitions -

“Direct supervision” means that a licensed funeral service profession is ~~present~~ and on the premises of the facility.

18 VAC 65-40-40. Fees.

The Task Force recommended to increase the fees.

18 VAC 65-40-130 Resident training

A. The trainee program shall consist of at least ~~18 months~~ 3000 hours with a minimum of 30 hours per week of resident training.

~~C. A resident trainee shall not attend school full-time while serving his Traineeship.~~

C. The Board may waive any limitations if it determines that their Enforcement of any regulation will create an unreasonable hardship.

18 VAC 65-40-160 Trainee work schedule

Every resident trainee shall be assigned a ~~full-time~~ work schedule of at least ~~40~~ hours each week in order to obtain for such training. The trainee shall be required to receive training in all areas of funeral service. Additional and further hours may be at the discretion of the supervisor or may be a requirement of the facility as prescribed in the 54.1-2813 (iv.) of the Code of Virginia.

18 VAC 65-40-250 Requirements for supervision

A. Training shall be conducted under the direct supervision of a licensee with five consecutive years of funeral service practice and ~~or licensees~~ approved by the board.

18 VAC 65-40-320. Report to the Board: six-month report; partial report; final report.

The Task Force recommended significant changes to report. (See attached documents)

18 VAC 65-40-340. Supervisor's Responsibilities.

- D.** The supervisor shall provide the trainee with instruction in making preneed funeral arrangements and provided cremation services and instruction on the laws and regulations pertaining to preneed funeral contracts and disclosures and cremation.

EXAMINATION

The examination was reviewed by the committee. Ms. Young asked the Committee if they would consider eliminating the FDE state exam and only require the national exam. She asked the Task Force to consider the issue, even though the final vote is from the board.

RECOMMENDATIONS TO THE BOARD

The following recommendations were made to the Board:

- . Preceptorship
- . 3,000 hour apprenticeship program (still equates to 18 months)
- . Changing the apprenticeship 6-month reporting form
- . Prepare a case study education vs. apprenticeship

NEXT MEETING

The next meeting of the Task Force on the Resident Trainee Program was scheduled for April 27, 2005 at 9:00 a.m.

ADJOURNMENT

With all business concluded, the Committee adjourned at 12:00 noon.

Randy Minter, Chairperson

Elizabeth Young, Executive Director

Date

Date