

State Board of Embalmers and Funeral Director

December 6-8, 2010
University Plaza Hotel
333 S John Q Hammons Parkway
Springfield, Missouri 65806

OPEN AGENDA

Monday, December 6, 2010

3:00p.m.

1. Closed meeting

Tuesday, December 7, 2010

9:00a.m.

2. Call to Order
3. Roll Call
4. (Tab 1) Review and Approval of Agenda
5. (Tab 2) Executive Director Report
 - Update on NPS
 - Update on Warren Funeral Chapel, Inc.
 - Update on Buescher Memorial Home
 - Update on Brandtonies
6. (Tab 3) Renewal status from October 31, 2010
 - *Preneed Sellers*
 - *Preneed Providers*
 - *Preneed Agents*
 - *Preneed Funeral Director Agents*
7. (Tab 4) Approval of Minutes
 - *November 5, 2010 Mail ballot*
8. Legislation Proposal Status
9. (Tab 5) Preneed Financial Examinations
10. Discussion regarding notification to employers relating to employee's licensure
11. Open Discussion/Dialogue
12. Location of March, 2011 meeting

LUNCH BREAK

1:30p.m.

13. (Tab 6) Probation Violation Hearing –
Case EMB 11-001-PV and EMB 11-002-PV
Ronald Marts and Marton, LLC, dba Marts Memorial Services
Funeral Director license 004036
Funeral Establishment license 2002000826
Preneed Provider license 2010024768

2:45p.m.

CLOSED

Wednesday December 8, 2010

9:00a.m.

CLOSED

14. Adjournment

Closed Meeting. The Board may move into closed session pursuant to Section 610.021 Subsection (14) and Section 324.001.8 RSMo for discussing educational transcripts and/or test scores and/or complaints and/or audits and/or investigative reports and/or other information pertaining to the licensee or applicant for licensure; Section 610.021 Subsection (1) RSMo for discussing general legal actions, causes of action or litigation and any confidential or privileged communications between this agency and its attorney; Section 610.021 Subsection (1) RSMo and 324.001.9 RSMo for deliberation on discipline; Section 610.021 Subsection (3) RSMo discussing hiring, firing, disciplining or promoting an employee of this agency; Section 610.021 Subsection (13) RSMo for making performance ratings pertaining to individual employees; Section 610.021 Subsection (7) RSMo for reviewing testing and examination materials; Section 610.021 Subsection (14) and Section 324.001.8 RSMo. for proceedings required pursuant to a disciplinary order concerning medical, psychiatric, psychological, or alcoholism or drug dependency diagnosis or treatment of specific licensees; and Subsection of 610.021 RSMo for the purpose of reviewing and approving the closed minutes of previous meetings.

State Board of Embalmers and Funeral Directors

Financial Examination Mission Statement

The mission of the financial examination team of the Board shall be:

1. To ensure that the monies Missouri consumers have paid to take care of their final expenses are intact and funds will be available at the time of need whether the funeral home/seller is still in business or not;
2. To bring to the attention of the Board improprieties and/or misconduct of licensees related to preneed funeral contracts; and
3. To provide assurances of compliance to the public, consumers of the licensee, the licensee and other members of the death care industry.

Financial Examination Process – FAQ

1. How will the sellers be selected for an examination?
 - a. Sellers will be selected for examination by a random “pull” from the Division’s licensing system.
 - b. Some sellers will be examined due to the random pull and others will be examined due to a complaint initiated process.

2. What can be expected when a seller is chosen for an examination?
 - a. When a seller is selected for examination, the seller may receive a letter notifying them of their selection and may ask them to submit specified documents in advance of the examination which might include:
 1. Copies of statement showing trust balances and assets, joint account statements;
 2. A copy of a ledger or computerized report showing any outstanding preneed contracts;
 3. Copies of agreement(s) with providers, agents and the trust agreement with the trustee (if the seller has a trust);
 - b. The seller will then be contacted to schedule a time for the examiner(s) to come to the seller’s place of business.
 - c. The examiners will come on-site to the place of business and will need a space to sit and review records. They will bring their own equipment and will need access to electrical outlets. The examiners will ask to see the preneed files and any records outlined in 2.a not previously received. They may have other questions as well.
 - d. For most examinations, the examiners will not be on location for an extended period of time and will aim to cause as little interference as possible. Regular business of seller will be able to continue as usual.
 - e. After the examiners complete the on-site review of records, they will go back to the office to analyze the results and will prepare of summary of findings for the Board.
 - f. The seller will receive a letter from the Board notifying them of the findings from the examination and will be given an opportunity to respond, if they choose to do so.
 - g. The Board will then review the summary of findings and the seller’s response to determine whether the examination is satisfactory or if there is any action to be taken.
 - h. The seller will be notified of the Board’s final action.

3. Can someone volunteer to be placed on the examination list?
 - a. Yes. A seller can volunteer to have their own business placed on the list for financial examination rather than wait for a random pull. The seller may request such by writing to the board or by emailing the board office at embalm@pr.mo.gov.