

These minutes were approved by the Board on 10.27.2022

**MINUTES OF THE MEETING OF THE
BOARD OF FUNERAL DIRECTING AND EMBALMING**

July 21, 2022

1. ROLL CALL

The meeting of the Board of Funeral Directing and Embalming was called to order by Steven Brunken, Chair, at 8:56 a.m., in the Lower Level B, Nebraska State Office Building, 301 Centennial Mall South, Lincoln, Nebraska. In accordance with § 84-1411 of the Nebraska Open Meetings Act, copies of the agenda were 1) emailed to the Board members and other interested parties, and 2) posted on the DHHS web site at <https://dhhs.ne.gov/licensure/Pages/Agendas-and-Minutes.aspx> and on the bulletin board in the Licensure Unit Lobby on 07.15.2022.

The following members answered roll call:

Members Present (3):

Steven Brunken, Chairperson (in person)
Arvid Wiest, Vice Chair (on call)
Leo Seger, Member (on call)

Members Absent (1):

Lawrence Battaglia, Secretary

Others Present (3):

Kris Chiles, Program Manager, Licensure Unit (in room)
Carrie Oldehoeft, Health Licensing Coordinator (in room)
Milissa Johnson-Wiles, Assistant Attorney General (in room)
TJ O'Neill, Assistant Attorney General (in room)
Joanna Uden, DHHS Attorney (in room)
Anna Harrison, Compliance Monitor (in room)

9:02 am Larry Wiehn and Mark Meyerson, Investigations, entered room

A quorum was present and the meeting convened.

2. ADOPTION OF AGENDA

MOTION: Seger moved, seconded by Wiest, to adopt the agenda. A voice vote was taken. Voting aye: Brunken, Wiest, Seger (3). Voting nay: None (0). Absent: Battaglia (1). Motion carried.

3. APPROVAL OF MINUTES (05.05.2022)

MOTION: Seger moved, seconded by Wiest, to approve the minutes of 05.05.2022. A voice vote was taken. Voting aye: Brunken, Seger, Wiest (3). Voting nay: None (0). Absent: Battaglia (1). Motion carried.

4. Global Anatomix (without formaldehyde)

Creighton is looking at anatomic donations and checking to see if non formaldehyde is approved in Nebraska. The board is deferring for more information, based on the statute 38-1409.

38-1409. Embalming, defined. (1) Embalming means the practice of preparing a dead human body for burial or other final disposal by a licensed funeral director and embalmer or an apprentice, requesting and obtaining burial or removal permits, or assuming any of the other duties incident to the practice of embalming. (2) Any person who publicly professes to be a funeral director and embalmer or an apprentice is deemed to be practicing embalming. (3) The performance of the following acts is also deemed to be the practice of embalming: (a) The disinfection and preservation of dead human beings, entire or in part; and (b) the attempted disinfection and preservation thereof by the use or application of chemical substances, fluids, or gases ordinarily used, prepared, or intended for such purposes, either by outward application of such chemical substances, fluids, or gases on the body or by introducing them into the body, by vascular or hypodermic injection, or by direct introduction into the organs or cavities.

5. Updates and Reports

- a. Nebraska Funeral Directing Association (NEFDA) <http://www.nefda.org>

Seeger provided a report from the Scholarship meeting, that they are considering a change to allow for the last 6 months of apprenticeship to be part of schooling (similar to an internship, rather than completed after graduation); this would require a statute change.

Discussion on education requirements. Concern if the school in Kansas City loses accreditation, as the scholarship endowment is to the Kansas City school, the trustee say the scholarship would return to the families for distribution.

- b. International Conference of Funeral Service Examination Board, Inc. (ICFSEB)

<http://www.theconferenceonline.org>

Concerns raised that the national Exam-Pass/Fail fail rate is very high.

Vital stats & state jurisprudence exam is state specific.

- c. Disciplinary and Non-Disciplinary Action Reports, Renewal, License and Examination Statistics

Reports attached to the agenda.

6. INVESTIGATIONAL REPORTS & OTHER CONFIDENTIAL INFORMATION – CLOSED SESSION

MOTION: Wiest moved, seconded by Seeger, to enter into closed session at 9:35 a.m. to hear discussions of an investigative/confidential nature, and for the prevention of needless injury to the reputation of the individuals. Brunken repeated the motion purpose. A roll call vote was taken. Voting aye: Brunken, Seeger, Wiest (3). Voting nay: None (0). Absent: Battaglia (1). Motion carried.

9:38 am Meyerson exited the call

7. REVIEW AND RECOMMENDATIONS – OPEN SESSION

Board agreed to go into open session at 10:29 am.

10:30 am Wiehn exited the call

Nabity – FDE Reinstatement

Chiles reported the Board recommended issuing the license with no terms or conditions following a mail ballot vote.

8. ADJOURNMENT

The next meeting is scheduled for 10.27.2022 as a conference call. There being no further business, the chair declared the meeting adjourned at 10:31 a.m.

Lawrence Battaglia, Secretary
Board of Funeral Directing and Embalming

Summarized by: Carrie Oldehoeft, Health Licensing Coordinator, Licensure Unit