



The Conference Criticizes Conn. Legislation That Would Protect Former AAMI Students

Former mortuary college students in Connecticut who have had their National Board Exam scores invalidated by the International Conference of Funeral Service Examining Boards will rest a little easier if a bill making its way to the state Senate becomes law.

Connecticut Senate Bill 841 – An Act Concerning Embalmers and Funeral Directors – would allow funeral directors and embalmers who graduated from the American McAllister Institute of Funeral Service in New York City to continue to practice their profession even if The Conference invalidates their NBE scores.

Dalene Paull, executive director of The Conference, says fewer than 20 Connecticut licensees have had their NBE scores invalidated as a result of participating in an alleged scheme to share highly sensitive information about the NBE with AAMI faculty and students while enrolled at the school.

“It is The Conference’s view that licensure decisions related to the activities at AAMI should



Dalene Paull, executive director of The International Conference of Funeral Service Examining Boards, says funeral professionals need to rally together to protect the integrity of the National Board Exam.

be left to the discretion of the state boards, and should not be stripped away by the legislature – particularly one that does not have the benefit of complete and accurate information,” she says in an email. “The proposed bill also goes well beyond the events at AAMI and, as we read it, deprives the CT Board of any power to take action against a licensee if their score is invali-

Salvation Army Enters Funeral Service in Australia

When funeral professionals read the headline last week, they immediately took notice.

“Salvation Army Says Entry Into Funeral Service Will Help Disadvantaged.”

Published by the Guardian in Australia, the article highlighted Salvos Funerals, which the Salvation Army launched in Sydney after a six-month trial.

“We are, I believe, meeting a particular need of the lower socio-economic folk who just can’t afford thousands and thousands of dollars for a funeral,” Malcolm Pittendrigh, CEO of Salvos Funerals, told the Guardian.

The funeral home explains on its website, “Salvos Funerals is entirely owned and operated by The Salvation Army. Known for our humanitarian and charitable work helping those most in need, our funeral services are a natural extension of the care we provide.”

Only time will tell if we’ll see something similar in the U.S.



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dated more than six months after they took the NBE, no matter the reason. That’s a pretty sweeping change.”

Nationwide, The Conference has invalidated the scores of about 300 former AAMI students that allegedly participated in the scheme. “We found evidence of it going back 17 years when we investigated in 2013,” she says of the alleged conspiracy to share information about the exam.

While the AAMI breach has been the most significant in the history of the NBE, Paull can envision egregious circumstances in which a test taker might engage in blatant cheating that might not be discovered until after the six-month window described in the bill. “If The Conference invalidates that score, there would be nothing the CT Board could do about it,” she says. “I’m not sure why the people of Connecticut would want that result.”

The Public Health Committee introduced the bill (read it in full at right), which the Senate Review Committee passed. Now, it goes to the Connecticut State Senate for a full vote, and if it’s approved, it would move to the state House of Representatives. If the House approves the bill, it would go to the governor to be signed.

John Cascio, executive director of the Connecticut Funeral Directors Association, says the

**Connecticut Senate Bill 841
 An Act Concerning Embalmers
 and Funeral Directors**

Section 1. Notwithstanding the provisions of section 20-227 of the general statutes, the Connecticut Board of Examiners and Embalmers and Funeral Directors shall not take any disciplinary action against a licensed embalmer or funeral director pursuant to subdivision (1) of said section as a result of any alleged action by the licensee in connection with his or her licensing examination that was approved by the Department of Public Health, in consultation with said board, under section 20-213 or 20-217 of the general statutes, if (1) the licensee (A) graduated from an institution of higher education or private occupational school that was accredited by the American Board of Funeral Service Education at the time of the licensee’s graduation from such institution or school, and (B) received a passing grade on such examination, and (2) the examination services provider did not invalidate such passing grade on or before six months after the date the licensee took such examination.

association teamed up with Brian S. Sokoloff, a partner with Sokoloff Stern LLP, who is representing a number of former AAMI students whose scores have been invalidated, to push for the legis-

lation – and he fully supports it.

“These are very ethical, outstanding, good individuals, and I feel very badly that they were put into this mess,” Cascio says. “They have not had any kind of due process: They received a letter and a note saying their scores have been invalidated.”

Cascio notes that he’s concerned that The Conference has been invalidating scores “in waves” – they have not all occurred at once, he explains. “We just felt there was no protection for these individuals, so we felt we needed to put something together,” he says.

Cascio is hopeful that the legislation will pass, and he thinks it was a good sign that it had unanimous support from the committee so it could be considered for a full vote.

The Conference’s actions have been disappointing, Cascio says. “It has affected so many individuals – not only in Connecticut – but across the nation,” he says. “I think they should have thought about it a little more before they jumped.”

Even if the bill passes, the former students have had to deal with a “black cloud” over their heads, Cascio says. “I just don’t think it’s fair,” he says. “It’s just mind blowing – it’s very upsetting.”

Paull, however, takes issue with the idea that these former students are innocent.

“It is disappointing to see so much focus placed on the invalidations themselves as opposed to the lack of academic integrity in place when the item harvesting occurred,” she says. “It is extremely frustrating that the regulatory community seems to stand alone on this issue of protecting the integrity of NBE results when, in fact, it impacts the credentials of those who obtained valid NBE scores without the benefit of prior access to exam content. And, of course, it also has potential implications for the integrity of the state licensure process and public health and safety.”

Paull notes she has spoken with Sen. Michael A. McLachlan, a Republican serving the 24th District, who sponsored the bill. She’s hopeful that its prospects of passing have dimmed now that “he had been enlightened to facts that had been misrepresented or unknown to him.” She adds, “We are working with the CT Board, who opposed the bill, to educate those involved as to the true facts in the case. For example, there appears to be a misperception that The Conference made these score invalidation decisions without any meaningful evidence, and that test takers were not given the opportunity to respond to The Conference’s investigation before their scores were invalidated.”

The Conference stands ready to address questions and concerns of other Connecticut legislators before any action is taken on the bill, Paull says. “We don’t have

any insight into whether this bill is likely to pass, but we certainly hope that the legislature takes the time to learn the true facts surrounding the AAMI score invalidations,” she says. “It seems to be a knee-jerk reaction to say that the validity of NBE scores are irrelevant to the licensure process if someone went to an accredited school and had their scores invalidated more than six months after they took an exam. It also begs the question: Why should anyone be required to pass the NBE, if this bill passes and it becomes acceptable to get or keep a license without a valid score?”

Upping the Ante?

George R. Kelder Jr., executive director and CEO of the New Jersey State Funeral Directors Association, which has seen a number of its own members’ scores invalidated, says his association may also seek legislative action that would constrain the invalidation of exam scores to a minimum amount of time post exam.

It may even push for legislation that promotes eliminating The Conference’s NBE entirely as the sole exam requirement for licensure in New Jersey, Kelder says.

Kelder became aware of the NBE invalidations in Connecticut several weeks ago and has been exchanging information with Cascio ever since to advance their respective causes.

“When I was licensed back in 1980, the NBE was considered a practice test for the New Jersey exam,” Kelder says in an email. “With our Jersey-centric regulatory environment, it would behoove everyone – licensees and consumers alike – if New Jersey (or other states for that matter) uncoupled its jurisprudence questions from the NBE and reverted back to its own distinctive test. It also begs the question over a complete national overhaul of the internship and education process and how well prepared licensees could be when they enter the profession under an organized system of trained preceptors and mentors. After all, teaching to the test got us into this mess.”

Kelder adds, “Unfortunately, both of these approaches (time limits and the elimination of the NBE) provide for reactive, not proactive responses. And, in our current licensing environment, it immediately places limitations on any thoughts of reciprocity should a funeral director choose to work in another state. The transferring licensee of course could always deal with that situation in the future.”

To Kelder’s knowledge, the NJSFDA is the only association that is assisting newly licensed funeral directors to prepare their defense against The Conference’s invalidation of their NBE scores. “And we have been actively involved with these licensees and other associations since we became aware of how widespread

the issue was,” he says.

The NJSFDA’s primary concern is to ensure justice is done, Kelder emphasizes. “NJSFDA’s concern has always been the mistaken conclusion by many in funeral service that each and every one of our implicated peers, men and women that have been licensed for 3-10 years, actively took part in an orchestrated system of recording and sharing test questions and answers with AAMI and/or one another,” he says. “And that each and every licensee implicated is guilty absent the most basic provisions of due process.”

Although the NJSFDA may push legislative or rulemaking changes, Kelder remains disheartened that The Conference has so far been unwilling to give the licensees affected a chance to defend themselves.

Similarly, Paull remains disappointed by the lack of support from some in the profession to back the integrity of the NBE. “Most of the professionals in this industry understand the seriousness of this issue and are disturbed by what they’ve read

about what occurred at AAMI,” she says. “They seem to understand why The Conference was compelled to take action when it had evidence calling into question a test taker’s score. That said, there are also several professional associations, and some individuals, that have been quite unsupportive and vocal in their opposition to The Conference’s actions.”

She adds, “This lack of support almost always seems to be based upon misinformation about what happened at AAMI, how The Conference handled the situation, and the reasons why protecting the integrity of the NBE and the licensure process is so important. It is disheartening for those of us at The Conference who are only trying to do what we believe is right, but I have to remind myself that these critics don’t have access to the thousands of pages of documents and other evidence that we do.”

Email tparmalee@ucg.com to request previous articles focusing on this controversy.

Report a Breach

The Conference takes National Board Exam breaches seriously.

To report a breach, call The Conference at 479-442-7076, write to 1885 Shelby Lane, Fayetteville, AR 72704 or go online and visit <https://theconferenceonline.org/report-concern>. You need not reveal your name.