The Conference
115TH ANNUAL MEETING
San Diego, California

NAVIGATE >> LEGISLATE >> REGULATE

FEBRUARY 27-28, 2019
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Dear Guests:

On behalf of the California Cemetery and Funeral Bureau, welcome to California! We are excited to have all of you attend the 115th annual meeting of The International Conference of Funeral Service Examining Boards here in beautiful San Diego.

The theme of this year’s meeting is “navigate, legislate, regulate.” Like all of you, the California Cemetery and Funeral Bureau “navigates” through many different paths in order to stay informed and current with trends and changes in the profession so we can provide outstanding service to the consumers we protect and the professionals we regulate.

The agenda for this year’s annual meeting is sure to include current and relevant information that will benefit all attendees. There is the informative Board Member Training, a presentation on Body Brokers, and the fun and popular Conference Fishbowl, which includes short, timed discussions on hot topics in the funeral industry. This is just a snapshot of what to expect – there’s plenty more! We look forward to meeting all of you and discussing our common goals in funeral service regulation.

Again, welcome to California! I hope you enjoy your stay in San Diego and have some time to see some of the beautiful sights while in the area.

Sincerely,

Sandra Patterson, Acting Chief
Cemetery and Funeral Bureau
Dear Esteemed Colleagues,

It is my pleasure to greet you as we join our voices in beautiful San Diego in furtherance of the important work of the International Conference of Funeral Service Examining Boards. To our members, educators, directors and staff, I cannot begin to express my deep gratitude for the opportunity to preside over this, our 115th Annual Meeting, and The Conference Board, for the past several months.

I am also pleased to share some of the projects that we have been working on to advance the mission of The Conference and our commitment to the needs of its members. The Model Internship guidelines that will be voted on this year represent a melding of best practices from across the funeral service profession. We have also rededicated our efforts toward providing a superior candidate experience and, to that end, have completed an extensive review of our communication prior to, and following, the examination. We look forward to sharing our 2018 Annual Report which provides insight into Conference services.

The past five years have required a level of perseverance to protect the integrity of our examination results that has been unparalleled in Conference history. This difficult and litigious experience reaffirmed the need to continually educate all stakeholders about the examination process and the need to remain vigilant to preserve the credentials necessary to be a true professional. We commend those who stand with us to protect that standard.

We hope that you will be enthusiastic participants at this annual meeting and look forward to the dynamic conversations that inevitably occur when we convene each year. Please enjoy the beautiful backdrop of San Diego while we learn from each other and strive to advance regulation within the funeral profession. Please know that your entire board of directors and staff look forward to greeting you and stand ready to assist you in the honorable work you perform each day.

Yours Sincerely,

Mark Ransford
President, ICFSEB
Mobile Meeting >>

Download the mobile guide to enhance your experience at the 115th Annual Meeting. You'll be able to access meeting documents, log CEU, plan your day with a personalized schedule, as well as browse speaker bios, maps, and general event info.

To access the guide, choose one of the methods below:

1. Scan the below QR code with your mobile phone (QR-code reader required).
2. Download the free Guidebook app and search for “115th Annual Meeting.”
3. Visit https://guidebook.com/g/theconference115 and tap the “download” button, then select “115th Annual Meeting.”

Register for Continuing Education

During each approved session, register for continuing education credits through The Conference Annual Meeting Guidebook app, The Conference website, or scan the QR code provided for each session.

If you are not using a QR scanner to register for continuing education, register through Guidebook by clicking “register for continuing education” in each session on the agenda, or visit www.theconferenceonline.org/meetingapp and click on “continuing education.”

Register for continuing education credits during or immediately following each session. Please note: the CEU registration system will close at 12:00pm CT on Monday, March 4, 2019.

QR Codes

QR code readers can be downloaded free of charge from mobile platform application stores. Most modern phone cameras have a built-in QR code reader.

By scanning the QR code for each session, you will be able to log your continuing education.

For example, this QR code will route you to The Annual Meeting Survey.

The following jurisdictions have pre-approved the agenda for continuing education credits:

- Alabama Board of Funeral Service
- Arizona State Board of Funeral Directors & Embalmers
- Arkansas State Board of Embalmers & Funeral Directors
- Delaware Division of Professional Regulation
- District of Columbia Board of Funeral Directors
- Idaho Board of Morticians
- Indiana Professional Licensing Agency
- Kansas State Board of Mortuary Arts
- Kentucky Board of Embalmers & Funeral Directors
- Louisiana State Board of Embalmers & Funeral Directors
- Maine State Board of Funeral Service
- Minnesota Department of Health Compliance
- Monitoring division, Mortuary Science Section
- Nevada State Funeral & Cemetery Services Board
- New Jersey State Board of Mortuary Science
- North Carolina Board of Funeral Service
- Ohio Board of Embalmers and Funeral Directors
- Oklahoma Funeral Board
- South Carolina Board of Funeral Service
- Tennessee Board of Funeral Directors and Embalmers
- Utah Board of Funeral Service
- Virginia Board of Funeral Directors and Embalmers
- West Virginia Board of Funeral Service Examiners
- Wyoming State Board of Funeral Service Practitioners

List Current as of 2/13/19

Register with The Conference via the CEU registration system outlined above during each session in order to receive continuing education credits.

* Number of approved hours may vary by jurisdiction.
* If your jurisdiction is not listed, please check with the board for approval.
The Board of Directors of The International Conference of Funeral Service Examining Boards would like to express our sincere appreciation to all of our committee members for their time and effort in furtherance of our goals. The work of The Conference would not be possible without the dedication of these invaluable volunteers.

**NATIONAL BOARD EXAMINATION - ARTS**

Keri Haines, Chair | Oklahoma  
Barbara Kazmierczak | Massachusetts  
Harvey Leavitt | North Carolina  
John Rice | Nebraska  
Michael Shorter | Florida  
Craig Stires | Ohio

**NATIONAL BOARD EXAMINATION - SCIENCE**

Don O'Guinn, Chair | Michigan  
Virginia Bryant | Tennessee  
Brevin Clifford | Washington  
Mark Fisher | Virginia  
Rudee Slavik | California  
Patricia Traffas | Missouri  
Laura Zabel | Colorado

**MODEL INTERNSHIP**

Jennifer Kandt, Chair | Nevada  
Randall Anderson | Alabama  
Suzanne Gebel | Iowa  
James Marrocco | New Jersey  
Leili McMurrough | Illinois  
Blair Nelsen | Virginia  
Bill Vallie | Texas

**Audit**

Charles Perine  
Robert Barnes  
Edward Muhleisen  
Blair Nelsen

**Credentials**

Douglas “Mack” Smith  
Bart Burton  
Robert Gribble  
Sandy Mahon

**Professional Policy**

Douglas “Mack” Smith, Chair  
Bart Burton  
Robert Gribble  
Sandy Mahon

**Finance**

Charles Perine, Chair  
Bart Burton  
Robert Gribble  
Edward Muhleisen  
Blair Nelsen
Mark Ransford, CFSP - President
District 4 Director: Indiana, Michigan, Ohio, Ontario
Mark Ransford was elected to his first term on The Conference Board of Directors in 2017 after serving a two year term left by his predecessor. In June 2018, Mr. Ransford became the 111th President of The Conference. He graduated from the University of Michigan in Ann Arbor in 2002 with a focus in Business and Psychology, and continued his education at Wayne State University in Detroit with a Bachelor’s Degree in Mortuary Science and a Post-Bachelor Certificate in Forensic Investigation. He was licensed in 2003 and returned to his hometown of Caro, Michigan to join his father’s practice after training in Saginaw, Detroit and Kalamazoo, Michigan. He currently serves as Vice-Chairman of the Michigan Board of Examiners in Mortuary Science, and is a past District President of the Michigan Funeral Directors Association. He and his wife, Lainey, have three young boys.

Douglas “Mack” Smith - Vice President
District 6 Director: Iowa, Kansas, Minnesota, Nebraska, North Dakota, South Dakota, Wisconsin
Mack Smith was elected to The Conference Board of Directors in 2015 and elected Vice President of the Board in 2018. He has worked as the executive secretary to the Kansas State Board of Mortuary Arts for over 38 years. He was President of The Conference in 1992 and is a past president of the Council of Enforcement and Regulation (CLEAR), past board member of the Federation of Associations of Regulatory Boards (FARB) and American Board of Funeral Service Education (ABFSE), and is in his fifth term as mayor of Silver Lake, Kansas. Most importantly he is the husband of Suzette, father of Liane and Willie, and grandfather to Hayley (13), Jaiden (10) and Addison (7). He’s been known to listen to his favorite rock and roll band, Kansas, for many hours at a time.

Charles Perine - Secretary/Treasurer
District 3 Director: Alabama, Florida, Georgia, Mississippi, North Carolina, South Carolina
Charles Perine was elected to The Conference Board of Directors in 2017 to complete his predecessor’s term and elected Secretary-Treasurer of the Board in 2018. Mr. Perine has been the Executive Director for the Alabama Board of Funeral Service since 2013 and previously served as the Associate Executive Director of the board. He previously served on the Model Practice Act committee for The Conference and the Model Practice Act Review Committee. Mr. Perine is a licensed funeral director and embalmer in the state of Alabama. He and his wife, Angelita, have three kids, Tylan, Nicholas and Bella (the dog).

Edward Muhleisen - Past President
District 7 Director: Louisiana, New Mexico, Oklahoma, Texas
Edward L. Muhleisen graduated from Holy Cross High School, New Orleans, in 1995; received a bachelor’s degree in business administration from Louisiana State University in 2000; and graduated from Dallas Institute of Funeral Service in 2002. While attending Dallas Institute of Funeral Service, he was employed by Restland Funeral Home in Dallas and Thompson's Harveson & Cole Funeral Home in Fort Worth, TX. Mr. Muhleisen became licensed as an embalmer/funeral director by the State of Louisiana in 2003 and as a licensed Crematory Retort Operator in 2012. He represents the fifth generation of the Muhleisen family in funeral service. Muhleisen presently is the manager of his family firms, L.A. Muhleisen & Son Funeral Home in Kenner, LA, Millet-Guidry Funeral Home in LaPlace, LA and Magnolia Crematory in Kenner, LA. Muhleisen has served on the Louisiana State Board of Embalmers and Funeral Directors since 2013, the Conference Board since 2014, and was elected President of The Conference in 2017.
Robert Gribble, CFSP
District 5 Director: Arkansas, Illinois, Kentucky, Missouri, Tennessee

Robert Gribble was appointed to The Conference Board of Directors in 2018. He has over 40 years of experience in the funeral profession, with more than 15 of those in his current role as the Director of Business and Employee Development for SCI Maine/New Hampshire/Vermont for many years. In 1989 Bob received an Honorary Doctorate of Laws from Mt. Ida College. Bob has been a member of the Maine State Board of Funeral Service since 1994, and is a past Chairman of the Board. He resides in Cape Elizabeth, Maine with his wife Deborah, and has two children, Matthew and Megan.

Blair H. Nelsen, CFSP
District 2 Director: Delaware, Maryland, New Jersey, Pennsylvania, Virginia, West Virginia, Washington, D.C.

Blair Nelsen was elected to The Conference Board of Directors in 2017. A fourth generation Funeral Director, Mr. Nelsen currently serves as Director, Governmental Affairs, Eastern Region of SCI Management. Prior to joining SCI, Nelsen grew his family business from one to six locations, serving families throughout Virginia. Nelsen holds a Bachelor of Arts in Russian Studies from the University of Virginia, a Master of Aeronautical Science from Embry-Riddle Aeronautical University and an Associate of Funeral Science from John Tyler Community College. A former KC-135 Air Force pilot and instructor pilot, Nelsen is a Past President of Preferred Funeral Directors International and is serving his third term as a Director of the International Cemetery, Crematory and Funeral Association. He is currently serving his third term as a member of the Virginia Board of Funeral Directors and Embalmers and is a past president of the Board. Married to Darcie, they have two daughters, Mary Stuart and Elizabeth, as well as a black Labrador Retriever, Georgia.

A.R. “Sandy” Mahon
District 8 Director: Alaska, Alberta, Idaho, Montana, Oregon, Saskatchewan, Washington, Wyoming

Sandy Mahon was re-appointed to the Conference Board of Directors in 2018 to complete a term left by his predecessor. He previously served as Conference President in 2015–2016. Prior to serving on The Conference Board, Mahon was Secretary and Vice-President of The Association of Executives of Funeral Service Examining Boards. Mahon is the Registrar for the Funeral and Cremation Services Council of Saskatchewan and has been employed by the Council since 2005. He was formerly a member of the Royal Canadian Mounted Police (RCMP) and retired at the rank of Sergeant Major. The latter part of his career in the RCMP was spent in a variety of training functions and he has a Certificate in Adult Education from St. Francis Xavier University in Antigonish, Nova Scotia. Sandy and his wife Katherine reside in Regina, Saskatchewan.

Bart Burton
District 9 Director: Arizona, California, Colorado, Hawaii, Nevada, Utah

Bart Burton was elected to The Conference Board of Directors in 2011 to complete his predecessor’s term. He served as Conference President in 2014, after being elected to his first term in 2013. Mr. Burton is an Area Director for Service Corporation International and was appointed to the Nevada State Board of Funeral Directors and Embalmers in 2007. He graduated from Cypress College of Mortuary Science in Cypress, California in 1985. Mr. Burton was born and raised in Las Vegas, Nevada, where he resides with his wife, Sarah, and two daughters, Alexa and Ashton.
Jon Rettig
President, Ohio Board of Embalmers and Funeral Directors

Jon Rettig was appointed to the State of Ohio Board of Embalmers and Funeral Directors in 2016 by Ohio Governor John R. Kasich, and is currently serving his third year as president. He is a 1976 graduate of the Cincinnati College of Mortuary Science, and earned certification to enucleate donor eyes in 1979 from the University Of Pittsburgh School Of Medicine. An Ohio licensed funeral director and embalmer since 1977, Jon is President of Family Care Services, Inc. In 2014 he was certified as a Certified Crematory Operator. He is a member and Past President of the Ohio Funeral Directors Association, a member of the National Funeral Directors Association and the Cremation Association of North America. Jon and his wife, Ellen Mraz Rettig, have four grown children and five grandchildren.

Dale Atkinson
Atkinson & Atkinson, LLC

Dale J. Atkinson, who received his law degree from Northwestern School of Law, Portland, Oregon, is the sole, managing member of the Northbrook, Illinois law firm of Atkinson & Atkinson, LLC which represents various associations of regulatory boards. Mr. Atkinson represents associations in all matters relating to their operations as not for profit corporations, including regulatory activities, education and accreditation, disciplinary actions, model legislation and applications, and all phases of the development and administration of licensure examination programs, licensure transfer programs, licensure credentials verification and storage. Mr. Atkinson also serves as Executive Director of FARBA, a not for profit association whose full members consist of associations of regulatory boards, which facilitates cross-profession interaction, provides educational programs for board members, staff, investigators, and attorneys related to regulation in the interest of public protection.

Patricia Poss
Senior Attorney, Federal Trade Commission

Patricia Poss is an attorney in the Division of Marketing Practices in the Federal Trade Commission’s Bureau of Consumer Protection. Ms. Poss coordinates the FTC’s Funeral Rule program as well as working to combat fraud in lower-income and underserved communities, serving on the agency’s Legal Services Collaboration and its Every Community Initiative. Ms. Poss has previously served as Chief of BCP’s Mobile Technology Unit and counsel to the Director of the Bureau. She also spent several years investigating and litigating consumer protection cases that challenged Internet fraud (including phishing), spam, and telemarketing fraud. Ms. Poss is a graduate of the University of Minnesota Law School.

2019 Annual Meeting Survey
San Diego, CA
Program Evaluation & Suggestion Form
Please take a few minutes to complete this survey.
Lucy Richards
Executive Officer, Montana Board of Funeral Service
Lucy Richards works for the Montana Department of Labor and Industry Professional Licensing Bureau. Since 2016 she has served as Executive Officer for the Board of Funeral Service, Board of Speech-Language Pathologists & Audiologists, and Board of Veterinary Medicine. She has an educational background in biology and has worked for the state of Montana since 2005. She is a proud career bureaucrat with specializations in general government administration, administrative rules, and records and information management. In her free time she enjoys hiking, travelling, learning about history, and watching baseball.

Jennifer Kandt
Executive Director, Nevada State Board of Funeral & Cemetery Services
Jennifer Kandt is currently the Executive Director for the Nevada State Board of Funeral and Cemetery Services and serves as the President for the Association of Executives of Funeral Service Boards. She is also the Chair of the Model Internship Committee for The International Conference of Funeral Service Examining Boards. Ms. Kandt previously regulated court mandated domestic violence intervention education and is a former board member and treasurer of the Nevada Coalition to End Domestic and Sexual Violence. She holds a B.S. degree from the University of Nevada, Reno and has been working in government regulation for over 13 years.

Mark Ransford
Conference President & District 4 Director, Vice-Chairman, Michigan Board of Examiners in Mortuary Science
Mark Ransford graduated from the University of Michigan in Ann Arbor in 2002 with concentrations in Business and Psychology, and continued his education at Wayne State University in Detroit with a Bachelor’s Degree in Mortuary Science and a Post-Bachelor Certificate in Forensic Investigation. He was licensed in 2003 and returned to his hometown of Caro, Michigan to join his father’s practice after training in Saginaw, Detroit and Kalamazoo, Michigan. He currently serves as Vice-Chairman of the Michigan Board of Examiners in Mortuary Science, and is a past District President of the Michigan Funeral Directors Association. He and his wife, Lainey, have three young boys. Mark Ransford was elected to The Conference Board of Directors in 2015 to complete a two-year term left by his predecessor. He was elected for his first term in 2017 and has been serving as Conference President since June 2018.

Access the Annual Meeting App
115th Annual Meeting, San Diego, CA
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Agenda

TUESDAY  2:00pm–6:00pm

Board Member Training (pre-registration required)
The Board Member Training Program will familiarize regulatory board members on the roles and responsibilities of serving on a funeral service regulatory board. Seminar topics will include: the role of a regulatory board member, political realities of boards, adjudication/discipline/enforcement, the licensure examination, and other current regulatory issues. Attendees will analyze problematic scenarios involving board regulation.

Room: Pacific

WEDNESDAY  8:00am–11:30am

Board Member Training (pre-registration required)
Part two of the program continues. The Board Member Training Program will familiarize regulatory board members on the roles and responsibilities of serving on a funeral service regulatory board.

Room: Pacific

WEDNESDAY  8:00am–11:30am

Funeral Service Administrators Forum (AEFSB)
The Association of Executives of Funeral Service Boards provides a forum for regulators to consult and assist one another on funeral service regulatory issues. The meeting also provides an opportunity for the sharing of best practices, new ideas, and discussion on the future of funeral service regulation.

Room: Marina

WEDNESDAY  10:30am–11:30am

Examination Services Forum
The Examination Services Forum will provide the opportunity for attendees to learn about recent updates and policies involving The Conference exam program along with annual statistics. Conference initiatives will also be discussed.

Speaker: Sarah Gill, Examination Services Manager
The Conference
Room: Sunset

WEDNESDAY  12:00pm–2:00pm

Business Meeting & Luncheon
The Conference welcomes attendees to the 115th Annual Meeting. The meeting will encompass business functions of The Conference including formal roll call, committee reports, board nominee introductions, and the vote on the Model Internship Program.

Room: Sunset

BREAK  2:00pm–2:15pm

WEDNESDAY  2:15pm–3:15pm

Recent Cases & What We Need to Learn
Conference Legal Counsel, Dale Atkinson, will update attendees on top regulatory cases involving professions nationwide and identify what regulators/attendees need to learn from each.

Speaker: Dale Atkinson, Conference Legal Counsel
Atkinson & Atkinson
Room: Sunset

WEDNESDAY  3:15pm–4:15pm

Legislation Ethics Governance
Giving Consumers & Regulatory Board Members a “LEG” Up
Jon Rettig, President of the Ohio Board of Embalmers & Funeral Directors, will provide a comprehensive overview of the passage of new regulations in Ohio regarding preneed and cremation. The various stakeholders affected by the new legislation will also be discussed.

Speaker: Jon Rettig, President
Ohio Board of Embalmers & Funeral Directors
Room: Sunset

BREAK  4:15pm–4:30pm

WEDNESDAY  4:30pm–5:00pm

Executive Session
Member delegates of The Conference will enter into executive session.

Room: Sunset

WEDNESDAY  5:30pm–7:00pm

Welcome Reception
Join Conference Board of Directors, fellow attendees, and staff for networking and great conversation over a San Diego sunset.

Location: Marina Garden
THURSDAY 7:00am-8:00am
Past Presidents’ Breakfast
Past Presidents of The Conference will attend their annual breakfast meeting.
Location: Firefly

THURSDAY 8:15am-9:15am
What’s New at The FTC?
Patricia Poss, new FTC Funeral Rule Coordinator, will share updates regarding the regulatory review of the Funeral Rule. Secret shopper findings, new leadership initiatives, and other updates will also be provided.

Speaker: Patricia Poss, Senior Attorney
Federal Trade Commission
Room: Sunset

THURSDAY 9:15am-10:15am
Case Study – Protecting the Public
Better Ensuring Licensee Compliance
Executive Officer of the Montana Board of Funeral Service, Lucy Richards, will share the experience the board undertook in addressing regulatory oversight of trust accounts. Determining the statutory authority, development of rules, and learning outcomes will be shared.

Speaker: Lucy Richards, Executive Officer
Montana Board of Funeral Service
Room: Sunset

THURSDAY 10:30am-12:00pm
District Meetings
An attendee favorite, the district meetings will allow attendees to break up into smaller groups and discuss regulatory issues facing the membership while also sharing best practices.

Meetings will include an Election to the Board of Directors for
Districts 3, 5, 8, 9
Districts 1, 5, 7 – Marina Cove 1
Districts 2, 3, 6 – Pacific
Districts 4, 8, 9 – Marina

THURSDAY 12:00pm-12:30pm
Break
Board of Directors Meeting and Photos

THURSDAY 12:30pm-2:00pm
Awards Luncheon & Reports
District Reports
Funeral Service Administrators Report
Recognition of Volunteers
Distinguished Service Award
Installation of Board of Directors
Installation of Officers
Presentation of Gavel
Room: Sunset

THURSDAY 2:00pm-2:15pm
Break

THURSDAY 2:15pm-3:15pm
Parts is Parts:
A Regulatory Perspective on Body Brokerage
Jennifer Kandt, Executive Director of the Nevada Funeral Board, will share events involving a funeral home and body broker that made headlines. The collaboration the board and other agencies took to halt and reprimand the activities will be discussed.

Speaker: Jennifer Kandt, Executive Director
Nevada Funeral Board
Room: Sunset

THURSDAY 3:15pm-3:30pm
Break

THURSDAY 3:30pm-5:00pm
Conference Fishbowl
Conference Fishbowl is back with short, timed discussions on hot topics submitted in advance by you, the attendees! Once the timer goes off, the moderator will ask the audience to recap the discussion. Attendees will have 60 seconds to move to the next table and start the next discussion.

Moderator: Mark Ransford, President
Room: Sunset
Top Recent Regulatory Cases and Related Matters

Dale J. Atkinson, Esq.
Wednesday, February 27, 2019
2:45 pm – 3:15 pm

Licensees’ Arguments Do Not Stack Up

- Complaints re: stacked containers with remains and lack of refrigeration
- Hearing held: ALJ findings & recommended sanctions
- Board accepted findings but imposed more severe sanctions
- Licensees appealed; numerous arguments
- Court upheld the findings and sanctions as explicit explanations offered by Board
- Note: Issue re expired license

Welch-Alexis v. Board of Funeral Directors & Embalmers,

Denial of Reciprocal License Application Upheld

- Vermont licensee seeking reciprocal license in North Carolina
- Procedural issues with undisclosed criminal convictions
- Application denied: requirements not substantially similar
- VT law did not require accredited education, examination or proof of certain courses
- Application denied: Applicant did not appeal
- After another application which affirmed the previous Board ruling, the applicant appealed.
- Court upheld the denial: Applicant waived rights to appeal, not timely

Smith v. North Carolina Board of Funeral Service,
2016 N.C. App. LEXIS 194

Kubatsky v. International Conference of Funeral Service Examining Boards,
03 H65 Sd 44X (App. CS 9/7/2016)

What’s in store....
- Review of recent regulatory cases & matters related to the funeral industry
- Review of recent regulatory cases in various other professions/occupations
- Identification of relevant issues
- Reference to court holding

Denial of Reciprocal License Application Upheld

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Smith v. North Carolina Board of Funeral Service,
2016 N.C. App. LEXIS 194

Kubatsky v. International Conference of Funeral Service Examining Boards,
03 H65 Sd 44X (App. CS 9/7/2016)
Cemetery Rules Do Not Supersede Law

- Cemetery fined for moving remains without notice
- Long-standing cemetery; easements for city water line; corporation adopted relevant rules
- Urm garden moved to comply with easement boundaries
- Complaint filed; moved remains without notice
- Department found wrongdoing, rendered fine
- Cemetery appealed
- Court upheld unprofessional conduct findings and remanded for sanction finding.


Anti-Combination Laws Allowed

- Wisconsin law prohibits funeral homes to be located in a cemetery (anti-combination laws)
- Funeral director and cemetery challenged laws arguing equal protection and due process
- Lower court granted summary judgment in favor of State. Affirmed on appeal.
- Wi Supreme Court affirmed finding the law to be rationally related to a legitimate government interest

Porter v State, 2010 Wis. LEXIS 207 (WI 2010)

Termination of Transgender Employee

- Transgender woman joined Funeral Home as an apprentice
- Funeral Home provided clothes to male public-facing employees, but not female
- Upon disclosure that transgender woman planned to dress as a woman, she was terminated
- EEOC filed complaint. FH argued religious beliefs
- Lower court granted summary judgment in favor of FH.
- 9th reversed finding continued employment would not burden religious beliefs

Equal Employment Opportunity Commission v. R.G. Harris Funeral Homes, 704 F.3d 1200 (9th Cir. 2013)

Vermont: Speed Up Career Path

- Proposed rule would streamline path to licensure of funeral directors
- Rule: reduce the time and money now required for funeral director training
- Funeral Directors only but considering expanding to embalmers at a future time
- Rule proposed by State Office of Professional Regulation

Northern Ireland’s Most Qualified Funeral Directors

- What do you think?
- Acceptable??

Northern Ireland’s Most Qualified Funeral Directors

- UK’s Advertising Standards Authority said NO.
- Such implies more advanced qualifications than others
- January 2019
16 Photos: 10 Years Probation
• Former funeral director sentenced to 10 years probation for taking photos of bodies as they were being prepared for burial.
• She also shared pictures with her friends
• October 2018

Grand Jury Indictment: Theft, Forgery, Mixing Up Human Remains
• Grand Jury indict funeral home owner
• 7 count indictment out of Prince George County, Maryland
• Funeral home owner has worked in District of Columbia, Virginia, and Maryland
• November 2018

8675309: What’s in a (Phone) Number
• Funeral Home closed in September 2017 for failure to file tax returns
• Funeral Home has long history
• Funeral employee with a now revoked trainee’s license took over the FH phone number
• Used phone number to allegedly “funnel” clients to a funeral home
• Since sentenced to 10-23 months in jail on UNRELATED insurance fraud charge

Michigan: Increased Oversight & Inspections
• Apparently in the wake of some gruesome discoveries related to two funeral homes that have since been shut down...
• The number of inspections of the 700 licensed funeral homes has increased dramatically.

Manitoba: Revokes Funeral Director License
• Funeral Board of Manitoba conducted an investigation of a funeral director related to prearranged funeral plans
• Multiple occasions funeral director failed to place prearranged monies in applicable trust accounts
• Board revoked funeral director license
• Assessed over $6K in costs
  • https://globalnewsophnews November 19, 2016

Texas: Mortician’s Mental Anguish
• Former employee/mortician in Texas is suing his former employer
• Mortician claims post-traumatic stress reaction to job obligations
• While working as a mortician, Plaintiff was exposed to toxic fumes of suicide victim who inhaled paint fumes
• Also had to perform mortuary services on others who had gruesome causes of death
• Lawsuit filed in 2017, Plaintiff seeking damages between $100K and $1M
• Status of suit unknown to date.
Cremation: Sexuality Discrimination

- Husband in same sex marriage passed away
- Funeral Home refused to cremate deceased based upon sexuality issues
- Lawsuit filed in May 2017; Status of case unknown

Board Composition

- What are the consequences of vacancies on the board?
- How are vacancies filled?
- Length of term
- “…serve until a successor is appointed and qualified.”

Vacancies: Board Composition


- Arguments challenging the agency decision based upon the composition of the Board
- Vacancy filled through appointment
- Appointed person served beyond expiration date
- Taylor: Decision of the board void
- Cruz: Based upon change in statute, decision by Board upheld under de facto officer doctrine

Composition: Physician Position

Bias v. Louisiana Physical Therapy Board, 2018 LA App, unpub. (June 18, 2018)

- Physical therapist, licensed in both LA and TX
- Anonymous complaint to LA Board; PT voluntarily ceased practice in LA
- LA Board filed administrative complaint, hearing held, suspension of licensure with reinstatement conditions
- Statute requires one PT Board member to be a physician, but such seat unfilled.
- Court reversed Board action based upon non-compliance with statutory mandates
- Court noted such cannot be waived,.....

Sanction: Expired License by the Dozen


- Respondent certified and licensed as a CPA
- Allowed license to “expire” (not renewed)
- 12 years after expiration, criminally convicted re: used car consignment issues/trad
- Based upon criminal convictions, Board revoked his license and certificate and fined him $40K
- Upheld by the court.
Licensure Dues & Trade Association

- Rack v. Welch, 656 F. 3d 671 (8th Cir. 2017)
  - Licensee litigated arguing money used to subsidize agendas not consistent with his in violation of speech
  - Case dismissed; affirmed by 8th Circuit
  - United States Supreme Court hearing case
  - Questions this procedure
  - Approx. 30 states use such a procedure

Antitrust

- Continued fallout from North Carolina State Board of Dental Examiners v. FTC case.
- Plaintiffs lawyers emboldened
- Boards and Board Members:
  - “you are not licensees”
  - “walk and talk like regulators”

Deference

- Judicial review: What does the court determine?
- What decisions made at the administrative level are recognized by the judiciary?

Adherence to Administrative Findings

- College of Physicians and Surgeons of British Columbia v. Health Professions Review Board, 2018 BCCA 2021
  - Complaint filed by patient alleging substandard medical care
  - As permitted by law, Registrar determined complaint should not undergo a full investigation
  - Reviewing Board held matter must be remitted to the College/Board for reconsideration. College challenged
  - Court held that reviewing tribunal should accord significant deference to Registrar decision
  - Not all complaints require a finding of facts

Applications/Renewals/Failure to Disclose/Criminal Activity

- Numerous issues to discuss
- Learn from judicial decisions
- Issues address:
  - Individual/corporate licensees
  - Renewals, continuing education
  - Failure to disclose
  - Students rights
  - Passage of time
  - What is a conviction?
  - What about arrests...relevant?

No Grace in Grace Period

  - Pharmacist failed renewal application (late) and certified completion of 30 hours of CE
  - Board audit, CE not obtained within renewal cycle (9.5 hours completed within 20.5 hours outside—but within the “grace” period)
  - Summary order, Board fined licensee $2100, required 84 add’l hours within 30 days or inactive status
  - Court upheld board order
Private Cause of Action for Unlicensed Practice

- What right(s) do private plaintiffs have to litigate under the practice act?
- Does your board have administrative jurisdiction over all persons, not just applicants and licensees?
- Very important issue. Why?
  - Technology
  - Practice without physical presence
  - Telepractice

Unlicensed Practice: Home Value


- Private suit vs. Zillow alleging damages caused by unlicensed practice of real estate appraising.
- Plaintiff brought lawsuit on cause of action under the practice act.
- U.S. District Court dismissed case.
  - Illinois statute does not contain an explicit right.
  - Rejected implied right of action.
  - Numerous remedies available to protect consumers.

Mandatory/Directory Procedural Language in Statute

- Are there time periods dictating procedural issues?
  - Statute of limitations
  - Lack
  - Investigative/hearing timeframes
  - Timeframes around expiry of final orders after hearing

Directory v Mandatory: 90 Days


- Indiana law “requires” board to issue order within 90 days after conclusion of hearing.
- Board hearing held; approximately 120 later board issued order imposing indefinite suspension and other conditions.
- Social worker/licensee filed motion to dismiss; lower court granted.
- Reversed on appeal; court stated that statute was “directory” not mandatory.

Speech

- Since when do we have so many First Amendment cases re administrative matters?
- Breadth of First Amendment?
- What is speech?
- What is protected speech?

Licensure Dues & Trade Association

Fleck v. Wetch, 506 F. 3d 601 (D.C. Cir. 2007)

- North Dakota lawyers have an opt-out procedure re dues to trade association.
- Membership in trade association is mandatory as a condition of licensure.
- Licensees elect to pay more (or opt out) of a % of dues. Morale used for non-germane purposes.
- Trade association morale used for political purposes. 

..............NEXT SLIDE
Student Dismissal: Criminal Conviction
Geelt v. University of Bridgeport,

- Connecticut education program terminated enrollment of student based upon criminal convictions (guilty plea: mail and wire fraud)
- Student handbook and school policies noted crimes of moral turpitude or felonies constituted grounds for dismissal
- Court upheld actions of the school finding that the student was adequately advised of consequences of criminal conviction

Conviction v Conduct
Makuta v. Board of Registered Nursing,

- Applicant for licensure as an RN, 4 convictions
- Convictions: misdemeanors, later "dismissed"
- Board denied licensure. Circuit court reversed, citing Business Code which bars boards from denying licensure solely on basis of conviction that has been dismissed
- Court of appeals reversed finding that the board can rely upon "conduct" as a basis for denial
- NOTE: In 2020, new CA legislation will prohibit reliance on conduct

Examinations

- Do relevant statutes require successful completion of an examination as a prerequisite to licensure?
- Is a uniform examination program available?
- What's a psychomagician? Psychologist? Psychoid?
- Just checking to see if you're reading these slides.

Teacher Assists Students
Matter of Ball v. New York City Department of Education,

- Consolidated appeals of 3 cases, re-employment termination of public school teachers
- 8th grade teacher directed students to cheat on standardized exams and assisted other students on examinations
- Terminated. Reversed by circuit court
- Court of appeals reversed and upheld termination. See NEXT slide

Teacher Assists Students
Matter of Ball v. New York City Department of Education,

- Concur:
  "The revelation of such misconduct serves to cast aspersions on the ethics of the teaching profession and on the accuracy of statewide examinations and grading in general."
Case Study: Protecting the Public
Better Ensuring Licensee Compliance
Montana Department of Labor and Industry
Board of Funeral Service
Lucy Richards, Executive Officer

Who Is Lucy Richards Why I Should I Listen to Her?
1. 14 years experience in government regulation
2. Executive Officer to four licensing boards
3. Over 30 years experience (attempts) to tell people what to do.
4. They haven’t replenished the snacks so I might as well pretend to listen.

Disclaimer

• This is a case study based on Montana’s regulatory process using a particular rulemaking project as a lens. Individual results may vary.

MT Department of Labor and Industry - Board of Funeral Service
• Umbrella agency under the Executive Branch
• 33 administratively attached boards
• ~200 total licenses across all boards
• Each executive officer staffs an average of three boards

Board Mission Statement: To protect the health, safety, and well-being of Montana citizens through the regulation and oversight of funeral industry professionals and facilities.

General Licensing Numbers (as of 1/15/19)
• 86 mortuaries (70 mortuaries & 16 branch establishments)
  • 160 mortician
  • 10 mortician interns
• 37 crematories
  • 83 crematory operators
  • 40 crematory technicians
• 11 cemeteries (private, for-profit)

Board & Staff Numbers
• Board – members are appointed by Governor
  • 1 public member
  • 3 members
  • 1 crematory representative
  • 1 coroner
• Staff (all work for the department and staff multiple boards)
  • 1 executive officer and 1 executive officer support staff
  • 1 board attorney and 1 department/prosecuting attorney
  • 1 license processor
  • 1 auditor (specifically assigned for trust reporting analysis)
  • 4 inspectors
• Assisted support staff for customer service, renewal, and continuing education audits
Regulatory Terminology

- Statute = Montana Code Annotated = MCA
  - Enacted by Legislature
- Administrative Rules of Montana = ARM = rules
  - Legislature gives rulemaking authority to boards through statutory authority
- Regulations = MCA and/or ARM

Case Study: Rulemaking
Regulating Funeral Preneed and Cemetery Trusts

- What was the board attempting to accomplish?
- Why was the board attempting to accomplish this?

What Will You [Hopefully] Learn from this Presentation?

- Most Important Takeaways
  1. The importance of asking questions and not being complacent with the status quo
  2. How you can turn any idea/concern/issue and use the regulatory process to implement a regulatory solution
  3. Accounting for the unexpected and dealing with it
  4. How to engage and educate licensees and other stakeholders
  5. To remember that you might not always be successful with all of these things.

Setting the Scene

Picture it: Montana. Spring 2016

(I'm sure it was cold)...

The Players

- Department staff
  - Led by a newer, but not-yet-educated-in-the-funeral-industry executive officer
- The Board
  - [ready to regulate...more or less]
- Licensees
  - [different]
- The Public
  - [basically unaware]
The Idea

- Since 1999 statute has explicitly stated the board oversees and regulates management of funeral preneed trusts and cemetery perpetual care and maintenance trusts.
- As of 2016 the board does not have any rules or real processes in place to ensure it has been carrying out this duty.
- WHAT CAN BE DONE?

Why Hasn’t the Board Addressed This Before?

- Montana Code Annotated 2017
- Part 8: Perpetually Maintained Cemeteries

Staff: Pre-Planning

- How can the board implement rules to ensure it is meeting it statutory duty to protect the public?
- Any statutory barriers to implementing new rules?
- What would be possible from an administrative standpoint
  - Realities of staff/staff training and expertise
  - Putting together the skeleton of a proposal for the board

Part 1 – Fleshing out the Idea

- Presenting the information to the board/making a case
- Board buy-in
- How to move forward
  - Easier than you might think based on staff expertise related to banking and trusts

Part 2 – Planning and Implementation

- Rulemaking process
  - Drafting began in fall 2016 and went through early summer 2017
  - Why did it take almost a year
  - Planning for an eventual rollout – fall 2016 through fall 2017
  - Public comment – summer through early fall 2017
  - Rules effective/roolout – November 2017 - Ongoing

Part 2.5 – Potential Roadblocks & Detours

- Lack of engagement (licensees)
- Lack of understanding (licensees)
  - “My money is none of the board’s business.”
  - “This is not what I pay the board for.”
  - “Everyone is already doing this, the board does not need to make us submit more paperwork.”

- Not initially accounting for all potential scenarios (staff/board)
- Staffing limitations
  - Time/money/PTE
Part 3 – Implementation & Rollout

- First year of reporting under new rules
  - Reports due March 1, 2018, for calendar year 2017
- The “soft” rollout – How did it go?
- Legislative clarifications (hopefully)
  - Senate Bill 62 (2019) – bill currently in the legislative process

Part 4 - Evaluation

- Did the board accomplish what it set out to accomplish
  - Yes?
  - No?
  - Maybe?
  - Do I even care any more?

Part 5 – Bonus Time! – The Next Project

(Yes, this is really project management—ticked you!)

- Is there anything left to do to better regulate trusts as required by the Legislature under current law?
- Is there anything the board should change in future legislation that would lead to more effective trust oversight?
- Why don’t licensees understand their responsibilities? How can we change that?
- Did we learn anything that leads us to another area of the board’s regulations that should be addressed in future rulemaking legislation?

Part 3.5 – Roadblocks & Detours

- Amount of staff time needed to review and compile reports
  - “I only have one license.”
  - “My money is none of the board’s business.”
  - “No one told me the board was going to start doing this.”
  - “You, department staff! Talk to the banks if the folks don’t match.”
  - “I don’t keep exact records of how much money is held in trust.”
- New problems not directly related to trusts
  - Lack of notification regarding change of persons in-charge, ownership, etc.

Part 4 - Evaluation

- Yes! Everyone still cares and we have done good...
  - …but more caffeine may be necessary because we are not done yet
Questions?

Yes, it is nearly time to get muffins before you go to your district meetings. Thanks listening (or pretending to listen).

Contact Information

Lucy Richards
Executive Officer
Board of Funeral Service | Board of Speech-Language Pathologists & Audiologists | Board of Veterinary Medicine | Board of Behavioral Health

Montana Department of Labor & Industry
Business Standards Division
Phone: (406) 444-2354
dsdivision@mt.gov
I. Call to Order & Welcome - Mark Ransford, President

II. Appointment of Convention Committees - Mark Ransford, President

III. Delegate Roll Call - Charles Perine, Secretary/Treasurer

IV. Introductions - Edward Muhleisen, Past President

V. Address to the Delegates - Mark Ransford, President

VI. Finance Committee Report - Charles Perine, Secretary/Treasurer

VII. Professional Policy Committee Report - Mack Smith, Vice President

VIII. Exam Committee Report - Keri Haines, Arts Committee Chair

IX. Model Internship Program Vote - Mark Ransford, President

X. Adjournment to Presentations - Mark Ransford, President
I. Introductions (10 Minutes)
   a. District Directors
   b. Attendees

II. Update on Conference Initiatives (10 Minutes)
   a. Conference Services
      i. Annual Report
      ii. Candidate Handbook
      iii. Annual Meeting Justification Toolkit

III. Current Regulatory Issues Facing Membership (60 Minutes)
   a. Licensure Obstacles - What are you seeing?
   b. Issues Facing Your Board
   c. Unlicensed Practice/Third Party Providers
   d. Updates on Membership Polls

IV. Election for Districts 3, 5, 8, 9 to Board of Directors (10 Minutes)
   Only those attending from that district can vote, one vote per jurisdiction (a full dues paying member of The Conference)

V. Adjournment
Finance Committee Report

Committee Members:  
- Charles Perine, Secretary/Treasurer  
- Robert Barnes, District 1  
- Edward Muhleisen, Past President  
- Blair Nelsen, District 2  

The Finance Committee met via conference call several times over the past year to address the following items pertaining to The Conference’s finances.

- Reviewed and approved quarterly financial and investment reports for Q1, Q2, Q3, & Q4 2018.

- Reviewed The Conference’s Investment Policy Statement, recommending no changes.

- Reviewed and approved the 2019 budget.

- Reviewed The Conference’s insurance coverage.

- Met with the auditor to review the 2018 audit results. *(A copy of the audit is available for your review through the Secretary/Treasurer or President upon request.)*
Committee Members: Mack Smith, Vice President
Bart Burton, District 9
Robert Gribble, District 5
Sandy Mahon, District 8

The Professional Policy Committee held meetings via conference call and accomplished the following:

- Reviewed exam administration reports, which included the National Board Exam pass rate, tracked the number of exams given, and other exam statistics.
- Reviewed and approved a complete list of exam policies and procedures for publication on The Conference website, providing candidates with an overview of expectations that are agreed to at time of application.
- Oversaw the update and publication of the new National Board Exam Candidate Handbook.
- Reviewed updates to the Exam Committee Criteria & Confidentiality Agreement, which is a non-disclosure agreement signed annually by all Exam Committee members.
- Reviewed Pearson VUE administrative updates, which included call center scheduling procedures and a contract extension with Pearson VUE.
- Continued to review candidate concerns submitted to The Conference, as well as the responses from staff to the candidates.
- Continued to monitor and investigate exam security concerns.

### 2018 National Board Exam Statistics

<table>
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<tr>
<th>First Time Examinees</th>
<th>Number Taking Exam</th>
<th>Number Passing (%)</th>
<th>Number Failing (%)</th>
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<tr>
<td>Arts</td>
<td>1,305</td>
<td>1,003 (77%)</td>
<td>302 (23%)</td>
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<tr>
<td>Sciences</td>
<td>1,282</td>
<td>906 (71%)</td>
<td>376 (29%)</td>
</tr>
</tbody>
</table>
National Board Exam Committee Members

Arts
Keri Haines, Chair
Barbara Kazmierczak
Harvey Leavitt
John Rice
Craig Stires
Michael Shorter

Sciences
Don O’Guinn, Chair
Jenni Bryant
Brevin Clifford
Mark Fisher
Rudee Slavik
Pat Traffas
Laura Zabel

The Examination Committee is responsible for the overall development and maintenance of the National Board Exam (NBE).

- The committee is currently composed of 13 members licensed in a total of 20 different states.

- Combined, the committee has dedicated over 4,500 volunteer hours to The Conference and the exam development process.

- In the past year, committee members participated in two in-person exam development meetings; an Item Review Meeting where nearly 300 exam items were reviewed and a Form Review Meeting where the latest versions of the exam were finalized for publishing.

- The committee referenced exam items to the updated sections of the American Board of Funeral Service Education (ABFSE) Curriculum Outline, as well as the textbook reference list which will be updated again this year.

- Two committee members also volunteered their time to participate in the ABFSE Curriculum Workshop, where the Small Business Management, Accounting, Funeral Service Law, and Funeral Service Psychology & Counseling outlines were updated.

- In addition to the Exam Committee meeting commitments, six members of the committee also participated in an Item Writing Workshop where nearly 200 items were drafted, revised, and prepared for committee review.

- The Chairs of the committee reviewed nearly 600 comments left by candidates during their NBE administration. Relevant comments are then included in all future item details for the committee to consider during future reviews.
I.  Call to Order - Edward Muhleisen, President
President Muhleisen called the meeting to order at 12:45 p.m. CST.

II. Welcome - Edward Muhleisen, President
President Muhleisen welcomed those in attendance to the International House Hotel in New Orleans, Louisiana. He directed the attendees to the information in their online materials and noted The Conference staff is on hand to offer assistance during the meeting.

III. Appointment of Convention Committees - Edward Muhleisen, President
President Muhleisen announced the following committees were appointed for the 114th Annual Meeting:

- Credentials Committee:
  - Sandy Sebastian, Vice President
  - Robert Barnes, District 1 Director
  - Blair Nelsen, District 2 Director
  - Mack Smith, District 6 Director

- Audit Committee:
  - Mark Ransford, Secretary-Treasurer
  - Bart Burton, District 9 Director
  - Sandy Mahon, District 8 Director
  - Charles Perine, District 3 Director

IV. Roll Call - Mark Ransford, Secretary/Treasurer
Mark Ransford called the roll of member states, districts, and provinces. He reported there were 25 members represented out of the total membership of 56, which was a quorum.

V. Introductions - Sandy Mahon, Past President
Past President Mahon recognized the Past Presidents of The Conference and welcomed representatives from the American Board of Funeral Service Education and its accredited programs, the Cremation Association of North America, the International Cemetery, Cremation, and Funeral Association, the National Funeral Directors Association, and the National Funeral Directors & Mortician Association. Lastly, he introduced The Conference Board of Directors and staff.

VI. Finance Committee Report - Mark Ransford, Secretary/Treasurer
Mr. Ransford reported the committee reviewed and approved quarterly financial and investment reports for all four quarters of 2017. Additionally, the committee reviewed The Conference’s Investment Policy Statement, insurance...
coverage, and met with the auditor to review the 2017 audit results. The 2018 budget was reviewed and approved by the committee including a $35 per section increase in fee for the NBE, a $10 increase for the Practice National & State Board Exam, as well as nominal meeting registration increases. It was moved and seconded to approve the finance committee report as set forth. The motion carried.

VII. Professional Policy Committee Report - Sandy Sebastian, Vice President
Ms. Sebastian reported the Professional Policy Committee oversaw the implementation of the Job Task Analysis (JTA) Survey, including the marketing and publicity used to promote participation. The Committee also reviewed the JTA survey results, as well as the updated National and State Board Examination blueprint. The cognitive level requirements and passing standard for the National and State Board exams were reviewed by the committee, which were then approved by the board. The oversight of development and administration of The Conference exam programs, review of updates to the Regulations in Licensing book, monitoring of exam security irregularities and candidate concerns were also reviewed. Lastly, the committee oversaw the transition of electronic score transfers to licensing boards, completed on October 1, 2017. It was moved and seconded to approve the professional policy committee report as set forth. The motion carried.

VIII. Exam Committee Report - Keri Haines, NBE Arts Chair
Arts Committee Chairperson, Keri Haines, reported the Examination Committee participated in an Item Review Meeting, including a review of 300 exam items, and a Form Review Meeting over the course of the past year. Preparation of the exam to reflect the updated blueprint as well as the re-referencing of items to the updated ABFSE Curriculum Outline and textbook reference list was also completed. Haines reported the committee, currently composed of 12 members licensed in a total of 17 different states, has dedicated nearly 4,000 volunteer hours to The Conference and the exam development process. Lastly, Ms. Haines shared that over 500 candidate comments were reviewed.

IX. Presentations - Edward Muhleisen, President
Attendees were dismissed for a fifteen minute break at 1:30 pm CST returning to the afternoon presentations.

  Cultivating Exam Constructs: Job Task Analysis Overview
  Dr. Kathleen Gialluca, Senior Research Scientist, Pearson VUE

  Recent Cases & What We Need to Learn from Them
  Dale Atkinson, Legal Counsel, Atkinson & Atkinson

X. Executive Session - Edward Muhleisen, President
It was moved and seconded for Conference members to enter into executive session at 4:26 p.m. CST. Motion carried. It was moved and seconded to come out of executive session at 5:24 p.m. CST. Motion carried.

President Muhleisen adjourned the meeting for the day and welcomed all participants to the reception.

XI. Presentations continued - Edward Muhleisen, President
President Muhleisen continued the second day of the 114th Annual Meeting and introduced the next presentations.

  Secrets, Scandals, and Lies
  Panel Discussion

  Discipline Power Hour
  Jennifer Semko, Partner, Baker & McKenzie LLC

  District Meetings

  Board of Directors Meeting and Photos

  Awards Luncheon and Reports

  The Good, The Bad, The Crazy
  Jennifer Semko, Partner, Baker & McKenzie LLC

  Hurricane Katrina - 13 Years Later - What We Learned
  Edward Muhleisen, ICFSEB President, LA State Board of Embalmers & Funeral Directors

  Conference Fishbowl
  Mark Ransford, Moderator

XII. Adjournment - Edward Muhleisen, President
President Muhleisen thanked all in attendance for their participation over the past two days and invited attendees to San Diego for the 115th Annual Meeting.
## 114th Annual Meeting Survey Results

1 = Poor  
2 = Below Average  
3 = Average  
4 = Good  
5 = Excellent

New Orleans, LA

### Pre-Convention Information/Registration

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<th>Question</th>
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<th>2017 Average Score</th>
<th>2018 Average Score</th>
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<td>Pre-Registration for Meeting</td>
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### Presentations/General Sessions

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<td>Group Exercise</td>
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<td>4.46 (Model Internship Program)</td>
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<td>JTA Overview – Gialluca</td>
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<td>Scandals, Secrets, Lies – Panel</td>
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<td>Discipline Power Hour – Semko</td>
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### Hotel/Food Service

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<td>Service of hotel staff</td>
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<td>Luncheon – Wednesday</td>
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<td>Reception – Wednesday</td>
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<td>Awards Luncheon – Thursday</td>
<td>4.2</td>
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Present:
Robert Barnes, ICFSEB District 1 Director, Maine State Board of Funeral Service
Cynthia Briggs, District of Columbia Board of Funeral Directors
Bart Burton, ICFSEB District 9 Director, Nevada State Funeral and Cemetery Board
Jolena Grande, Cypress College
Jennifer Kandt, Nevada State Funeral and Cemetery Board
Barbara Kazmierczak, ICFSEB Exam Committee
James Marrocco, New Jersey State Board of Mortuary Science
John McGuire, District of Columbia Board of Funeral Directors
Victoria Monforte, ICFSEB Exam Committee
Lisa Moore, California Cemetery and Funeral Bureau
Chris Naylor, Nevada State Funeral and Cemetery Board
Blair Nelsen, ICFSEB District 2 Director, Virginia Board of Funeral Directors and Embalmers
S. Keith Parsell, Delaware Board of Funeral Service
Robert Smith, American Board of Funeral Service Education
Corie Tillman Wolf, Virginia Board of Funeral Directors and Embalmers

I. Call to Order and Introductions
District 2 Director, Blair Nelsen, called the meeting to order at 10:32 a.m. CST. The meeting began with introductions of The Conference District Directors and representatives from Districts 1, 2, and 9.

II. Update on Conference Initiatives
Mr. Nelsen introduced Jennifer Kandt, Chair of the Model Internship Committee, who gave an overview of the program. He also invited attendees to contribute their board information, including any documents, to the committee for use. An overview of Conference services, including the electronic score transfer system, was also given and participant users complimented the simplicity and quick turnaround time of the service. The group discussed ways to build a stronger relationship with member boards with one participant noting that boards perceive The Conference as just the exam provider, however, cultivating a relationship with Massachusetts has helped that perception. The question was posed as to whether The Conference has considered a name change. District 1 Director, Robert Barnes, shared information regarding the recent branding survey and that more information will be forthcoming. The group discussed educating board members about rules and responsibilities of The Conference and the ABFSE as well as the addition of board information in Conference e-newsletters. Robert Smith noted The Conference held district meetings in the past and the benefit in taking the message directly to the state boards. Jim Marrocco, member of the New Jersey Board of Mortuary Science, stated that attending the Annual Meeting has been very helpful in understanding what the organization does and will bring information back to his Board. A webinar to inform state board members of The Conference was also suggested. Lastly, Mr. Nelsen announced the fee increases including the new price for the NBE and PNBE and the decision process of the board of directors.

III. Current Regulatory Issues
A. Legislative Activity
Various attendees discussed legislation within their jurisdictions including cremation authorizations, abandonment laws, preneed and funeral home inspections. Legislation in Virginia regarding caskets produced by third party providers was discussed and Lisa Moore noted that California will begin licensing Alkaline Hydrolysis facilities this year.

B. Single vs. Dual Licensure
The group briefly discussed single vs dual licensure and Ms. Moore mentioned that California has dual licensure, but there is not a curriculum for funeral directing only. Further discussion ensued on the benefits and challenges of a funeral director only program by those in attendance.

C. Unlicensed Practice/Third Party Providers
Representatives from California, District of Columbia, New Jersey, and Virginia briefly shared the positions of their jurisdictions regarding these topics. It was noted that Virginia and D.C. advance all cases to the Attorney General while California has the authority to sanction unlicensed activity.

D. Death Doula/Midwife Movement
Representatives from Delaware and California briefly shared their experiences with this movement.

E. Updates on Membership Polls
Mr. Nelsen gave an overview of a few membership questions and responses that were distributed over the past year. Attendees were encouraged to contact The Conference if they need to poll other states, or to see if The Conference has previously compiled the information.

IV. Open Forum
Due to time constraints, there was no discussion during the open forum.

V. District 1 Election to Board of Directors
Robert Barnes, member of the Maine State Board of Funeral Service, was elected as District 1 Director of the Board of Directors.

VI. Adjournment
The meeting of districts 1, 2, and 9 adjourned at 12:02 p.m. CST.
District Meeting Minutes (Districts 3, 4, 8)
Thursday, March 1, 2018 – 10:30 a.m.
New Orleans, LA

Present:
- Randall Anderson, NFDA
- Lance Brooks, AL Board of Funeral Service
- Annie Bushelon Holt, AL Board of Funeral Service
- Pete Cameron, WA Funeral & Cemetery Board
- Karen Carruthers, AB Funeral Services Regulatory Board
- Brevin Clifford, ICFSEB Exam Committee
- Mark Evely, Wayne State University
- Craig Geary, ID Board of Morticians
- Charles Graves, NC Board of Funeral Service
- Denise Grogan, AL Board of Funeral Service
- Amy Holleman, SC Board of Funeral Service
- David Ingram, OH Board of Embalmers & Funeral Directors
- Harvey Leavitt, ICFSEB Exam Committee
- Jack Lechner, Cincinnati College of Mortuary Science
- Catherine Lee, NC Board of Funeral Service
- Richard Little, WA Funeral & Cemetery Board
- Sandy Mahon, ICFSEB District 8 Director, Funeral & Cremation Services Council of SK
- Ron Messenger, WA Funeral & Cemetery Board
- Charles Perine, ICFSEB District 3 Director, AL Board of Funeral Service
- Jill Pugh, OH Board of Embalmers & Funeral Directors
- Mark Ransford, ICFSEB District 4 Director, MI Board of Examiners in Mortuary Science
- Lucy Richards, MT Board of Funeral Service
- Cameron Smock, WA Funeral & Cemetery Board
- James Sommer, ID Board of Morticians
- Matt Staton, NC Board of Funeral Service
- Angela Ward, WA Funeral & Cemetery Board
- Jeff Weaver, Funeral & Cremation Services Council of SK

I. Call to Order and Introductions
District 3 Director, Charles Perine, called the meeting to order at 10:30 a.m. CST. The meeting began with introductions of The Conference District Directors and representatives from District 3, 4, and 8.

II. Update on Conference Initiatives
A brief overview of Conference initiatives was given by Mr. Perine including an update on the Model Internship Program and the dissemination of electronic results to member boards. A few participants shared their favoring experiences with the score process and the promptness of acquiring this piece of licensing information. The question was posed to participants regarding how The Conference can build a stronger relationship with jurisdictions as a way to promote value as a member. Messaging and the development of a communication bridge with associations were suggestions from a few attendees. The value of the Annual Meeting was also addressed and the potential of The Conference creating a justification packet for member boards. The members would be able to present this packet to their respective states to justify presence and participation at the meetings. A Conference newsletter article featuring legislation information a couple of times a year was another suggestion by an attendee.

III. Current Regulatory Issues
A. Legislative happenings
A participant from South Carolina shared some information about legislation being proposed regarding internet advertising as well as the inclusion of a physical address for all establishments. The discussion of partnering with associations in an effort to further legislative issues was also discussed. A participant from Montana shared their board is looking to add a second public member as well as the possibility of a funeral arranger license.

B. Single vs. Dual Licensure
The educational requirements for funeral directors and embalmers were briefly discussed among attendees, prompting the following question to the group, “What is the public perception or expectation of the person who families sit down to meet with? Would they want this person to be educated/trained to do everything under the roof of the establishment? Or less?” Discussion ensued with several attendees noting benefits and challenges with each. Many states did also note the requirement of an apprenticeship/internship in aiding the future licensees on the job training.

C. Unlicensed Practice/Third Party Providers
Representatives from a few jurisdictions briefly shared their experiences with unlicensed practice.

D. Death Doula/Midwife Movement
Death doula/midwives were briefly discussed by the group with a few regulators noting different scenarios they have encountered. The benefits and challenges of this movement were discussed with the encouragement of communication between both parties noted as extremely important going forward.

E. Updates on Membership Polls
Mr. Perine highlighted a few questions and responses from the membership questions that were distributed over the past year. Attendees were encouraged to contact Lauren Thomas for more information if interested.

IV. Open Forum
There were no discussion items in the open forum.

V. District 8 Election to Board of Directors
Cameron Smock, Washington State Funeral & Cemetery Board member, was elected as District 8 Director of the Board of Directors.

VI. Adjournment
The meetings of districts 3, 4, and 8 adjourned at 12:00 p.m. CST.
Present:
- Glenn Bower, Commonwealth Institute of Funeral Service
- Virginia Bryant, CFSP, ICFSEB Exam Committee
- Matt Buel, Arkansas State University at Mountain Home
- Kanetha Dorsey, KY Board of Embalmers and Funeral Directors
- Amy Goode, AR State Board of Embalmers & Funeral Directors
- Keri R. Haines, ICFSEB Exam Committee
- Ken McGhee, MO Board of Embalmers & Funeral Directors
- Leili McMurrough, Worsham College of Mortuary Science
- Edward Muhleisen, ICFSEB President & District 7 Director, LA Board of Embalmers & Funeral Directors
- John Rice, ICFSEB Exam Committee
- John Runsvold, ICFSEB Past President
- Sandy Sebastian, ICFSEB Vice President & District 5 Director, MO Board of Embalmers & Funeral Directors
- Jim Shoemake, Dallas Institute of Funeral Service
- Mack Smith, ICFSEB District 6 Director, KS Board of Mortuary Arts
- Steve Spann, John A. Gupton College
- John Strohman, SD Office of the Attorney General
- Frankie Washington, NFDMA
- Carlena Weiland, MN Dept. of Health
- James Terry Woodard, ICFSEB Past President, AR State Board of Embalmers & Funeral Directors

I. Call to Order and Introductions
District 6 Director, Mack Smith, called the meeting to order at 10:35 a.m. CST. With 20 attendees present, the meeting began with introductions.

II. Update on Conference Initiatives
Mr. Smith gave a brief overview of the Model Internship Program, while Leili McMurrough, who serves on the Model Internship Committee, gave an update on the progress of the committee. She shared that the Program is intended to be used as a resource to help guide those working with apprentices, as well apprentices themselves. Attendees conversed about what occurs in their jurisdiction regarding internships and apprenticeships. Sarah Gill, Conference staff, updated the districts with recent changes to exam administration. She noted that as of October 2017, all exam scores are submitted electronically to state boards for licensure purposes. She also shared information on recent study material updates, as well as an upcoming price increase to the NBE that will take place on August 1, 2018.

III. Current Regulatory Issues
A. Legislative happenings
District attendees discussed recent legislative actions in their jurisdictions. Amy Goode, from the Arkansas State Board of Embalmers & Funeral Directors, shared their board is dissolving and will be placed under the Arkansas Insurance Department. Other states shared challenges to updating laws.

B. Single vs. Dual Licensure
The option of single versus dual licensure was discussed among attendees, with several participants stating their states offers both options. The recent trend towards Funeral Director only licenses was also noted, as well as a discussion about how more women are enrolling in mortuary science schools. Other educational shifts, such as online enrollment, were also discussed in correlation with the single licensure option.

C. Unlicensed Practice/Third Party Providers
Attendees were unable to share experiences with unlicensed practice and third party providers due to time constraints.

D. Death Doula/Midwife Movement
Attendees were unable to discuss this item due to time constraints.

E. Updates on Membership Polls
Mr. Smith updated district attendees on the responses of membership questions distributed by The Conference. He encouraged the membership to contact The Conference for any future questions they would like distributed.

IV. Open Forum
No items were discussed in the open forum.

V. District 6 Election to Board of Directors
Mack Smith, Executive Secretary of the Kansas Board of Mortuary Arts, was re-elected as District 6 Director of The Conference.

VI. Adjournment
The meetings of districts 5, 6, and 7 adjourned at 11:52 a.m. CST.
<table>
<thead>
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<th>Title/Position</th>
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List Current as of 2/13/2019
ARTICLE I. NAME
The name of this organization is “The International Conference of Funeral Service Examining Boards, Inc.” (hereafter referred to as “The Conference”).

ARTICLE II. PURPOSE
The purpose of The Conference is to aid regulators of the death care profession in the protection of consumers by:

1. Facilitating communication and providing a forum for exchange of information and ideas among Member Boards concerning legal regulation of the death care profession.
2. Encouraging and aiding collaborative efforts among Member Boards in developing compatible standards and cooperative procedures for the legal regulation of the death care profession toward the goal of simplifying and standardizing the licensing process.
3. Representing the opinions of The Conference in serving to protect the public in those matters related to the rendering of professional death care services through interaction with other related associations, legislative, judicial, regulatory or executive governmental bodies and with other groups or associations whose areas of interest may coincide with those of Member Boards.
4. Providing assistance to Member Boards in fulfilling statutory, public and ethical obligations in legal regulation and enforcement.
5. Engaging in and encouraging research on matters related to regulation.
6. Providing examinations for use in licensure by Member Boards, including, but not limited to, the National Board Exam, State Board Exams, and jurisprudence examinations.

ARTICLE III. DEFINITIONS

Section 1. Board
“Board” shall mean the governmental agency empowered to credential and regulate those persons or entities practicing in the death care profession in any of the States of the United States of America, the District of Columbia, territories and insular possessions of the United States of America, individual provinces and territories of Canada, and comparable entities in other countries.

Section 2. Member Board
“Member Board” shall mean any Board as defined above which is duly accepted into The Conference pursuant to these Bylaws, and, if applicable, enters into a contract for the use of The Conference’s examinations.

Section 3. Member Board Staff
“Member Board Staff” shall mean a current employee of a Member Board whose primary responsibilities include the administration of all activities in fulfilling the mission of the board.

Section 4. Delegate
“Delegate” shall mean a current member or Member Board Staff designated by the Member Board as its representative.

Section 5. Alternate Delegate
“Alternate Delegate” shall mean a current member or Member Board Staff designated by the Member Board as its alternate representative.

ARTICLE IV. MEMBERSHIP

Section 1. Request for membership
Upon receipt of a written indication of interest in membership by a Board, The Conference will request information needed to determine eligibility. Once The Conference has received the information, the Board of Directors will consider the applicant’s eligibility.

Section 2. Admittance
A Board that qualifies for membership may be admitted into The Conference as a Member Board by the Board of Directors.

Section 3. Rights and Privileges
A Member Board shall be entitled to full rights to the floor for the purposes of speaking, offering motions, and voting, as well as access to all Conference programs and examinations.

Section 4. Termination of Membership
a. In the event that a member fails to pay dues as required by these Bylaws, the Board of Directors may, upon fair notification of its intent to do so, terminate the membership of a Member Board.
b. Membership shall be terminated when so ordered by a two-thirds vote of the quorum at the Annual Meeting.
c. Written notice that termination pursuant to paragraph (b) is to be considered and the cause for the action shall be sent to all Delegates and to the Member Boards not less than 90 days prior to the meeting. The Member Board in question shall have opportunity to be heard at the meeting, with representation by counsel, before a vote is taken.
d. Upon termination, all rights of the Member Board as provided in these Bylaws shall cease.

Section 5. Reinstatement of Membership
Reinstatement may be granted by an affirmative vote of a majority of the Board of Directors upon appropriate reapplication and compliance with all conditions set forth by the Board of Directors.

Section 6. Dues
The annual member and associate member dues shall be established by the Board of Directors and shall be paid on or before January 2.

Section 7. Associate Member
Associate members shall consist of the following:
1. Former employees or board members of a Member Board, and
2. Any school of funeral service education accredited by the American Board of Funeral Service Education.

Associate members may be appointed to serve on committees of The Conference.

ARTICLE V. DELEGATE ASSEMBLY

Section 1. Delegates
The Delegate shall be seated by the Secretary of The Conference at any time upon receipt of the appropriate credential from the Member Board, and shall serve until replaced by action of the Member Board.

Section 2. Alternate Delegates
In the absence of the Delegate, an Alternate Delegate shall be seated by the
The Board of Directors shall consist of nine individuals representing the nine Section 2. Composition of Directors. The control and management of The Conference shall be vested in the Board to any Member Board for any proper purposes at any reasonable time. meetings of the Delegate Assembly, and shall make these minutes available The Conference shall keep accurate and complete minutes of all business Section 6. Records are eligible to make and second motions. The privilege of the floor at all Delegate Assembly meetings. Only Delegates right to vote in their Delegates and Alternate Delegates. Voting by proxy is put to a vote before the Delegate Assembly. Member Boards shall be submitted to The Conference no later than 45 days included in the agenda for the annual meeting. Agenda items from the ARTICLE VI. MEETINGS Section 1. Annual Meeting The Annual Meeting of the Delegate Assembly shall be held each year at a time and place to be determined by the Board of Directors. Section 2. Special Meeting Special meetings of the Delegate Assembly shall be held at the call of the President, or upon call of a majority of the members of the Board of Directors, or upon the written request of at least one-third of the active membership. Section 3. Notice and Agenda Notice of and a proposed agenda for all Association meetings identified in Article VI of these Bylaws shall be provided to all Delegates, Alternates, and Member Boards 30 days prior to the meeting date. The proposed agenda for the Annual Meeting shall be presented at the commencement of the Annual Meeting, and may be revised by an affirmative vote of a majority of delegates present and voting. Any agenda item supported by at least (five) 5 Member Boards shall be included in the agenda for the annual meeting. Agenda items from the Member Boards shall be submitted to The Conference no later than 45 days before the annual meeting. Section 4. Quorum and Voting a. A quorum at any annual or special meeting of the Delegate Assembly shall consist of delegates representing no less than one-third of the Member Boards. All items of business shall be conducted under rules of parliamentary procedure. b. Unless otherwise provided in these Bylaws, all motions must receive the affirmative vote of a majority of the quorum. c. In the absence of representation of a majority of the member boards at any meeting, those member board delegates in attendance shall have the authority to adopt a motion to fix the time to which to adjourn, which shall require a majority vote of those present and voting. Section 5. Participation A Member Board is entitled to be represented by a single vote on each issue put to a vote before the Delegate Assembly. Member Boards shall vest the right to vote in their Delegates and Alternate Delegates. Voting by proxy is prohibited. Delegates, Alternate Delegates, all members and employees of Member Boards, and all members of committees of The Conference shall have the privilege of the floor at all Delegate Assembly meetings. Only Delegates are eligible to make and second motions. Section 6. Records The Conference shall keep accurate and complete minutes of all business meetings of the Delegate Assembly, and shall make these minutes available to any Member Board for any proper purposes at any reasonable time. ARTICLE VII. BOARD OF DIRECTORS AND OFFICERS Section 1. Control and Management The control and management of The Conference shall be vested in the Board of Directors. Section 2. Composition The Board of Directors shall consist of nine individuals representing the nine districts set out below. District 1: Connecticut, Maine, Massachusetts, New Hampshire, New York, Quebec, Rhode Island, and Vermont. District 2: Delaware, District of Columbia, Maryland, New Jersey, Pennsylvania, Virginia, and West Virginia. District 3: Alabama, Florida, Georgia, Mississippi, North Carolina, Puerto Rico, and South Carolina. District 4: Indiana, Michigan, Ohio and Ontario. District 5: Arkansas, Illinois, Kentucky, Missouri, and Tennessee. District 6: Iowa, Kansas, Manitoba, Minnesota, Nebraska, North Dakota, South Dakota, and Wisconsin. District 7: Louisiana, New Mexico, Oklahoma, and Texas. District 8: Alaska, Alberta, British Columbia, Idaho, Montana, Oregon, Saskatchewan, Washington, and Wyoming. District 9: Arizona, California, Colorado, Hawai, Nevada, and Utah. The Board of Directors shall manage the affairs of The Conference, including the financial affairs of The Conference and the transaction of all business for and on behalf of The Conference as authorized under these Bylaws. The Board of Directors shall carry out the resolutions, actions, or policies as authorized by the Delegates, subject to the provisions of the Articles of Incorporation and Bylaws. The Board of Directors shall manage the affairs of The Conference through adoption of The Conference’s Mission and Goals and may take such action, not in conflict with these Bylaws, as it deems necessary, expedient or desirable to fulfill and implement The Conference’s stated purposes. 

Section 3. Authority The Delegate Assembly shall provide direction for The Conference through the election of a President, who shall serve as the President of The Conference and shall preside at all meetings of the Delegate Assembly. The President shall be an ex officio member of the Board of Directors, with voting rights. The President shall serve a term of office of two years, renewable once. The President shall have the authority to appoint an Immediate Past President of The Conference as the Delegate. The Immediate Past President of The Conference may serve on the Board of Directors for one additional year, in the capacity of Immediate Past President. Section 3. Board of Directors Eligibility At the time of nomination, election, and throughout the entire term of the elected period, Board of Director members must be a member of a Member Board or Member Board Staff. No person shall be eligible for election to the Board of Directors who, at the time of nomination and election, has already served more than six (6) years on such Board during the preceding ten (10) year period. Section 4. Qualifications for Continued Service A vacancy shall immediately occur in the event a Board of Director member fails to meet the qualifications for service set forth in Article VII Section 3. Vacancies on the Board of Directors shall be filled in accordance with Article VII Section 11. Section 5. Elections The members of the Board of Directors shall be elected to serve a three (3) year term or until their successors have been elected and qualified in a revolving, staggered sequence as follows: 1. One member each shall be elected from Districts 1, 6, and 8. 2. One member each shall be elected from Districts 2, 4, and 7. 3. One member each shall be elected from Districts 3, 5, and 9. In order to be elected to the Board of Directors, a nominee shall obtain a simple majority of the votes cast by the Delegates comprising the district which the Board member(s) shall represent. Balloting in such an election shall be on a one (1) Member Board, one (1) vote basis, with only those Member Boards registered and present for such an election having a vote. In the event of a tie vote, the election shall be by vote of the active membership in convention. However, nominations and seconds for the Board office may only be made by delegates from the district whose Board member is elected. Section 6. Authority The Board of Directors shall manage the affairs of The Conference, including the financial affairs of The Conference and the transaction of all business for and on behalf of The Conference as authorized under these Bylaws. The Board of Directors shall carry out the resolutions, actions, or policies as authorized by the Delegates, subject to the provisions of the Articles of Incorporation and Bylaws. The Board of Directors shall prepare and adopt a budget for the fiscal year and distribute a copy of the adopted budget to the Delegates and Member Boards no later than 30 days after adoption of the budget. The budget format shall be such that it includes a chart of accounts that sets out all significant items of income and expense in order that conformity with or deviation from the budget may be readily reviewed. The Board of Directors shall set fees for the supplies and services offered by The Conference including, but not limited to, fees for membership, examinations and study materials. The Board of Directors shall hire an Executive Director to serve as the administrative officer of The Conference, who shall be accountable to the Board of Directors.
Section 7. Election of Officers

The officers of The Conference shall consist of the President, Immediate Past President, Vice President and Secretary/Treasurer. The officers shall be elected by a majority vote of the Board of Directors from its membership at a meeting held immediately after the annual election of the Board of Directors. In the event the President is absent or unable to perform his or her duties, the Vice President shall act in the President’s place. In the event of a vacancy in the office of President, the Vice President shall automatically become President. Vacancies in the offices of Vice President or Secretary/Treasurer may be filled by the Board of Directors at a special meeting called for the purpose of filling the vacancy. No person shall occupy more than one officer position at a time.

Section 8. Duties of Officers (Executive Committee)

The duties of the officers of The Conference shall be those that usually pertain to such offices and as delegated by the Board of Directors. The officers and the Immediate Past President shall be known as the Executive Committee.

The Executive Committee shall meet at times determined by the President and shall have the authority to conduct the business of the Board of Directors between meetings and as authorized by the Board of Directors. All actions of the Executive Committee shall be subject to review by the Board of Directors. A two-thirds vote of the Board of Directors may rescind an action taken by the Executive Committee.

Section 9. Terms

No Director may serve more than two full consecutive terms except as otherwise provided in these Bylaws.

The term of office of the officers shall be one (1) year, or until their successors have been elected and qualified.

Section 10. Reimbursement and Compensation

Directors shall be reimbursed for reasonable expenses incurred while carrying out their responsibilities, in accordance with Board of Directors policy for expenses. Directors shall not receive compensation for services rendered.

Section 11. Vacancies

If a vacancy is created in the Board of Directors and is not filled by election, pursuant to Section 5, the Board of Directors may elect an individual to fill the vacancy until the next Annual Meeting, at which time the vacancy shall be filled by election.

Section 12. Removal

A Director may be removed from office prior to the end of that member’s term when, in the judgment of the Board of Directors or Delegate Assembly, the best interest of The Conference would be served. Removal shall require an affirmative vote of two-thirds of the Directors, or two-thirds of the total number of eligible voting Delegates, and shall be determined as if all Directors or eligible voting Delegates were present, subject to meeting qualifications set out in Article VII, Section 2 of these Bylaws.

Any officer may be removed from office prior to the end of that Officer’s term with a majority vote of the Board of Directors, in the judgment of the Board of Directors or Delegate Assembly, the best interest of The Conference would be served.

Any director or officer may resign at any time by giving written notice to the Board of Directors. Such resignation shall take effect on the date of receipt of such notice or at any later time specified therein, and unless otherwise specified therein, the acceptance of such resignation shall not be necessary to make it effective.

ARTICLE VIII. BOARD OF DIRECTORS MEETINGS

Section 1. Regular Meetings

The Board of Directors shall hold meetings from time to time as deemed necessary to carry out its responsibilities to the Member Boards. At a minimum, the Board of Directors shall meet at least once each year.

Section 2. Special Meetings

Special meetings of the Board of Directors may be convened by the President, and shall be convened by the President within 30 days of the President having received a written request for such meeting from any three Directors. Special meetings may be held electronically.

Section 3. Notice and Agenda

Notice of any regular meeting of the Board of Directors shall be given to Directors at least 10 days prior to the meeting. Notice of special meetings shall be given as soon as practicable. Notice may be given in a form to ensure receipt by such Director. Any Director may waive notice of such meeting formally or through attendance of any meeting, except when the member attends a meeting for the direct purpose of objecting to the transaction of business. Except in the case of a special meeting, a tentative agenda shall be forwarded to all member boards at least 30 days prior to a meeting.

Section 4. Quorum

In order to conduct business at any meeting of the Board of Directors, at least a majority of the Board of Directors must be in attendance. In the absence of a majority, those Directors present shall have the authority to adjourn the meeting by majority vote.

Section 5. Voting

Directors shall be the only individuals entitled to propose, debate, vote, and otherwise participate in the decisions and motions at Board of Directors meetings. The act of a majority of Directors present at a meeting at which a quorum is present shall be the act of the Board of Directors, unless an act of greater number is required by law or by these Bylaws. The Immediate Past President shall not have a vote unless such Immediate Past President is also currently one of the nine elected members of the Board of Directors.

Section 6. Executive Session

The Board of Directors may meet in executive session only for discussion and resolution of personnel matters, legal matters, matters related to a Member Board’s membership in The Conference, and matters related directly to the security of The Conference’s examination programs.

Section 7. Records

The Board of Directors shall keep accurate and complete minutes of all meetings, and shall make these minutes available to any Member Board for any proper purpose at any reasonable time.

ARTICLE IX. COMMITTEES

Section 1. Finance Committee

The President shall, after receiving input and approval from the Board of Directors, appoint at least three individuals to the Finance Committee for such term as defined by the Board of Directors. The Finance Committee shall advise the Board of Directors on issues related to the use of The Conference’s assets to assure prudence and integrity of fiscal management and responsiveness to The Conference’s needs. The Finance Committee shall report to the Board of Directors in the form and manner required by the Board of Directors and as frequently as requested by the Board of Directors. The Finance Committee shall also consider such matters as are referred to it by the Board of Directors.

Section 2. Professional Policy Committee

The President shall, after receiving input and approval from the Board of Directors, appoint at least three individuals to the Professional Policy Committee for such term as defined by the Board of Directors. The Professional Policy Committee shall advise the Board of Directors on issues related to the governance and oversight of the examination programs and other matters as are referred to it by the Board of Directors.

Section 3. Examination Committee

The President shall, after receiving input and approval from the Board of Directors, appoint members to the Examination Committee, for such term as defined by the Board of Directors. The composition of the Examination Committee shall reflect the levels and nature of funeral service practice as identified in The Conference’s current job analysis. The Examination Committee shall be responsible for reviewing and approving questions for The
Conference's examination programs, and other related tasks as assigned by the Board of Directors.

Section 4. Ad-hoc Committees

Ad-hoc committees may be established and appointed by the President as needed, after receiving input and approval from the Board of Directors. The composition and tenure of members shall be determined by the Board of Directors.

Section 5. Committee Meeting Notice and Agenda

Committee meetings may be called by the Committee Chairperson or by the President. Expenses for attending committee meetings shall be paid only by prior authorization of the Executive Committee. A quorum at any committee meeting shall consist of at least one-half of the members of the committee. All items of business may be approved by a majority vote.

The agenda for any committee meeting may be determined by the Committee Chairperson or the President or by at least one-third of the committee membership. Copies of the agenda shall be made available to the committee at least ten (10) days before each scheduled committee meeting.

ARTICLE X. FINANCES

Section 1. Fiscal Year

The fiscal year of The Conference shall be January 1 to December 31.

Section 2. Books and Reports

The Conference shall keep accurate and complete books and records of accounting, available for inspection by any Member Board at the principal office of The Conference for any proper purposes at any reasonable time. The Secretary/Treasurer shall supervise and account for expenditures of funds by The Conference and shall report on the financial condition of The Conference at the Annual Meeting.

Section 3. Audit & Financial Review

The Board of Directors shall, for each fiscal year, appoint a licensed independent public accountant or licensed independent public accountants to express an opinion of the financial statements of The Conference. The Board of Directors may direct that an audit of the financial records of The Conference at any time it deems necessary or appropriate.

Section 4. Contracts

The Board of Directors may authorize any officer or officers, or Executive Director to enter into any contract or execute and deliver any instrument in the name of or on behalf of The Conference. The Conference shall not enter a contract for a period that exceeds five (5) years. All consultant and outside professional services that are to be provided to The Conference shall be on a contractual basis only.

Section 5. Checks, Drafts, or Orders

All checks, drafts, or orders for the payment of money, notes, or other evidences of indebtedness in the name of The Conference shall be signed by such officer or officers, agent or agents of The Conference and in such manner as shall from time to time be authorized by the Board of Directors.

Section 6. Deposits and Investments

All funds of The Conference shall be deposited or invested by the Board of Directors in conformity with written policy for such deposit and investment as shall from time to time be determined by the Board of Directors. The Board of Directors shall review both its policy and the investments and deposits of The Conference at least annually. The Conference may also invest in real property to be used as office space for The Conference upon approval of the Member Boards.

Section 7. Limitations of Expenditures

The Conference is limited to expending its funds for only those purposes that are recited in Article II of the Bylaws of The Conference.

Section 8. Insurance

At the discretion of the Board of Directors, The Conference shall carry appropriate insurance.

Section 9. Budget

The Board of Directors shall prepare and adopt a budget for the fiscal year and distribute a copy of the adopted budget to the Delegates and Member Boards no later than 30 days after adoption of the budget. The budget format shall be such that it includes a chart of accounts that sets out all significant items of income and expense in order that conformity with or deviation from the budget may be readily reviewed.

ARTICLE XI. INDEMNIFICATION AND QUALIFICATION

Section 1. Indemnification

Subject to the limitations of this Article, The Conference shall indemnify any person who was or is a party of or is threatened to be made a party to any threatened, pending or contemplated action, suit or proceeding, whether civil, criminal, administrative or investigative (other than an action by or in the right of The Conference) by reason of the fact that such person is or was a member of The Conference, or with any statutes applicable to The Conference that do not indemnify a person who was or is a party of or is threatened to be made a party to any action, suit or proceeding by judgment or settlement, condition or upon a plea of Nolo Contendere or its equivalent shall not, in and of itself, create a presumption that such person did not act in good faith and in a manner reasonably believed to be in or not opposed to the best interest of The Conference and, with respect to any criminal action or proceeding, had no reasonable cause to believe such conduct was unlawful. The termination of any action, suit or proceeding by judgment or settlement, condition or upon a plea of Nolo Contendere or its equivalent shall not, in and of itself, create a presumption that such person did not act in good faith and in a manner reasonably believed to be in or not opposed to the best interests of The Conference and, with respect to any criminal action or proceeding, had reasonable cause to believe that such conduct was unlawful.

Section 2. Qualification

Any indemnification under this Article shall be made by The Conference only as authorized in the specific case upon a determination that indemnification is proper in the circumstances because such person has met the applicable standard of conduct set forth in this Article. Such determination shall be made by the Board of Directors consisting of members who are not parties to such action, suit or proceeding or, if such quorum is not attainable, a quorum of disinterested members.

ARTICLE XII. PARLIAMENTARY AUTHORITY

Section 1. Parliamentary Authority

The rules contained in the current edition of Robert’s Rules of Order shall govern The Conference in all cases to which they are applicable and in which they are not inconsistent with these Bylaws, with the policies of The Conference, or with any statutes applicable to The Conference that do not authorize the provisions of these Bylaws to take precedence.

ARTICLE XIII. AMENDMENTS

Section 1. Amendment Proposals

These Bylaws may be amended at any Annual Meeting. Any Member Board, any committee established in these Bylaws, or the Board of Directors may propose Bylaws amendments. Proposed amendments to the Bylaws shall be in writing and received at The Conference office not less than 60 days prior to the Annual Meeting. The Executive Director shall forward proposed amendments to Delegates, Alternates, and all Member Boards not less than 30 days prior to the date of the Annual Meeting.

Section 2. Adoption

Proposed amendments received in accordance with this Article shall be presented at the Annual Meeting and must receive an affirmative vote of two-thirds of the delegates present at the Annual Meeting, provided a quorum is present.

The foregoing are the Bylaws of The Conference, as amended in (Myrtle Beach, South Carolina, March 3, 2011).
1. Delegates, Alternates, other Member Board representatives, staff, guests, and observers must register and be provided with identification badges.

2. At the opening session of each meeting at which business will be conducted, the presence of a quorum shall be established through a roll call of member board Delegates. Delegates shall be identified and introduced at this time.

3. Any delegate wishing to speak before the assembly shall rise and proceed to a microphone and when recognized by the Presiding Officer, shall give his or her name and Member Board affiliation before speaking.

4. All discussions shall be channeled through the Presiding Officer.

5. A Delegate wishing to make a motion shall rise and when recognized by the Presiding Officer, shall give his or her name and Member Board affiliation before presenting the motions.

6. Rules of Debate:

   A. Speakers will be limited to 3 minutes each and may not speak more than twice to the same issue. No person may speak more than once until all others wishing to speak to said issue have had an opportunity to speak at least once. At any time, debate may be further limited by a two-thirds vote.

   B. At the discretion of the Presiding Officer, time for debate may be reasonably limited in order to maintain the scheduled agenda.

   C. The privilege of debate on the floor of the annual meeting is limited to Member Boards of The Conference. Others may speak at the discretion of the Presiding Officer.

7. The rules contained in Robert’s Rules of Order, Newly Revised, shall govern this annual meeting in all cases to which they are applicable and in which they are not inconsistent with the By-laws of the ICFSEB of these Standing Conference Rules.
## Past Presidents 1904-2018

<table>
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<tr>
<th>Name</th>
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<td>Robert E. Blais</td>
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<td>Douglas “Mack” Smith</td>
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<td>F. C. Haley</td>
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<td>G. L. Banks</td>
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<td>Charles F. Greco</td>
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<td>Rufus V. Herndon, Jr.</td>
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<td>Richard R. Poindexter</td>
<td>1980</td>
<td>Sandy Sebastian</td>
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2019 Annual Meeting Survey
San Diego, CA
Program Evaluation & Suggestion Form
Please take a few minutes to complete this survey.

Get The 2018 Annual Report
The Annual Report is an initiative to report on the activities of The Conference to our membership each year. Included you will find exam statistical information, project initiatives, financial information, and volunteer recognition, among other items.

THE 116TH ANNUAL MEETING OF
THE CONFERENCE
FEBRUARY 19-20, 2020

- AAA Four Diamond Salamander Resort property
- “Florida’s Premier Oceanfront Golf Destination”
- All suites property - $179 rate (resort fee waived)
- 30 minutes from Daytona airport
- Two award winning golf courses
- Six restaurants
- Ocean inspired spa
- Multi-level pool complex with 60 foot waterslide