

WV Board of Funeral Service Examiners

Board Meeting

179 Summers Street

Suite 319

Charleston, WV 25301

July 25, 2023

11:00 a.m.

Members & Staff Present: Eugene Fahey, President, Fred Kitchen, Rich Bishoff and Bryan Nichols. Linda Lyter, Executive Director, Grady Bowyer, Office Manager, Mark Danehart, Inspector, Adriana Marshall, Attorney and Matt Tinor, Intern, Attorney General's Office.

Present via Zoom: Ron Waybright

Members Absent: Bob Fields

Guests Present: Rob Kimes

Call meeting to order at 11:00 a.m. by president of board – quorum established.

A motion is made by Rich Bishoff to approve the minutes for June 5 and June 27, 2023 board meetings. Seconded by Fred Kitchen. Motion approved.

A motion is made by Fred Kitchen to go into Executive Session and seconded by Bryan Nichols. Motion approved. Staff & guest requested to leave the room.

Complaints and potential complaints reviewed and discussed. Gene recused himself and left the room for discussion of a complaint. A board initiated complaint is recommended due to non-renewal of facility license. Gene returns to the meeting.

Bryan Nichols recuses himself and leaves the room for discussion on a complaint. Recommend to dismiss complaint. Bryan returns to the meeting.

Discussion of potential cremains located at a closed funeral home. Recommend to send a letter.

Discussion of a funeral home related matter. Recommend to file a complaint with the Board.

A motion is made by Rich Bishoff to come out of Executive Session and seconded by Fred Kitchen. Motion approved. Attendees: Mark & Rob return to the meeting.

Complaints # 2023-08 remains open. A motion is made by Rich Bishoff to send a board initiated complaint to funeral home due to non-renewal of facility license and shall renew license by Friday. Consent decree to be considered at next meeting.

Complaint # 2023-11 remains open. Consent agreement prepared and ready to be signed and mailed.

Complaint # 2023-14 A motion is made by Fred Kitchen to dismiss the complaint due to no probable cause or violation of law. Seconded by Rich Bishoff. Motion approved.

A discussion regarding creating a standardized form relating to Code Section 30-6-21 e.

Lyter presented financial report. A motion is made by Rich Bishoff to approve the finance report and seconded by Bryan Nichols. Motion approved.

Lyter & Bowyer presented P-Card report. A motion to approve the P-Card report is made by Rich Bishoff and seconded by Bryan Nichols. Motion approved.

Executive Director's Report: Lyter provided legislative update on filing emergency rules. New board member information to be submitted this week.

Office Manager's Report: Bowyer presented license renewal report and update on study guide.

A motion is made by Bryan Nichols to approve the license reinstatements of Shelly Douglas that expired 6/30/22. Seconded by Fred Kitchen. Motion approved.

A motion is made by Rich Bishoff to approve the license reinstatement of Rodney Turner that expired in 2016 contingent on passing the state exam. Seconded by Bryan Nichols. Motion approved.

Items of Interest/Member Concerns: Discussion on creation of new website. Look into the costs & vendors, and/or if a statewide contract for website design. Work session to be scheduled for August 24, 2023.

The next meeting will be scheduled for September 26, 2023 at 11:00 a.m.

Licenses signed by members.

A motion is made by Rich Bishoff to adjourn the meeting. Seconded by Bryan Nichols. Motion approved.