DIVISION OF

OCCUPATIONAL AND PROFESSIONAL LICENSING

Office of Cemetery Oversight

500

N. Calvert Street,

3

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Floor

Baltimore, MD 21202



OFFICE OF CEMETERY OVERSIGHT

ADVISORY COUNCIL ON CEMETERY OPERATIONS

MINUTES

DATE: June 25, 2020

TIME: 10:08 a.m. – 11:56 a.m.

PLACE: Google Meet – Teleconference, Sign on information: Join with Google Meet- https://meet.google.com/jeg-uzkt-uic Phone Numbers: (US) +1 415-737-9563 PIN: #991991730

# MEMBERS PRESENT

Frank Porter, Chair

Rebecca Edmiston

Yvonne Fisher

Craig Huff

Bruce Hultquist

Erich March

Ronald Pearcey

David Zinner

# MEMBERS ABSENT

J. Michael Bennett

Erin Brooks

Walter Tegeler

# STAFF PRESENT

Deborah Rappazzo-Executive Director, Office of Cemetery Oversight

John Hart- Assistant Attorney General, Office of Cemetery Oversight

Leila Whitley- Administrative Aide, Office of Cemetery Oversight

Jay Wilson- Financial Compliance Administrator, Office of Cemetery Oversight

Dreama Anderson- Investigator, Office of Cemetery Oversight

**STAFF ABSENT**

n/a

**VISITORS**

None.

**CALL TO ORDER**

Chair Porter called the meeting to order at 11:10 a.m.

**HOUSEKEEPING**

# OPEN MEETING ACT

Assistant Attorney General (AAP) Hart briefly went over COMAR 9.01.11.03.

**MINUTES**

The minutes from May 21, 2020 were approved.

# EXECUTIVE DIRECTOR’S REPORT – Mrs. Rappazzo

The Office of Cemetery Oversight’s (OCO) staff is still teleworking, due to COVID-19. Executive Director Rappazzo has been going into the office to scan any mail that has been received in the office. Such as, applications and complaints, process deposits, retrieve reports and can scan hard copies of licenses printed by IT, to provide to her staff. At this time, the staff is fully operational. OCO and other staff may not be going back into the office, full time, anytime soon. The department as a whole may consider having consumers make an appointment in order to come into the building. This new appointment system will help control the number of people in the building at all times and limit overcrowding.

Director Rappazzo would like for Advisory Council members to send her a “wish list” regarding potential bills for next year’s legislative session. Please send your ideas to the director no later than the close of business on Tuesday, June 30, 2020.

The new computer system is still moving forward towards implementation. No additional updates are available at this time.

Most cemeteries, crematories and memorial dealers are sending in their new and renewal applications for processing.

Soon OCO will have at least two (2) more cemeteries that will be licensed.

# INVESTIGATOR’S REPORT- Mrs. Anderson

Since our last meeting, there have been nine (9) new complaints: one (1) regarding burial location; one (1) regarding a memorial inscription; one (1) regarding an abandoned cemetery; one (1) regarding an unauthorized memorial being placed; one (1) regarding an unprepared burial lot; one (1) regarding a burial site condition (excess rain); one (1) regarding preneed lot – clerical issue – lot was resold discovered at the time of need; one (1) regarding a family member looking for a memorial they thought was fully paid (did not have papers to prove); and one (1) regarding a memorial that has not been installed (has been over a year).

Inspections are not being done at the present time due to COVID-19. An investigator/inspector has to physically be at a business in order to do any part of an inspection.

# LEGISLATIVE UPDATE – Mr. Hart

AAG John Hart gave the legislative update. HB349/SB280-Occupational and Professional Licensing - Service Members, Veterans, and Military Spouses - Revisions to Reciprocity Requirements passed into law and goes into effect October 1, 2020. The bill made changes to an existing law governing reciprocity requirements for Service Members, Veterans, and Military Spouses applying for licenses with the Division of Occupational and Professional Licensing, which includes the OCO.

AAG Hart informed the Advisory Council that because the OCO’s final action on the proposed regulation titled “Communication from Director -- Failure to Respond” was not published in the Maryland Register within a year of the regulation first being proposed, that the regulation would need to be re-proposed at the next business meeting.

AAG Hart informed the Advisory Council that the Office of Administrative Hearings (OAH) has begun hearing some cases remotely and will hold limited in-person hearings starting July 6, 2020.

Mr. Zinner expressed the OCO craft a policy that would advise/require judges handling cemetery bankruptcy to work with the OCO to appoint a receiver to manage the cemetery. Mr. Hart responded that pursuant to statute, the OCO could seek injunctive relief from a circuit court and request the court to fashion a remedy for operating the cemetery until a new licensed operator could be found. AAG Hart will review how the OCO previously proceeded in the case of Southern Memorial Gardens.

# FINANCIAL COMPLIANCE ADMINISTRATOR’S REPORT – Mr. Wilson

There are nineteen (19) trust reports that have been completed, each have a positive equity. Currently, there are fifteen (15) trust reports that are being reviewed. There are eighty-nine (89) cemeteries that are required to submit trust reports.

Mr. Wilson has recently started the process of looking at those cemeteries that may not have been submitting trust reports in the past. Director Rappazzo, in consultation with the Office of the Attorney General, will decide whether a particular case needs to proceed to an enforcement action.

**COMMITTEE INFORMATION – Director Rappazzo**

Director Rappazzo was on the verge of selecting Advisory Council members for committees when the pandemic came about. Council members are encouraged to email the director, no later than Tuesday, June 30, 2020, if they are interested in a specific committee.

# LICENSING SPECIALIST – Ms. Whitley

Original and renewal applications are still being received by email and processed. Our Central Licensing Unit has staff members going into the office on a staggered basis for brief periods of time. Licenses are being processed a few times a week as opposed to every day and are being emailed to responsible parties once printed. There are a few cemeteries and burial goods businesses that are waiting until the extension expires to renew their business and/or individual licenses. Licenses are being printed in a different building and have been for years. A courier brings them to our building and they get distributed. Not all boards, commissions, and offices have their licenses sent back to them, only a handful do. Our mail room (which is in another building) mails the rest.

Ms. Whitley received a new laptop from the State. It seems to be working a little faster than the personal (used) laptop that Ms. Whitley was previously operating.

# NEW BUSINESS

Director Rappazzo informed the Advisory Council about CANA’s Virtual Trade Show in August 2020.

**UNFINISHED BUSINESS**

Action items from the director:

* Still working on getting someone from the Board of Morticians (BOM) to be a guest speaker regarding the different kinds of death certificates;
* May be getting Nathan Nardi to be a guest speaker. Currently he is working on disinterments from one cemetery to another.

The next meeting will be in September. Not sure at the present time if it will be virtual or not. The director will take suggestions if the Council would prefer a virtual meeting or not.

Mr. March announced there will be a Frederick Douglas Day on September 3, 2020 at Arlington Cemetery, by invite only.

Chair Porter would like for Bonnette Thompson and Cynthia Brown to speak at another Advisory Council meeting, since they were unable to make this month’s meeting or last months’ meeting. Director Rappazzo will contact them to see when they are available. They have been extremely busy during the pandemic.

**COUNCIL CONCERNS**

Mr. Zinner would like an Advisory Council meeting to be held in July 2020.

The public can come to any of the meetings, whether it is in person or online.

**PUBLIC COMMENTS**

None.

# ADJOURNMENT

The next meeting will be held in September 2020. It may or may not be an online meeting.

Meeting adjourned 11:56 a.m.