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

Victoria Wilkins – Commissioner, MDOL - Occupational & Professional Licensing

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**

Amy Shimp – Dulaney Valley Memorial Gardens

**CALL TO ORDER**

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

**HOUSEKEEPING**

# OPEN MEETING ACT

AAG, Hart, reviewed with all attendees, **COMAR 09.01.11.03**, **.03 Public Attendance.**

1. The public is invited to attend and observe any open session of the unit within the Department.

1. Except in instances when the unit expressly invites public testimony, questions, comments, or other forms of public participation, or when public participation is otherwise authorized by law, a member of the public attending an open session may not actively participate in the session.

**MINUTES**

The minutes from February 27, 2020 were approved.

# EXECUTIVE DIRECTOR’S REPORT

The Office of Cemetery Oversight’s (OCO) staff has been teleworking since March 16, 2020, due to COVID-19. Executive Director Rappazzo has gone into the office to scan applications and complaints, process deposits and retrieve reports to provide to her staff. At this time, the staff is fully operational.

As a result of the pandemic, the Executive Director Rappazzo has reached out to registrants (cemetery and crematory businesses) to inquiry about the challenges and actions they have taken to continue to perform burials, etc. As a result of these calls, a few speakers have been invited to share their experiences with the Advisory Council.

## AMY SHIMP – DULANEY VALLEY MEMORIAL GARDENS

The cemetery created 4 mock service set-ups at key locations around the cemetery. These setups consisted of a tent with chairs placed six (6) feet apart. Consequently, this would allow the cemetery to have better control over the number of attendees at each service as well as enforcing social distancing. Additionally, their maintenance staff would become pallbearers for each burial service to further mitigate the spread of COVID-19 exposure for not only its staff, but also for all patrons.

RON PEARCEY- MOUNT OLIVET CEMETERY

The cemetery’s maintenance staff would become pallbearers for each burial service to further mitigate the spread of COVID-19 exposure for not only for its staff, but also for all patrons. Mount Olivet Cemetery has handled burials for individuals that have passed due to COVID-19, but not many.

## BRUCE HULTQUIST – RELIGIOUS CEMETERIES

There have been a couple of incidents wherein an excess of ten (10) people arrived prior to the actual burial service, in which the cemetery had to direct people back to their cars and/or have them leave the cemetery. Additionally, the cemetery office along with all restrooms has been closed to the public. Until further notice, no singing will be allowed during services.

## ERICH MARCH – KING MEMORIAL PARK

King Memorial Park has been experiencing some of the same issues as the other cemeteries. They did have to enact restrictions on people getting out of their cars. The cemetery has buried many individuals that have died from COVID-19. The grounds crew has been instructed not to go near any burial site until all family members and friends have returned to their cars. Employees and customers are required to wear masks, use hand sanitizer and get their temperatures checked before entering the cemetery office. Many funerals are being streamed online. There have been more cremations during COVID-19.

## DAVID ZINNER – JEWISH CEMETERIES

During Jewish burials where family members are involved in shoveling dirt into the grave, shovels are being sanitized between handling and/or attendees are permitted to bring their own. Due to the pandemic many people have been reluctant to go to cemeteries to pay their respect to their loved ones.

## WALT TEGELER – MONUMENT DEALER

Much of the same comments mentioned previously such as; bring your own shovels, changes of how death care industry is doing business and funeral homes are supplying gloves, etc.

# INVESTIGATOR’S REPORT

There have been five (5) new complaints regarding memorial delays. Due to the restrictions of the Governor’s Executive Orders, burial goods businesses (monument dealers) are not open.

# FINANCIAL COMPLIANCE ADMINISTRATOR’S REPORT

There is a bit of delay with trust report submissions due to COVID-19. Only a few trust reports submitted have been reviewed. Upon request, an extension of the deadline to submit trust reports may be granted.

# LICENSING SPECIALIST (DIRECTOR RAPPAZZO FOR LEILA WHITLEY)

Licenses are being 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. Licenses are being emailed to responsible parties once printed.

# LEGISLATIVE UPDATE

John Hart gave the legislative update. The following bills did not pass both houses prior to the early adjournment of the 2020 session:

## **SB104-Office of Cemetery Oversight – Cemetery Financial Statement – Requirements-*-(Adjourned Sine Die)***

Altering the items that are required to be included with a financial statement submitted to the Director of the Office of Cemetery Oversight to allow, at the election of the business, an existing business in operation for 5 or more years to submit federal tax returns filed by the business for the prior year instead of a certain financial stability statement.

**HB243 and SB483 Cemeteries-Perpetual Care-Distribution From Perpetual Care Trust Fund*-(Adjourned Sine Die)***

Requiring a distribution from a perpetual care trust fund made under certain circumstances to be used only for the perpetual care of the cemetery, including the maintenance of the grounds, roads, and paths and the repair and renewal of buildings; permitting a cemetery to select a certain method of distribution; requiring a cemetery to submit to the Director of the Office of Cemetery Oversight a statement attesting that the cemetery's method of distribution will not result in insufficient protection of the trust fund's principal; etc.

## **SB84-Funeral Establishments and Crematories-Unclaimed Cremains of Veterans-Notification, Disposition and Reporting*-(Adjourned Sine Die)***

Specifying that the purpose for which licensed funeral establishments and holders of certain permits are authorized to transfer unclaimed cremains of a veteran or an eligible dependent to a veterans service organization under certain circumstances is for the appropriate disposition of the cremains; requiring a funeral establishment or crematory to transfer certain cremains to the Department of Veterans Affairs for the purpose of the appropriate disposition of the cremains; etc.

## **HB1179—Public Health-Unborn Human Beings and Infants (Humane Disposition of Human Remains Act)*-(Adjourned Sine Die)***

Requiring a certain health care facility or abortion clinic to disclose, provide, and inform a parent of certain information within a certain period of time except under certain circumstances; requiring a parent to authorize the final disposition of bodily remains in a certain manner after receiving a certain notification and information and before a certain time; authorizing a parent to authorize a certain final disposition to be overseen by certain individuals; etc.

## **HB1512-Historic African American Cemeteries Preservation Fund-*(Adjourned Sine Die)***

Establishing the Historic African American Cemeteries Preservation Fund; specifying the purpose of the Fund; requiring the Department of Planning to administer the Fund; requiring the State Treasurer to hold the Fund and the Comptroller to account for the Fund; specifying the contents of the Fund; specifying the purpose for which the Fund may be used; requiring the Governor to include in the annual budget bill a certain appropriation to the Fund; requiring the Department to determine the amount of the appropriation; etc.

## **SB917-Transport of a Body After Anatomical Gift-Fees-Prohibition*-(Adjourned Sine Die)***

Prohibiting certain entities that provide certain services for the transportation of a body from charging a fee to certain individuals if the body has undergone a procedure to provide an anatomical gift and the deceased's custodian is indigent or medically indigent; and prohibiting a unit of State government that provides services for the transportation of a body under certain circumstances from charging a fee.

The following bill was passed during the 2020 session and has been enacted into law:

## **HB349 and SB280-Occupational and Professional Licensing - Service Members, Veterans, and Military Spouses - Revisions to Reciprocity Requirements*-(Passed and Enacted)***

Altering the application requirements for a service member, veteran, or military spouse to apply for an occupational or professional license from a unit in the Maryland Department of Labor to require submission of proof that the applicant has held a license in good standing from another state for at least 1 year; authorizing the issuance of a temporary license to certain individuals who have held a valid license from another state for less than 1 year provided that the license is in good standing; etc.

**UNFINISHED BUSINESS**

None.

# NEW BUSINESS

Mr. Zinner informed the Advisory Council that there is a link to the Maryland Responds Medical Reserve Corps on the Board of Morticians & Funeral Directors website. Also, coronavirus.gov tracks the number of cases. Can information such as the above be put on OCO’s website?

Extending an invite to Mark Bailey, President of Board of Morticians & Funeral Directors, to come and conduct training on the different types of burial transit documents

**COUNCIL CONCERNS**

None.

**PUBLIC COMMENTS**

None.

# ADJOURNMENT

The next meeting will be held Thursday, June 25, 2020, as another online meeting. Meeting adjourned 12:20 p.m.