

MINUTES
BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES
VIDEOCONFERENCE MEETING
SEPTEMBER 20, 2023 - 10:00 A.M.

A. Call to Order, Preliminary Remarks, and Roll Call

Ms. Jill Peeples – Good morning, this is Chair Jill Peeples. It is 10:00 A.M. It's Wednesday, September 20, 2023. This is a videoconference meeting, and I would like to turn it over to Ms. Simon for preliminary remarks and roll call.

Ms. Ellen Simon – Thank you, Madam Chair. Good morning. My name is Ellen Simon. I am the Assistant Director for the Division of Funeral, Cemetery, and Consumer Services. This is a public meeting of the Board of Funeral, Cemetery, and Consumer Services. This meeting is being held by videoconference. Notice of this meeting has been duly published in the Florida Administrative Register. An agenda for this meeting has been made available to interested persons. Both the link and call-in number are on the agenda, which has been made available to the public. The link and call-in number and other information relating to this Board meeting has also been published on the Division's website. Ms. LaTonya Bryant is recording the meeting and minutes will be prepared.

As this is a videoconference of the Board, there are some items I need to draw your attention to. For one, as a general rule, please do not utilize your video camera for the meeting unless you are a Board member, Board counsel, or an authorized Division employee. If you have a matter listed on the agenda and intend to appear before the Board to represent yourself, or if you are an attorney that is representing a client, only turn your video camera option on when we have reached the agenda item that you want to be heard on or when you hear your name called. Then turn your video camera option off again as soon as your matter has been addressed by the Board.

As always, we need everyone that is on the call to place their phone or audio feed on mute, if you are not speaking. The ambient noise coming from someone's phone or audio, which is not muted, causes severe disruption to the meeting. If you are not muted, you may be muted by Division staff. As a result, you may need to call back into the meeting because that may be the only way to unmute your phone. Also, if you are using your computer or smartphone for your audio feed, please remember to speak directly into the microphone on your device. To do so otherwise negatively impacts the recording of this meeting. Just as in a live meeting, persons speaking are requested to identify themselves for the record each time they speak. Participants are respectfully reminded that the Board's Chair, Ms. Peeples, runs the meeting. Persons desiring to speak should initially ask the Chair for permission.

As a reminder to Board members, you are to refrain from commenting on facts not included within your Board packages, and instead base your decision solely on the information in your Board packages, as well as testimony provided at this meeting. Additionally, ongoing investigations are private and confidential and are not to be discussed, even for the purposes of confirming there is an investigation. Just a few words about Item W on your agenda, which is Public Comment. Public Comment is reserved for general comments by the public and not for re litigation of any matter before the Board. Please be aware that if Public Comment is used as an attempt to re litigate a matter that has been heard on this agenda, the Board will be instructed that the comment is not appropriate for Public Comment, and it should not be considered for further discussion.

As a final reminder, Board meetings are public meetings under Florida Law, and anything said via chat is subject to a public records request. This feature should only be used for technological issues you may be experiencing, and all inquiries in chat should be directed to Mary Schwantes, Executive Director. She is monitoring the chat feature and, as necessary, will forward your inquiry to someone who can assist in resolution of the problem. At this point I will take the roll:

Jill Peeples, Chair
Andrew Clark, Vice Chair
Joseph "Jody" Brandenburg
Sanjena Clay
Vincent "Todd" Ferreira
Christian "Chris" Jensen
Kenneth "Ken" Jones

Janis Liotta
Jay Lyons
Darrin Williams

Also noted as present:

Mary Schwantes, Executive Director
Rachelle Munson, Board Legal Advisor
Kimberly Marshall, Department Legal Counsel
LaTonya Bryant, Department Staff

Ms. Simon – Madam Chair, we have a quorum for the business of the Board.

Chair Peeples – Thank you, Ms. Simon.

B. Action on the Minutes

(1) June 29, 2023

Chair Peeples – Board members, what’s your pleasure?

MOTION: Ms. Sanjena Clay moved to adopt the minutes of the meetings. Ms. Janis Liotta seconded the motion, which passed unanimously.

(2) July 13, 2023

MOTION: Mr. Darrin Williams moved to adopt the minutes of the meetings. Mr. Andrew Clark seconded the motion, which passed unanimously.

(3) August 3, 2023

MOTION: Mr. Christian Jensen moved to adopt the minutes of the meetings. Ms. Liotta seconded the motion, which passed unanimously.

Chair Peeples – Ms. Simon?

C. Old Business

(1) Application(s) for Funeral Establishment

(a) Recommended for Approval with Conditions

1. Washington Memorial & More Funeral Service Industry LLC (Lake Butler)

Ms. Simon – Thank you, Madam Chair. Presenting for the Department, is Kimberly Marshall.

Ms. Kimberly Marshall – Thank you, Ms. Simon, and good morning, Board members. In March 2022, the applicant presented his application for funeral establishment licensure to the Board. The Board denied the application and a Notice of Intent to Deny the application was issued on March 24, 2022. The denial was confirmed in February 2023. The package presented to the Board during that meeting is also included in your Board materials. The Applicant appealed the denial at the District Court of Appeal. That appeal was later withdrawn and, commensurate with the withdrawal, the Applicant filed a separate and distinct application for funeral establishment licensure. That application is the one presented to the Board at this meeting. The name of the applicant is no longer active with the Division of Corporations. The application was complete when submitted. The Funeral Director in Charge will be Elliot Graham, (F045310). A background check of Mr. Raymond Washington revealed that Mr. Washington is currently a registered sex offender. Mr. Washington’s prior criminal history was not revealed on the application. The Department takes no position as to whether Mr. Washington was required to disclose his criminal history on the application. Additionally, the Department takes no position as to whether Mr. Washington’s criminal history is relevant to the application for licensure. The Division is recommending approval based upon recommendation by the Office of the General Counsel, subject to the following conditions:

1. The establishment pass an inspection conducted by a member of Division Staff;
2. The listed principal of the applicant undergoes a criminal background check which reflects no reportable criminal history since February 2021; and
3. The applicant provide documentation reflecting active status with the Division of Corporations.

So, I will turn it over to you all.

Chair Peeples – Thank you, Ms. Marshall. Is there anyone on the call today representing Washington Memorial & More Funeral Service Industry, LLC?

Mr. Lawrence Katz – Madam Chair, I apologize, I haven't been able to figure out how to get my name on this window screen. Mr. Washington should also be on the call. Raymond, are you on this call? He should be on the call, Madam Chair. I'm assuming he's having some kind of technical difficulty, but I am prepared to answer questions. I'd like to first address, if I may, the issue of a criminal charge against him.

Chair Peeples – Please, sir, and thank you for attending today.

Mr. Katz – Thank you for having us present. I appreciate it. Madam Chair, members of the Board, we would dispute the statement that Mr. Washington has a criminal history.

Samantha Sanders – {Inaudible}

Chair Peeples – Excuse me, Mr. Lawrence, Ms. Samantha's Sanders, you have joined the meeting with a live camera and your audio is on. Please mute your audio, and please also mute your camera. Ms. Samantha Sanders?

Chair Peeples – Thank you. Please, Mr. Katz.

Mr. Katz – Thank you and let me just check again. Mr. Washington, are you on the screen yet? Madam Chair and members of the Board, when Mr. Washington was 18.5 years old, he met a young lady at a mall in Gainesville, where he was residing at the time. He was a senior in high school. The young lady indicated to him that she was A junior in high school. They continue to spend some time at the mall, dated on a few occasions and engaged in intimate relations. When the young lady's father learned of this situation, it was pointed out that she had misled Mr. Washington and was actually only 14.5 years old and insisted that criminal charges be brought against him under essentially statutory rape provisions. The court refused to adjudicate Mr. Washington guilty. There was a specific adjudication withheld finding. And even though Mr. Washington was required to undergo probation and to place his name on a sex offenders list for I believe fifteen (15) years, in the State of Florida, adjudication withheld is not deemed to be a guilty plea, or a finding of a verdict of guilty. Therefore, there was no misrepresentations on the application.

I would refer the Board to the case of State vs. McFadden. It's a decision from the Florida Supreme Court in 2000. The citation is 772 So. 2d 1209. In that case, there was an issue of whether or not a witness could be impeached based on prior criminal history, and the court made it clear that where an adjudication withheld was entered, that may not be subject for impeachment, because it is not the equivalent of a guilty plea or guilty verdict. Therefore, I would urge the Board to first of all, to legally disregard the criminal offense that's been discussed because under the laws of the State of Florida Supreme Court, it is not the same as a guilty plea or guilty verdict. But, secondly, and perhaps even more significantly, from an issue as to whether or not Mr. Washington possesses the moral character to engage in this profession, (a), he was not lying when he answered his application, because under the law, this is not deemed a criminal offense. And (b), this occurred over twenty (20) years ago. As a subsequent background check will find, Mr. Washington has had a completely clean slate, having never been charged with any criminal offense of any kind since that time. He engaged in what you might call, unfortunately, typical teenage behavior for a young man of eighteen (18), who thought that the young lady was, perhaps in the range of seventeen (17) or so. And it's something that occurs every day, and to which people of most professions, well let me rephrase, which many people of most professions, may admit doing also.

This is not really a moral flaw in his character. This was not an overt, criminal offense where there was an intention to commit a crime. This was a statutory offense were, as a matter of law, he needed to be charged. The court recognized that the offense

was not something that should require him to have a criminal conviction against him and therefore, found the adjudication withheld. Certain probationary terms were placed on him. All of those probationary terms have been met. So, with respect to that issue, I would ask this Board to please do not hold it against him. It was a mistake that somebody made as a young teenager that's not been repeated in over twenty (20) years, and simply does not reflect on Mr. Washington's moral circumstances. In fact, in the interim, he has become an ordained minister. He preaches to his local community on a regular basis. He actually preaches now through the internet since COVID. He's affiliated as Pastor of his local church. He's involved in a number of community outreach programs helping not only the members of his church, but the members of his community, in terms of homeless issues, food deprivation issues, mentoring young people, things of that sort. I believe, with regard to the moral character and the criminal aspect of the application, this is not a matter that should be counted against him, but in fact, in total, in terms of the way he's lived his life, he has been a meaningful, useful asset in the community. And his participation in the funeral business will only help to keep people in the State of Florida.

One other matter I'll point out and then I'm going to ask Mr. Washington is on again, because I would have preferred to have them say to you personally. Mr. Washington grew up in a feudal family. Ever since he was a young child, his family was involved in the operation of a funeral home. Some of his youngest memories was around funeral homes, around grieving. He told me that the funeral business for him is not just a profession, but a calling, and one that he actually thinks works hand in hand with a ministry. He recognizes the importance of helping the family through the process. And also, I think what's significant is he spoke to me about the cost in the funeral business. We were just speaking about the process, generally, because I was asking him to tell me what happens to me when I die. I'd like to know the details now, rather than later. It got him into a discussion about the costs that most funeral directors, most funeral homes, are very cognizant of the circumstances that the family finds itself in and are therefore very respectful of the cost they charge. But, he says, you know, he's known over the years, others who are more intent on making a profit than serving the family. And so, another business that he owns privately, there's a casket business, and his goal in the casket business is to provide good quality caskets. I didn't really recognize that caskets ran a gamut quality. And to make certain that not only the people that would attend his funeral home, but now, it's simply people who've purchased the caskets from him get a fair deal. That the price charged over wholesale, was not excessive, and that they get the casket for the needs of the deceased in their family. He's a good man. A man who, I think would make a fine addition to your industry within the State of Florida, and who would properly serve the people of the State of Florida.

One final comment. I know in reading the administrative record, which was about 700 pages long, that Mr. Washington has taken up a lot of time of this Board, and its staff. And on behalf of him, I want to apologize. Unfortunately, while Mr. Washington fully understands the funeral industry and has an interest in pursuing this business on behalf of the people he would serve, paperwork was not his forte. And I think, to a large extent, a lot of the problems with his application were technical in nature, and it took him a few times to finally get that correct. We believe the application is correct, and we appreciate the patience of this Board in allowing him to re-apply. And, the patience, and, again, time it's taking you to help him sort out these differences so that he may now present an application, which has been presented with the approval, as previously stated. I hate to be repetitive, but I want to ask Mr. Washington one more time if Mr. Washington is online with us. I was going to offer to the Board the opportunity to ask him questions directly. I will certainly be happy to answer your questions, although I'm not as thoroughly familiar with the application processes as he is. But that is the statement concerning the criminal episode. I thank you for your time, and I'll turn this back to the Chair.

Chair Peeples – Thank you, Mr. Katz. Ms. Marshall, you had your hand up?

Ms. Marshall – Yes, I did. Again, not taking a position on how the Board should regard this crime. I wanted to make sure that the Board was aware of the relevant statutes here. That would be Section 497, 142(10)(b) and (10)(c). Subsection (10)(c)(1) says, *“Crimes to be disclosed are: Any felony or misdemeanor, no matter when committed, that was directly or indirectly related to or involving any aspect of the practice or business of funeral directing, embalming, direct disposition, cremation, funeral or cemetery preneed sales, funeral establishment operations, cemetery operations, or cemetery monument or marker sales or installation.”* If you go back to Subsection 10(b), *“ . The criminal record required to be disclosed shall be any crime listed in paragraph (c) for which the person or entity required to make disclosure has been convicted or to which that person or entity entered a plea of guilty or nolo contendere. Disclosure is required regardless of whether adjudication is entered or withheld by the court.”* Because of the age of this crime, the records have been hard to come by. So, what you see before you is what we've got. We don't have information about what the plea was. We do know that adjudication was withheld per s. 497.142(1)(b). The fact that adjudication was withheld does not engage a duty to report it. Now, really the question before the Board concerning this aspect of it, is whether they believe that the crime is

related to the practice in the funeral business, and whether it is relevant to that.

Chair Peeples – Thank you, Ms. Marshall. Mr. Brandenburg, you are next and then Mr. Ferreira.

MOTION: Mr. Jody Brandenburg moved to approve the application subject to the conditions listed. Ms. Clay seconded the motion.

Chair Peeples – During the discussion, Mr. Ferreira, did you want to mention anything?

Mr. Todd Ferreira – I'd like to mention that the behavior the attorney mentioned earlier about this individual, certainly has not been seen over the last year or so that he's been in front of us. So, it surprises me to hear your words, sir.

Chair Peeples – Thank you, Mr. Ferreira. Mr. Katz, would you like to comment? Mr. Jensen?

Mr. Jensen – Thank you, Madam Chair. I'd also like to point out, I mean, this entity is not even active in SunBiz. I mean they were done in September of 2022. Seeing as Mr. Washington is the sole proprietor of this business, I do have an issue like Mr. Ferreira just stated. What the attorney just described does not, I mean, just read these e-mails. I mean, this has been horrendous and he certainly in person has not conducted himself as a pastor of any sort. So, I don't know that this is a good thing for our industry. Thank you, Chair.

Chair Peeples – Thank you, Mr. Jensen. We have a motion, and we have a second. Rabbi Lyons?

Mr. Jay Lyons – Just a question for Mr. Brandenburg. A slight thing with the language here, kind of based on what we just mentioned, The status of this company is inactive. The language in the packet is, "listed principals of the applicant undergo criminal background checks". I just want to make sure. And then the other one is that they can prove active status with the Division of Corporations. So, let's just say in theory they show active status with the Division of Corporations, but there is more than one (1) principal that we just don't know about, which could be fine. My question for Mr. Brandenburg regarding your motion is that to have more of a broad language, "all principals", of the company would have to have a background check showing no relevant history. Would you consider that change?

Mr. Brandenburg – No. The Division staff recommends as one of the provisions is providing documentation reflecting active status with the Division of Corporations, and that was part of my motion. Approval based upon the conditions that were listed by the Division.

Chair Peeples – Are you complete Rabbi Lyons?

Rabbi Lyons – Yes.

Chair Peeples – Thank you. We have a motion. We have a second. Ms. Simon, if you will complete a roll call vote on this motion, please.

Ms. Rachelle Munson – Chair Peeples, can you hear me? This is Ms. Munson.

Chair Peeples – Yes, ma'am?

Ms. Rachelle Munson – Ok, first of all, I'd like to just record my appearance today, I know that I am not visually seen, because I'm having technical difficulties with the camera, but I would like the record to reflect that I am present in attendance. And I did have one question regarding the motion, so that I can understand, however the vote goes, I will know how the Order is written. And is the information, the condition suggested by the Department, that the applicant provide documentation reflecting active status, that would be a condition precedent, means that he would have to do that first before any licensure is made? And then after, if this passes, he would then produce proof of a criminal background check? Or is all of that prior to licensure being issued? Just to clarify. I know you guys are about to vote and I wanted to make sure I understood exactly what it meant. Thank you, Chair Peeples.

Chair Peeples – Thank you, Ms. Munson. Ms. Simon, or Ms. Marshall, if you will please reply to Ms. Munson’s question.

Ms. Simon – Ms. Marshall?

Ms. Marshall – I’m sorry. What was the question?

Chair Peeples – Ms. Munson was asking in the three (3) recommendations that the Division made, and Mr. Brandenburg has made in his notion, and Ms. Clay has seconded: Number (1), the establishment pass an on-site inspection; number (2), the listed principal applicant undergoes a background check since February 2021; and the applicant provide documentation reflecting active status with the Division of Corporations. Are these three (3) items prior to him receiving an establishment license?

Ms. Marshall – Yes, that’s correct.

Ms. Munson – Thank you.

Chair Peeples – Thank you. Ms. Marshall. Thank you, Mr. Munson. We have a motion, and we even have a second and I think we could go all day discussing these items, so let’s have Ms. Simon do a roll call vote, please.

Ms. Simon – Yes, ma’am. All of those in favor of the motion say aye, those objecting say, nay. Mr. Clark?

Mr. Clark – Nay.

Ms. Simon – Mr. Brandenburg?

Mr. Brandenburg – Yay.

Ms. Simon – Ms. Clay?

Ms. Clay – Yes.

Ms. Simon – Mr. Ferreira?

Mr. Ferreira – No.

Ms. Simon – Mr. Jensen?

Mr. Jensen – No.

Ms. Simon – Mr. Jones?

Mr. Jones – Yes.

Ms. Simon – Ms. Liotta?

Ms. Liotta – Yes.

Ms. Simon – Rabbi Lyons?

Rabbi Lyons – Yes.

Ms. Simon – Mr. Williams?

Mr. Williams – No.

Ms. Simon – Madam Chair?

Chair Peeples – Yes.

Ms. Simon – That motion passes.

Chair Peeples – Thank you, Ms. Simon. Thank you, Mr. Katz, Ms. Marshall, and Ms. Munson.

Ms. Munson – I'm so sorry, because you can't see me, so you can't see my hand. Mr. Katz, I know you gave a notice of appearance today, sir. Because you will be included in this Order, has your information been provided to the Department already?

Mr. Katz – I am not certain. I will check that. It should have been because I've been corresponding with counsel, but I'll send counsel a formal notice.

Ms. Marshall – Ms. Munson, I have his information. I'll pass it on to you.

Ms. Munson – Thank you. I appreciate that.

Mr. Katz – Thank you, Ms. Marshall. Madam Chair, may we now be excused and sign off completely rather than simply muting?

Chair Peeples – Yes, sir. Thank you for your presentation today.

Mr. Katz – Thank you to the Board, on behalf of Mr. Washington.

Chair Peeples – Thank you. Ms. Simon?

Ms. Simon – Thank you, Madam Chair.

D. Application(s) for Preneed Sales Agent

(1) Informational Item (Licenses Issued without Conditions) – Addendum A

Ms. Simon – This is an informational item. Pursuant to Section 497.466, Florida Statutes, the applicants on addendum A have been issued their licenses and appointments as preneed sales agents.

(2) Recommended for Denial (Criminal History)

(a) Allen, Kimberly R (Appointing Entity: Neptune Management Corporation)

Ms. Simon – This matter has been withdrawn.

E. Application(s) for Continuing Education

(1) Course Approval - Recommended for Approval without Conditions – Addendum B

(a) APEX Continuing Education Solutions (4201)

(b) Colibri Healthcare (113)

(c) Florida Cemetery, Cremation & Funeral Association (75)

(d) Independent Education Institute (135)

(e) International Order of the Golden Rule (2201)

(f) National Funeral Directors Association (49609)

(g) Wilbert Funeral Services (39408)

Ms. Simon – Pursuant to s. 497.147, F.S., and Board Rule 69K-17.0041, F.A.C., the courses presented on Addendum B have been reviewed by the CE Committee and the Committee, as well as the Division, recommends approval of the applications for the number of hours indicated.

Chair Peeples – Board members?

MOTION: Mr. Brandenburg moved to approve the applications. Ms. Liotta seconded the motion, which passed unanimously.

*(2) Provider Approval - Recommended for Approval without Conditions – Addendum C
Education Pathways, LLC (49408)*

Ms. Simon – Pursuant to s. 497.147, F.S., and Board Rule 69K-17.0041, F.A.C., the application presented on Addendum C has been reviewed by the CE Committee and the Committee, as well as the Division, recommends approval of the application to become a CE Provider.

Chair Peeples – Board members?

MOTION: Mr. Ken Jones moved to approve the application. Ms. Liotta seconded the motion, which passed unanimously.

F. Consumer Protection Trust Fund Claims

(1) Recommended for Approval without Conditions – Addendum D

Ms. Simon – The CPTF claims presented on Addendum D have been reviewed by the Division and the Division recommends approval for the monetary amounts indicated.

Chair Peeples – Rabbi Lyons?

Rabbi Lyons – Madam Chair, I have a question on our packet on the agenda. The third page, the first item, Jay Funeral Chapel is the claimant. Jay Funeral Home is the defaulting seller. I understand that they're two (2) different organization. Jay funeral home is still active? I'm a little bit confused about what happened with Jay Funeral Home. When they went out of business and why there was absolutely no money in the trust fund? Or if they were sold and who took them over? And, if whoever took them over, if they're responsible for the preneed contracts?

Chair Peeples – Ms. Simon?

Ms. Simon – Yes, Madam Chair. My impression is that Jay Funeral Chapel Incorporated purchased the funeral home from Jay Funeral Home and that Jay Funeral Chapel Incorporated was not responsible for, at least the contract didn't evidence that they were responsible for satisfying the preneed contracts. I'm not aware why any money was not in trust. I did not research this matter. Jay Funeral Home may not have had a preneed license, which is why the entity conveniently did not put any money in trust, but I'm not aware of that this time. But I do know that Jay Funeral Home went out of business, and now the only entity in business related is Jay Funeral Chapel Incorporated.

Rabbi Lyons – When did they go out of business?

Ms. Simon – If I could have one moment?

Chair Peeples – Yes, ma'am.

Ms. Simon – I believe that it was 2019 but let me just check. Excuse me, in 2016.

Rabbi Lyons – So Jay Funeral Home, LLC, that's a different one from the one that went before this Board recently, I think for a training facility? That's a different entity?

Ms. Simon – Jay Funeral Chapel Incorporated is a different business entity than Jay Funeral Home. The only {inaudible} is that the address is the same, and that the name is similar, which oftentimes happens when a funeral home is purchased.

Rabbi Lyons – There's a different funeral home, LLC, which I believe is still active and was in front of this Board recently.

Ms. Simon – Madam Chair, if I may? Jay Funeral Home is no longer licensed. They have not been licensed since 2016. Now there are two (2) Jay Funeral Homes, which may be what the misunderstanding is about. I believe that there is a Jay Funeral Home listed in Perrine, Florida.

Rabbi Lyons – That's totally different than the defaulting entity?

Ms. Simon – Yes, that's my understanding. It's in a different location in Florida, and there's no nexus. That is my understanding. Yes, sir.

Chair Peeples – Rabbi Lyons, are you comfortable with the comment?

Rabbi Lyons – Who would be adversely affected if we would remove that one item from the addendum and table it for a month?

Ms. Simon – There would be no further research that can be done on this matter other than what I have provided to you today. There is no further type of question in terms of there being no nexus between Jay Funeral Home and Jay Funeral Chapel Incorporated. So, the entity that would be aggrieved would be Jay Funeral Chapel, Incorporated, which fulfilled the contract that was originally issued by Jay Funeral Home. Yet since there was no money and trust, they are requesting this money from the Consumer Protection Trust Fund.

Chair Peeples – Board members? Mr. Brandenburg?

MOTION: Mr. Brandenburg moved to approve all the claim(s), for the monetary amounts indicated. Mr. Jones seconded the motion, which passed unanimously.

G. Application(s) for Embalmer Apprentice

(1) Informational Item (Licenses Issued without Conditions) – Addendum E

Alexandre, Rachel M F702671
Carmack, Krystal L F702048
Davis, Judonn A F701501
Dorman, Abigail C
Genuardi, Madeline R F516832
Labus, Jamie J F701408
Mace, Brandy R F702420
Quinn, Lenard T F692669
Umana Lozano, Steel A F701409

Ms. Simon – This is an informational item. Pursuant to Rule 69K–1.005, F. A. C., the Division has previously approved the applications listed on Addendum E.

H. Application(s) for Florida Laws and Rules Examination

(1) Informational Item (Licenses Issued without Conditions) – Addendum F

- (a) Funeral Director and Embalmer (Internship and Exam)
1. Allen-Williams, Ebonie R
 2. Howard, Virginia L
 3. Knight, Michael L
 4. Warren, Diana E
 5. Wong, Najhma A
 6. Woodie Jr, George
- (b) Funeral Director (Internship and Examination)
1. Alleyne, Monique M

Ms. Simon – This is an informational item. Pursuant to Rule 69K–1.005, F. A. C., the Division has previously approved the applications listed on Addendum F.

I. Application(s) for Internship

(1) Informational Item (Licenses Issued without Conditions) – Addendum G

(a) Funeral Director

1. Bradwell, Lakicca R F694411
2. McGahee, Roman F025341

(b) Funeral Director & Embalmer (Concurrent)

1. Bilger, Elizabeth F698705
2. Crews, Addonise J F490472
3. Eberly, Jessica L F701791
4. Long, TaCara F F607068
5. Prindle, Tyler S F695033
6. Ryder, Jessica L F692587
7. Tarantole, Stephen M F701500
8. White, Jeremy L F492636

Ms. Simon – This is an informational item. Pursuant to Rule 69K–1.005, F. A. C., the Division has previously approved the applications listed on Addendum G.

(2) Recommended for Denial

(a) Embalmer

1. Williams, John D

Ms. Simon – An application for an embalmer internship licensure was received by the Division on June 23, 2023. The application was complete when submitted. The applicant does not have any reportable criminal history. The applicant was previously issued a concurrent intern license by the Department of Business and Professional Regulation on April 16, 1997. The applicant did not complete the internship as it was terminated by the training agency on November 17, 1997. Rule 69K-18.002(10), F.A.C. provides that no person shall be granted more than one (1) internship in a lifetime. Additionally, the applicant has an associate degree in applied science in the mortuary science program from City Colleges of Chicago. The transcript or the school indicates that the school of the City Colleges of Chicago, that the applicant went to was Harold Washington. However, upon communication with the City Colleges of Chicago, we learned that they were not accredited. And Malcolm X is the entity that was accredited. We have not been able to find any information to support that it was accredited. Regardless, the Division recommends denial. Is the applicant or a representative of the applicant on the call today?

Ms. Wendy Wiener – Yes. Wendy Wiener, representing the applicant.

Ms. Simon – Thank you. Madam Chair?

Chair Peeples – Thank you, Ms. Simon. Ms. Wiener would you like to address the Board, or are you here for questions only?

Ms. Wiener – No, I'm here to address the Board. Thank you, Madam Chair. Neither of the basis for denial are valid. There is no prohibition against serving two (2) embalmer internships. That limitation applies only to funeral director internships and concurrent internships, and embalmer apprenticeships. The one (1) that the Legislature left out of the law with regard to these particular limitations, is an embalmer internship. Mr. Williams did leave his internship, and he wanted to be on the call this morning, but he has a job that would not allow him to do so. He did leave his internship. He had ailing family back in the nineties and subsequently died. Mr. Williams went to work for the Veterans Administration serving in the capacity of an autopsy assistant. And it has been his lifelong dream to complete his embalmer internship and become a licensed embalmer. The other basis for denial, the requirement that the program graduated from be ABFSE certified also does not apply to embalmer education. It applies to the funeral director education. If you look back at the statutes, it would appear that that requirement simply does not appear in the law relating to embalmer licensure except for embalmer internship licensure, set forth at 497.368. And so, we would ask that this applicant's application be approved.

Chair Peeples – Thank you, Ms. Wiener. Ms. Simon?

Ms. Simon – Yes. Ms. Wiener is correct regarding the embalmer internship that there is no limitation of the one (1) internship. I apologize to the Board. Ms. Wiener called me about that, and I neglected to change that in the coversheet. I have not been able to find anything on the embalmer rule, while I'm looking at it very quickly, that discusses the accreditation. But if I could just have one (1) moment to view?

Chair Peeples – Yes, ma'am.

Ms. Wiener – Ellie, I would direct your attention to a comparison between s. 497.373, that makes reference to being a graduate of a course of study in mortuary science or funeral service arts accredited by the American Board of Funeral Service Education. That's for funeral directing and contrast that with s. 497.368, which does not also contain that.

Ms. Simon – Actually, what I am reviewing are the rules, and the rules as Ms. Wiener states do not include that requirement for embalmer internship, and as a result, the Division would change its recommendation to approval.

Chair Peeples – Thank you, Ms. Simon. Mr. Brandenburg?

MOTION: Mr. Brandenburg moved to approve the application. Mr. Ferreira seconded the motion, which passed unanimously.

Chair Peeples – Thank you, Ms. Wiener.

Ms. Wiener – Thank you.

- J. Application(s) for Monument Establishment Sales Agents**
(1) Informational Item (Licenses Issued without Conditions) – Addendum H
(a) Tucker, Edward H (F697647)

Ms. Simon – Pursuant to s. 497.554, Florida Statutes, the Division has previously approved the applicant listed on Addendum H.

- K. Application(s) for Registration as a Training Agency**
(1) Informational Item (Licenses Issued without Conditions) – Addendum I
(a) Bay Area Crematory and Prep, LLC (F326010) (Tampa)
(b) Bell's Funeral Services, LLC d/b/a Bell's Funeral Home and Cremation Services (F587905) (Pembroke Pines)
(c) Broward Funeral Choices Inc (F077061) (Lauderdale Lakes)
(d) JP Moore Undertaking LLC d/b/a JP Moore Mortuary & Cremation Services (F517533) (Madison)
(e) NorthStar Funeral Services of Florida Inc d/b/a Trinity Memorial Gardens (F609981) (Trinity)
(f) Ponte Vedra Valley Inc (F040678) (Ponte Vedra Beach)

Ms. Simon – This is an informational item. The Division has reviewed the applications listed on Addendum I and found them to be complete in that the applicants met the requirements to be a training agency. Pursuant to Rules 69K-1.005, Florida Administrative Code, the Division has previously approved these applications.

- L. Application(s) for Cinerator Facility**
(1) Recommended for Approval with Conditions
(a) Bonifay Crematory, LLC (Bonifay)

Ms. Simon – Is there a representative of this entity on the call today? Hearing no response. An application for cinerator facility licensure was received on July 26, 2023. The application was complete when submitted. The Funeral Director in Charge will be Veronica Watkins (F045270). A background check of the principals revealed no criminal history. The Division recommends approval subject to the condition that the cinerator facility pass an onsite inspection by a member of Division Staff.

Chair Peeples – Board members?

MOTION: Mr. Andrew Clark moved to approve the application subject to condition that the cinerator facility passes an inspection by a member of Division Staff. Mr. Ferreira seconded the motion, which passed unanimously.

M. Application(s) for Funeral Establishment

(1) Recommended for Approval with Conditions

(a) Foundation Partners of Florida LLC d/b/a Baldwin Brothers (Sarasota)

Ms. Simon – An application for funeral establishment licensure was received on August 8, 2023. The application was complete when submitted. The Funeral Director in Charge will be Evans Baldwin (F059692). A background check of the principals revealed no criminal history. The Division recommends approval subject to the condition that the establishment pass an onsite inspection by a member of Division Staff. Is there a representative of this entity on the call today?

Ms. Wiener – Yes. Wendy Wiener. I'm here to answer questions only.

Ms. Simon – Madam Chair?

Mr. Clark – Madam Chair?

Chair Peeples – Yes, sir, Mr. Clark?

Mr. Clark – Thank you, Madam Chair. I just wanted to state my affiliation with Foundation Partners Group, but that affiliation will not prevent me from rendering a fair and impartial decision on this matter, or any matter, before the Board today.

Chair Peeples – Thank you, Mr. Clark. Board members, what's your pleasure?

MOTION: Mr. Jones moved to approve the application subject to condition that the establishment passes an inspection by a member of Division Staff. Ms. Liotta seconded the motion, which passed unanimously.

Chair Peeples – Thank you, Ms. Wiener.

(2) Recommended for Denial

(a) Keahey-Williams Funeral Home, LLC (Graceville)

Ms. Simon – Is there a representative of this entity on the call today?

Ms. Wiener – Yes. Wendy Wiener for the applicant.

Ms. Simon – Thank you. An application for a funeral establishment licensure was received on May 23, 2023. The application was incomplete when submitted. A completed application was received on July 31, 2023. The Funeral Director in Charge will be Timothy Cullifer (F043826). A background check of the principals revealed no criminal history. Based upon an inspection that took place in May 2023, it is the Division's understanding that this funeral establishment was operating subsequent to the change of ownership. The Division's recommendation is Denial. However, if the Board chooses to grant the application for licensure, it is recommended that the approval be subject to a \$2,500 fine, one-year probation from the date the license was issued and passing of an inspection by a member of Division staff.

Chair Peeples – Board members?

Ms. Wiener – Madam Chair?

Chair Peeples – Ms. Wiener?

Ms. Wiener – Thank you. I'd like to address the Board on this matter. So, the gentlemen from whom this applicant acquired the funeral establishment had been in business for a long time. And, for those of you who were around during the time period before 2005, and, looking at my screen, I think that's a lot of you, you will recall that change of ownership applications were

not required prior to the actual change of ownership. It was rather a notice that had to be provided to the regulator following the change of ownership within a reasonable timeframe. Unfortunately, when the Keaheys purchased this location, they were not familiar with Florida law. They were relying on information that they thought was valid, which that was that they would continue to operate under the former owner's license until such time as their licensure was approved. They operated for a very limited time between when they acquired, a period of less than five (5) weeks. They saw three (3) families. There are many applicants that come to this Board where closing has happened, and the Board gets the application following the approval. That is revealed when the proof of closing comes into the Division, and it shows that the actual proof of closing was prior to the date of the Board approval. So, unfortunately, it's not an unusual circumstance. It's not particularly clear to the industry. In fact, I am making it a mission of mine to put out into the public, in my opportunities to speak and to write, to make sure that even though it has been since 2005 that we have required approval prior to change of ownership, the industry still doesn't know, and especially some operators that have held their businesses for years and years, and years. So, we would request that, like you have with every other application of this nature, that you approve this application. The Keaheys have a well-established reputation in the State of Alabama. They do not have any disciplinary or criminal history. They will be good stewards of the death care buying public there in the community. And we would also ask that you do so without imposing upon them a fine or a probationary period. This was truly an honest mistake that they made. They served very few families. There were no issues with regard to those families. And then they closed down upon the inspection when the inspector came and asked if they were new owners. Then, of course, they advised that they were new owners, and so they closed down at that time.

Chair Peeples – Thank you, Ms. Wiener. Mr. Jones?

Mr. Jones – Yes. Either for Ms. Wiener or Ms. Keahey, please. I'm interested in how many funeral homes in Alabama they own, and what the history is. Is there any regulatory history and how long they've been an operation?

Ms. Wiener – Kimberly, you can go ahead and respond to that question.

Ms. Kymberly Keahey – Hi, this is Kym Keahey.

Chair Peeples – Ms. Keahey, if you will let Ms. Simon swear you in, please.

Ms. Simon – Please raise your right hand Do you swear to tell the truth, the whole truth, and nothing but the truth, so help you God?

Ms. Keahey – Yes, I do.

Chair Peeples – Thank you, ma'am. Please address the Board.

Ms. Keahey – Well, we purchased our first funeral home in Andalusia, Alabama, in 1991. Then we opened one {inaudible} Alabama, and we opened in one there, in 1999. And when my daughter married her husband, they became interested in the funeral service business, where we purchased a business that's a three-generation business in Evergreen, Alabama. And that was in 2015. In 2016 we built one in Lockport, Alabama, which is about fifteen (15) miles south of us here in Andalusia, which is right at the Florida line, also. And Mr. Tommy Williams has been the owner of the Williams Funeral Home in Bristol, Florida has been a friend of my husband for years, and as Mr. Thomas' health began to decline, he began to talk to Randy and groom him to possibly purchase that business. And it's an hour and about eight minutes from us, which is the same distance as the one in {inaudible} Alabama that we operate. I'm studying to take my Florida Law test, and my husband is also, so we'll both be dual licensed in Florida, as people will be honored to be. We're just excited and hope that we get approved today, and I apologize very much for our misunderstanding of the law. I know what it is now, and I apologize that we thought we had a period of time that go under the former owner's establishment license.

Mr. Jones – Could you clarify for me the disciplinary history? Is there any in Alabama, since 1991?

Ms. Keahey – No, sir, we do not.

Mr. Jones – Thank you.

Chair Peeples – Thank you, Mr. Jones. Thank you, Ms. Keahey. Mr. Jensen?

Mr. Jensen – Thank you, Chair. Quick question for Ms. Keahey or Ms. Wiener. So, when you were operating, the license was valid for the former owner, so you weren't operating as a non-licensed facility, just non licensed under the Keahey name?

Ms. Wiener – Correct.

Mr. Jensen – Ok. Very good. And also, I'd like to add, I do help the Keaheys out, from time to time with my funeral facility in Pensacola, but this will not hinder me from making an impartial decision. And to add to Mr. Jones' point about Alabama, I am familiar with these folks, and they do operate in a stand-up capacity. Thank you, Chair.

Chair Peeples – Thank you, Mr. Jensen. Mr. Jones?

MOTION: Mr. Jones moved to approve the application. Mr. Ferreira seconded the motion.

Chair Peeples – Ms. Simon?

Ms. Simon – Did that motion include any conditions? The inspection?

Chair Peeples – Ms. Simon is reading my mind. Mr. Jones and Mr. Ferreira, would you include that condition in your motion and second?

Mr. Jones – Yes.

Mr. Ferreira – Yes.

Chair Peeples – Thank you, Mr. Jones. Thank you, Mr. Ferreira. We have a motion and a second. Is there any other discussion before we take a vote? Hearing none. All those in favor say yes.

Board members – Yes.

Chair Peeples – And any opposed, say no.

Rabbi Lyons – No.

Chair Peeples – Thank you, Rabbi Lyons. Motion carries. Thank you, Ms. Wiener. Thank you, Ms. Keahey.

Ms. Wiener – Thank you.

Ms. Keahey – Thank you.

- N. Application(s) for Preneed Main**
(1) Recommended for Approval without Conditions
(a) Ray Williams Funeral Home Inc (F041189) (Tampa)

Ms. Simon – Is there a representative of this entity on the call today?

Ms. Wiener – Me again. I'm here to answer questions only.

Ms. Simon – Thank you. The Department received the application on August 8, 2023, and no deficiencies were noted on the application. The members of the corporation are David L. Northern and Jeffrey L. Rhodes. A completed background check of all principals was returned to the Division without criminal history. It should be noted that Question # (6) (a) under Adverse

License History was answered "Yes" on the application. In 2021 there was disciplinary action taken by the Division against the applicant, Ray Williams Funeral Home Inc, in relation to unlicensed activity for the sale of preneed contracts without holding a valid preneed license. As a result, the applicant was required to pay a fine in the amount of \$2,000. All conditions of this action have been satisfied and completed. It should also be noted that the qualifying funeral establishment (License # F041189) located at the above address was obtained as of July 1997. If this application for preneed license is approved, Applicant will sell insurance-funded preneed through Homesteaders Insurance Company and utilize their approved prearranged funeral agreement forms. The Division recommends approval without conditions.

Chair Peeples – Mr. Brandenburg?

MOTION: Mr. Brandenburg moved to approve the application. Mr. Ferreira seconded the motion, which passed unanimously.

Chair Peeples – Thank you, Ms. Wiener.

Ms. Wiener – Thank you.

O. Application(s) for Removal Service

(1) Recommended for Approval with Conditions

(a) Padgett Funeral Services, Inc d/b/a Padgett Mortuary Transport, Inc (East Palatka)

Ms. Simon – Is there a representative of this entity on the call today?

Mr. Trevor Padgett – Yes, ma'am.

Ms. Simon – Thank you and please state your name.

Mr. Padgett – Trevor Padgett.

Ms. Simon – Thank you. An application for removal service licensure was received on July 11, 2023. The application was incomplete when submitted. A completed application was received on July 27, 2023. A background check of the principals revealed no criminal history. The Division recommends approval subject to the condition that the removal service pass an onsite inspection by a member of Division Staff.

Chair Peeples – Thank you. Mr. Padgett, would you like to address the Board, or are you here in case there are questions, Sir?

Mr. Padgett – Pretty much just for only questions. The only thing I will say is we...

Chair Peeples – Hold one second. You need to be sworn in please, sir.

Ms. Simon – Mr. Padgett, please raise your right hand. Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. Padgett – Yes, ma'am.

Chair Peeples – Thank you, sir. Now you may proceed.

Mr. Padgett – All I was going to say was we have already had the inspection and passed.

Chair Peeples – Thank you, sir. Board members, are there any questions for Mr. Padgett or any discussion? If not, what is your pleasure?

MOTION: Mr. Jensen moved to approve the application subject to condition that the removal service passes an inspection by a member of Division Staff. Mr. Ferreira seconded the motion, which passed unanimously.

Chair Peebles – Thank you, Mr. Padgett.

Mr. Padgett – Thank you.

(b) Williams & Bradford LLC (Cape Coral)

Ms. Simon – Is there a representative of this entity on the call today?

Ms. Colleen – Yes, there is.

Ms. Simon – Thank you. Please state your name.

Ms. Colleen DiCamillo – My name is Colleen.

Ms. Simon – Colleen, your last name?

Ms. DiCamillo – DiCamillo.

Ms. Simon – An application for removal service licensure was received on August 8, 2023. The application was incomplete when submitted. A completed application was received on August 11, 2023. A background check of the principals revealed no criminal history. The Division recommends approval subject to the condition that the removal service pass an onsite inspection by a member of Division Staff.

Chair Peebles – Thank you, Ms. Simon. Ms. DiCamillo, if you would like to address the Board, we need to swear you in or are you here in case there are questions?

Ms. DiCamillo – Just in case there are questions.

Chair Peebles – Thank you, ma'am. Board members, your pleasure?

MOTION: Mr. Jensen moved to approve the application subject to condition that the removal service passes an inspection by a member of Division Staff. Mr. Jones seconded the motion, which passed unanimously.

Chair Peebles – Thank you, Ms. DiCamillo.

Ms. DiCamillo – Thank you.

P. Application(s) for Renewal

(1) Recommended for Approval with Conditions (Criminal History)

(a) Funeral Director and Embalmer

1. Lucke, Holly

Ms. Simon – Is Ms. Lucke or a representative of Ms. Lucke on the call today?

Ms. Wiener – Wendy Wiener representing Ms. Lucke, and she's here as well.

Ms. Simon – Thank you. Ms. Lucke submitted a license renewal application for her funeral director and embalmer license, on August 9, 2023, and answered yes to the criminal history question. Ms. Lucke submitted the criminal history form and court documents. On July 19, 2023, Ms. Lucke plead guilty to a misdemeanor DUI in the State of Alabama. The court withheld adjudication and sentencing for a period of two (2) years. The deferment of adjudication and sentencing is being recommended by the District Attorney's Office based upon the defendant's acceptance into the Pre-Trial Intervention Program (PTI). The Division recommends approval subject to the condition of two (2) years' probation to commensurate with PTI probation.

Chair Peebles – Thank you, Ms. Simon. Ms. Weiner?

Ms. Wiener – Thank you. We appreciate that the probationary period is to run concurrent with the probationary period associated with her pretrial intervention program and would like to have the Board clarify in its Order that it is up to two (2) years, concurrent with that time period. We actually expect her probation associated with that program to conclude within six (6) months. And, at that point, because of the intervention program, her record will actually be expunged according to her criminal lawyer. So, if it concludes at six (6) months, we would like for her probationary period with the Board to conclude as well. Ms. Lucke has been licensed here. She is licensed in four (4) states, in fact. Has an amazing reputation. Serves lots and lots of families without issue or incident. We'd just like to have that clarification, that the time period will run concurrent with the actual probationary period associated with the criminal history.

Chair Peebles – Thank you, Ms. Wiener. Mr. Williams.?

Mr. Darrin Williams – Thank you, Madam Chair. Is there a reason, is it something normally that we have done in the past, regarding the probation to run concurrently?

Ms. Simon – Mr. Williams, it is common. This is something that we anticipated that the probation be commensurate with the pretrial intervention program, and last for only as long as the pretrial intervention program does.

Mr. Williams – Ok. Thank you.

Chair Peebles – Are there any other questions? Mr. Jensen?

Mr. Jensen – Yes, quick question. Does she have... I see here it wants her to get a GED, {inaudible} doesn't have any {inaudible} be a funeral director at all? Is that what I'm understanding?

Ms. Wiener – That is a term of art associated with the criminal matter. It doesn't have to do with her education. No.

Mr. Jensen – She is already licensed as a funeral director?

Ms. Wiener – Yes, sir. Yes.

Mr. Jensen – All right. Thank you for the clarification.

Ms. Wiener – She is licensed in four (4) states, including Florida. This is a renewal application.

Mr. Jensen – I got it. The Department is based on the renewal on the DUI in 2013, or earlier this year?

Ms. Wiener – {Inaudible} disclose any criminal history that occurs between your licensure or renewal, and so she did so in this case.

Mr. Jensen – All right. Thank you, Ms. Wiener.

Chair Peebles – Thank you, Mr. Jensen. Ms. Munson, do you have an item that you would like to ask the Board for clarification purposes on Ms. Wiener's request?

Ms. Munson – I just add one point of clarification, and this would be for Ms. Wiener. I just wanted to confirm that the probationary period did, in fact, begin for this applicant. Was a July 19, 2020. Is that the date?

Ms. Wiener – Yes. August, actually I believe, and it is expected to conclude within about six (6) months. So, the request that we were making, which I think is consistent with the Division's recommendation is that the Board approves the renewal with a probationary period of no more than two (2) years, but that will conclude when her criminal probation concludes. So, if it's earlier than two (2) years, then it will conclude earlier than two (2) years. And Ms. Lucke would notify the Board of the

conclusion of her probationary period.

Ms. Munson – Understood. Thank you.

Chair Peebles – Mr. Brandenburg?

MOTION: Mr. Brandenburg moved to approve the application and place the license on probation for two (2) years' probation to commensurate with PTL. Mr. Jones seconded the motion.

Chair Peebles – Is there any other discussion or any questions. Mr. Jensen?

Mr. Jensen – I do have one more question here. I see she's in Daphne, Alabama. Where is she working? Where is her license used?

Ms. Wiener – She works primarily with Neptune and so, you know, that that business is both brick and mortar based, as well as internet based. And so, she is licensed in four (4) different states.

Mr. Jensen – Madam Chair, may I?

Chair Peebles – Yes, sir.

Mr. Jensen – My question, Ms. Wiener, she has Daphne, Alabama, and she's here renewing her Florida funeral director license. She doesn't work in the State of Florida at all?

Ms. Wiener – She does, from time to time, yes. {Inaudible} therefore, maintain her licensure here.

Mr. Jensen – Thank you.

Chair Peebles – Is there any other discussion on the motion? Hearing none. All in favor of the motion, say yes.

Board members – Yes.

Chair Peebles – All opposed, say no. Motion carries. Thank you, Ms. Wiener.

Ms. Wiener – Thank you.

2. Roberson, Mark

Ms. Simon – Is Mr. Roberson or a representative of Mr. Roberson on the call today?

Mr. Mark Roberson – Yes, I'm here. Good morning. Can you hear me ok?

Ms. Simon – Yes, we can, sir. And this is Mr. Roberson?

Mr. Roberson – Yes, it is.

Ms. Simon – Thank you. Mr. Roberson submitted a license renewal application and payment on August 13, 2023, and answered yes to the criminal history question. Mr. Roberson has submitted the criminal history form and court documents. On November 7, 2022, Mr. Roberson entered a plea of nolo contendere to a misdemeanor DUI and was adjudicated guilty. The Division recommends approval subject to the condition of a one-year probationary period.

Mr. Roberson – Yes, thank you.

Chair Peeples – Mr. Roberson, if you would let Ms. Simons swear you in, please.

Ms. Simon – Please raise your right hand. Do you swear to tell the truth, the whole truth and nothing but the truth, so help you God?

Mr. Roberson – Yes, I do.

Ms. Simon – Please state your name and spell your last name for the record.

Mr. Roberson – My name is Mark Roberson, R O B E R S O N.

Ms. Simon – Thank you, sir.

Chair Peeples – Mr. Roberson, if you'd like to address the Board.

Mr. Roberson – Yes. Thank you for letting me have this opportunity. So, I did receive a DUI charge, and this occurred at the end of 2021 December 31st, New Year's Eve in Tampa, Florida. And we pled no contest, because there were some issues with the way that I was tested. We didn't believe what the blow device said. So, we pled no contest, instead of, it would have been very, very expensive to go through all that. I did get a lot of things I had to do, community service, probation, and other things, but the probation did end in June, of this summer. So, I've completed everything that I've needed to complete with the state. Basically, I have my license back. I'm back to normal, so I've completed everything. So, any further probation, you know, whatever you think that I need to have, but pretty much, I've completed everything. And I really learned a lot from this lesson to be quite honest with you. Thank you.

Chair Peeples – Thank you, sir. Mr. Brandenburg?

MOTION: Mr. Brandenburg moved to approve the application.

Chair Peeples – Mr. Brandenburg, is your motion with conditions?

Mr. Brandenburg – No. It's already out of probation with the State.

Mr. Roberson – Yes, sir.

Mr. Brandenburg – I move to approve.

Chair Peeples – Thank you, Board members?

Ms. Liotta – Second.

Chair Peeples – We have a motion by Mr. Brandenburg to approve the application without condition. We have a second by Ms. Liotta. Is there any other discussion, or any questions for Mr. Roberson before we take a vote? Hearing none, all in favor of the motion, say yes.

Board members – Yes.

Chair Peeples – All opposed, say no. Motion carries. Thank you, Mr. Roberson.

Mr. Roberson – Thank you very much, everyone.

- (2) *Recommended for Denial (Criminal History)*
- (a) *Funeral Director and Embalmer*
- 1. *Medina, Alan*

Ms. Simon – Is Mr. Medina or a representative of Mr. Medina on the call today?

Mr. Alan Medina – Yes, I am.

Ms. Simon – Thank you, sir. Mr. Medina submitted a license renewal application and payment on August 28, 2023, and answered yes to the criminal history question. Mr. Medina has submitted the criminal history form and court documents. On May 11, 2022, Mr. Medina entered a plea guilty to Child Neglect a 3rd degree felony for Count 1 and Misdemeanor DUI with Property Damage/Injury Count 2. Mr. Medina was sentenced to the following:

- Count 1 – Ordered and adjudged guilty with adjudication withheld and placed on probation for a period of forty-eight (48) months under the supervision of the Dept of Corrections.
- Count 2 – Order withholding adjudication and was sentenced to probation for a period of twelve (12) months, concurrent with Count 1 under supervision of the Dept of Corrections.

The Division recommends denial. Mr. Medina, could you please raise your right hand and be sworn in?

Mr. Medina – Yes.

Ms. Simon – Do you swear to tell the truth, the whole truth and nothing, but the truth, so help you God?

Mr. Medina – Yes, ma'am.

Ms. Simon – State your name and spell your last name for the record.

Medina – Alan Medina, M E D I N A.

Ms. Simon – Thank you, sir.

Chair Peeples – Mr. Medina, would you like to address the Board, or are you here for questions if they present themselves?

Mr. Medina – For both.

Chair Peeples – Please, address the Board.

Mr. Medina – As was stated, I had a DUI back on December 21st. Inadvertently, everything happened. I accidentally hit somebody. I went to go pick up my daughter. Went to go get something to eat, got home, and that's when everything came to a head. As of right now, I am 16-18 months into my probation, with the anticipation of applying for an early release within about six (6) to eight (8) months. I have done everything except the community hours. I'm doing my probation. I'm still reporting monthly. Everything that's on the documentation that I sent, I've done everything legally and ethically, as best as possible. To say I've learned a lesson is an understatement, and I hope with this, I'll be able to continue my career and continue what I do. I love what I do.

Chair Peeples – Thank you, sir. Board members, are there any questions for Mr. Medina? What's your pleasure, please? Board members? Rabbi Lyons?

Rabbi Lyons – Just to clarify, just to understand. It's a single incident, or was it a DUI with your daughter in the car at a time? That's why it was child neglect?

Mr. Medina – How it happened is I left a party. I hit somebody, not knowing. I picked up my daughter, got something to eat with her and got back to the house. She wasn't in the car, but she was in the car when police arrived at my residence.

Chair Peeples – Rabbi Lyons, does that complete your question, sir?

Rabbi Lyons – I think so.

Chair Peeples – Thank you. Board members, any further questions? Mr. Jones?

Mr. Jones – No. I didn't have a question. I'm sorry.

Chair Peeples – Thank you, sir. Board members? I need to know how the Board members would like to proceed, please. Rabbi Lyons?

Rabbi Lyons – So, it sounds like the child wasn't involved in it. It boils down to it seems like it's a DUI, which we just had before.

MOTION: Rabbi Lyons moved to approve the application and place the license on probation for one (1) year. Mr. Jones seconded the motion, which passed with one (1) dissenting vote.

Chair Peeples – Good luck. Mr. Medina. Thank you for attending today.

Mr. Medina – Thank you.

- Q. Application(s) to Renew Internship**
(1) Recommended for Approval without Conditions
(a) Funeral Director and Embalmer (Concurrent)
1. Devivo, Colleen D F370599

Ms. Simon – Is Ms. Devivo or a representative of Ms. Devivo on the call today? Hearing no response. An application to renew the funeral director and embalmer concurrent internship license was received on August 16, 2023. The application was complete when received. The applicant was previously licensed as a funeral director and embalmer intern and 69K-18.001 and 69K-18.002, Florida Administrative Code, only permits one internship in a lifetime. The current license expired on August 25, 2023. The Division recommends approval without conditions.

Chair Peeples – Thank you, Ms. Simon. Board members?

MOTION: Rabbi Lyons moved to approve the application. Ms. Liotta seconded the motion, which passed unanimously.

Chair Peeples – Ms. Simon?

Ms. Simon – Thank you, ma'am.

- R. Contract(s) or Other Related Forms**
(1) Recommended for Approval with Conditions
(a) Cemetery Bylaws
1. Carriage Cemetery Services Inc d/b/a Oaklawn Memorial Gardens (F039749) (Titusville)

Ms. Simon – Is there a representative of this entity on the call today?

Mr. Courtney Charvet – Yes, Courtney Charvet here for questions.

Ms. Simon – Thank you Mr. Charvet. The included revised bylaws for Oaklawn Memorial Gardens have been submitted for approval by the Board. In accordance with Rule 69K-6.003, notice has been published in *Brevard Business News* of Melbourne, and in the August 23, 2023, *Florida Administrative Register*. The Division's review finds that the proposed bylaws do not unreasonably restrict use of burial rights, increase costs to burial rights owners, nor unreasonably restrict competition. The Division recommends approval subject to the condition that no adverse comments are received by the Division within the allotted period of thirty (30) days of publication, as set forth in Rule 69K-6.003(3).

Chair Peeples – Thank you, Ms. Simon. Board members?

MOTION: Mr. Jensen moved to approve the request subject to the condition that no adverse comments are received by the Division within the allotted period of thirty (30) days of publication, as set forth in Rule 69K-6.003(3). Mr. Ferreira seconded the motion, which passed unanimously.

Chair Peeples – Thank you Mr. Charvet.

Mr. Charvet – Thank you.

(b) Request(s) for Transfer of Trust

1. FPG Florida LLC d/b/a Oak Ridge Funeral Care and Cremation Services of Polk County (F060727) (Orlando)

Ms. Simon – The background to this request is that, on November 4, 2021, the Board approved acquisitions by FPG of two (2) direct disposal establishments, (2) funeral establishments, and one (1) cinerator facility all related to Cremation Services of Polk County LLC and Oak Ridge Inc d/b/a Oak Ridge Funeral Care, respectively, as well as the licensing of four (4) locations as preneed branches under FPG’s preneed main license (F060727). FPG acquired all the assets and liabilities for the funeral and preneed for these locations.

FPG now seeks approval of the transfer of funds in the following: the FSI 1993 Trust Agreement (70/30 trust), the 1978 FSI Master Trust Agreement (70/30 trust), and the 1988 FSI Master Trust Agreement to the FPG Florida, LLC Preneed Funeral and Cemetery Merchandise and Services Trust Agreement, and the First Florida Trust (amended and restated 2015) (90/10 trust), to the FPG Florida, LLC Alternative Preneed Funeral Trust Agreement. If approved, Regions is or will be trustee, all as more specifically set out in Region’s correspondence dated June 9, 2023. The Division recommends approval subject to the following conditions:

- 1) That the representations of FPG, as set forth in Representative's correspondence dated June 9, 2023, be deemed material to the Board's decisions herein.
- 2) That within ninety (90) days of this Board Meeting Regions provide the FCCS Division (ATTN: LaShonda Morris), the effective date of the transfer and certifications including the following:
 - ⊙ A letter signed and dated by one of its officers, certifying that it meets one or more of the applicable criteria in s. 497.266(1), and s. 497.458(1(b), to act as trustee of the trust to be transferred pursuant to Representative’s correspondence, dated June 9, 2023.
 - ⊙ A letter signed and dated by one of its officers, certifying the dollar amount of trust assets being transferred to the trust as identified in Representative’s attached correspondence, dated June 9, 2023.
 - ⊙ Acknowledgement of receipt of the amount of trust assets being transferred as specified under the former trust, as identified in Representative’s attached correspondence, dated June 9, 2023.
- 3) That the Board's executive director, for good cause shown, may extend the compliance time frame for the above specified conditions, an additional ninety (90) days.

Is there a representative of this entity on the call today? Hearing a response. Madam Chair?

Chair Peeples – Thank you, Ms. Simon. Mr. Brandenburg?

MOTION: Mr. Brandenburg moved to approve the request subject to the conditions recommended by the Division. Ms. Liotta seconded the motion, which passed unanimously.

Mr. Brandenburg – Madam Chair?

Chair Peeples – Yes, Mr. Brandenburg?

Mr. Brandenburg – I’d like to declare my affiliation with SCI Funeral Services of Florida, LLC. This affiliation will not affect my ability to render a fair and impartial decision on any items before the Board today.

Chair Peeples – Thank you, sir. Ms. Simon?

(2) *Recommended for Approval without Conditions*

(a) *Preconstruction Performance Bond*

1. *SCI Funeral Services of Florida LLC d/b/a Hillsboro Memorial Gardens (Brandon)*

Ms. Simon – SCI Funeral Services of Florida, LLC d/b/a Hillsboro Memorial Gardens intends to construct a new garden mausoleum consisting of 416 Crypts. The licensee has submitted for approval a performance bond, in lieu of a pre-construction trust. The mausoleum project, and the bond, is summarized as follows:

SCI Funeral Services of Florida, LLC d/b/a Hillsboro Memorial Gardens (F039515)

Address: 2323 West Brandon Blvd., Brandon, FL 33511

Project: New Garden Mausoleum consisting of 416 Crypts

Bond Amount: \$790,800.00

Bond Number: 022236374

Surety Company: Liberty Mutual Surety

Cemetery agrees to complete said construction in accordance with the terms of the construction agreement with Ingram Construction Company, Inc. The Division recommends approval of the preconstruction performance bond without conditions.

Chair Peebles – Thank you, Ms. Simon. Board members?

MOTION: Mr. Clark moved to approve the preconstruction performance bond. Mr. Ferreira seconded the motion, which passed unanimously.

2. *SCI Funeral Services of Florida LLC d/b/a Lake Worth Memory Gardens (Lake Worth)*

Ms. Simon – SCI Funeral Services of Florida, LLC d/b/a Lake Worth Memory Gardens intends to add space to an existing mausoleum consisting of 200 niches and 180 crypts. The licensee has submitted for approval a performance bond, in lieu of a pre-construction trust. The mausoleum project, and the bond, is summarized as follows:

SCI Funeral Services of Florida, LLC d/b/a Lake Worth Memory Gardens (F039479)

Address: 3041 Kirk Road, Lake Worth, FL 33461-2398

Project: Add 200 niches and 180 crypts to an existing mausoleum

Bond Amount: \$533,509.66

Bond Number: 022236343

Surety Company: Liberty Mutual Insurance Company

Cemetery agrees to complete said construction in accordance with the terms of the construction agreement with Mausoleums USA, Inc. Is there a representative of this entity on the call today? Hearing none. The Division recommends approval of the above-named preconstruction performance bond without conditions.

Chair Peebles – Thank you, Ms. Simon. Board members?

MOTION: Ms. Liotta moved to approve the preconstruction performance bond. Mr. Ferreira seconded the motion, which passed unanimously.

3. *S.E. Cemeteries of Florida LLC d/b/a Glen Haven Memorial Park (Winter Park)*

Ms. Simon – Is there a representative of this entity on the call today? Hearing no response. S.E. Cemeteries of Florida, LLC d/b/a Glen Haven Memorial Park intends to construct a new mausoleum consisting of 200 niches and 312 crypts. The licensee has submitted for approval a performance bond in lieu of a pre-construction trust. The mausoleum project, and the bond, is summarized as follows:

S.E. Cemeteries of Florida, LLC d/b/a Glen Haven Memorial Park (F077495)

Address: 2300 Temple Dr., Winter Park, FL 32789

Project: New Mausoleum consisting of 200 Niches and 312 Crypts

Bond Amount: \$772,472.00

Bond Number: 022236376
Surety Company: Liberty Mutual Surety

Cemetery agrees to complete said construction in accordance with the terms of the construction agreement with Mausoleum USA. The Division recommends approval of the above-named preconstruction performance bond without conditions.

Chair Peeples – Board members?

MOTION: Ms. Liotta moved to approve the preconstruction performance bond. Mr. Jones seconded the motion, which passed unanimously.

S. Request(s) for Distribution from Care and Maintenance Trust
(1) Recommended for Consideration
(a) Hillside Cemetery Association (F039533) (Ormond Beach)

Ms. Simon – Is there a representative of this entity on the call today?

Mr. Allen Kisseloff – Yes.

Ms. Simon – Who’s that representative?

Mr. Kisseloff – Allen Kisseloff.

Ms. Simon – Thank you, sir. This is a request by Hillside Cemetery Association, F039533, for recognition by the Board that certain funds were donated to the cemetery’s Care and Maintenance Trust Fund by donors that did not arise from sales made by the cemetery, and for permission to transfer those excess funds to a different account that is not subject to the restrictions on Care and Maintenance Trust Funds. The cemetery intends to use part of the donated funds for the removal work and repair of a collapsed mausoleum, and for capital expenditures and maintenance. The cemetery advises that over a period of approximately five (5) years a total of \$89,000 was deposited into its Care and Maintenance Trust Fund; amounts in excess of the minimum amounts as required by statute. Hillside Cemetery has expended \$6,675 for the removal of the collapsed mausoleum, the repair of two (2) burial vaults, and for additional monuments and re-sodding of the grounds. In addition, included are the Care and Maintenance Trustee Reports of Hillside Cemetery submitted for the calendar years ending December 31, 2015, through December 31, 2023, as well as a memo evidencing deposits over the last five (5) years.

Applicable Statutes Section 497.268(1), Florida Statutes, provides in pertinent part as follows:

- (1) Each cemetery company shall set aside and deposit in its Care and Maintenance Trust fund the following percentages or amounts for all sums received from sales of burial rights:
 - (a) For burial rights, 10 percent of all payments received; however, for sales made after September 30, 1993, no deposit shall be less than \$25 per grave. For each burial right which is provided without charge, the deposit to the fund shall be \$25.
 - (b) For mausoleums or columbaria, 10 percent of payments received.
 - (c) For general endowments for the care and maintenance of the cemetery, the full amount of sums received when received.

Section 497.267, Florida Statutes, provides in pertinent part as follows:

The net income of the Care and Maintenance Trust fund shall be used solely for the care and maintenance of the cemetery, including maintenance of monuments, which maintenance shall not be deemed to include the cleaning, refinishing, repairing, or replacement of monuments; for reasonable costs of administering the care and maintenance; and for reasonable costs of administering the trust fund. At the time of making a sale or receiving an initial deposit, the cemetery company shall deliver to the person to whom the sale is made, or who makes a deposit, a written instrument which shall specifically state the purposes for which the income of the trust fund shall be used.

Section 497.266, Florida Statutes, provides in pertinent part as follows:

- (3) No person may withdraw or transfer any portion of the corpus of the Care and Maintenance Trust fund without first obtaining written consent from the licensing authority.
- (4) The trustee of the trust established pursuant to this section may only invest in investments and loan trust funds, as prescribed in s. 497.458.

All documentation is provided in relation to this request for the Board's review and consideration. Mr. Kisseloff can you please raise your right hand and be sworn in? Do you swear to tell the truth, the whole truth and nothing but the truth, in relation to this matter today?

Mr. Kisseloff – Yes, ma'am.

Ms. Simon – Please state your name and spell your last name for the record.

Mr. Kisseloff – Alan S Kisseloff, K I S S E L O F F.

Ms. Simon – Thank you, sir. Madam Chair?

Chair Peeples – Thank you, Ms. Simon. Mr. Kisseloff, would you like to address the Board, sir, or are you here for questions?

Mr. Kisseloff – I can address the Board a little bit. Thank you. I live in Ormond Beach. I am a volunteer manager of this cemetery in Ormond Beach. I am also the volunteer manager, president, treasurer for Mount Sinai Cemetery, in Daytona Beach. And apparently, I'm one of the only people here that knows how to manage a cemetery because three (3) society ladies who were running this cemetery basically gave up because they just got overwhelmed. So, I was recommended by a funeral home. He called me to tell me they were going to ask me to do this. He told me to say no, but in my heart, I couldn't say no, because I know how important this is. So, I said, yes. So here I am. And I can tell you that it wasn't the most organized entity in the world. And I've dug into this over the last year that I've been doing this. We finally got the cemetery mapped, at the expense of about \$10,000, so that I can find out if we actually have graves for sale. I looked at the trust statement and I saw these huge deposits and they told me that that's the Perpetual Care Fund. I had to explain to them that it is not the Perpetual Care Fund. The state trust fund is the state's money that we can collect income from, but we can't use it to maintain the cemetery. The cemetery is not in great shape. They haven't fertilized or done anything to the grass for over five (5) years. We have masonry issues, plus we have a major irrigation issue. So, if we had the money that we should have had, I wouldn't be here asking you today. I can tell you that when I took over the bank account had about \$12,000 in it. I instituted some programs, and we were able to generate some fees. So, we are a bit healthier, but I don't have enough money, and I can't generate enough money, with what we can sell, so I'm asking you to please give us back the money that we should have had in the first place. I want to place it with the same entity that's managing our state's trust fund, and I want to keep the cemetery running and get it back up into a shape that everybody can be proud of.

Chair Peeples – Thank you, sir. Board members, are there any questions or what is your pleasure? Rabbi Lyons?

Rabbi Lyons – Yes. Are you asking for the full \$89,000 that was donations to be moved into the liquid account, or just \$6,675 for the repair?

Mr. Kisseloff – Well, it turns out that it's \$92,600, and yes, we'd like to get that all back, so that I can use that money to do the work that has to be done at the cemetery. And if you came out and saw it, you would say, "Wow, this place needs some work." But it's purely for capital and expenditures. I think now, I can keep the daily funds for our normal expenses afloat, let's say. But I have big expenditures that I have to make right now, and this is the only way we'll be able to do it.

Chair Peeples – Rabbi Lyons, did that complete your question?

Rabbi Lyons – Yes.

Chair Peeples – Mr. Jensen?

Mr. Jensen – Mr. Kisseloff, is that correct? Did I say it right?

Mr. Kisseloff – Yes, sir.

Mr. Jensen – So none of this money is going to you, personally? This is all for care and fixing up to cemetery, correct?

Mr. Kisseloff – Sir, I've been doing this for a year. I haven't taken a nickel. I don't intend to take any money to do this. So, yes. It is all going into the cemetery.

Mr. Jensen – Chair?

Chair Peeples – Yes, sir?

Mr. Jensen – This is for Ms. Simon. So, I guess the care and maintenance part of this report that was done is sufficient, and the Department has no issue with him taking this \$92k now, or are we doing \$89k? What are we doing?

Ms. Simon – Mr. Jensen...

Mr. Kisseloff – Well, it's \$92.6k, but I'll take \$89k.

Ms. Simon – The request was for \$89,000. We are not taking a position on this request. This is for the Board to decide whether the funds should be taken out. We have included in your agenda item, Cemetery Care Maintenance Trustee Report. Actually, there are many of them available, so you can see the amount of money that's in that account at this time.

Mr. Kisseloff – And if I can add, just to give you a breakdown, there were six (6) deposits between 2016 and January of 2021. One (1) was \$20,000, one (1) was \$10,000, one (1) was \$25,000, \$10,100, \$16,000, and \$11,500, which have absolutely no association to the sale of any graves whatsoever. It was just, these ladies did not know that they did not have to put that money into the state. They should have put it into their own account for the benefit of the cemetery, in the capital improvement fund.

Chair Peeples – Mr. Jensen, does that complete your question, sir?

Mr. Jensen – Yes, that those complete my question. My next was going to be, did they just inadvertently put this in there. So, everything that's been said, I would motion for approval of this.

MOTION: Mr. Jensen moved to approve the request. Rabbi Lyons seconded the motion, which passed unanimously.

Chair Peeples – Thank you, sir.

Mr. Kisseloff – Thank you all very, very much. Have a good day.

Chair Peeples – Ms. Simon?

Ms. Simon – Thank you, Madam Chair.

T. Executive Director's Report
(1) Operational Report (Verbal)

Ms. Simon – At this point, I will turn the meeting over to our Executive Director, Mary Schwantes.

Ms. Schwantes – Good morning, Board members. I have a couple of things I want to discuss with you all today, or give you updates on. The first has to do with Hurricane Idalia. As you know, this Board meeting was rescheduled from September 7th as a result of continued power outages and other impacts from Hurricane Idalia. As a Category 3 Hurricane, Idalia made landfall near Keaton Beach, in Taylor County, Florida, in the early morning of Wednesday, August 30th. State offices were

closed in most areas of Florida, including the Division’s offices in Tallahassee, Tampa, and Orlando, which were closed for several days, reopening for normal business on Friday, September 1st. Prior to the storm’s arrival, the Division staff sent an email to establishment licensees in the counties which were expected to be impacted by the storm that contained information on storm preparation and what to do if power outages impacted their ability to file death certificates or properly refrigerate human remains. This information was also posted on our website and provided to our industry associations, for their use. Following the storm, Division staff called the licensed establishments in the seven (7) counties which, at least at that time, appeared to be the most impacted by the storm. These are the counties for which Governor DeSantis had requested a major disaster declaration and federal aid. I am pleased to report that, with the exception of one (1) entity in Taylor County that experienced particular problems from power outages, all of our polled licensees seemed to fare well. We will follow-up again as needed with the licensees which indicated any issues from the hurricane. Since we are not out of hurricane season yet, I want to remind all licensees to check our website for the “Recent News” article that was posted in advance of Idalia as it also contains links and other information to help prepare for storms. Some great information about storm preparation is found online – particularly at the Department’s website and the Division of Emergency Management’s website at: WWW.FLORIDADISASTER.ORG. And of course, the Department of Health Bureau of Vital Statistics also always provides information on the filing of death certificates following to the storm. So that is the, hopefully, final report I’ll have to give on any impact from Hurricane, Idalia regarding our licensees.

I’d like to talk to you about the legislative session. It’s that time, again, it seems like we just finished up our last reports from the 2023 legislative session with the Governor’s execution of bills that had passed, yet here we are again. This next year’s regular legislative session begins on January 9, 2024, and continues until March 8, 2024. It is an early session year, which means that the Legislative Committee meetings begin this week, and bills are being filed. As always, we will keep you updated on any bills that are filed that potentially impact Chapter 497 or our industry.

Next thing I want to talk to you about is long term funding from proposed rule changes. For years, the Division has presented annual financial information to the Board, including information on the Regulatory Trust Fund, the Consumer Protection Trust Fund, and our budget and long-term funding projections. We have discussed these items in great detail, particularly looking at the budget and funding issues. The most recent financial reports were presented and discussed at the April 2023 meeting. Those reports are included in the minutes from that meeting. However, for your quick reference, I have included in today’s Board package a portion of these statements, which is the most recent report showing the “Projected Regulatory Trust Fund Balances.” As a reminder, this report shows the projected impacts on the Division’s long-term funding.

DIVISION OF FUNERAL, CEMETERY, AND CONSUMER SERVICES
PROJECTED REGULATORY TRUST FUND BALANCES

PROJECTED REGULATORY TRUST FUND BALANCES (with NO projected additional operating expenses)¹

	Actual FY 2016-2017	Actual FY 2017-2018	Actual FY 2018-2019	Actual FY 2019-2020	Actual FY 2020-2021	Actual FY 2021-2022	Projected FY 2022-2023	Projected FY 2023-2024	Projected FY 2024-2025	Projected FY 2025-2026	Projected FY 2026-2027	Projected FY 2027-2028	Projected FY 2028-2029	Projected FY 2029-2030	Projected FY 2030-2031
Estimated Beginning Balance	\$ 4,361,025	\$ 5,084,830	\$ 5,084,900	\$ 5,242,184	\$ 5,041,671	\$ 5,235,568	\$ 5,662,089	\$ 5,194,540	\$ 4,299,617	\$ 3,826,107	\$ 2,921,184	\$ 2,487,674	\$ 1,542,751	\$ 1,059,241	\$ 164,118
Total Revenue	3,461,085	3,001,509	3,281,546	3,026,331	3,470,569	3,346,347	3,198,430	2,931,445	3,198,430	3,931,445	3,198,430	2,931,445	3,198,430	2,931,445	3,198,430
Operating Expenditures	(2,032,467)	(2,043,321)	(2,164,510)	(2,254,230)	(2,161,034)	(2,336,910)	(2,640,350)	(2,640,350)	(2,640,350)	(2,640,350)	(2,640,350)	(2,640,350)	(2,640,350)	(2,640,350)	(2,640,350)
Non-Operating Expenditures	(974,894)	(911,623)	(978,915)	(984,579)	(1,161,162)	(851,319)	(1,041,502)	(1,136,013)	(1,041,502)	(1,136,013)	(1,041,502)	(1,136,013)	(1,041,502)	(1,136,013)	(1,041,502)
Accounting Adjustments (prior year certified revenues/other)	83	12,406	11,363	9,905	46,140	38,341	16,017	-	-	-	-	-	-	-	-
Estimated Ending Balance	\$ 5,014,830	\$ 5,080,901	\$ 5,242,184	\$ 5,041,671	\$ 5,235,568	\$ 5,662,089	\$ 5,194,540	\$ 4,299,617	\$ 3,826,107	\$ 2,921,184	\$ 2,487,674	\$ 1,542,751	\$ 1,059,241	\$ 164,118	\$ (218,114)

¹ Assumes revenue and expenditures do not change after 2024. Additionally, assumes NO changes to information technology or FCCS infrastructure. Projected Operating Expenditures for FY 2023-2024 assumes funding of Legislative Budget Request.

PROJECTED REGULATORY TRUST FUND BALANCES (WITH projected additional operating expense)²

	Actual FY 2016-2017	Actual FY 2017-2018	Actual FY 2018-2019	Actual FY 2019-2020	Actual FY 2020-2021	Actual FY 2021-2022	Projected FY 2022-2023	Projected FY 2023-2024	Projected FY 2024-2025	Projected FY 2025-2026	Projected FY 2026-2027	Projected FY 2027-2028	Projected FY 2028-2029	Projected FY 2029-2030	Projected FY 2030-2031
Estimated Beginning Balance	\$ 4,361,025	\$ 5,084,830	\$ 5,084,900	\$ 5,242,184	\$ 5,041,671	\$ 5,235,568	\$ 5,662,089	\$ 5,194,540	\$ 4,299,617	\$ 3,826,107	\$ 2,921,184	\$ 2,487,674	\$ 1,542,751	\$ 1,059,241	\$ 164,118
Total Revenue	3,461,085	3,001,509	3,281,546	3,026,331	3,470,569	3,346,347	3,198,430	2,931,445	3,198,430	3,931,445	3,198,430	2,931,445	3,198,430	2,931,445	3,198,430
Operating Expenditures	(2,032,467)	(2,043,321)	(2,164,510)	(2,254,230)	(2,161,034)	(2,336,910)	(2,640,350)	(2,640,350)	(2,640,350)	(2,640,350)	(2,640,350)	(2,640,350)	(2,640,350)	(2,640,350)	(2,640,350)
Additional Operating Expenditures*	-	-	-	-	-	-	-	(163,501)	(163,501)	(163,501)	(163,501)	(163,501)	(163,501)	(163,501)	(163,501)
Non-Operating Expenditures	(974,894)	(911,623)	(978,915)	(984,579)	(1,161,162)	(851,319)	(1,041,502)	(1,136,013)	(1,041,502)	(1,136,013)	(1,041,502)	(1,136,013)	(1,041,502)	(1,136,013)	(1,041,502)
Accounting Adjustments (prior year certified revenues/other)	83	12,406	11,363	9,905	46,140	38,341	16,017	-	-	-	-	-	-	-	-
Estimated Ending Balance	\$ 5,014,830	\$ 5,080,901	\$ 5,242,184	\$ 5,041,671	\$ 5,235,568	\$ 5,662,089	\$ 5,194,540	\$ 4,036,039	\$ 3,552,546	\$ 2,657,621	\$ 2,174,111	\$ 1,279,188	\$ 795,678	\$ (94,240)	\$ (262,710)

² Additional Operating Expenditures include the following: (Note: Does not include expenditures for new IT systems)

Item	Projected Cost
Contracted Services based on Three FTEs: Financial Examiner/Analyst 1 positions	159,801
One OPS position @ 17.00 per hour	35,359
Increase Travel Expenditure	50,000
Information Technology Maintenance	8,000
Federal Reserve Median 2023 Core Inflation @ 2.3%	30,493
Total	303,563

* Note: These Federal Reserve median inflation rates are applied to the 2023 Expenses and Contracted Services.

In looking at this report today, I want to particularly focus on the top table in the report. This table reflects impacts using the Division's current structure, with no changes to our information technology, staffing levels, or other infrastructure improvements. We need improved databases and technology. We need increased staffing to better meet increased demands for inspections and examinations. Additionally, legislative changes to salary and other matters that are outside the Division's control (such as inflation, decreasing interest income, and increases to the non-operational budget) continue to negatively impact our Regulatory Trust Fund balance. We are now looking at a decrease of about \$500k per year. Currently, we are estimating that the Regulatory Trust Fund balance will be approximately \$164k at the end of FY2029-2030 and heading into negative balance numbers after that. Again, this assumes no changes, no new services offered, and no new information technology system. The report continues to illustrate the significant drain on our Regulatory Trust Fund. We will not be able to sustain operations without a long-term solution to operational and funding concerns.

So, we need to take steps now to at least minimize the drain on our Regulatory Trust Fund balances over the next years while other long-term funding options are explored and implemented. The Division and Board regulate twenty-three (23) different types of licenses. Most fees, etc., have not been increased since 2005, and sometimes longer ago than that. I want to make it very clear that no one is interested in increasing fees across the board. However, we have identified two (2) areas in which an increase to the current statutorily approved maximum charges could go a long way in minimizing the negative impacts our Regulatory Trust Fund is currently facing. And I want to clarify that, because in reading my notes, I realized that I had talked about an increase to the currently statutory approved maximum charges, and that is not correct. What we are proposing here is an increase between what is charged by the rules to the already current maximum charges that are approved by statute. At the Board's upcoming October meeting, the Division will be asking the Board to open rulemaking on all rules involving the following issues, for the purpose of increasing the charges authorized by the rules to the current statutory maximums allowed. More detail will be provided at that point, however, I wanted to let the Board know today to expect it on next month's agenda.

- 1) The first issue that we will be requesting rulemaking on will be to increase the amount payable to the Regulatory Trust Fund from each preneed contract sold.
 - Currently, under Rule 69K-5.0024(2), F.A.C., preneed licensees pay \$6 to the Regulatory Trust Fund for each preneed contract sold during the year. By statute, under section 497.453, F.S., the maximum that may be charged is \$10. We would be requesting an increase from \$6 to \$10. A of \$4 increase.
 - In FY22-23, approximately 123,282 preneed contracts were sold. Based on this number as indicative of sales over the past few years, using rulemaking to increase the fees paid on each preneed contract to the current statutory maximum would result in an increase of approximately \$493,128 in income per year.

- 2) The second area that we would like to open rulemaking on is increasing the inspection fees charged to the non-cemetery establishments. I want to answer this question right off the bat, why non-cemetery establishments? That is because cemeteries do not have a separate inspection fee charge, renewal fees, which are paid per statute, per the statutory table, and based on sales from cemeteries, also take care of the inspection costs. So, we're only looking at increases on the non-cemetery establishments.
 - Currently, annual inspection fees of \$225 are paid by each non-cemetery establishment (i.e., funeral homes, direct disposal establishments, cinerator facilities, etc.). These fees are paid on a biennial basis with the renewal fees and recognized as revenue at that time. On the biennial renewal cycle, a licensee currently will pay \$450. The maximum amount that could be charged per relevant statutes is \$300 per year (i.e., \$600 when paid on the biennial renewal cycle). That would be an increase of \$150 every two (2) years. In FY22-23, approximately 1,582 establishment licensees would have been subject to inspection fees. Using rulemaking to increase current inspection charges to the current statutory maximum would result in a biennial increase of approximately \$246,150.

I want to make a couple of final points about this, and again, in October, we would ask to open these rules, and that would be the appropriate time for Board discussion on these matters:

- The final points I want to make is that these efforts, which are expected to result in at least \$500,000 in additional income each year, should minimize the drain on the Regulatory Trust Fund balances and allow time to develop more adequate long-term funding solutions.
- The second point I want to make is that these issues will not be finally decided at the October meeting. The request will be to open rulemaking on the applicable rules. The rulemaking process will still allow opportunity for public comment on any proposed changes after the rules are open.

- The third point is that even assuming the requested increases are ultimately approved through the rulemaking process, it is likely that the increases would not take place immediately. The Department will need time to make adjustments to the quarterly preneed reporting systems and our other databases before accepting increased fees. Also, developing reporting forms may also require rulemaking to effectuate the changes. So, it still may be several months after any approval of increases for them to become effective. Again, this is just kind of a heads up to the Board at this time, and I'm sure we'll go into more detail in October.

Mr. Jones, did you have your hand up?

Mr. Jones – Mary, one question. Based on if this goes to when you get the fees, you're looking at half a million to \$700k a year, are we looking to do a budget amendment so that we can get the IT resources, or is one needed so we can take advantage of this?

Ms. Schwantes – We would have to look at it at that time. Again, I really, at this point, do not see any increase becoming effective before July 1st at the earliest. And we would have to take a look at whatever kinds of budget planning we need to do on that. Having said that, even with this coming in, keep in mind you're looking at that top table in the report I gave you, even with this money coming in, all we're really doing is slowing the drain. It's not giving the Division adequate resources within the budget to go ahead with infrastructure changes such as the information technology needs. So even with this money coming in, I don't know that there would be enough money for that, but that's something we can look at. It's just meant to slow the drain.

Mr. Jones – And that's something we need to still look at. I know it's a need. As far as the technology piece. Thank you.

Ms. Schwantes – It is a need, ongoing need, definitely, as are staffing issues, frankly. Any other questions at this time about that? Again, full discussion can occur in October and then afterwards during the rulemaking process. Thank you, Board members.

Ms. Schwantes – Our next Board meeting will be held in person on Thursday, October 12th. As you know, that is the in-person meeting, which was intended to take place at Florida State College in Jacksonville, as an outreach effort to the students in the FSCJ's Funeral Services program. The meeting is scheduled to take place at the World's Golf Village Renaissance St Augustine Resort, which is on 500 South Legacy Trail in St. Augustine. The meeting will begin at 10 A.M. Full details regarding the meeting location will be posted on our website and will be provided to all on the distribution list. That ends this portion of the Executive Director's Report. Thank you all very, very much.

Chair Peebles – Thank you, Mr. Schwantes. Ms. Simon, if it's OK, I'm going go to the next item, which is Chair's Report. Is that OK?

Ms. Simon – If I may, Madam Chair? I have a couple more items under the Executive Director's report. I could do them after your report. Whichever you prefer.

Chair Peebles – Please go ahead. Thank you.

Ms. Simon –

(2) Report on Payment of Disciplinary Fines and Costs (Informational)

Ms. Simon – This is informational only.

Monthly Report of Fines and Costs Assessed and Paid
 Division of Funeral, Cemetery and Consumer Services
 Date of Board meeting: September 20, 2023
 Date report was prepared: September 1, 2023

Licensee	Board Meeting	Case No.	Total Fine	Date Due	Paid in Full?	Comments
Carly Schiro	3-Aug-23	306005-23-FC	\$5,000	14-Sep-23		
Michael Shorter	3-Aug-23	292655-23-FC	\$500	11-Sep-23		
Ruben Rojas	13-Jul-23	292034-22-FC	\$6,000	11-Sep-23		
Holmes Funeral Directors	13-Jul-23	276841-22-FC	\$250	11-Sep-23	Paid in Full	
Ozzie Christopher McLemore	13-Jul-23	279221-21-FC	\$2,500	11-Sep-23		
Mary Lou Boyd-Elliott	13-Jul-23	292035-22-FC	\$500	11-Sep-23		
Nelson's Elite Care	13-Jul-23	301514-22-FC	\$500	11-Sep-23		
SCI Funeral Services of Florida, LLC d/b/a Southeastern Crematory	6/29/2023	305420-23-FC	\$10,000	7-Aug-23	Paid in Full	
Foundation Partners of Florida LLC d/b/a A Life Tribute Funeral Care	6/29/2023	291156-22-FC	\$500	25-Aug-23	Paid in Full	
Michael Shorter	6/29/2023	292655-22-FC	\$500	11-Sep-23	Paid in Full	
Brian James Bonar	6/29/2023	293064-22-FC	\$11,000	4-Sep-23		
Jeffrey Lynch	6/29/2023	296083-22-FC	\$1,000	9/4/2023		
Christopher Coleman	6/29/2023	302547-22-FC	\$1,000	9/4/2023		
City Monument Company	6/29/2023	288385-21-FC	\$2,000	9/4/2023	Paid in Full	
Willdorfs & Associates, Inc. d/b/a Cycadia Mausoleum and Monument Company	6/29/2023	290748-22-FC and 300629-22-FC	\$1,500	21-Aug-23	Paid in Full	
Kevin Cantrell	6/29/2023	290752-22-FC	\$1,500	8/21/2023	Paid in Full	
SCI Funeral Services of Florida, LLC Dade North d/b/a Caballero Rivero Dade North	4-May-23	297779-22	\$2,250	16-Jun-23	Paid in Full	
Combs Funeral Home	4-May-23	274981-21-FC and 280024-21-FC	\$5,250	16-Jun-23	Paid in Full	
Turner, Marquis R	4-May-23	274982-21-FC	\$5,000	16-Jun-23	Paid in Full	
Swilley Funeral Home & Cremation Service, Inc.	4-May-23	300747-22-FC	\$1,250	16-Jun-23	Paid in Full	
David Rickner	4-May-23	300763-22-FC	\$1,250	16-Jun-23	Paid in Full	
Melinda Mezelline Jackson	4-May-23	298708-21-FC	\$3,000	17-Jul-23		Sent to OGC
Harry Oldham III	4-May-23	282704-21-FC	\$3,000	17-Jul-23		Sent to OGC
James Edward Simmons	4-May-23	285319-21-FC	\$1,500	17-Jul-23	Paid in Full	
Kathryn Rickner	4-May-23	300760-22-FC	\$1,500		Paid in Full	
Charles Hancock	4-May-23	301849-22-FC & 304154-22-FC	\$5,000	17-Jul-23		Sent to OGC
Hancock Funeral Home, Inc.	4-May-23	301848-22-FC & 304151-22-FC	\$5,000	17-Jul-23		Sent to OGC

ES 9-1-2023

(3) Rulemaking (Action)

Ms. Simon – I've included in your packets, a memo and other information regarding rulemaking. As to this matter, in November 2022, the Board decided that the number of embalming required for a training agency should be twenty (20) instead of forty (40). As a result, the Department is requesting that the Board find that Rule 69K-18.003, Florida Administrative Code, be opened for rulemaking in order to codify the Board's decision. Further, the Division is requesting that you approve the proposed change in that rule. The proposed change is included in your Board packet. Lastly, the Division requests that the Board entertain the questions posed by Board counsel to determine whether a SERC is required. Included in your Board packet are the following:

1. The applicable minutes from the November 2022 Board meeting;
2. The proposed change to Rule 69K-18.003, Florida Administrative Code; and
3. The SERC checklist.

The Division requests that you make individual motions with regards to this matter. First, that the rule be open for rulemaking. Second, that the Board weigh in on the proposed changes to the rule. And third, that our Board Counsel ask the questions in regard to whether a SERC is required.

Chair Peeples – Thank you, Ms. Simon. Board members, you've heard the explanation by Ms. Simon on this agenda item. So, we need to take three (3) votes. The first one (1) we need to do his own rulemaking. What is your pleasure?

Mr. Jensen – I'll make a motion on the rulemaking.

Ms. Munson – If I may, Madam Chair? I just wanted to correct that. If you're going to open or create a motion that it be to cite 18.004. I know it was referenced 18.003, but the correct rule is included as 18.004.

Chair Peeples – Thank you, Ms. Munson. Mr. Jensen, I think you were making a motion, and would you include that rule number, 69K-18.004?

MOTION: Mr. Jensen moved that the Rule 69K-18.004 be open for rulemaking. Mr. Jones seconded the motion.

Chair Peeples – Any discussion on the motion? Rabbi Lyons?

Rabbi Lyons – Procedurally, the motion is to open the discussion on the rule?

Ms. Munson – The motion, I believe, that was placed before the body was to open the rule for development.

Rabbi Lyons – Right.

Ms. Munson – Now, we have not discussed the rule change, and the language is there. It's changing a numerical number. So, that part of it is not yet, it's just to open the rule for development. I believe, is what Ms. Simon had requested the first motion be.

Chair Peeples – Thank you Ms. Munson. Ms. Simon did you have a comment?

Ms. Simon – Yes, that was the first motion. The second motion, as I indicated, was in reference to the changes that we request to be made to that rule. That is, we were entering into the rulemaking process. Nothing is going to be finalized as a result of today's meeting. Instead, there are many steps that must be taken in order for those changes to become finalized.

Chair Peeples – Rabbi, does that complete your question?

Rabbi Lyons – Yes, ma'am.

Chair Peeples – Thank you. We have a motion by Mr. Jensen, a second by, Mr. Jones. Any further discussion? Hearing none, all in favor of the motion, say yes.

Board members – Yes.

Chair Peeples – All opposed say no. Motion carries. The next motion we need is changes to Rule 69K-18.004.

Ms. Munson – Correct. It's a single change, and the minutes where this item was actually discussed has been provided for your review, And the change, of course, is indicated is to reduce the number from, I believe, forty (40) to twenty (20), because it doesn't show that was previously forty (40). The Board knows it was forty (40), reducing it to twenty (20).

Chair Peeples – Thank you, Ms. Munson. Board members, your pleasure?

MOTION: Mr. Jones moved approve the proposed changes to the Rule 69K-18.004. Ms. Clay seconded the motion, which passed with one (1) dissenting vote.

Chair Peeples – Our third motion is the SERC request. What is the pleasure of the Board?

Ms. Simon – Actually, Madam Chair?

Chair Peeples – Yes, ma'am?

Ms. Simon – If I may? I believe that the Board Counsel has a couple of questions to ask the Board with relation to the SERC.

Chair Peeples – Thank you. Ms. Munson?

Ms. Munson – These questions are the same three (3) questions I ask with every rulemaking, so if we open rules in October, we're going to ask these questions as well. But for 69K-18.004, when the change is reducing forty (40) to twenty (20), will the proposed rule amendment have an adverse impact on small business, or will the proposed rule amendments be likely to directly or indirectly increase regulatory costs to any entity, including government, in excess of \$200,000 in the aggregate in Florida within one (1) year after the implementation of the rule?

Board members – No.

Chair Peeples – Is that ok that we kind of took all three (3) items?

Rabbi Lyons – Somebody makes a motion to say no to that question. I think that's how it works.

Ms. Munson – What normally happens is that you make a motion. I move that we say, no, and then there's a second.

Chair Peeples – Ok. Board Members, do we have a motion?

MOTION: Rabbi Lyons moved that the proposed rule amendment will not have an adverse impact on small business, nor will it be likely to directly or indirectly increase regulatory costs to any entity, including government, in excess of \$200,000 in the aggregate in Florida within one (1) year after the implementation of the rule. Mr. Jones seconded the motion, which passed unanimously.

Ms. Munson – Technically, that was just the first question. There are two (2) more to follow. This is the second. Should a violation of this rule or any part of this will be designated a minor violation? This rule has not previously been designated as a minor violation, and that ladder statement is just point of information.

Chair Peeples – Thank you for the direction, Ms. Munson. Board members, your pleasure?

Rabbi Lyons – Ma'am?

Chair Peeples – Rabbi Lyons?

Rabbi Lyons – I don't understand the question. I thought this was defining a requirement in order to be a training facility, correct?

Ms. Munson – The rule change, sir? Is that what you're asking?

Rabbi Lyons – Isn't the nature of the rule defining the requirement of a training facility?

Ms. Munson – It is.

Rabbi Lyons – How can it be a violation of a definition?

Ms. Munson – That's why it's probably considered a no. The three (3) questions that I'm asking you are standard for any rulemaking. You will find that in some rulemaking they may not apply. And in those cases, the no would make sense.

MOTION: Rabbi Lyons moved that a violation of this rule or any part of this will not be designated a minor violation. Mr. Clark seconded the motion, which passed unanimously.

Ms. Munson – And I just want to clarify a little bit to what you just asked Rabbi Lyons. The language of the rule specifically says that in order to be approved as an embalmer intern training agency, a funeral establishment shall have performed at least, and we're requesting that it be changed to twenty (20) embalming cases per year. If, for example, that establishment does not perform the twenty (20), if you wanted discipline to be attached to that, then that's when you may choose in lieu of discipline, it be considered a minor violation. I don't want to confuse the meaning of what that change is. And again, even when it was forty (40), it was not determined to be a minor violation. It was not included in any discipline consideration, or citation consideration, just for the record.

Rabbi Lyons – Just to be clear, not performing...

Mr. Brandenburg – I used to fill these out, without going through all of those.

Chair Peeples – Mr. Brandenburg, did you have a question, sir?

Mr. Brandenburg – I don't have a question. I have a comment that I used to work for the Division, as the Chairman, and fill out these SERCs and send them in without going through everything in every item with the Board.

Chair Peeples – Yes, sir. The process has changed, and that's why it's being presented to the Board today. Thank you. Rabbi Lyons, your question, sir?

Rabbi Lyons – Just to clarify, not performing twenty (20) embalmings is not the violation. It would be {inaudible} to do that, and they failed to report it, and they continued to act as a training facility. That would be the problem, correct, Ms. Munson?

Ms. Munson – I believe so, sir.

Rabbi Lyons – Ok.

Chair Peeples – Ms. Munson, the third item?

Ms. Munson – Third item is an item that has been recently added by the executive branch. Should the Sunset Language be included for this rule amendment, this is the language: *"This rule shall be reviewed and if necessary, repealed, modified, or renewed through the rulemaking process five (5) years from the effective date."* I will provide just the additional guidance that in all rulemaking, the boards are now required to identify whether or not the change that you are requesting to be made should be

reviewed within five (5) years to see whether or not it's still necessary. If the rule change is required by statute, then there is a tendency for the reviewing authority to feel that you may not have to review it every five (5) years. But if it's not required by statute, then I will tell you, the Office of the Attorney General is routinely expected to respond to why we did not include this review process, this review mandate, every five (5) years. So, if it's required by statute, you don't have to include the language I just quoted it. If it is not required by statute, it is recommended to include it. I hope I said that the right way.

Chair Peeples – Thank you, Mr. Munson. Board members, your pleasure?

Mr. Jones – If I may, Madam Chair?

Chair Peeples – Yes, sir, Mr. Jones.

Mr. Jones – Ms. Munson, what's your recommendation on this one? I am not clear with what the statute says without looking it up.

Ms. Munson – I'm going to also have Ms. Simon confirm. I don't think the statute specifically states the number, because that's the change, right, the number requirement? So, if it's not required by statute, I would probably say include it, but Ms. Simon may have a different read on the statute.

Chair Peeples – Ms. Simon?

Ms. Simon – I apologize. If I could just have one moment.

Chair Peeples – Yes, ma'am.

Ms. Simon – I do not believe it is required by statute. It is only required by rule, and this is a rule change only as result of what the Board has requested. So, Ms. Munson, keeping that in mind, bearing that in mind, what is your recommendation as to the necessary vote by the Board?

Ms. Munson – That we include the language that reads, "This rule shall be reviewed and as necessary, repealed, modified, or renewed through the rulemaking process five (5) years from the effective date."

MOTION: Mr. Jones moved to include the language that reads, "This rule shall be reviewed and as necessary, repealed, modified, or renewed through the rulemaking process five (5) years from the effective date." Mr. Williams seconded the motion, which passed unanimously.

Chair Peeples – Thank you, Ms. Munson.

Ms. Munson – I just wanted to confirm we did take a vote on the minor violation. I know we had the discussion. I wanted to confirm that there was a vote.

Chair Peeples – Yes, ma'am. Rabbi Lyons made the motion, and Mr. Clark made a second and it was approved.

Ms. Munson – Thank you.

Chair Peeples – Ms. Simon?

Ms. Simon – Nothing to add, Madam Chair. Thank you, Board members. That is the end of the Executive Director's Report.

Chair Peeples – Thank you.

U. Chair's Report (Verbal)

Chair Peeples – I'll be very short and sweet in the Chair's Report. I appreciate everyone's involvement, due diligence for participating and being a part of the meetings. That means a lot and thank you. And I just like to thank staff, OAG staff Ms. Munson. You all do a great job. Thank you for keeping us all straight and participating. So, I'll turn it back over to Ms. Simon with agenda, Item V.

V. Office of Attorney General's Report
(1) Attorney General's Rules Report (Informational)

Ms. Simon – Ms. Munson?

Ms. Munson – This is provided for informational purposes only. Thank you.

**BOARD OF FUNERAL, CEMETERY, AND CONSUMER SERVICES RULES REPORT
 SEPTEMBER 2023**

Rule Number	Rule Title	Date Rule Language Approved by Board	Date Sent to OFARR	Rule Development Published	Notice Published	Adopted	Effective

There are currently no rules in the rulemaking process.

W. Public Comments (Verbal)

Ms. Simon – Are there any public comments to be made at this Board meeting? Hearing, no response, Madam Chair?

Chair Peeples – Thank you, Ms. Simon.

- X. Upcoming Meeting(s)**
- (1) October 12th (In-Person - Jacksonville)*
 - (2) November 2nd (Videoconference)*
 - (3) December 7th (Videoconference)*
 - (4) January 4th (Videoconference)*
 - (5) February 1st (In-Person - Tallahassee)*
 - (6) March 7th (Videoconference)*
 - (7) April 4th (Videoconference)*
 - (8) May 2nd (Videoconference)*
 - (9) June (In-Person - TBD)*
 - (10) June 27th (Videoconference)*

Chair Peeples – As Ms. Schwantes mentioned, our next in-person meeting will be October 12th in St. Augustine. Looking forward to seeing you all there.

Y. Adjournment

Chair Peeples –I hope you have a great day, and a great week.

The meeting was adjourned at 12:13.