 DIVISION OF OCCUPATIONAL AND PROFESSIONAL LICENSING
Office of Cemetery Oversight

500 N. Calvert Street, 3rd Floor

Baltimore, MD 21202

**OFFICE OF CEMETERY OVERSIGHT**

**ADVISORY COUNCIL ON CEMETERY OPERATIONS**

**MINUTES**

DATE: December 3, 2020

TIME: 10:05 a.m. – 11:23 a.m.

PLACE**:** Virtually https://[meet.google.com/mbo-akux-kxf](https://meet.google.com/mbo-akux-kxf?hs=122&authuser=0)

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PIN:

**MEMBERS PRESENT**

 Frank Porter, Chair

 J. Michael Bennett

 Yvonne Fisher

 Bruce Hultquist

 Erich March

 Ronald Pearcey

 David Zinner

Rebecca Edminston

**MEMBERS ABSENT**

Craig Huff

Walter Tegeler

**STAFF PRESENT**

 Deborah Rappazzo-Executive Director, Office of Cemetery Oversight

 John Hart- Assistant Attorney General, Office of Cemetery Oversight

 Dreama Anderson- Investigator, Office of Cemetery Oversight

**STAFF ABSENT**

Leila Whitley- Administrative Aide, Office of Cemetery Oversight

Jay Wilson- Financial Compliance Administrator, Office of Cemetery Oversight

**VISITORS**

 None

**CALL TO ORDER**

 Chair Porter called the meeting to order at 10:05 a.m.

**MINUTES**

 The minutes from October 22, 2020 were read and approved.

**EXECUTIVE DIRECTOR’S REPORT**

The Executive Director goes into office for any necessary processing since remote teleworking remains for employees. Our building at 500 North Calvert Street has not reopened to the public.

Currently some cemetery visits have occurred outside, since most cemetery offices have not reopened.

Although the Executive Order issued concerning licensing renewals has not changed for expiration dates, most licensees are completing their license renewals.

The Department of Occupational and Professional Licensing‘s new computer system is still in the developmental stages with hopes of a completion sometime in 2021.

The Deputy Commissioner, John Papavasiliou is no longer with the Division of Occupational & Professional Licensing and has accepted a new position with the Department of Commerce under Kelly Shultz. Currently, there is no Acting Deputy. The position description has been approved, but not posted.

The Office is looking forward to hopefully being able to restart the PRINCE project in 2021.

The Wreaths Across America program has changed from past years due to Covid-19. This year some cemeteries are holding virtual ceremonies only, while others are still having volunteers place wreaths on veterans’ graves. A few cemeteries that are still hosting in person ceremonies are Veterans cemeteries in Maryland, Mt. Olivet of Frederick and Harford Memorial of Harford County.

As a result of COVID-19, the Office has agreed to expedite all applications for permit holders to prevent any type of personnel shortage due to licensure. At this time there are no reports of staff shortages.

I would like to take a moment to thank all of my Advisory Council Members for their service in 2020 and I look forward to working with everyone in 2021.

**Discussion**

The Council discussed the issues surrounding cemeteries receiving decedents, and interacting with family members of the decedents, who may have been infected with COVID-19. Council Member March stated that any funeral establishment refusing bodies of individuals dying from COVID-19 is operating against the law. All COVID-19 deaths must be accepted. The Council would like to get all cemetery workers recognized as essential employees to receive the vaccine during the early stages of the roll out. All parties from hospitals to cemeteries are involved in a continuum of care that includes health concerns.

Most firms and families are being transparent in notifying cemeteries of decedents who had COVID-19. However, the Council is concerned that families of the decedents, who they come into contact with, may be asymptomatic. Attendance is changing as some graveside services are being live streamed.

Council Member March made a motion to have the Council draft a letter to the OCO Director Rappazzo expressing their wish that cemetery workers be considered part of the early roll out of the COVID-19 vaccine. The motion was seconded by Council Member Zinner. The Council voted unanimously to draft the letter. Council Chair Porter will draft the letter with the support of Erich March and David Zinner. Executive Director Rappazzo agreed to send the letter on to the Commissioner of O&P.

 **INVESTIGATOR’S REPORT**

* Reporting period 10-22-20 to 12-2-20

There were six new complaints submitted to the Office. They are follows:

-Refund on a preneed contract for decedent for goods not used

-Damaged memorial

-Contract fees differed from advertised fees for burial rights package

-Site maintenance

-Contract overpayment

-Loose crypt plate

* There were a total of fourteen closed complaints, forty-eight new phone Inquiries and fourteen emailed Inquiries, since our since last meeting. The breakdown is as follows:

-Phone Inquiries: fees charged, VA cemetery, repurposed family cemetery, external memorial installation

 -Email Inquiries: unemployment, memorials, preneed cremations, burial goods, disinterment

Council would like to look at of the definition pertaining to opening and closing as it is outlined in our law.

 **FINANCIAL COMPLIANCE**

 Tabled until next month

 **LICENSING SPECIALIST**

Currently, almost all renewal applications are being received by email. Our central processing team is going into the office every day to process mail and payments. The office continues to work together to make sure renewals are sent to permit holders. The Executive Director has same authority as the Licensing Specialist to process applications.

 **LEGISLATIVE UPDATE**

There is no new legislation at this time.

 The Advisory Council continued its discussion on creating a list of volunteers to serve as a trustee/receiver to manage the cemetery of a registrant who is facing suspension/revocation. The OCO will begin drafting a notice for volunteers to be placed in a future newsletter to licensees. Retirees will also be permitted to sign up for the list so long as they are able to renew their license if selected by a court to serve. Once volunteers respond, a list will be created that can be provided to the circuit court in the event the OCO seeks to establish a trustee/receivership over a cemetery facing suspension/revocation. The information provided for each volunteer on the list would include the license status, length of licensure, and disciplinary history.

A suggestion was made by Council Member Zinner that the notice refer to applicants as “interested parties” and not “volunteers.”

**Discussion**

Council Member Zinner expressed interest in surveying local State’s Attorneys offices for their internal policies on granting requests for disinterment and removal of decedents from a cemetery. AAG Hart and Director Rappazzo explained that pursuant to Criminal Law Article, Section 10-402, this decision-making process was in the hands of the local State’s Attorney offices, and not the OCO. Council Member Fisher offered that the State’s Attorney Association may be able to provide this information to the Chair Porter.

 **UNFINISHED BUSINESS**

None

 **NEW BUSINESS**

 None

 **COUNCIL CONCERNS**

 None

 **PUBLIC COMMENTS**

 None

 **CLOSING REMARKS**

 Next meeting January 28, 2021. It will most likely be virtual. Schedule for 2021 meeting dates will be distributed to Council. Happy Holidays to all.

 **Meeting adjourned 11:38.**