

ADVISORY COMMITTEE MEETING MINUTES

Wednesday, October 23, 2024 - 10:00 a.m.

Advisory Committee Members

Jolena Grande
Maggie McMillan
Rev. Jason E. Bense
Jean Okuye

Absent: Jasmine Berrios
and Chanel O'Farrill

Stakeholder Members

Anne
Christ Donhost
Lee Koy
Levi Winegar
Mariana
Roger De4cker
Teresa R
Eloise Kaeck
Jerry Desmond

DCA Staff

Michael Kanotz
Korrina Moreno
David Bouilly, meeting moderator
Elizabeth Dietzen-Olsen

Cemetery and Funeral Bureau (Bureau or CFB) Staff: Gina Chiaverini Sanchez, Bureau Chief, Sandra Patterson, Bureau Deputy Chief, Michelle Arthur, Audit Manager, and Carolina Sammons, Legislative Analyst.

1. Opening Remarks/Roll Call of Members.

Bureau Chief, Gina Sanchez, called the meeting to order at 10:02 a.m. and welcomed those in attendance. Ms. Sanchez indicated that the meeting is open to the public in Sacramento and available via WebEx and teleconference platforms. Ms. Sanchez provided instruction on the conduct of the meeting including how to make public comment and introduced the meeting moderator who provided instructions for participating in the meeting. Ms. Sanchez conducted roll call of committee members.

2. Public Comment on Items Not on Agenda

Members of the public attending via WebEx or in attendance in Sacramento attending in person were provided the opportunity to comment. There were no comments received.

3. Update from Department of Consumer Affairs Representative

Ms. Korrina Moreno congratulated the Bureau for its hard work and dedication to the Sunset Review and hearing and process. Ms. Moreno provided an update relating to the new travel reimbursement programming rates, DCA's Diversity Equity & Inclusion (DEI) steering committee, new DCA's Board Member Orientation Training via the Learning Management System (LMS), Unconscious Bias, will be released in early 2025 and members are encouraged to take this training or any of the 20 different courses available via LMS. Finally, the annual DCA Our Promise: California State Employees Giving at Work campaign is underway. This campaign includes Board Members that can pledge to this campaign.

Ms. Sanchez and opened the meeting for comments. The Advisory Committee members and the public members had no comments.

4. Update on Bureau Activities: Ms. Sanchez reported on:

a. Update on the Strategic Plan:

Ms. Sanchez announced the release of the 2024-2028 Strategic Plan. The goals focused on licensing, enforcement, legislation and regulations, outreach and communications, and administration. Ms. Sanchez thanked the members for their participation in the development of this plan. The Strategic Plan will be posted on the Bureau's website.

Committee Member Grande thanked the Bureau for allowing the members to participate in the development of the Strategic Plan and suggested the Bureau schedule an agenda item in future committee meeting to discuss updates or achievements of each of the goals.

b Staffing:

Ms. Sanchez reported the Bureau is fully staffed. However, Legislative and Regulatory Analyst, Carolina Sammons will retire in March 2025 and Steve Caulk, Field Representative will retire in December 2024. The Bureau will begin recruitment for these two vacancies.

c. Budget:

Ms. Sanchez provided an overview of the Bureau's Fund Condition for fiscal year 2022-23 referencing the handout provided.

d. Business Modernization Project Update:

Bureau Deputy Chief Sandra Patterson reported on the progress and impediments of this project. Ms. Patterson reported the following:

- Over the past 3 years, the Bureau has been involved in the development of the new IT platform. The new database ([CFBconnect](#)) went live in May of 2023, and currently five online applications have been released, Original Funeral Establishment, Funeral Director, Cemetery Manager, Crematory Manager, and Cemetery Salesperson.
- The Bureau is actively working towards the release of additional initial licensure applications for business and personal licenses, and the release of license maintenance applications.
- The transition to the new platform, has not been without having issues and delays, but most of the issues have been resolved.
- The Bureau transitions toward more efficient electronic business practices, and as more applications are released online, the paper applications will eventually be removed from the Bureau's website, and will only be made available upon request.
- The fastest method to licensure is for applicants to use the CFBconnect platform when submitting applications, and paying for the examination and license fee together rather than separately or partially will allow for a faster processing time.

Advisory Committee Member Ms. Grande complimented the Bureau for the additional online application that have been migrated to CFB Connect. Regarding efficiency in applying and paying for an examination and license in one full payment rather than pay separately - is the message about applying for both the examination and license simultaneously communicated on the website so that candidates understand that they can submit both payments simultaneously and allow for a more efficient method to licensure.

Ms. Sanchez stated that this specific message is not on the Bureau's website page, but it is a good idea to add this message on the application instructions page as well as to also add it to the bureau's website. Ms. Sanchez stated that she is also looking forward for the license maintenance stage development for the Notice of Change, Quarterly Reports and eventually the complaint form.

e. Audit Unit Update:

Michelle Arthur, Audit Manager reported on the handout provided for this report. Ms. Arthur stated that this year the Bureau will start issuing warning letters that can lead to citations for licensee that report late. The Audit Unit is currently working on issuing over 400 warning letters to the licensee that report late.

Ms. Sanchez thanked the licensees that report on time, and to expect an increase in warning letters for late reporting or non-reporting. Ms. Sanchez spoke to the Bureau's fiduciary responsibility over these funds to ensure that consumer funded trust funds held and invested by licensed funeral establishments and cemeteries are protected.

Ms. Sanchez opened the meeting for Advisory Committee Member comments. Ms. Grande asked if the Bureau had explored the reasons behind the increase in delayed reporting and gather data on this issue. Ms. Sanchez indicated that so far there has been no exploration or gathering of data for the delayed reporting.

Advisory Committee Member Maggie McMillan commented that the Bureau has done a remarkable job providing safeguard for consumers and the industry as it undergoes the business modernization process and the implementation of the five-year Strategic Plan.

Ms. Sanchez thanked Ms. McMillan for these comments.

Ms. Sanchez opened the public comment session.

Public Commenter Jerry Desmond with the Cemetery Mortuary Association of California (CMAC) asked if licensed cemeteries have applied to convert the net income endowment care trust to the unitrust method.

Ms. Sanchez indicated that when unitrust method was enacted, the Bureau received one application and the next year, the Bureau received 30 applications. The Bureau has seen cemeteries move over to the unitrust method. Ms. Sanchez stated anyone having unitrust questions to email unitrustcfb@dca.ca.gov and a dedicated expert staff member will respond to unitrust inquiry.

There were no other public comments received.

5. 2024 Chaptered Legislation: Ms. Sammons reported on the handout for this agenda item. Ms. Sammons reported on Assembly Bill (AB) 3254 (Berman, Chapter 589, Statutes of 2024. The Bureau's Sunset Bill. Endowment care cemeteries; reporting.

6. 2024 Regulatory Update:

Ms. Sammons reported that on July 16, 2024, the Office of Administrative Law (OAL) approved the regulatory action which amended the California Code of Regulation section 1230. AB 1381 (Obernolte, Chapter 150, Statutes of 2017), Funeral establishments: apprenticeship training.

Also on October 16, 2024, OAL approved the regulatory action relating to the application for and assignment of a crematory license. AB 1560 (Flora, Chapter 206, Statutes of 2023).

Ms. Sanchez thanked the industry for their valuable contribution as the Bureau prepared the regulatory action to implement both regulatory packages, Approval to Train Apprentice Embalmer and the Assignment of a Crematory License.

Ms. Sanchez indicated concerning the Chaptered Legislation relating to AB 3254, as required the Bureau will start working on convening a workgroup to consider options for ensuring continued maintenance of abandoned cemeteries and will reach out to the industry to engage in meetings to find solutions. The Bureau will keep everyone posted via the advisory committee meeting, email blasts and Facebook on the workgroup and its progress.

Ms. Sanchez opened the meeting for committee member comments. There were no comments received. Ms. Sanchez opened the meeting for public member comments.

Public Commenter Jerry Desmond with CMAC expressed appreciation of the Bureau's Sunset extension. Also, CMAC and stakeholders are looking forward to engaging in discussions and solutions to ensure continued maintenance of abandoned cemeteries.

There were no other public comments received.

7a. Licensing Statistical Report and Update on Examination Development.

Ms. Sanchez presented on this agenda item referencing the handouts.

1. Licensing Performance Measures,
2. Licenses Issued Statistics,
3. License Renewal Statistics,
4. Exam Pass Rate Statistics, and
5. Common Application Deficiencies.

7b. Update on Examination Development:

Ms. Sanchez led the discussion on this item.

- The Bureau completed and released the crematory manager examination development. It was released early this year. Ms. Sanchez indicated that the Bureau continuously works on examination development for the five different examination the Bureau administers: funeral director, embalmer, crematory manager, cemetery manager, and cemetery broker. The Bureau is required to conduct an Occupational Analysis every five to seven years for each of these examinations.
- The Bureau will be meeting with the Department's Office of Professional Examination Services to schedule and determine the next exam development/occupational analysis. Ms. Sanchez will announce the next recruitment via email. Ms. Sanchez thanked all the subject matter experts that participated in the examination development process.

Ms. Sanchez opened the meeting for committee member comments. There were no comments received.

Ms. Sanchez opened the meeting for public member comments.

Public Member Jerry Desmond with CMAC made an observation regarding the correlation between the new exam passage rate and the failure rate for the newly released crematory manager exam. Ms. Sanchez indicated that there is no correlation between the new exam and failure rate because the new exam was released earlier this month. The exam passage rate failure is for fiscal year 2022-23.

There were no other public comments received.

8. Enforcement Statistical Report. Ms. Sanchez presented on this agenda item and referenced the handouts.

Summary of Enforcement and Compliance included: Inspections Conducted, Complaint Received, Citation Issued, Accusations Filed with the Attorney General's Office (AG), and Formal Discipline (completed AG cases), Common Violations for cemetery, and for funeral establishments.

Ms. Sanchez opened the meeting for Advisory Committee member comments. There were no comments made.

Ms. Sanchez opened the meeting for public member comments.

Public member Mr. Desmond with CMAC asked what the most common cemetery violations, regarding a maintenance violation.

Ms. Sanchez indicated that common cemetery maintenance standard violations. They are, failure to remove weeds, refill or reset graves and markers and controlling vermin problems.

There were no other public comments made.

9. Advisory Committee Members Appreciation and Recruitment Efforts for 2025 – 2027 term.

Ms. Sanchez reported that the Bureau will begin recruitment efforts for vacancies on the advisory committee for the 2025-2027 term. Ms. Sanchez will follow up with current committee members regarding reappointments and continue outreach efforts through mailers, Facebook, email blasts, and website posting to attract applicants.

Ms. Sanchez thanked the current members for their voluntary service to the Bureau. Ms. Sanchez opened the meeting for Advisory Committee member comments.

Committee member Jean Okuye expressed and appreciation towards Bureau Chief Ms. Sanchez for a job well done.

Committee member Jolena Grande thanked Bureau Chief for allowing the members to participate in the advisory committee.

Ms. Sanchez opened the meeting for public member comments. There were no comments made.

10. Adjournment – meeting was adjourned at 11:27 a.m.