

## NOTICE OF ADOPTION OF REGULATION

The Nevada Funeral and Cemetery Services Board adopted *with amendments* regulation assigned LCB File No. R001-22 which pertain to Chapter 642 of the Nevada Administrative Code on August 25, 2022. A copy of the regulations is attached hereto. Please note that the Board adopted the regulation with the change of eliminating initial licensing fees for active duty military.

### LEGISLATIVE REVIEW OF ADOPTED REGULATIONS INFORMATIONAL STATEMENT AS REQUIRED BY NRS 233B.066

LCB FILE NO. R001-22

The following statement is submitted for adopted amendments to Nevada Administrative Code (NAC) 642.

**1. A clear and concise explanation of the need for the adopted regulation.**

This regulation is necessary to develop opportunities for reciprocity of licensure for active duty military, veterans, and their spouses, reduce licensing fees for active duty military, veterans, and their spouses, and review vocational training programs.

**2. A description of how public comment was solicited, a summary of public response, and an explanation how other interested persons may obtain a copy of the summary.**

Copies of the proposed regulations, notices of workshop and notices of intent to act upon the regulation were sent by U.S. mail and email to persons who were known to have an interest in the subject of funeral industry regulations as well as any persons who had specifically requested such notice. These documents were also made available at the website of the Nevada Funeral and Cemetery Services Board [www.funeral.nv.gov](http://www.funeral.nv.gov), on the Nevada Public Notice Website, on the Legislative Counsel Bureau Website and on file at the State Library.

A meeting was held on December 14, 2021, to discuss conceptual changes. On February 8, 2022, the Board held a public workshop. There were no comments on the proposed regulations at the workshop. On August 25, 2022, the Board held a public hearing and adopted the regulation with amendments due to a portion of the regulation that had not been included. Minutes of the meeting, workshop, and hearing are attached as "Exhibit A".

There were no comments or responses from the public concerning the regulation.

**3. The number persons who:**

**(a) Attended each hearing:**

February 8, 2022, Workshop, Zoom meeting; 30 Attendees

August 25, 2022, Adoption Hearing, Zoom meeting; 49 Attendees

**(b) Testified at each hearing:**

February 8, 2022, Workshop: 0

August 25, 2022, Hearing: 0

**(c) Submitted to the agency written comments:**

None.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS  
INFORMATIONAL STATEMENT AS REQUIRED BY NRS 233B.066  
LCB FILE NO. R001-22**

- 4. For each person identified in paragraphs (b) and (c) of number 3 above, the following information if provided to the agency conducting the hearing:**

N/A

- 5. A description of how comment was solicited from affected businesses, a summary of their response, and an explanation how other interested persons may obtain a copy of the summary.**

The Nevada Funeral and Cemetery Services Board discussed changes at meetings and workshops held on December 14, 2021, February 8, 2022, and May 24, 2022. The adoption hearing was held on August 25, 2022. There were no comments, so no summary is available.

- 6. If the regulation was adopted without changing any part of the proposed regulation, a summary of the reasons for adopting the regulation without change.**

Proposed regulation was revised, but only because it was noted by staff that an important detail was not contained in the drafted regulation.

- 7. The estimated economic effect of the adopted regulation on the businesses which it is to regulate and on the public. These must be stated separately, and each case must include:**

- (a) Both adverse and beneficial effects; and  
(b) Both immediate and long-term effects.**

- (a) Both adverse and beneficial effects**

- i. Adverse effects**

No adverse effects have been identified.

- ii. Beneficial effects**

The reduction of fees for veterans could potentially be beneficial to small businesses which hire active duty military, their spouses, veterans, and their surviving spouses.

- (b) Both immediate and long-term effects.**

- i. Immediate effects**

The reduction in fees would be immediate and assist immediately for small businesses which hire active duty military, their spouses, veterans, and their surviving spouses.

- ii. Long-term effects**

The reduction in fees would provide further long term savings for businesses which continue to hire active duty military, their spouses, veterans, and their surviving spouses.

- 8. The estimated cost to the agency for enforcement of the adopted regulation.**

There is no additional cost to the agency for enforcement of this regulation.

- 9. A description of any regulations of other state or government agencies which the proposed regulation overlaps or duplicates and a statement explaining why the duplication or overlapping is necessary. If the regulation overlaps or duplicates a federal regulation, the name of the regulating federal agency.**

There are no other state or government agency regulations that the proposed regulation duplicates.

**LEGISLATIVE REVIEW OF ADOPTED REGULATIONS  
INFORMATIONAL STATEMENT AS REQUIRED BY NRS 233B.066  
LCB FILE NO. R001-22**

- 10. If the regulation includes provisions that are more stringent than a federal regulation which regulates the same activity, a summary of such provisions.**

There are no federal regulations that apply.

- 11. If the regulation provides a new fee or increases an existing fee, the total annual amount the agency expects to collect and the manner in which the money will be used.**

This regulation does not provide a new fee or increase an existing fee.

# **EXHIBIT “A”**



STATE OF NEVADA  
**FUNERAL AND CEMETERY SERVICES BOARD**

3740 Lakeside Drive, Suite 201, Reno, Nevada 89509  
Phone (775) 825-5535 \* Fax (775) 507-4102  
Email: [nvfuneralboard@fb.nv.gov](mailto:nvfuneralboard@fb.nv.gov) \* Website: <http://funeral.nv.gov/>

**MINUTES**

**Tuesday, December 14, 2021, at 9:00 a.m.**  
**Video Conference and Teleconference Via Zoom Meetings**

**1. Introduction of new Board members, Call to order, roll call, establish quorum.**

**Board Members Present**

Dr. Randy Sharp, Chairman  
Bart Burton  
Adam Garcia  
Kim Kandaras  
Laura Sussman  
Dr. Raymond Giddens

**Board Staff Present**

Jennifer Kandt, Executive Director  
Marie Paakkari, Administrative Assistant

**Board Counsel Present**

Henna Rasul, Senior Deputy Attorney General  
Sofia G. Long, Deputy Attorney General  
Joel Bekker, Deputy Attorney General

Jennifer Kandt stated that there is still one vacant spot on the Board which is for a public member. She stated that the Governor recently appointed a new Board and asked the new members to introduce themselves.

The new Board members, Kim Kandaras, Laura Sussman and Dr. Raymond Giddens presented a brief introduction.

Kim Kandaras stated that she is the owner/co-owner for Walton's Funerals and Cremations in Reno, Susanville and Carson City. Ms. Kandaras stated that she is a CPA by trade, was born and raised in Southern California and moved to the Reno/Tahoe area in 1991 and has been there for thirty years. Ms. Kandaras stated that she loves this community and started working for Walton's Funerals and Cremations under Tammy Dermody in 2004 as the controller. A couple of years ago, herself and the general manager purchased the business. Ms. Kandaras stated that she is married and has a family of five boys and enjoys golf.

Dr. Raymond Giddens stated that he was originally from Chicago, Illinois and has been in Las Vegas for the last twenty years. Dr. Giddens stated that social work is his trade and decided against going to mortuary school at first. Dr. Giddens stated that he has a passion for taking care of families and serving people and eventually got passed his fear of death and went back to school a few years ago. Dr. Giddens stated that he is a first-generation business owner and has owned Giddens Memorial Chapel for six years. Dr. Giddens stated that he has a son, likes to run, and he is looking forward to serving on the Board.

Laura Sussman stated that she is from Ohio and moved to Las Vegas approximately twenty years ago. Ms. Sussman stated that her career was in non-profit and approximately thirteen years ago started Kraft-Sussman which she recently sold to Foundation Partners. She stated that she continues to be involved in the business as a funeral director. Ms. Sussman stated that she has three daughters, and her favorite activity is backpacking in the mountains.

Jennifer Kandt stated that there are multiple members from the Attorney General's office present at this meeting. Henna Rasul, Senior Deputy Attorney General will be prosecuting during the hearing for one of the cases on the agenda. Sofia Long, Deputy Attorney General will be Board Counsel during the hearing, and Joel Bekker is the newly assigned Deputy Attorney General for the Funeral Board.

Joel Bekker, Deputy Attorney General stated that he was recently hired by the Office of the Attorney General, and he is excited to be working with the Board's that he was assigned to. Mr. Bekker stated that he is a transplant, moving to Las Vegas from New York.

**2. Public comment**

**Note:** No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

Jennifer Kandt stated that written public comment was received by an individual, but legal counsel advised not to read the public comment into the record as it could be used as evidence in a future hearing and that individual was notified that it would not be heard at the meeting.

**3. Discussion, recommendation, and possible action regarding review and approval of minutes of meetings (For possible action)**  
a. August 24, 2021

The Board reviewed the August 24, 2021, Board meeting minutes presented. Jennifer Kandt stated that there were several corrections which would be made prior to uploading them to the website. The Board moved to approve the August 24, 2021, Board meeting minutes.

**MOTION: DR. RAYMOND GIDDENS MOVED TO APPROVE THE AUGUST 24, 2021, MINUTES. BART BURTON SECONDED THE MOTION WITH LAURA SUSSMAN AND KIM KANDARAS RECUSING AS THEY DID NOT ATTEND THE AUGUST 24, 2021, MEETING AND THE MOTION WAS CARRIED UNANIMOUSLY.**

**4. Discussion, recommendation, and possible action regarding review and approval of FY2020 and FY2021 financial audit prepared by Christiansen Accounting Network (For possible action)**

Connie Christiansen of Christiansen Accounting Network presented the financial audit report to the Board for FY2020 and FY2021. She commented that it was a clean audit, and that staff was prepared with providing all necessary documentation.

**MOTION: LAURA SUSSMAN MOVED TO APPROVE THE FY2020 AND FY2021 FINANCIAL AUDIT AS PRESENTED. DR. RAYMOND GIDDENS SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

**5. Discussion, recommendation, and possible action regarding disciplinary hearing on Complaint and Notice of Hearing in the Matter of Clark County Funeral Services, Funeral Services Establishment Permit No. EST106 - Case Number FB21-17. This agenda item may include review and consideration of any motions and may include review and consideration of a settlement agreement or Consent Decree if one is presented (For possible action)**

The hearing was transcribed by a court reporter and a transcript may be available upon request.

Exhibits were presented into evidence.

The Board discussed the evidence and Counts I-V of the Complaint.

The Board concluded and unanimously agreed that Count I of the Complaint referencing NRS 642.517(1), which states that unprofessional conduct includes misrepresentation or fraud in the operation of the funeral establishment, direct cremation facility, cemetery or crematory, or the practice of a funeral director or funeral arranger was violated.

The Board concluded but did not unanimously agree that Count II of the Complaint referencing NRS 642.5174(7), which states that unprofessional conduct includes aiding and abetting an unlicensed person to practice funeral directing, funeral arranging, or embalming had been violated. Adam Garcia and Dr. Randy Sharp believed the State proved that Count II had been violated. Laura Sussman, Dr. Raymond Giddens, Bart Burton and Kim Kandaras stated that they did not believe that Count II had been violated.

The Board concluded and unanimously agreed that Count III of the Complaint referencing NRS 642.5174(11), which states that unprofessional conduct includes violation of any provision of this chapter, any regulation adopted pursuant thereto or any order of the Board had been violated by referencing the violation of Count I.

The Board concluded and unanimously agreed that Count IV of the Complaint referencing NRS 642.5174(18), which states that unprofessional conduct includes unethical practices contrary to the public interest as determined by the Board had been violated.

The Board concluded but did not unanimously agree that Count V of the Complaint referencing NRS 642.363, which states that the owner of a funeral establishment shall not operate or allow another person to operate the establishment unless the owner has been issued a permit by the Board to operate the funeral establishment had been violated. Adam Garcia and Dr. Randy Sharp believed the State proved that Count V had been violated. Laura Sussman, Dr. Raymond Giddens, Bart Burton and Kim Kandaras stated that they did not believe that the State proved that Count II had been violated.

The Board discussed disciplinary actions to be taken against CCFS.

**MOTION: DR. RANDY SHARP MOVED TO DETERMINE THAT COUNTS I, III, IV AS LAID OUT IN THE COMPLAINT HAD BEEN VIOLATED. KIM KANDARAS SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

**MOTION: DR. RANDY SHARP MOVED TO INSTITUTE A TWO-YEAR PROBATION WHICH MAY EXTEND UNTIL THE LEGAL OWNERSHIP AND LEGAL MATTERS HAVE BEEN CONCLUDED. THE BOARD SHALL BE NOTIFIED OF STATUS UPDATES REGARDING THE OWNERSHIP OF CCFS. MS. MCKINZIE SHALL ATTEND TWO FUNERAL ESTABLISHMENT MANAGEMENT TRAINING SESSIONS THROUGH NFDA AND PROVIDE THE BOARD WITH A CERTIFICATE OF ATTENDANCE. CCFS SHALL PAY A \$10,000 FINE, LEGAL FEES AND ADMINISTRATIVE FEES ASSOCIATED WITH THIS HEARING WHICH SHALL BE PAID OR A PAYMENT PLAN SHALL BE IMPLEMENTED WITHIN FORTY-FIVE DAYS FROM THE DATE OF THIS BOARD MEETING. LAURA SUSSMAN SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

6. Discussion, recommendation, and possible action regarding consent decree for case number FB21-40 (For possible action)
  - a. Trent Stimpson FD952 and EMB879R

The Board reviewed the consent decree for case no. FB21-40 regarding Trent Stimpson.

**MOTION: DR. RANDY SHARP MOVED TO ACCEPT THE CONSENT DECREE FOR CASE NO. FB21-40 REGARDING TRENT STIMPSON FD952 AND EMB879R AS WRITTEN. KIM KANDARAS SECONDED THE MOTION WITH BART BURTON RECUSING AS MR. STIMPSON PREVIOUSLY WORKED FOR THE SAME COMPANY AND THE MOTION WAS CARRIED UNANIMOUSLY.**

7. Discussion, recommendation, and possible action regarding funeral establishment permit application(s) (For possible action)
  - a. Las Vegas Cremations, 6000 S. Eastern Avenue, Suite 2A, Las Vegas, NV 89119 with Michael Roberts FD968 as managing funeral director; temporary approval was granted on October 1, 2021

Jennifer Kandt stated that everything was in order and a temporary permit was issued. Ms. Kandt stated that they have a prep room as required, however, they do not intend to utilize the prep room. They are currently utilizing the location for additional office space since the location is close to Davis Funeral Home.

**MOTION: DR. RANDY SHARP MOVED TO APPROVE THE FUNERAL ESTABLISHMENT PERMIT APPLICATION FOR LAS VEGAS CREMATIONS, 6000 S. EASTERN AVENUE, SUITE 2A, LAS VEGAS, NV 89119. DR. RAYMOND GIDDENS SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

**8. Discussion, recommendation, and possible action regarding crematory license application(s) (For possible action)**

- a. Mountain View Mortuary, 425 Stoker Avenue, Reno, NV 89503

Jennifer Kandt stated that the Board previously reviewed this crematory license application as a relocation of existing equipment down to the mortuary. The equipment had been located up at the cemetery on the hill and the Zoning department approved the change of location. The 1500-foot rule does not apply in this instance because they are grandfathered by the statute. Ms. Kandt stated that everything was in order and a temporary had been issued.

**MOTION: DR. RAYMOND GIDDENS MOVED TO APPROVE THE CREMATORY LICENSE APPLICATION FOR MOUNTAIN VIEW MORTUARY, 425 STOKER AVENUE, RENO, NV 89503. KIM KANDARAS SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

**9. Discussion, recommendation, and possible action regarding crematory license and direct cremation facility applications for Vegas Valley Cremation (For possible action)**

- a. Vegas Valley Cremation (Crematory CRE113), 4535 Statz Street, Unit A, North Las Vegas, NV 89081  
b. Vegas Valley Cremation (Direct Cremation Facility DC97L), 4535 Statz Street, Unit A, North Las Vegas, NV 89081; With Christopher J. McDermott as Managing Funeral Director  
c. Vegas Valley Cremation (Direct Cremation Facility DC98L), 6392 McLeod Drive, Suite 3, Las Vegas, NV 89120; With Christopher J. McDermott as Managing Funeral Director

Jennifer Kandt commented that all three of these locations is a transfer of ownership from Christopher McDermott to FPG Nevada, LLC. Ms. Kandt stated that everything was in order and a temporary permit had been issued.

**MOTION: DR. RAYMOND GIDDENS MOVED TO APPROVE THE CREMATORY LICENSE APPLICATION FOR VEGAS VALLEY CREMATION CRE113, 4535 STATZ STREET, UNIT A, NORTH LAS VEGAS, NV 89081; THE DIRECT CREMATION FACILITY PERMIT APPLICATION FOR VEGAS VALLEY CREMATION DC97L, 4535 STATZ STREET, UNIT A, NORTH LAS VEGAS, NV 89081, AND THE DIRECT CREMATION FACILITY PERMIT APPLICATION FOR VEGAS VALLEY CREMATION DC98L, 6392 MCLEOD DRIVE, SUITE 3, LAS VEGAS, NV 89120. KIM KANDARAS SECONDED THE MOTION WITH LAURA SUSSMAN RECUSING AS SHE HAS AN AFFILIATION WITH FPG NEVADA, LLC AND THE MOTION WAS CARRIED UNANIMOUSLY.**

**10. Discussion, recommendation, and possible action regarding managing funeral director requests (For possible action)**

- a. Margarita Rojas FD946 – Clark County Funeral Services EST106

Jennifer Kandt stated that temporary approval had not been given prior to the meeting, due to questions concerning the validity of the permit and ownership of Clark County Funeral Services. Ms. Kandt stated that since the Board made the decision to allow Clark County Funeral Services to operate, under probation, there would not be any issues with Ms. Rojas' approval as managing funeral director.

**MOTION: DR. RANDY SHARP MOVED TO APPROVE MANAGING FUNERAL DIRECTOR REQUEST FOR MARGARITA ROJAS FD946 - CLARK COUNTY FUNERAL SERVICES EST106. LAURA SUSSMAN SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

- b. Phil Steven Webb FD897 – Palm Boulder Highway Mortuary EST19

Jennifer Kandt stated that everything was in order and temporary approval had been granted.

**MOTION: DR. RAYMOND GIDDENS MOVED TO APPROVE MANAGING FUNERAL DIRECTOR REQUEST FOR PHIL STEVEN WEBB FD897 – PALM BOULDER HIGHWAY MORTUARY EST19. DR. RANDY SHARP SECONDED THE MOTION WITH BART BURTON RECUSING SINCE THEY ARE AFFILIATED WITH THE SAME COMPANY AND THE MOTION WAS CARRIED UNANIMOUSLY.**

- c. Glenn Andrew Abercrombie FD925 – Palm Eastern Mortuary EST27

Jennifer Kandt stated that everything was in order and temporary approval had been granted.



**MOTION: DR. RANDY SHARP MOVED TO APPROVE MANAGING FUNERAL DIRECTOR REQUEST FOR GLENN ANDREW ABERCROMBIE FD925 – PALM EASTERN MORTUARY EST27. KIM KANDARAS SECONDED THE MOTION WITH BART BURTON RECUSING SINCE THEY ARE AFFILIATED WITH THE SAME COMPANY AND THE MOTION WAS CARRIED UNANIMOUSLY.**

11. **Discussion, recommendation, and possible action regarding American Crematory Equipment Co. crematory operator training provider application (For possible action)**

Jennifer Kandt informed the Board that they are required, to approve crematory operator trainings. Ms. Kandt stated that the Board has approved various other entities to provide crematory operator training.

**MOTION: BART BURTON MOVED TO APPROVE AMERICAN CREMATORY EQUIPMENT CO. AS A CREMATORY OPERATOR TRAINING PROVIDER WITH THE ADDITION OF EACH PRESENTER BIO. KIM KANDARAS SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

12. **Discussion, recommendation, and possible action regarding regulatory changes as a result of AB330 and NRS 622.510 (For possible action)**

Ms. Kandt stated that AB330 relates to the Board being required to draft regulations for accepting secondary or post-secondary education approved by the State Board of Education toward certification or licensure. Ms. Kandt stated that she doesn't quite know how it will apply until education is approved, but the regulation will require the Board to review and make any decision on credit within 90 days.

Jennifer Kandt stated that the second part of the regulatory changes are related to NRS 622.510 requiring the Board to develop opportunities for reciprocity for qualified members of the armed forces, spouses, veterans, and veterans surviving spouses. Ms. Kandt stated that the goal is make licensing easier for people in the military and their spouses because they move around so frequently. Ms. Kandt recommended the Board accept out of state apprenticeships for active-duty military and their spouses. Ms. Kandt suggested that the Board accept funeral director internships obtained in another state in lieu the Board's current requirements of one year licensed as a funeral arranger or one year licensed as a funeral director in another state. Ms. Kandt stated that if they were in a state where they had to do a funeral director internship and they are active-duty military or spouse of military then the Board would accept that internship in lieu of one year as a funeral arranger. The legislature would like see fees lower for military and Ms. Kandt proposed that the Board would not charge the initial licensing fees for active-duty military and spouses of active-duty military and that the Board would only charge one-half of the initial licensing fees for veterans and surviving spouses of veterans.

Jennifer Kandt stated that once the Board has approved the changes, then it will be sent to LCB, and they will draft the official language and return it to the Board to have a regulatory hearing.

**MOTION: BART BURTON MOVED TO PROCEED WITH THE CHANGES PURSUANT TO AB330 AND NRS 622.510 AS PRESENTED AND WORK WITH LCB TO DRAFT THE OFFICIAL LANGUAGE. DR. RANDY SHARP SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

13. **Discussion, recommendation, and possible action regarding election of Board Secretary and Board Treasurer (For possible action)**

Jennifer Kandt commented that the duties of the Board Secretary include signatures on the licenses. She stated that duties of the treasurer include review of bank statements and signing checks. Ms. Kandt proposed that Kim Kandaras be appointed as Board Treasurer since she is local, and she has a CPA background which would be a good fit.

**MOTION: BART BURTON MOVED TO ELECT KIM KANDARAS AS THE BOARD TREASURER. DR. RANDY SHARP SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

**MOTION: DR. RAYMOND GIDDENS MOVED TO ELECT BART BURTON AS THE BOARD SECRETARY. KIM KANDARAS SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

- 14. Financial Reports**
  - a. Regulatory Fee Collection
  - b. Financial Reports

Jennifer Kandt presented a summary of the Board financial reports.

- 15. Overview of current complaint status**

Jennifer Kandt presented a summary of the current complaint status to the Board. Ms. Kandt stated that there were several complaints that were withdrawn and a group of complaints regarding a single location would be presented at a future Board meeting.

- 16. Report from Executive Director, Jennifer Kandt**

Jennifer Kandt presented a written report, and the Board reviewed the information provided.

Jennifer Kandt commented that she was contacted by the Sunset Sub-Committee to prepare a presentation on efforts to improve timely death reporting. Ms. Kandt state that she will be providing a report to the Sunset Sub Committee the end of January 2022.

Dr. Randy Sharp asked about licensing software.

Jennifer Kandt stated that on two separate occasions, tried to implement licensing software and both times were disappointed with the outcomes as other Boards have been. Ms. Kandt stated that after renewals are completed, they will be reviewing presentations from several vendors. Ms. Kandt stated that she would like to have something in place and working well prior to leaving the Board.

Jennifer Kandt thanked Senior Deputy Attorney General Henna Rasul and stated that she would not be representing the Board any longer.

Joel Bekker, Deputy Attorney General stated that he will be taking over the Funeral Board.

- 17. Discussion regarding future agenda items and future meeting dates**

Tuesday, February 8, 2022 at 9:00 am  
Tuesday May 10, 2022 at 9:00 am  
Tuesday August 16, 2022 at 9:00 am  
Tuesday, November 15, 2022 at 9:00 am

- 18. Public comment**

There was no public comment

- 19. Adjournment**

The Board adjourned at 3:25 pm.



STATE OF NEVADA  
**FUNERAL AND CEMETERY SERVICES BOARD**

3740 Lakeside Drive, Suite 201, Reno, Nevada 89509  
Phone (775) 825-5535 \* Fax (775) 507-4102  
Email: [nvfuneralboard@fb.nv.gov](mailto:nvfuneralboard@fb.nv.gov) \* Website: <http://funeral.nv.gov/>

**MINUTES**

***Tuesday, February 8, 2022, at 9:00 a.m.***  
**Video Conference and Teleconference Via Zoom Meetings**

**1. Call to order, roll call, establish quorum.**

The Board meeting commenced at 9:00 am and a quorum was established. Jennifer Kandt stated that the Board continues to have one open vacancy which is one of the public member appointments. It is unclear if the Governor's Office has not had anyone apply for the appointment or if they have not yet made a selection.

**Board Members Present**

Dr. Randy Sharp, Chairman  
Bart Burton, Secretary  
Kim Kandaras, Treasurer  
Laura Sussman  
Dr. Raymond Giddens

**Board Staff Present**

Jennifer Kandt, Executive Director  
Marie Paakkari, Administrative Assistant

**Board Counsel Present**

Joel Bekker, Deputy Attorney General

**Board Members Absent**

Adam Garcia

**2. Public comment**

**Note:** No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

There was no public comment.

**3. Discussion, recommendation, and possible action regarding review and approval of minutes of meetings (For possible action)**

- a. December 14, 2021

The Board reviewed the December 14, 2021, Board meeting minutes.

**MOTION: LAURA SUSSMAN MOVED TO APPROVE THE DECEMBER 14, 2021, MINUTES. KIM KANDARAS SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

**4. Discussion, recommendation, and possible action regarding consent decree for case number FB21-10 Desert Memorial EST46 and Kristen Anderson FD860 (For possible action)**

Jennifer Kandt stated the consent decree contains standard boiler plate language that is included in every consent decree. Ms. Kandt stated that if the Board had questions regarding the

circumstances regarding the case, then it might be necessary to proceed with a hearing on the matter.

Bart Burton stated Ms. Anderson had a previous consent decree regarding another matter, not related to this case and asked if that had been completed.

Jennifer Kandt stated that the previous matter regarding Ms. Anderson had been settled and satisfied. Ms. Kandt stated that the ownership of Desert Memorial, Desert Crematory and Sunrise Cremation will be changing and the close of the sale will be concluded in approximately three days.

Bart Burton asked if the previous consent decree for Ms. Anderson was regarding death certificates.

Jennifer Kandt stated that she believed the previous consent decree for Ms. Anderson was regarding delays in filing documents.

Bart Burton stated this will be Ms. Anderson's second disciplinary against Ms. Anderson's funeral director license.

Jennifer Kandt stated that was correct. Ms. Kandt stated that for a period of time after the last case, Ms. Anderson was prohibited from being the managing funeral director as the Board had suspended her license for thirty-days.

The Board reviewed the consent decree for case no. FB21-10 regarding Desert Memorial EST46 and Kristen Anderson FD860.

***MOTION: DR. RANDY SHARP MOVED TO ACCEPT THE CONSENT DECREE FOR CASE NO. FB21-10 REGARDING DESERT MEMORIAL EST146 AND KRISTEN ANDERSON FD860 AS WRITTEN. LAURA SUSSMAN SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.***

5. Discussion, recommendation, and possible action regarding consent decree for case numbers FB21-04, FB21-11, FB21-14, FB21-15, FB21-33, FB21-54 and FB21-55 Hites Funeral Home EST51, Hites Crematory CRE17 and Eric Jamison Lee FD611 (For possible action)

Jennifer Kandt stated that these are the remaining cases involving Hites. Some of these cases came in prior to the suspension and some of these cases came in after the suspension for conduct that had occurred prior to the suspension. The suspension did not involve Eric Lee's funeral director license at that time. This consent decree takes his funeral director license into account for the conduct before and after the suspension. Ms. Kandt stated that all of these cases have been compiled into one consent decree.

Dr. Randy Sharp asked Bart Burton if it was unusual to have decedents that are transported out-of-State for burial.

Bart Burton stated it was common especially in Las Vegas as there are individuals who retire and have prearranged funerals where they used to live which would require shipping out of Nevada.

Dr. Randy Sharp asked Jennifer Kandt if this establishment was being purchased or sold.

Jennifer Kandt stated that at a prior meeting there may have been some discussions regarding possible sale of this location, which will not factor into this matter. The terms of this settlement, the licenses that were issued to these owners would be revoked for a three-year period and they would not be able to open any locations during that time. They would not be able to name the

location something else and open a new LLC and start running the location again. They could sell the building and business to someone else to operate, but those owners would be required to apply for licensing with the Board.

Kim Kandaras questioned the ownership between Eric Lee and Hites, whether he was an owner or not.

Jennifer Kandt stated that Eric Lee is an owner of Hites. Ms. Kandt stated that the principals of Hites are James and Eric Lee who are father and son. Both of those individuals would be prohibited from opening new locations and neither of them would be able to start a new LLC or open a new location.

Dr. Randy Sharp stated that Eric Lee's funeral director license would be suspended. Dr. Randy Sharp asked after that would Mr. Lee be eligible to work in another capacity besides a managing funeral director.

Jennifer Kandt stated that Eric Lee would be able to work for another location where there is another managing funeral director to manage the location, but Mr. Lee would not be able to manage the location.

Dr. Raymond Giddens asked if there were any fees in relation to some of the other complaints from previous years.

Jennifer Kandt responded if Dr. Giddens was referring to whether the Board assessed any fines or fees regarding this case or any of these cases relating to this settlement, there were none assessed. Ms. Kandt stated it was because the Board is revoking the license for a significant length of time. When there is a settlement and removing a license, there is more propensity not to assess the fees and fines because they are no longer able to operate.

Kim Kandaras stated that she was not involved in the original consent decree, but she does not think that this period of suspension was long enough. Ms. Kandaras stated that to her, these cases are horrific, and she believes that their license and permit should be suspended or revoked for a longer period.

Dr. Raymond Giddens stated that he agreed with Ms. Kandaras that the one-year suspension should be increased to three years.

Laura Sussman stated that she agreed with Ms. Kandaras as well. Ms. Sussman asked what the process would be if there was a consent decree that was not agreed upon or rejected.

Jennifer Kandt stated that the Board would reject the consent decree and then the Board would recommend an alternative settlement. It would then be presented to the other side. Eric Lee is present and if he would agree to the Board's proposal on record then a new consent decree would be drafted with the proposed changes. If both parties agree during this meeting, then the consent decree will be drafted and signed, and it is complete. If there is not an agreement between the parties, then there would be a hearing on all the cases. The maximum a license could be revoked is ten years. Looking at a suspension it is typically one year or less.

Ms. Kandt stated that Joel Bekker, Deputy Attorney General, and herself have discussed this matter. It is possible to suspend longer than a year, but it comes down to if they reapply. Typically, a suspension is no longer than a year and a revocation is no longer than ten years.

Dr. Randy Sharp stated keep in mind, the Board is removing this individual's ability to work in the business that he has been in for a year.

Jennifer Kandt stated that it is a suspension for one year than three years of probation, a total of four years that he would be unable to manage a location.

Dr. Randy Sharp reiterated that for the one year of suspension, he would not be able to work.

Jennifer Kandt stated that was correct and they would not be able to open any new facilities as well. Ms. Kandt stated that is often what is done in various fields. For example, if a beauty salon gets shut down, they would create a new LLC and open a new location, and this settlement would prevent that from happening.

Bart Burton stated that Eric Lee has an embalmers license, and he does have a way to work.

Jennifer Kandt stated that Jim and Eric Lee also own another funeral home in Pahrump managed by someone else, and this matter does not affect that location.

Kim Kandaras asked after the probation or revocation period, when they re-apply will all of these cases be reviewed again. Will the Board be able to refer to these cases.

Jennifer Kandt stated that if the Board approves this settlement agreement, all of the documents related to the cases become confidential and the only public document is the consent decree. The Board would not be able to go back and have a hearing on these matters. Once the matter is settled, these cases are completed. There is language in the consent decree regarding meeting with the Board Chairman and Executive Director to establish that they are fit for licensure should they seek licensure in the future. Bringing up these cases or the documents from these cases would not be a factor.

Kim Kandaras stated that is why she believes that the suspension or revocation was too short. Ms. Kandaras stated that she does not agree with the terms.

Bart Burton stated that he agreed with Ms. Kandaras and believes that the revocation should be for three years and probation. Mr. Burton stated that what had transpired before and after, a year suspension is not adequate and since Mr. Lee has a valid embalmers' license, he would still be able to work.

Laura Sussman stated that as a managing funeral director she finds the terms too low and would seek the maximum for a managing director. The cases presented are extremely bad.

Jennifer Kandt stated that Eric Lee was present at the meeting and if there were proposed terms, then the Board should try to establish if he is going to agree to the proposed changes, otherwise a hearing would be required.

Joel Bekker stated that the Board should move to vote, and if the vote ratifies the agreement, there is no issue. If the vote rejects the agreement, then Mr. Lee could be asked if he agrees to the terms that are provided after the terms are agreed upon. If Mr. Lee agrees to the terms, then a new consent decree will be drafted and if he does not agree, then a hearing will be set for the next Board meeting.

***MOTION: BART BURTON MOVED TO REJECT THE CONSENT DECREE FOR CASE NOS. FB21-04, FB21-11, FB21-14, FB21-15, FB21-33, FB21-54 and FB21-55 AS WRITTEN. KIM KANDARAS SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.***

Joel Bekker stated since the consent decree has been rejected, a proposal for new terms should be presented and then offer them to Mr. Lee for his consideration and agreement.

Dr. Randy Sharp stated that there are a few different views regarding Mr. Lee and the location. Dr. Sharp suggested discussing the one-year suspension and suggested proposals.

Jennifer Kandt stated that Eric Lee's current settlement terms were one year suspension and three years' probation with no ability to manage during those four years.

Laura Sussman proposed three years suspension and three years' probation with no ability to manage during that time.

Bart Burton stated that a suspension is typically for one year and he would amend Ms. Sussman's proposal to three years revocation and three years' probation unless there is a limit on probation.

Joel Bekker stated that the real difference is a suspension is automatically reinstated, whereas a revocation requires a new application process.

Kim Kandaras asked if the prior consent decree could be taken into consideration, referring to case nos. FB19-07 and FB19-10.

Jennifer Kandt stated that in reference to case nos. FB19-07 and FB19-10, the consent decree is public, but none of the other documents are public. That consent decree was based upon Jim Lee being the managing funeral director at the time of those original cases. Later Eric Lee became the managing funeral director when his father was suspended.

Kim Kandaras asked if there were more cases that were going to come forward.

Jennifer Kandt stated that it is unknown, but none have recently come in. Ms. Kandt stated that this was administrative law, not civil law. There is another avenue when individuals can pursue through civil court, and there might be multiple cases that may exist, but it doesn't affect this process.

Dr. Raymond Giddens asked if Eric Lee's embalming license was going to be included.

Jennifer Kandt stated that Mr. Lee's embalming license would not be affected.

Kim Kandaras proposed that both Mr. Lee's funeral director license and the location permit be revoked and not able to re-apply for five years, probation for three years and not able to manage for ten years. Ms. Kandaras stated that she was horrified by these cases. She stated that she has the luxury of viewing these cases, not only as a business owner, but from a consumer. Even though she has been in the industry for nineteen years, she sat behind a desk and was not involved in the operation, but when reading through these cases and what has happened, as a consumer and a family member she stated that she is horrified. Ms. Kandaras stated that she can empathize on the side of the business owner as you are taking their business away, but she is just horrified. Ms. Kandaras stated that Mr. Lee can continue to earn income since he can still use his embalmers license and she does not have a problem with that.

Laura Sussman stated she would support Ms. Kandaras' proposal.

Dr. Raymond Giddens stated that he would support Ms. Kandaras' proposal as well.

Dr. Randy Sharp reminded the Board members that this action will set precedence for future cases.

**MOTION: KIM KANDARAS MOVED TO REVOKE THE LOCATION PERMIT FOR HITES FUNERAL HOME EST51, THE CREMATORY LICENSE FOR HITES CREMATORY CRE17 AND FUNERAL DIRECTOR LICENSE FOR ERIC JAMISON LEE FD611 FOR FIVE YEARS, RE-APPLY AND IF APPROVED, PROBATION FOR THREE YEARS, AND ERIC JAMISON LEE TO NOT MANAGE A FUNERAL HOME FOR THE MAXIMUM TEN YEARS. BART BURTON SECONDED THE MOTION, AND THE MOTION WAS CARRIED UNANIMOUSLY.**

Eric Lee asked if the Board would be amenable to offering a three-year revocation.

Dr. Randy Sharp stated for clarification Mr. Lee is requesting a three-year revocation for the location permit and his funeral director license and assuming his reapplication was approved then a three-year probation and not able to manage for ten years.

Eric Lee stated that he would be good with that proposal.

Kim Kandaras stated that she would stick with her original proposed motion, referring to the five-year revocation.

Laura Sussman stated that she would agree with Ms. Kandaras' original proposed motion referring to five-year revocation.

Dr. Raymond Giddens stated that he would agree with Ms. Kandaras' original proposed motion.

Bart Burton stated that he would agree with Ms. Kandaras' original proposed motion.

***MOTION: LAURA SUSSMAN MOVED TO KEEP THE PROPOSAL THAT MS. KANDARAS PRESENTED TO THE BOARD TO REVOKE THE LOCATION PERMIT FOR HITES FUNERAL HOME EST51, THE CREMATORY LICENSE FOR HITES CREMATORY CRE17 AND FUNERAL DIRECTOR LICENSE FOR ERIC JAMISON LEE FD611 FOR FIVE YEARS, RE-APPLY AND IF APPROVED, PROBATION FOR THREE YEARS, AND ERIC JAMISON LEE TO NOT MANAGE A FUNERAL HOME FOR THE MAXIMUM TEN YEARS. DR. RAYMOND GIDDENS SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.***

Joel Bekker restated to Mr. Lee that the Board has voted and rejected Mr. Lee's proposal for three years instead of five, the Board would be more comfortable with five years. Mr. Bekker asked if Mr. Lee would be amenable and a stipulation be drawn or would he rather go to hearing.

Eric Lee asked if he had to provide his answer at this moment or could he have time to consider his options.

Jennifer Kandt stated that if the agreement is not made on record during the meeting, then a new consent decree would be presented at the next meeting. If everyone agrees at this meeting then the matter is complete otherwise it would have to bring it back to the Board, it all has to happen during the public meeting.

Joel Bekker stated that the consent decree will be drafted and sent to Mr. Lee for execution and presented for another vote at the next Board meeting. Mr. Bekker stated that if Mr. Lee does not agree with the proposed Board changes, then a hearing will be set for the next Board meeting.

The Board reviewed the consent decree for case nos. FB21-04, FB21-11, FB21-14, FB21-15, FB21-33, FB21-54 and FB21-55 regarding Hites Funeral Home EST51, Hites Crematory CRE17 and Eric Jamison Lee FD611.

- 6. Discussion, recommendation, and possible action regarding managing funeral director requests (For possible action)**
  - a. Kenneth Allen Bowman FD806 – Cremation Society-John Sparks EST125;
  - b. Kenneth Allen Bowman FD806 – Cremation Society-Northern Nevada EST126

Jennifer Kandt stated that everything was in order and temporary approval had been granted.



**MOTION: LAURA SUSSMAN MOVED TO APPROVE THE MANAGING FUNERAL DIRECTOR REQUEST FOR KENNETH ALLEN BOWMAN FD806 - CREMATION SOCIETY-JOHN SPARKS EST125 AND CREMATION SOCIETY-NORTHERN NEVADA EST126 WITH KIM KANDARAS RECUSING AS SHE OWNS THE LOCATIONS. BART BURTON SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

c. Lori Siuba FD976 – Smart Cremation DC92L

Jennifer Kandt stated that everything was in order and temporary approval had been granted.

**MOTION: DR. RAYMOND GIDDENS MOVED TO APPROVE THE MANAGING FUNERAL DIRECTOR REQUEST FOR LORI SIUBA FD976 - SMART CREMATION DC92L. DR. RANDY SHARP SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

d. Mercedes Quinn Quartucci FD983 – Neptune Society – Reno DC81L

Jennifer Kandt stated that everything was in order and temporary approval had been granted.

**MOTION: KIM KANDARAS MOVED TO APPROVE THE MANAGING FUNERAL DIRECTOR REQUEST FOR MERCEDES QUINN QUARTUCCI FD983 – NEPTUNE SOCIETY-RENO DC81L WITH BART BURTON RECUSING AS THEY WORK FOR THE SAME COMPANY. DR. RAYMOND GIDDENS SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

e. Lauren Guido FD980 – Las Vegas Cremations EST132

Jennifer Kandt stated that everything was in order and temporary approval had been granted.

**MOTION: DR. RAYMOND GIDDENS MOVED TO APPROVE THE MANAGING FUNERAL DIRECTOR REQUEST FOR LAUREN GUIDO FD980 – LAS VEGAS CREMATIONS EST132. BART BURTON SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

f. Karen Marie Umbriaco FD942 – Palm Mortuary - Boulder HWY EST19

Jennifer Kandt stated that everything was in order and temporary approval had been granted.

g. Marielle Landry FD886 – Palm Northwest Mortuary EST80

Jennifer Kandt stated that everything was in order and temporary had not been granted prior to the Board meeting.

**MOTION: LAURA SUSSMAN MOVED TO APPROVE THE MANAGING FUNERAL DIRECTOR REQUEST FOR KAREN MARIE UMBRIACO FD942 – PALM MORTUARY – BOULDER HWY EST19 AND THE MANAGING FUNERAL DIRECTOR REQUEST FOR MARIELLE LANDRY FD886 – PALM NORTHWEST MORTUARY EST80 WITH BART BURTON RECUSING AS THEY WORK FOR THE SAME COMPANY. DR. RAYMOND GIDDENS SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

7. **REGULATION WORKSHOP** – Workshop to solicit public comment on changes to Chapter 642 of Nevada Administrative Code. The regulation allows the Board to accept apprenticeships from other states for active duty military and spouses of active duty military, allows the Board to waive licensing fees for active duty military and spouses of active duty military, allows the Board to accept reduced licensing fees for veterans and surviving spouses of veterans, and requires the Board to review any secondary or post-

secondary education approved by the State Board of Education for possible credit toward licensure requirements.

Jennifer Kandt stated that the Board had already reviewed the conceptual changes and they were sent off to the Legislative Counsel Bureau and they are working on drafting the official language. Part of the requirements for adopting regulations and making changes is that the Board is required to have a workshop, the notice is required to be posted at least fifteen days prior to the meeting and include a small business impact statement. There are many requirements, and this is just another step of the process. Ms. Kandt stated that this was the time and the place for the public to comment. Ms. Kandt stated that she did not believe that anyone would disagree or take issue with this subject matter. Ms. Kandt stated that this was not the end of the process, there will still be a hearing. Ms. Kandt asked at this time, if anyone had any comments on the changes to present them to the Board.

There were no comments regarding the proposed changes presented which concluded the workshop.

**8. Financial Reports**  
a. Regulatory Fee Collection  
b. Financial Reports

Jennifer Kandt presented a summary of the Board financial reports. Jennifer Kandt stated that a letter is sent out quarterly to locations that are late or behind in regulatory fees and encouraged the industry to pay promptly.

Jennifer Kandt stated that Kim Kandaras and Dr. Randy Sharp have been in contact with the representative from Wells Fargo to be added to the account.

Dr. Randy Sharp stated that there was a delay, but he did reach out, and he has not heard back from Wells Fargo since last week.

Kim Kandaras stated that she has reached out twice and left messages, the Wells Fargo representative did call her after the Board meeting, and she has since attempted to contact him, but the representative has not returned her calls.

Jennifer Kandt stated that she will follow-up.

**9. Overview of current complaint status**

Jennifer Kandt presented a summary of the current complaint status to the Board.

Kim Kandaras asked if there was a way to find out which funeral homes the complaints are against.

Jennifer Kandt stated that complaint information was confidential and the reason for that is because individuals could file complaints that have no merit. Ms. Kandt stated that is why the Board does not know about the complaints until there is disciplinary action. There would be a perception that a funeral establishment or individual had multiple complaints against them, and that would give the public an idea that they must not be operating well. It is laid out in the statutes and regulations how the Board is required to address the complaints. They get investigated, then reviewed with the Attorney General's Office to make the final determination on whether the matter will be dismissed or proceed. If the Board proceeds with the case, then a settlement is worked out with the individuals or the location and if a settlement is not reached, then a hearing would be scheduled. Ms. Kandt stated that sometimes a settlement process could be lengthy going back and forth.

**AT 10:25 AM THERE WAS A DISRUPTION TO THE BOARD MEETING. THE BOARD OFFICE EXPERIENCED A POWER OUTAGE LOSING POWER AND INTERNET SERVICE. THE BOARD MEETING COMMENCED AT 10:30 AM WHERE A QUORUM MAINTAINED.**

**10. Report from Executive Director, Jennifer Kandt**

Jennifer Kandt presented a written report, and the Board reviewed the information provided.

Dr. Raymond Giddens stated that he would like to attend the Conference meeting in Houston.

Jennifer Kandt stated that she would contact Dr. Giddens to assist with registration. Ms. Kandt stated that it would be a good opportunity for Dr. Giddens to network with other State Boards, representatives and executive directors and believes that Dr. Giddens would enjoy the meeting.

**11. Discussion regarding future agenda items and future meeting dates**

Tuesday May 10, 2022 at 9:00 am

Tuesday August 16, 2022 at 9:00 am

Tuesday, November 15, 2022 at 9:00 am

Kim Kandaras stated that she was not available for the May 10, 2022, Board meeting.

Laura Sussman stated that she was not able to attend the August 16, 2022, Board meeting.

Jennifer Kandt stated that a new Board meeting date for May and August will be researched and present to the Board members.

**12. Public comment**

**Note:** No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

There was no public comment.

**13. Adjournment**

The Board adjourned at 10:40 am.



STATE OF NEVADA  
**FUNERAL AND CEMETERY SERVICES BOARD**

3740 Lakeside Drive, Suite 201, Reno, Nevada 89509  
Phone (775) 825-5535 \* Fax (775) 507-4102  
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**MINUTES**

**Thursday, August 25, 2022, at 9:00 a.m.**  
**Video Conference and Teleconference**

**1. Call to order, roll call, establish quorum.**

The Board meeting commenced at 9:00 am and a quorum was established.

**Board Members Present**

Dr. Randy Sharp, Chairman  
Bart Burton, Secretary  
Kim Kandaras, Treasurer  
Adam Garcia  
Dr. Raymond Giddens  
Dr. Donald Edward Chaney

**Board Staff Present**

Jennifer Kandt, Executive Director  
Marie Paakkari, Administrative Assistant

**Board Counsel Present**

Joel Bekker, Deputy Attorney General

**Board Members Absent**

Laura Sussman

Dr. Donald Edward Chaney was introduced as the newest member of the Board.

**2. Public comment**

**Note:** No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

Krystal Osborne stated that she would like to address the situation with the transportation person who had posted videos to TikTok. Ms. Osborne wants to propose that the Board consider a certification course for removal and transport personnel. Ms. Osborne stated that communities should never have to endure seeing their loved ones on videos posted on a public platform. Ms. Osborne stated that with certification training program, they can teach them how to serve the public. Parts of Ms. Osborne's comments did not come through due to audio difficulties via the zoom feed.

Jennifer Kandt stated that she had sent the Board information pertaining to an individual who posted some videos to TikTok that were showing the inside of coolers. The videos did not show faces of decedents or give names, but some of the information the individual provides may be false. The funeral homes in which the recordings occurred were not aware of the recordings until after videos were posted. Ms. Kandt stated that the Board does not license transporters separately, and transportation falls under the licensing of a funeral home. If a funeral home chooses to contract with a transportation company, they certainly can do so, but it falls under their license. Ms. Kandt stated that there are very few states that do license transportation companies

and transporters. Ms. Kandt stated that the Board can discuss this matter in an agenda item at the next meeting to see if there is anything further the Board would like to do.

3. **Discussion, recommendation, and possible action regarding review and approval of minutes of meetings (For possible action)**
  - a. May 24, 2022

**MOTION: KIM KANDARAS MOVED TO APPROVE THE FEBRUARY 8, 2022, MINUTES. DR. RAYMOND GIDDENS SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

4. **Public hearing on proposed regulations. The Board will receive and hear all public comment regarding LCB file number R001-22 for changes to Chapter 642 of Nevada Administrative Code. Public comment may be made in person or submitted in writing.**

Jennifer Kandt stated that she spoke to LCB because she noticed an important section was left out. She stated that there was a request to eliminate fees for active duty military and that had been left out and she hadn't previously noticed it. She said that when the Board adopts the regulation, it needs to be clear that it is adopting with an amendment for LCB to add language to eliminate application fees for active-duty military.

There was no public comment.

**HEARING CLOSED AT 9:13 AM.**

5. **Consideration of public comment and possible adoption of LCB file number R001-22. The Board will consider fully all public comment received regarding the proposed regulatory changes under agenda item 4. This agenda item may involve the Board proposing changes to the regulation after consideration of all public comments and determine whether to adopt the regulation. (For possible action)**

**MOTION: DR. DONALD EDWARD CHANEY MOVED TO ADOPT LCB FILE NUMBER R001-22 WITH THE CHANGE OF ELIMINATING FEES FOR ACTIVE-DUTY MILITARY. ADAM GARCIA SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

6. **Discussion, recommendation, and possible action regarding consent decree for case number FB21-13 (For possible action)**

The Board reviewed and discussed the consent decree presented.

**MOTION: ADAM GARCIA MOVED TO APPROVE THE CONSENT DECREE AS WRITTEN REGARDING CASE NUMBER FB21-13. DR. RANDY SHARP SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

7. **Discussion, recommendation, and possible action regarding consent decree for case number FB22-06 (For possible action)**

The Board reviewed and discussed the consent decree presented.

**MOTION: ADAM GARCIA MOVED TO APPROVE THE CONSENT DECREE AS WRITTEN REGARDING CASE NUMBER FB22-06. KIM KANDARAS SECONDED THE MOTION WITH BART BURTON RECUSING AS HE WORKS FOR THE SAME COMPANY AND THE MOTION WAS CARRIED.**

**8. Discussion, recommendation, and possible action regarding consent decree for case number FB22-07 (For possible action)**

The Board reviewed and discussed the consent decree presented.

**MOTION: ADAM GARCIA MOVED TO APPROVE THE CONSENT DECREE AS WRITTEN REGARDING CASE NUMBER FB22-07. DR. RANDY SHARP SECONDED THE MOTION WITH BART BURTON RECUSING AS HE WORKS FOR THE SAME COMPANY AND THE MOTION WAS CARRIED.**

**9. Discussion, recommendation, and possible action regarding funeral arranger license application for Miranda Christine Brown (For possible action)**

Jennifer Kandt stated that the Board Executive Director can approve applicants, if there are issues or questions that are not straightforward, then the applicant is brought before the Board for review. Ms. Kandt stated that in this case, there is question on the moral character of the applicant. Ms. Kandt stated that the regulations state that an applicant cannot be convicted of a misdemeanor that has a reasonable relationship to the individual's license within the seven years immediately preceding the application. Ms. Kandt stated that the information regarding the applicant's criminal history is included in the Board packet for review. Ms. Kandt stated that the Board was also notified that the District Court dismissed the case with prejudice.

Adam Garcia stated that he did not see Miranda Brown's name in any of the supporting documents.

Miranda Brown stated that her name changed because of a divorce and her name was Miranda Guiles. Ms. Brown stated that she has fulfilled all obligations in accordance with the Court.

Adam Garcia stated that from a professional sense and as a Board member, he believes that Ms. Brown has fulfilled her obligations to the Court, and he feels that at this point it does appear to have any reflection regarding her application.

The Board reviewed and discussed the applicant's funeral arranger license application and supporting documents.

**MOTION: DR. RAYMOND GIDDENS MOVED TO APPROVE MIRANDA CHRISTINE BROWN'S FUNERAL ARRANGER LICENSE APPLICATION. BART BURTON SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

**10. Discussion, recommendation, and possible action regarding establishment permit application for La Eternidad Funeral Home, 4305 N. Rancho Drive, Las Vegas, NV 89130 (For possible action)**

Jennifer Kandt stated that everything was in order and temporary approval had been granted.

**MOTION: DR. RAYMOND GIDDENS MOVED TO APPROVE THE FUNERAL ESTABLISHMENT PERMIT APPLICATION FOR LA ETERNIDAD FUNERAL HOME LOCATED AT 4305 N. RANCHO DRIVE, LAS VEGAS. KIM KANDARAS SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

**11. Discussion, recommendation, and possible action regarding managing funeral director requests (For possible action)**  
a. Cheryl Lynn Jones FD986 – Neptune Society DC64L

Jennifer Kandt stated that everything was in order and temporary approval had been granted.

**MOTION: DR. DONALD EDWARD CHANEY MOVED TO APPROVE THE MANAGING FUNERAL DIRECTOR REQUEST REGARDING CHERYL LYNN JONES FD986 FOR NEPTUNE SOCIETY DC64L. DR. RANDY SHARP SECONDED THE MOTION WITH BART BURTON RECUSING AS THEY WORK FOR THE SAME COMPANY AND THE MOTION WAS CARRIED.**

b. Brandy Hall FD944 – Lee Funeral Home and Cremation Service EST2

Jennifer Kandt stated that everything was in order and temporary approval had been granted.

**MOTION: ADAM GARCIA MOVED TO APPROVE THE MANAGING FUNERAL DIRECTOR REQUEST REGARDING BRANDY HALL FD944 FOR LEE FUNERAL HOME AND CREMATION SERVICE EST2. KIM KANDARAS SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

c. Kristopher Wilks FD919 – Clark County Funeral Services EST106

Jennifer Kandt stated that everything was in order and temporary approval had been granted.

**MOTION: ADAM GARCIA MOVED TO APPROVE THE MANAGING FUNERAL DIRECTOR REQUEST REGARDING KRISTOPHER WILKS FD919 FOR CLARK COUNTY FUNERAL SERVICES EST106. DR. RANDY SHARP SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

d. Jenna Autumn Daunt FD881 – Palm Southwest Mortuary EST105

Jennifer Kandt stated that everything was in order and temporary approval had been granted.

**MOTION: ADAM GARCIA MOVED TO APPROVE THE MANAGING FUNERAL DIRECTOR REQUEST REGARDING JENNA AUTUMN DAUNT FD881 FOR PALM SOUTHWEST MORTUARY EST105. DR. RAYMOND GIDDENS SECONDED THE MOTION WITH BART BURTON RECUSING AS THEY WORK FOR THE SAME COMPANY AND THE MOTION WAS CARRIED.**

e. Saul Lomeli FD982 – Palm Downtown Mortuary EST17

Jennifer Kandt stated that everything was in order and temporary approval had been granted.

**MOTION: ADAM GARCIA MOVED TO APPROVE THE MANAGING FUNERAL DIRECTOR REQUEST REGARDING SAUL LOMELI FD982 FOR PALM DOWNTOWN MORTUARY EST17. DR. DONALD EDWARD CHANEY SECONDED THE MOTION WITH BART BURTON RECUSING AS THEY WORK FOR THE SAME COMPANY AND THE MOTION WAS CARRIED.**

f. Jasmine Alejandra Perez FD974 – Kraft-Sussman Funeral Services EST130

Jennifer Kandt stated that everything was in order and temporary approval had been granted.

**MOTION: ADAM GARCIA MOVED TO APPROVE THE MANAGING FUNERAL DIRECTOR REQUEST REGARDING JASMINE ALEJANDRA PEREZ FD974 FOR KRAFT-SUSSMAN FUNERAL SERVICES EST130. KIM KANDARAS SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

Adam Garcia stated that he proposes that in the future the Board take the managing funeral director requests as a single item. He believes that Jennifer Kandt and the Board staff have completed their due diligence and they have been conditionally approved, and if there is an issue,

it would be presented to the Board for review instead of individually approving them. Mr. Garcia requested that they be presented under a consent agenda item for approval.

Ms. Kandt stated that when she first came to the Board, this Board approved every single application that came in and individuals had to wait up to ninety days for approval of their license until the next Board meeting. Ms. Kandt stated that she had recommended the Board reconsider this procedure of approving applications and allow her to approve individuals at the staff level. Ms. Kandt stated that there were a few application types that the Board requested to review which were the locations and the managing funeral director requests so that they could still keep track of who and where these managing funeral directors were. Ms. Kandt stated that if this Board has a different feeling regarding this procedure and would like to revisit the things that staff approves behind the scenes, she believes that this would be an excellent time to make these changes as there are new Board members. Ms. Kandt stated that she can place this item on the next meeting agenda and the Board can give the staff authority to issue the managing funeral director requests behind the scenes.

Adam Garcia stated that he would like to still review them as they are ultimately responsible and if they have questions they can ask, otherwise to place them under a consent agenda item if allowed. Mr. Garcia stated that the Board needs to have trust in the staff and the Executive Director to ensure that these are conditionally approved and that the due diligence prior to the Board review.

Bart Burton stated that he thought it was a great time to revisit this procedure so that the Board office can expeditiously process these requests to keep individuals working.

Dr. Randy Sharp stated that when he receives the requests and applications for temporary approval, the Board staff has done their due diligence and if there are any questions, it is then put aside for an agenda item.

Jennifer Kandt stated that if the Board was going to do a consent agenda item, then the Board will not want to review the actual applications thereby eliminating the applications except the ones that have issues for the managing funeral director requests and the locations.

**12. Discussion, recommendation, and possible action regarding continuing education approval request for The Funeral Directors and Morticians Association of Nevada, Preventing Future Litigation (For possible action)**

Dr. Raymond Giddens stated that the seminar in July touched on educating funeral directors, arrangers and staff members about the Nevada Funeral Laws and Regulations and Dr. Giddens thanked Jennifer Kandt for presenting two hours of training regarding the laws. Dr. Giddens stated that they also had an attorney who educated the community on preventing litigation with a focus on social media and protecting the firm and how social media can impact positively and negatively.

Jennifer Kandt stated that Nevada has not had a funeral directors association and congratulated Dr. Giddens for getting that going for Nevada.

Dr. Giddens stated that they started in July of last year with about four individuals and their goal was to promote their industry and what they do and to serve the community on a different level instead of just wearing the suit and sitting behind a desk. Dr. Giddens stated that they have a big event coming November 13, 2022, which is "Stop the Violence" rally. They are encouraging the families in their communities to stop the violence and the ones that have been impacted by gun and domestic violence. Dr. Giddens stated that they are going to be doing a hearse procession through the community as well as some families that will be marching through the community with posters of their loved ones that have passed away from violence throughout the years. Dr. Giddens stated that this is the time for us to come together and shed light on what took place on October 1<sup>st</sup>. Dr. Giddens stated that they are encouraging their funeral home partners and families



to come out as they present this event on November 13, 2022. Dr. Giddens stated that there will be more information regarding this event, and it will be posted on their website.

Adam Garcia requested that the Board staff share these opportunities with the Board as he would like to attend some of these continuing education seminars and events.

Jennifer Kandt stated that she would make sure that the Board members are presented with a copy of the continuing education seminars and events.

Kim Kandaras asked if any of the Northern Nevada funeral homes were included with the association.

Dr. Giddens stated that they do not have any Northern Nevada funeral homes yet, but they want to include the Northern Nevada funeral homes. Dr. Giddens stated that they wanted to get it started in the South to see how it would go over and he stated that it definitely went well, and they definitely want to get the entire State involved.

**MOTION: ADAM GARCIA MOVED TO APPROVE THE THREE (3) CEU REQUEST FOR THE FUNERAL DIRECTORS AND MORTICIANS' ASSOCIATION OF NEVADA, PREVENTING FUTURE LITIGATION. DR. DONALD EDWARD CHANEY SECONDED THE MOTION WITH AND THE MOTION WAS CARRIED UNANIMOUSLY.**

13. Discussion, recommendation, and possible action regarding continuing education approval request for Nevada Donor Network, 2022 Funeral Home Symposium (For possible action)

Jenna Dumas presented a short description of the symposium to the Board.

The Board reviewed and discussed the continuing education request.

**MOTION: ADAM GARCIA MOVED TO APPROVE FOUR (4) CEU REQUEST FOR NEVADA DONOR NETWORK 2022 FUNERAL HOME SYMPOSIUM. SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

14. Discussion, recommendation, and possible action regarding applicant request to take State Board Exam – Sciences and recognize mortuary science certificate (For possible action)

Jennifer Kandt stated that an individual completed a mortuary science certificate program in 1999 and became an embalmer in 2000 in California and has been licensed in California since then. The individual took a California Board exam but never took the National Board Exam because the applicant was half a credit shy of being considered a graduate due to dropping a PE class. At that point in time, most individuals did not pursue anything other than a certificate since that is all California required. Ms. Kandt stated that most states only required a certificate and at some point, requirements changed, and it was the certificate plus fifteen hours of general education. Ms. Kandt stated that an associates degree was not even required, just that fifteen hours extra in addition to the fifty hour certificate in mortuary science. Ms. Kandt stated that she did contact Cypress where the individual went to school and interestingly enough, the woman who was teaching there in 1999 and was the instructor for this applicant. Ms. Kandt stated that this woman was very familiar with what is happening. Now to be considered to be a graduate, and sit for the National Board Exam those fifteen credit hours have changed. Now there are completely different fifteen hours, and it wouldn't just be half of a credit needed.

Jennifer Kandt stated that we are talking about someone who has been licensed and practicing for over twenty years in another state. The Board has the opportunity to allow the individual to take the State Board-Sciences exam, which is the National Board exam content, but for that exam you are required to get certified through the school, but the school will not certify him because he

was half a credit shy. This individual, during COVID, needed to start embalming for the company that he works for and became registered as an apprentice because he does meet the qualifications to be an apprentice. The qualification that becomes tricky is whether the Board considers the individual to be a graduate. If the Board considers the individual to be a graduate, then the individual can take the State Board-Science exam. He was half a credit shy, so there are a couple options in her opinion. The Board can require that the individual take half a credit in something, and the Board consider it the graduation that it would have been back in that time. Or, because the Board did just pass regulations regarding reviewing various types of education toward graduation, that they allow for his prior education and training to count toward the half credit.

Ms. Kandt stated that this should not be a blanket approval for acceptance of mortuary science certificates no matter what the other parameters were. It is hard to argue that this applicant who has been practicing for over twenty years is not fit to practice. We are trying to figure out what the course of action is without sending this individual back to take fifteen credits of schooling, in something other than mortuary science.

Ms. Kandt stated that she included information regarding Cypress graduation requirements at the time he graduated so that the Board can see that the individual needed the fifteen units, but due to dropping the PE class he was half a credit shy which at the time was not a concern because he was licensed in California and took their exam and passed.

Bart Burton asked if this individual would be able to take the State Board-Sciences exam or would he still be required to have something from the school.

Jennifer Kandt stated that she can authorize this individual to take the State Board-Sciences exam.

Bart Burton stated that because this individual had been practicing for so long, he does not think that by this individual taking the State Board-Sciences exam does not propose a threat to the public or his knowledge.

Kim Kandaras asked if this individual has a clean record for the last twenty years practicing.

Jennifer Kandt stated that this individual is licensed as a funeral director in Nevada since Nevada does not require mortuary science school for funeral directors. Ms. Kandt stated that this individual has been embalming in Nevada as an apprentice because that was the only way we could get him working during the pandemic since he did not take the National Board exam. This individual has been licensed in California for over twenty years. There are no records of discipline for the licensee

Kim Kandaras stated that if the Board approves this individual, would this be a one-time thing, or will it set a precedent that now all the sudden everyone who is a half a credit short can do this.

Jennifer Kandt stated that this situation will only happen for these programs from a long time ago because the schools do not operate like this anymore. Ms. Kandt stated that Cypress College told her that they do get one or two applicants per year that come to them and ask what they need to do now that they want to go to another state and can't qualify. Ms. Kandt stated that each one is figured out on a case-by-case basis of how they can help them depending on what state they are going to.

Kim Kandaras stated that the Board could then take them on a case-by-case basis if they come into our state.

Jennifer Kandt stated that there is no way to address schooling from twenty years ago at this point and sometimes the law cannot address every situation. Ms. Kandt stated that there are times

when you might have to look at someone and say what do we do for this applicant to protect the public and still meet the requirements.

Bart Burton stated that he believes that the number of individuals with this situation is probably minimal because of age and reciprocating to other states. Mr. Burton stated that this number is getting smaller because the education process now is cut and dry for what is required to acquire a certificate.

Jennifer Kandt stated that this applicant has his certificate and fourteen and a half credits but did not believe that by dropping a simple PE class would affect him later in life. Ms. Kandt stated that this individual has also taken continuing education courses as he is licensed as a funeral director in Nevada. This individual started as a funeral arranger in September 2020 then became licensed as a funeral director and got his apprentice embalmer certificate.

**MOTION: DR. DONALD EDWARD CHANEY MOVED TO ALLOW THIS INDIVIDUAL TO TAKE THE STATE BOARD-SCIENCES EXAM. KIM KANDARAS SECONDED THE MOTION AND THE MOTION WAS CARRIED UNANIMOUSLY.**

- 15. Financial Reports**
  - a. Regulatory Fee Collection
  - b. Financial Reports

Jennifer Kandt presented a summary of the Board financial reports.

- 16. Overview of current complaint status**

Jennifer Kandt presented a summary of the current complaint status to the Board.

- 17. Report from Executive Director, Jennifer Kandt**

Jennifer Kandt presented a written report, and the Board reviewed the information provided.

- 18. Discussion regarding future agenda items and future meeting dates**  
Tuesday, November 15, 2022, at 9:00 am

- 19. Public comment**

**Note:** No vote may be taken upon a matter raised under this item of the agenda until the matter itself has been specifically included on an agenda as an item upon which action may be taken. (NRS 241.020)

There was no public comment.

- 20. Adjournment**

The Board adjourned at 10:38 am.