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COMMONWEALTH OF PENNSYLVANIA  
DEPARTMENT OF STATE  
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

**F I N A L M I N U T E S**

MEETING OF:

**STATE BOARD OF FUNERAL DIRECTORS**

TIME: 10:30 A.M.

Held at

**PENNSYLVANIA DEPARTMENT OF STATE**

2525 North 7th Street

CoPA HUB, Eaton Conference Room

Harrisburg, Pennsylvania 17110

as well as

**VIA MICROSOFT TEAMS**

May 15, 2024

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State Board of Funeral Directors  
May 15, 2024

BOARD MEMBERS:

Arion R. Claggett, Acting Commissioner, Bureau of Professional and Occupational Affairs  
Kenneth C. DuPree, Chairperson, Professional Member  
Milian E. Rodriguez, Vice Chairperson, Professional Member  
Gregory K. Furlong, Secretary, Professional Member  
Eric D. Ruggeri, Public Member  
Charles F. Snyder III, Professional Member  
Jennifer Jane Kirk, Esquire, Senior Deputy Attorney General, Antitrust Section, Bureau of Consumer Protection Representative - Absent

BUREAU PERSONNEL:

Shawn J. Jayman, Esquire, Board Counsel  
Timothy A. Fritsch, Esquire, Board Prosecutor  
J. Leslie Warner, Board Administrator

ALSO PRESENT:

Wesley J. Rish, Esquire, Rish Law Office, LLC  
Kathleen K. Ryan, Esquire, CEO/General Counsel, Pennsylvania Funeral Directors Association  
Jason Benion, Esquire, Shareholder and Chair of the Death Care Group, Saxton & Stump, LLC  
Kylie Lenhart, Sargent's Court Reporting Service, Inc.

1 \*\*\*

2 State Board of Funeral Directors

3 May 15, 2024

4 \*\*\*

5 [Pursuant to Section 708(a)(5) of the Sunshine Act,  
6 at 9:00 a.m. the Board entered into executive session  
7 with Shawn J. Jayman, Esquire, Board Counsel, for the  
8 purpose of conducting quasi-judicial deliberations on  
9 a number of matters currently pending before the  
10 Board and to receive the advice of counsel. The  
11 Board entered into public session at 10:30 a.m.]

12 \*\*\*

13 The regularly scheduled meeting of the State  
14 Board of Funeral Directors was held on Wednesday, May  
15 15, 2024. Kenneth C. DuPree, Chairperson,  
16 Professional Member, called the meeting to order at  
17 10:30 a.m.

18 \*\*\*

19 Roll Call/Introduction of Attendees

20 [Kenneth C. DuPree, Chairperson, Professional Member,  
21 requested a roll call of Board members and  
22 introduction of attendees. A quorum of Board members  
23 was present.]

24 \*\*\*

25 [Shawn J. Jayman, Esquire, Board Counsel, noted the

1 meeting was being recorded and continued  
2 participation constituted consent to be recorded.

3 Mr. Jayman also noted the Board entered into  
4 executive session for the purpose of conducting  
5 quasi-judicial deliberations on a number of matters  
6 currently pending before the Board and to receive the  
7 advice of counsel.]

8

\*\*\*

9 Approval of minutes of the February 21, 2024 meeting

10 CHAIR DUPREE:

11 Can I have a motion to approve the  
12 minutes?

13 ACTING COMMISSIONER CLAGGETT:

14 So moved.

15 MS. RODRIGUEZ:

16 Second.

17 CHAIR DUPREE:

18 Could we have the roll call?

19

20 Arion Claggett, aye; Kenneth DuPree,  
21 aye; Milian Rodriguez, aye; Gregory  
22 Furlong, aye; Eric Ruggeri, aye;  
23 Charles Snyder, abstain.

24 [The motion carried. Charles Snyder abstained from  
25 voting on the motion.]

1 \*\*\*

2 Report of Prosecutorial Division

3 [Timothy A. Fritsch, Esquire, Board Prosecution  
4 Liaison, advised Board members that Board prosecutor  
5 Glenn Masser has moved on to another Commonwealth  
6 agency, and Nathan Giunta will be taking his place as  
7 Board prosecutor.]

8 \*\*\*

9 [Timothy A. Fritsch, Esquire, Board Prosecution  
10 Liaison, presented the Consent Agreement for Case No.  
11 20-48-009502.]

12 \*\*\*

13 MR. JAYMAN:

14 Do any Board members wish to go back  
15 into executive session based on  
16 prosecution's presentation? Hearing  
17 none.

18 Based on executive session  
19 deliberations, I believe the Chair  
20 would entertain a motion to approve the  
21 Consent Agreement at Case No. 20-48-  
22 009502.

23 CHAIR DUPREE:

24 Do I have a motion?

25 ACTING COMMISSIONER CLAGGETT:

1 So moved.

2 CHAIR DUPREE:

3 Do I have a second?

4 MS. RODRIGUEZ:

5 Second.

6 CHAIR DUPREE:

7 Ms. Warner, we're ready for roll call.

8

9 Arion Claggett, aye; Kenneth DuPree,

10 aye; Milian Rodriguez, aye; Gregory

11 Furlong, aye; Eric Ruggeri, aye;

12 Charles Snyder, abstain.

13 [The motion carried. Charles Snyder abstained from

14 voting on the motion. The Respondent's name is

15 Paradise Gardens, A Celebration of Life Center:

16 Funeral and Cremation Services, Inc.]

17

\*\*\*

18 [Timothy A. Fritsch, Esquire, Board Prosecution

19 Liaison, presented the Consent Agreement for Case

20 Nos. 23-48-011115 & 23-48-016282.]

21 MR. JAYMAN:

22 Based on executive session

23 deliberations, I believe the Chair

24 would entertain a motion to approve the

25 Consent Agreement at Case Nos. 23-48-

1 011115 & 23-48-016282.

2 CHAIR DUPREE:

3 Can I hear a motion?

4 ACTING COMMISSIONER CLAGGETT:

5 So moved.

6 CHAIR DUPREE:

7 Can I have a second?

8 MS. RODRIGUEZ:

9 Second.

10 CHAIR DUPREE:

11 Ms. Warner, we're ready for roll call.

12

13 Arion Claggett, aye; Kenneth DuPree,

14 aye; Milian Rodriguez, aye; Gregory

15 Furlong, aye; Eric Ruggeri, aye;

16 Charles Snyder, abstain.

17 [The motion carried. Charles Snyder abstained from

18 voting on the motion. The Respondent's name is Jay

19 A. Hoffer Funeral Home & Sandra L. Hoffer, F.D.]

20

\*\*\*

21 Report of Board Counsel

22 MR. JAYMAN:

23 Number 4 on the agenda. Based on

24 executive session deliberations, I

25 believe the Chair would entertain a

1 motion to accept the Final Adjudication  
2 and Order as drafted in the Matter of A  
3 J Kopicki Funeral Home, Inc., Case No.  
4 23-48-009676.

5 CHAIR DUPREE:

6 Do we have a motion?

7 ACTING COMMISSIONER CLAGGETT:

8 So moved.

9 CHAIR DUPREE:

10 Do we have a second?

11 MS. RODRIGUEZ:

12 Second.

13 CHAIR DUPREE:

14 Ms. Warner, we're ready for roll call.

15

16 Arion Claggett, aye; Kenneth DuPree,

17 aye; Milian Rodriguez, aye; Gregory

18 Furlong, aye; Eric Ruggeri, aye;

19 Charles Snyder, abstain.

20 [The motion carried. Charles Snyder abstained from  
21 voting on the motion.]

22

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23 Report of Board Counsel - Other

24 [Shawn J. Jayman, Esquire, Board Counsel, reported 16  
25 open cases before the Board.]



1 \*\*\*

2 Regulatory Issues

3 [Shawn J. Jayman, Esquire, Board Counsel, provided a  
4 regulatory update on behalf of Marc Farrell, Esquire,  
5 Regulatory Counsel, who is on leave, but will be  
6 returning before the next meeting on June 26.

7 Mr. Jayman noted Mr. Farrell is working on the  
8 General Revisions package at 16A-4833. He indicated  
9 that the combined annex is nearly complete and is  
10 hoping to have it available for discussion at the  
11 June 26, 2024 meeting. He mentioned that Board  
12 members will receive a copy prior to the meeting.]

13 \*\*\*

14 Legislative Initiatives

15 [Shawn J. Jayman, Esquire, Board Counsel, noted House  
16 Bill 1172 passed in the House on May 1, 2024, by a  
17 vote of 138 to 63, and being moved to the Senate. He  
18 reported the bill would amend Title I to define  
19 cremation to include alkaline hydrolysis.

20 Chair DuPree expressed a concern with including  
21 alkaline hydrolysis and defining it as cremation. He  
22 noted cremation is a totally different process and  
23 should remain under that categorization, whereas  
24 alkaline hydrolysis needs to be categorized by  
25 itself.

1           Chair DuPree explained that there are other  
2 methods of disposition on the horizon, including  
3 natural organic reduction, and does not want to see a  
4 lot of different modes of disposition labeled as  
5 cremation.

6           Chair DuPree addressed the difficulty of  
7 explaining the difference between alkaline hydrolysis  
8 and cremation to a family and believed it will be  
9 problematic.

10           Mr. Jayman again mentioned the bill has moved to  
11 the Senate, and Board Counsel presented a legislative  
12 analysis on the bill a while ago.

13           Chair DuPree discussed the difference between  
14 alkaline hydrolysis and cremation, where cremation is  
15 literally the burning of the body in 1800 degrees  
16 Fahrenheit and alkaline hydrolysis is putting the  
17 body in a solution of water and acid and shaking it  
18 up. He stated the return is different from  
19 cremation, where families can go online and get a  
20 thousand urns in one site but will no longer longer  
21 accommodate a person who was reduced by alkaline  
22 hydrolysis.

23           Mr. Jayman informed Board members that he is  
24 hoping to have an update for the next meeting.]

25

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1 Report of Acting Commissioner  
2 [Arion R. Claggett, Acting Commissioner, Bureau of  
3 Professional and Occupational Affairs, informed Board  
4 members that all licensees will be able to print  
5 their own license on May 31, 2024, through the  
6 Pennsylvania Licensing System (PALS). He mentioned  
7 licenses will continue to be mailed, and the  
8 duplication charge will be ending.]

9 \*\*\*

10 Report of Board Chairperson - No Report

11 \*\*\*

12 Report of Board Administrator - No Report

13 \*\*\*

14 Matters for Discussion

15 [Shawn J. Jayman, Esquire, Board Counsel, addressed  
16 new Department of Education rules, noting the new  
17 federal rules may impact students' eligibility for  
18 Title IV and Higher Education Act (HEA) funds if they  
19 offer an education program that exceeds the minimum  
20 number of hours prescribed by the law.

21 Mr. Jayman read the new rules into the record,  
22 where effective July 1, 2024, new United States  
23 Department of Education rules related to eligibility  
24 to receive Title IV and Higher Education Act funds  
25 will go into effect. These changes may impact new

1 students who enroll in education programs that exceed  
2 the minimum number of hours required by statute  
3 and/or the Board's regulation to obtain licensure by  
4 this board. In addition, schools offering education  
5 programs to prepare students for gainful employment  
6 in a recognized occupation, including those  
7 recognized by this Board, will be required to provide  
8 specific information to the Department of Education  
9 (DOE) about the educational program and the Board's  
10 requirement for licensure.

11 Mr. Jayman noted the Board is unable to provide  
12 specific or general legal advice regarding new rules  
13 to potential students or institutions offering these  
14 programs. Please note that potential students are  
15 encouraged to visit the Department of Education  
16 website at [www.ed.gov](http://www.ed.gov) and speak with their school  
17 educational institution for more information about  
18 how the new rules may affect their educational goals  
19 and ability to qualify for Title IV and HEA funds.

20 Mr. Jayman also noted educational institutions  
21 are encouraged to visit the DOE website in  
22 conjunction with their legal counsel for information  
23 specific to the institution and its educational  
24 programs.

25 Mr. Jayman stated there is an official copy of

1 the federal regulation, and it is on the Federal  
2 Register at [www.federalregister.gov](http://www.federalregister.gov). He noted it to  
3 be a rule issued by the Department of Education on  
4 October 23, 2023.]

5 \*\*\*

6 Adjournment

7 CHAIR DUPREE:

8 Motion to adjourn.

9 ACTING COMMISSIONER CLAGGETT:

10 So moved.

11 MS. RODRIGUEZ:

12 Second.

13 CHAIR DUPREE:

14 Meeting is adjourned.

15 \*\*\*

16 [There being no further business, the State Board of  
17 Funeral Directors Meeting adjourned at 10:53 a.m.]

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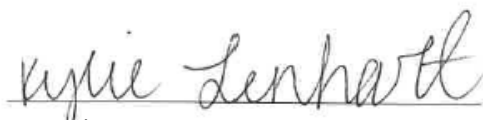
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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Funeral Directors meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Funeral Directors meeting.



Kylie Lenhart,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF FUNERAL DIRECTORS  
REFERENCE INDEX

May 15, 2024

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TIME	AGENDA
9:00	Executive Session
10:30	Return to Open Session
10:30	Official Call to Order
10:30	Roll Call/Introduction of Attendees
10:32	Approval of Minutes
10:33	Report of Prosecutorial Division
10:41	Report of Board Counsel
10:47	Regulatory Issues
10:48	Legislative Initiatives
10:49	Report of Acting Commissioner
10:49	Matters for Discussion
10:53	Adjournment