

**ADVISORY COMMITTEE MEETING MINUTES**  
**Wednesday, October 11, 2023 - 10:00 a.m.**

Advisory Committee Members

Jasmine Berrios  
Jolena Grande  
Chanel O'Farrill  
Rev. Jacob Jett  
Rev. Jason E. Bense

Absent

Margaret "Maggie" McMillan  
Jean Okuye

Stakeholder Members

Jerry Desmond  
Maria Mangini  
Stephen Crawford  
Heather Kellogg  
Chris Donhost  
Adrian Gray

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

Department of Consumers Affairs (DCA or Department) Staff: Melissa Gear, Deputy Director, Board and Bureau Relations, Michael Kanotz, Staff Counsel, Christi Van Eyken, Legislative Affairs Office, Elizabeth Dietzen-Olson, Regulations Counsel, Ann Fisher and David Bouilly, meeting moderators.

**1. Introduction and Opening Remarks.**

Bureau Chief, Gina Sanchez, called the meeting to order at approximately 10:00 a.m. welcoming 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 moderators. Ms. Sanchez conducted roll call of committee members.

**2. Public Comment Items Not on the Agenda.**

Comment from Member Chanel O'Farrill who asked to further discuss as a future agenda item, Health and Safety Code (HSC) section 102775, Registering each death with the local registrar of births and death within eight calendar days after death, before anymore penalties are placed on the mortuaries. Member O'Farrill stated this could also affect the public and vital records believes this law section needs discussion.

Ms. Sanchez indicated that this is a public comment item not on the agenda and cannot respond; however, the Bureau will consider discussion of HSC 102775 for a future meeting.

No other public comments were received.

**3. Updates on the Development of the Cemetery and Funeral Bureau Strategic Plan 2024-2028**

Ms. Sanchez stated the Bureau's current Strategic Plan was for 2019 to 2023. The Bureau has created and made significant progress on the goals and the objectives from that plan and is planning for the new Strategic Plan 2024-2028.

Ms. Ann Fisher, Strategic Planner with Strategic Organizational Leadership and Individual Development (SOLID) provided an overview of the Strategic Plan and provided an update on the development of the 2024-2028 Cemetery and Funeral Bureau Strategic Plan.

Committee Member Grande asked if the Bureau plans to release a draft version of the Strategic Plan for review or will the final version of the Strategic Plan be released at the next advisory committee meeting?

No; however, the environmental scan survey was the opportunity for all stakeholders to provide input for the next plan and each committee member will be interviewed by SOLID for their input.

Ms. Sanchez opened the meeting for public comment. No public comments were made.

#### **4. Update from the Department of Consumer Affairs' Representative.**

Ms. Melissa Gear, Melissa Gear, Deputy Director, Board and Bureau Relations provided the following DCA updates:

- DCA Diversity, Equity & Inclusion (DEI) Steering Committee held its quarterly meeting on September 29, 2023.
- Dr. Bernard Gibson provided in-person DEI training to DCA leaders on October 4, 2023, and virtually to board members on October 9, 2023.
- On November 7, 2023, Certified Coach and Instructor, Christopher Veal will provide training to DCA leaders on "How Leaders Navigate DEI Dialogue in the Workplace".
- DEI Steering Committee highlights the work of the Board of Barbering and Cosmetology (BBC) and its collaboration with the Los Angeles County, Probation Department, to launch the first youth barbering program.
- DCA requires boards/bureaus to translate press releases into Spanish and to establish a standard for translation releases into both English and Spanish.
- On September 13, 2023, Governor Newsom signed Senate Bill (SB) 143 effectively immediately. SB 143 in part includes the Bagley Keene Open Meeting Act which allows for more remote public meetings without noticed locations accessible to the public until December 31, 2026. Additionally, SB 544 also pertaining to the Bagley Keene Open Meeting Act was signed by the Governor. Commencing January 1, 2024, the Bagley Keene Open Meeting Act is subject to new meeting/teleconference rules.
- DCA employees and committee members must complete the Sexual Harassment Prevention and Information Security Awareness Fundamentals training this year.
- Board Members must complete the Board Member Orientation Training (BMOT) within one year of assuming office.
- On September 13, 2023, Governor Newsom signed SB 447. This Bill lifts travel restrictions and permits out of state travel to all states, if trip is critical to the functions and needs of the board/bureau.
- DCA annual "Our Promise Campaign: State Employees Make a Difference"

campaign kicked off October 5, 2023, and runs through December 31, 2023. This campaign gives state employees including board members an opportunity to support non-profit through a one-time donation or payroll deduction.

- Business Consumer Services Housing (BCSH) Secretary Lourdes M. Castro Ramirez is ending her tenure with BCSH. Her last day is November 2, 2023.

Ms. Sanchez thanked Ms. Gear for her presentation opened the meeting for public comment. There were no public comments received.

**5. Update on Bureau Activities:** Ms. Sanchez reported on:

a. Sunset Review Process:

Ms. Sanchez indicated the Bureau's 2024 Sunset Review Report will be completed and submitted to the Senate Committee on Business Professions and Economic Development and the Assembly Committee on Business and Professions on January 4. The report will be made public, and the Bureau is planning to hold a public stakeholder meeting in January 2024 to discuss the report in detail.

b. Staffing:

Ms. Sanchez reported the Bureau expects to fill the vacancy for the field representative in Los Angeles County by the end of October 2023. The Bureau is currently recruiting for an associate governmental program analyst (AGPA) position in the Enforcement Unit in Sacramento.

c. Budget:

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

d. Business Modernization:

Bureau Deputy Chief Sandra Patterson presented on this topic.

- The Bureau is participating in Department of Consumer Affairs Business Modernization Project (BizMod) and has been working towards implementing an information technology solution that meets the needs of the Bureau.
- BizMod is an initiative to identify and implement business and technology improvements to the Bureau's antiquated Information Technology (or IT) system, moving the Bureau and its stakeholders to a platform that allows for online submissions of applications and reports, faster processing times and electronic payments.
- Over the past 2 years, the Bureau has been involved in the development of the new IT platform by providing subject matter experts, testing functionality, and giving feedback to developers. The new database ([CFBconnect](#)) went live in May of 2023 with the availability of an online funeral director application.
- 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 such as name change, address change, change of manager/corporate officer, etc. The release of the next online application for an Original Funeral Establishment license is expected to be in early 2024.
- This modernization effort will also allow staff to easily access statistical data and increase accessibility, accuracy, and productivity.

- 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. As the Bureau moves into the future, we are encouraging the electronic submission of applications, as it increases productivity within the Bureau and decreases the overall processing times.

e. Audit Unit Update: Michelle Arthur, Audit Manager presented on this topic.

Ms. Arthur stated the Audit Unit has scheduled communications to be sent via ListServ email blast and Facebook reminding licensees of the due dates for required reports, and reported on the handout provided for this report.

Oversite of Funds – 2021 Annual Reporting:

The Bureau has oversight of over 3 billion dollars. These funds include the 1.4 billion in Endowment Care Funds (ECF), over 930 million in Special Care Funds (SCF), and over 787 million in funeral preneed funds. There are 191 individual cemetery licenses that hold ECF and 142 cemetery licensees that hold SCF, and 685 funeral establishments that hold preneed funds, representing over 550,000 individual consumer preneed contracts.

f. Cremated Remains Disposer (CRD) Booklet

Ms. Sanchez announced the release of the final version of the revised Cremated Remains Disposer booklet. This booklet is available on the Bureau's website and can be accessed at [https://www.cfb.ca.gov/licensee/crd\\_booklet.pdf](https://www.cfb.ca.gov/licensee/crd_booklet.pdf).

Committee Member Grande asked regarding the Bureau's Fund condition and the decline of the number of months in reserve. One of the major reason the Bureau pursued the increase in fees was to help increase the number of months in reserve. Is the Bureau seeing an increased number of delinquent licenses that ultimately will be non-renewed and eventually cancelled over time because of the escalation in the fees that became effective in January 2023?

Ms. Sanchez stated that the Bureau has received calls from license individuals that have not been using the license but rather prefer to keep the license active. The fee increase appears to have deterred them from renewing the license. There was a small decline in licensee population this past year, but overall, the licensee population has remained stagnate. Additionally, historically, the bureau has been conservative in its spending and will typically have carry over from the previous year, thus pushing out the months in reserve.

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

6. **Chaptered Legislation:** Ms. Sammons reported on the handout for this agenda item.

- Assembly Bill (AB) 1560 (Flora, Chapter 206m, Statutes of 2023) Crematories: change in ownership.

Ms. Sanchez opened the meeting for public comment.

Public comment received from Mr. Jerry Desmond expressing appreciation on the Bureau's effort on AB 1560.

There were no other public comments received.

**7a. Licensing Statistical Report and Update on Examination Development.** Ms. Alexxia Gallegos, Program Operations Manager 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. Most Common Application Deficiencies.

**7b. Update on Examination Development:** Ms. Gallegos led the discussion on this item.

- The Bureau completed the funeral director examination development, and the new examination was implemented as of October 1. Ms. Gallegos thanked all the funeral directors who assisted in the examination development and occupational analysis workshops.
- In fiscal year 2023-24, the Bureau will partner with the DCA Office of Professional Examination Services (OPES) to conduct an occupational analysis and an exam development for the crematory manager. Initial interviews have been conducted with licensed crematory managers, and the first of the several workshops will be held at the end of October. The occupational analysis is expected to be completed in January 2024. Examination development is expected to be completed by June 2024 with the new examination released expected Fall 2024.
- The Bureau is also conducting a national examination review for the embalmer examination. This review will require a one-day workshop with licensed embalmers to serve as subject matter experts.
- Subject matter experts who participate in workshops are reimbursed at a daily rate of \$250, and those who participate in-person are eligible for the daily rate plus some meal reimbursement; all travel arrangements are handled by the Bureau.
- All licensed crematory managers and embalmers are encouraged to update their mailing address to be sure they are receiving all correspondence relating to opportunities to participate in the occupational analysis and exam development workshops.

Committee Member Grande commented that it is incredible to see the number of licenses that are issued and how efficient the Bureau is in processing them. However, she noticed that the funeral directors license exam pass rate has changed from essentially a 50/50 percent passing rate to now a 60/40 percent passing rate. Has the Bureau performed any analysis that would justify the shift?

Ms. Sanchez shared it is possible that the decline in passing rate is due to applicants preferring to get exposure to the exam which then makes the re-taking easier to pass. Additionally, the cost of the examination is less than if it's compared to the crematory or cemetery manager. No studies have been performed; however, the Bureau does perform an occupational analysis every five years when developing the examination.

Ms. Sanchez opened the meeting for public comment .

Public commentator Christopher Donhost asked regarding the linkage examination study, is it being done to explore the possibility of utilizing this exam rather than the state exam.

Ms. Gallegos responded "No". The linkage examination study is being done to ensure that there are no deficits in the state examination that are not covered by the national examination.

No other public comments were made.

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

1. Inspections Conducted,
2. Complaint Received Statistics,
3. Citation Issued Statistics, and,
4. Most Common Violations for cemetery and funeral establishments.
5. Most Common Funeral and Cemetery Violations, 3-year comparison.

Committee Member Grande asked about the Enforcement Statistical Report, Complaints Received. How is the number of complaints received for the last year 2023 compared to the previous two years.

Ms. Sanchez responded that the five-year Sunset Review Report which will be reviewed during the stakeholder's meeting in January will show that the number of complaints has increased in the past five years. From around 650 to almost 1000 complaints.

Committee Member O'Farrill asked since the citation statistical report is a mix of complaint and actual inspections "How many citations, or what is the percentage of citation that are a direct result of a complaint or an inspection?"

Ms. Sanchez responded that this statistical data is reported on the [Bureau's Annual Report](#) which is posted on the Department's website. It reflects the number of citations that directly resulted from a complaint or an inspection. Moving forward, the Bureau will add a separate statistical data to report it in future meetings.

Ms. Sanchez opened the meeting for public comment.

Public comment from Christopher Donhost asked, "Out of the total number of complaints received, how many are non-jurisdictional to the Bureau?"

Ms. Sanchez responded that this is another statistical data that is reported on the Bureau's Annual Report. For fiscal year 2021-22, there were 1,005 complaints received and 1,000 were referred to investigation. The non-jurisdictional number is minor.

Public comment received from Steve Crawford who stated that he appreciated the three-year comparison of the statistical data on the most common violation, and the number of citations issued. He noticed that the citations issued for the California Code of Regulations section 1204, failure of designated manager of record to ensure compliance, has increased. Has the threshold for meeting this requirement been lowered or is there an increase focused on this. In 2021 there were 26 violations, last year there were 77, and now is about 100.

Ms. Sanchez responded that the Bureau practices "progressive discipline" in an attempt to bring licensees into compliance with its laws. Many initial violations are given a warning prior to a citation being issued. The seriousness of the violation, along with the inspection and/or enforcement history of the license will determine the citation amount.

Mr. Crawford asked if there was an added focus just on this violation?

Ms. Sanchez responded, "No", not just on this violation. The focus would have been most like due to the increase in citations issued, and the increase of number of complaints received, and the direct relation with the establishment, and the correlation of all the laws.

No other public comments were made.

#### **9. Proposed Advisory Committee Meeting Date(s) for 2024**

Ms. Sanchez proposed dates for the 2024 meetings. The first date is Wednesday, May 22, 2024, and the second date is Wednesday October 9, 2024.

Committee members did not have any conflicts.

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

Proposed dates were confirmed.

**10. Adjournment** – meeting was adjourned at 11:50 a.m.