



TEXAS FUNERAL SERVICE COMMISSION

Texas Funeral Service Commission Meeting Minutes March 20, 2018

- I. Assistant Presiding Officer Allen called the Texas Funeral Service Commission meeting to order at 9:01 a.m.
- II. Roll call was taken. A quorum was present. Presiding Officer Olinger and Commissioner Scepanski were absent, excused.
- III. Invocation was given by Sydney (Syd) Waldman - TFSC FD# 115026
- IV. Commissioner Compean made a motion to approve the meeting minutes from the December 12, 2017, Commission meeting with an amendment to correct the spelling of Commissioner Shaffer's name under Agenda Item XII. Commissioner Shaffer seconded. Motion was approved.
- V. Assistant Presiding Officer Allen opened the floor for public comment. Isaac Mayfield made a comment.
- VI. The Texas Funeral Service Commission financial report was presented by Ms. Jennifer Noack. Ms. Noack reported on the agency's Fiscal Year 2018 2nd Quarter Operating Budget and Fiscal Year 2018 1st Quarter Performance Measures.
- VII. Executive Director Janice McCoy discussed the agency's Strategic Plan. Commissioner Shaffer made a motion to allow the Presiding Officer to sign and approve the Strategic Plan that is due June 8, 2018. Commissioner Tips seconded. Motion was approved.
- VIII. Discussion and possible action on delegation of authority to Executive Director to approve agency payment documents. Commissioner Compean made a motion to designate Executive Director, Janice McCoy, as the agency person authorized to approve the agency's payment and USPS/SPRS documents. Also, to authorize her to designate or terminate other persons' authority and to approve the agency's payment documents effective immediately. Commissioner Tips seconded. Motion was approved.
- IX. Executive Director Janice McCoy gave a report on the following items: number of approvals granted by Executive Director under 22 Tex. Admin. Code §203.16 - Consequences of Criminal Conviction; Communication with Commission staff; Creation of FAQ on how TFSC governing laws related to the disposition of embryonic and fetal tissue remains (85R SB 8); and a Sunset Update.
- X. Staff Attorney Kyle Smith provided an update on Number/Method of Closed Complaints, number of Cease and Desist letters issued/repealed, and delinquent payments received for Fiscal Year 2018 2nd Quarter.
- XI. Executive Director Janice McCoy discussed the possible action on reviewing criminal history procedures as required by 85R HB 91. Executive Director Janice McCoy suggested that a committee could be appointed or staff could be asked to review

Mailing Address:
P. O. Box 12217
Capitol Station
Austin, Texas 78711

Toll Free: (888) 667-4881
Tel: (512) 936-2474
Fax: (512) 479-5064
website: www.tfsc.state.tx.us

Physical Address:
333 Guadalupe Street
Suite 2-110
Austin, Texas 78701

agency's policy on criminal history requirements and make written recommendations to full Commission in June. Assistant Presiding Officer Allen instructed staff to review the agency's policy and report back to the full Commission at its June meeting.

- XII. In accordance with 22 Tex. Admin. Code §203.16 - Consequences of Criminal Convictions, action was taken on the following.

Cameron Crist – Commissioner Shaffer made a motion under 22 Tex. Admin. Code §203.16, Consequences of Criminal Convictions, that the Commission issue a provisional license to Cameron Crist assuming she meets the other qualifications of licensure with a probated license of 24 months through the execution of an Agreed Order with the Executive Director and that any violation of the Agreed Order would result in an immediate revocation of the license. Commissioner Compean seconded. Motion was approved.

Unique Green- Statements of support were given by Sharron Tatum, Amy Ranney and Ebony Rhodes. Commissioner Shaffer made a motion under 22 Tex. Admin. Code §203.16, Consequences of Criminal Convictions, that the Commission deny to issue a provisional license to Unique Green. Commissioner Compean second. Motion was approved.

Jenae McKinzie - Not present for meeting. No action taken.

Frank Puentes (TFSC DL#11843 – Reinstatement) - Commissioner Compean made a motion under 22 Tex. Admin. Code §203.16, Consequences of Criminal Convictions, that the Commission reinstate Frank Puentes license #11843 assuming he meets the other qualifications of licensure on a probated status for a period of two years through the execution of an Agreed Order with the Executive Director and that any violation of the Agreed Order would result in an immediate revocation of the license. Commissioner Shaffer seconded. Motion passed.

- XIII. In accordance with 22 Tex. Admin. Code §203.17, Criminal History Evaluation Letter, action was taken on the following.

Alyssa Mathews – Commissioner Compean made a motion under 22 Tex. Admin. Code §203.17, Criminal History Evaluation Letter, that the Commission issue a letter of eligibility to Alyssa Mathews stating there are no grounds for ineligibility based on her criminal history as of today, but that if she applies for a license it must be issued on a probated status for a period of two years, through the execution of an Agree Order with the Executive Director and that any violation of the Agreed Order with the Executive Director would result in an immediate revocation of her license. Commissioner Shaffer seconded. Motion was approved.

Meeting Recessed at 11:01 a.m.

Meeting Resumed at 11:11 a.m.

- XIV. Executive Director Janice McCoy discussed the possible action on the adoption of amendments to 22 Tex. Admin. Code by adding new Chapter 204 - Fees. Commissioner Tips moved to approve the proposed amendments to Title 22 Tex. Admin. Code by adding a new Chapter 204 - Fees, and direct the Executive Director to file the amendment to 22 Tex. Admin. Code with the Texas Register. Commissioner Compean seconded. Motion was approved.

- XV. Executive Director Janice McCoy discussed the possible action on amendments to 22 Tex. Admin. Code by amending 22 Tex. Admin. Code §201.18 – Agency Staff Training and Education. Commissioner Shaffer made a motion to approve the proposed amendments to 22 Tex. Admin. Code Section 201.18, Agency Staff Training & Education, for publication in the Texas Register and grant the Executive Director authority to make editorial changes as necessary to clarify the rule and Commission intent and to comply with the formatting requirements of the Texas Register. Commissioner Compean seconded. Motion was approved.
- XVI. Executive Director Janice McCoy discussed the possible action on amendments to 22 Tex. Admin. Code by amending 22 Tex. Admin. Code §203.26 – Presentation of Consumer Brochure. A statement was given by Jim Bates of the Funeral Consumer Alliance of Texas. Commissioner Compean made a motion to approve the proposed amendments to 22 Tex. Admin. Code section 203.26, Presentation of Consumer Brochures, for publication in the Texas Register and grant the Executive Director authority to make editorial changes as necessary to clarify and Commission and to comply with the formatting requirements of the Texas Register. Commissioner Shaffer second. Motion was approved.
- XVII. Executive Director Janice McCoy discussed the possible action on amendments to 22 Tex. Admin. Code by amending 22 Tex. Admin. Code §203.35 – Location of Retained Records. No action was taken.
- XVIII. Executive Director Janice McCoy discussed the possible action on amendments to 22 Tex. Admin. Code by amending 22 Tex. Admin. Code §205.11 – Prerequisites for Cremation. Commissioner Compean made motion to approve the proposed amendments to 22 Tex. Admin. Code Section 205.11, Prerequisites for Cremation, for publication in the Texas Register and grant the Executive Director authority to make editorial changes as necessary to clarify the rule and Commission intent and to comply with the formatting requirements of the Texas Register. Commissioner Shaffer second. Motion was approved.
- XIX. Meeting adjourned at 11:48 a.m.

Minutes of March 20, 2018, are respectfully submitted and approved.

 Janice McCoy
 Executive Director

 Jean Olinger
 Presiding Officer

 Date signed

 Date Signed