



## Board of Funeral Service

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### DRAFT BOARD MINUTES FOR FEBRUARY 25, 2025 BOARD MEETING/TELECONFERENCE

Members Present: James Jones, President  
Chad Osthus, Vice-President  
Randy Brennick, Secretary/Treasurer  
Michael Carlsen, Member  
Shawna Flax, Dept. of Health (Non-voting member)

Members Absent: Sharel Delzer, Lay Member

Others Present: Brooke Tellinghuisen Geddes, Executive Secretary  
Megan Borchert, General Counsel, Attorney General's Office  
Katie Funke, Executive Assistant

**Call to Order/Welcome and Introductions:** Jones called the meeting to order at 4:00 p.m. CST.

**Roll Call:** Jones, yes; Osthus, yes; Carlsen, yes; Delzer, absent; Flax, yes; Brennick, yes. A quorum was present.

**Corrections or additions to the agenda:** None

**Approval of the agenda:** Carlsen made a motion to approve the agenda. Osthus seconded the motion. **MOTION PASSED** by unanimous voice vote.

**Public Comment:** None.

**Approval of the minutes from October 17, 2024:** Osthus made a motion to approve the minutes from October 17, 2024. Carlsen seconded the motion. **MOTION PASSED** by unanimous voice vote.

**FY Financial Update:** Tellinghuisen Geddes reported fiscal year-end figures as of January 31, 2025: revenue of \$74,745.55; expenditures of \$55,364.53 and a cash balance of \$100,839.07.

## **Legislative Updates**

**HB 1015:** Tellinghuisen Geddes provided an update on HB 1015, an Act to increase licensure fees related to the practice of funeral service and cremation. It was reported that it passed the House and will be presented to the Senate Health and Human Services committee next week. If passed, the board will need to promulgate rules before the fee can be raised.

**SB 80:** Tellinghuisen Geddes provided an update on SB 80, an Act to revise provisions regarding students and trainees engaged in the practice of funeral service. It was explained that this bill, brought by the SD Funeral Directors Association, was an effort between SDFDA, Board staff and the Department of Health to address the student practice issue. If passed, it will exempt students who are enrolled in an accredited mortuary program from licensure. It was reported that it passed the Senate and will be presented to the House committee this week.

**Other Legislative Updates:** Borchert and Tellinghuisen Geddes mentioned SB 74 which will require the board to review open meeting laws at a board meeting, annually.

## **Administrative Rules Updates:**

**Fee Increase:** Osthus made a motion to ratify the fee amounts in section 6 of HB 1015 and to promulgate rules for those fee amounts. Brennick seconded the motion. **MOTION PASSED** by unanimous voice vote.

**Trainee Requirements:** The board discussed updating the trainee administrative rules with suggested options provided in their board packets. Borchert clarified that those were suggestions based on other states' requirements, but the board could modify as they see fit. Tellinghuisen Geddes clarified that both options removed the ability for a trainee to complete their traineeship prior to mortuary school. Borchert explained that this could be a public protection issue and that she is not aware of any other states that allow trainees to complete their apprenticeship prior to attending mortuary school. Carlsen agreed that it may not be necessary for someone to do their traineeship prior to mortuary school now that most programs are online, and if they are still allowed to do it during mortuary school. Osthus voiced support for allowing trainees to continue to do their traineeship during or after mortuary school. Carlsen agreed and voiced concerns about requiring direct on-site supervision. He advised that if a trainee has demonstrated competency and professionalism, the sponsor need not be on-site after the initial embalming cases. Following discussion, Brennick made a motion to move forward with promulgating rules for the traineeship with language from option A and B. Carlsen seconded the motion. **MOTION PASSED** by roll call vote: Jones, yes; Osthus, yes; Carlsen, yes; Delzer, absent; Brennick, yes.

**Inspection and Renewal Update:** Tellinghuisen Geddes reported that all inspections due for 2024 were completed. It was reported that 2 funeral homes and 14 embalmers did not renew their license after the 2024 expiration. Tellinghuisen Geddes and Borchert reminded the board that language was removed in administrative rules during the last cleanup that previously allowed an expired license to be reinstated, and the board may want to address that with a future rule change in away that still ensured public protection.

**Executive Session:** The board did not have a need to enter executive session.

**Complaints/Investigations:** None reported.

**Executive Secretary Contract Renewal:** Carlsen made a motion to renew the executive secretary contract with the cost-of-living increase granted by the state. Brennick seconded that motion. **MOTION PASSED** by unanimous voice vote.

**Schedule Next Meeting:** The next meeting is scheduled for May 7, 2025 at the Lodge in Deadwood, and in conjunction with the South Dakota Funeral Directors Association Convention. The time will be determined.

**Any other business coming in between date of mailing and date of meeting:** None.

Osthus made a motion to adjourn the meeting at 4:50p.m. CST. Carlsen seconded the motion. **MOTION PASSED** by unanimous voice vote.

Respectfully submitted,



Brooke Tellinghuisen Geddes  
Executive Secretary

1-27-1.17. Draft minutes of public meeting to be available--Exceptions--Violation as misdemeanor. The unapproved, draft minutes of any public meeting held pursuant to § 1-25-1 that are required to be kept by law shall be available for inspection by any person within ten business days after the meeting. However, this section does not apply if an audio or video recording of the meeting is available to the public on the governing body's website within five business days after the meeting. A violation of this section is a Class 2 misdemeanor. However, the provisions of this section do not apply to draft minutes of contested case proceedings held in accordance with the provisions of chapter 1-26.