

NEWS & INSIGHTS

PA Funeral Board sanctions three, blasts eVitals, and discusses license fee increases

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At its meeting in December, the Pennsylvania State Board of Funeral Directors considered changes to funeral director licenses to make up a substantial budget deficit.

When the Pennsylvania Department of State presented the annual budget report to the board, it showed that the board had a deficit of about \$183,000, due largely to internal IT system upgrades, the legal department's move, and

upgrades to the PALS licensing system, along with decreases in the number of licensees. Given this deficit and anticipated further shortfalls, the department indicated that it would be recommending license fee increases later this year.

Board members engaged in a brief discussion about a potential legislative initiative that supports split funeral director and embalmer licenses, with some members asserting that dual licensure would help alleviate the budget deficit by retaining and attracting more licensees to Pennsylvania.

The board also noted that it would continue its discussion of proposed updates to its regulations at a special meeting for that purpose on Jan. 24.

In addition to the licensing issues, the board discussed outreach made to the Pennsylvania Department of Health regarding the eVitals system. The department indicated that it will not be applying for continuing education credit for funeral director training on the new system and, therefore, the board will not be able to offer continuing education credit to licenses for that training.

Health officials also acknowledged the difficulties in the rollout of eVitals, blaming the numerous problems on staffing shortages and tech issues that have since been addressed. Board members noted that funeral directors continue to experience problems with the system and indicated that they would use their contacts as DOH to pass along additional recommendations.

The board also made decisions in three disciplinary cases:

The board sanctioned Brittany Reid-Thomas and Richard Wolfe after finding that Thomas – who is not a licensed funeral director – operated a funeral home, made arrangements, conducted funerals, and filed death certificates without the involvement of a funeral director. Thomas was also found to have wrongfully retained more than \$10,000 customer funds, forged a funeral director's signature on required paperwork, and failed to provide consumer protection disclosures. These events occurred under the watch of Wolfe, who was the supervisor of the funeral home, despite not having access to funeral home files or even a key to the building. The board revoked the funeral home and Wolfe's licenses, ordered Thomas to cease and desist from practicing as a funeral director, and imposed almost \$5,000 in costs. The board declined to impose a fine in the hope that the victims would receive a refund instead.

The board dismissed charges against Colt Morningstar Black and Acacia Society, a licensed mortician and funeral home in Maryland, located a mile-and-a-half from the Pennsylvania border. Prosecutors had charged that they had operated an unlicensed funeral home in Pennsylvania and advertised that they could provide services in the state. But the board found that the respondents had not provided funeral services in Pennsylvania or held themselves out as being able to do so, instead disclosing that they were licensed in Maryland. The board also noted that Black has been a Pennsylvania-licensed funeral director since 2011 and that Acacia Society is now a licensed funeral home in the state.

The board also rejected a settlement resolving charges against a funeral director, who had attempted to fulfill his continuing education requirement by completing courses that had not been approved by the board. The funeral director agreed to pay a \$600 fine and complete the three credits he was short within six months, but the board rejected this settlement as too harsh. Because the settlement was rejected, the name of the funeral director involved was not disclosed.

If you have any questions about the Pennsylvania Funeral Board, dual licensure, or practice across state lines, [please contact me](#) at any time.

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