

Tuesday – January 25, 2005

The regular meeting of the Board of Embalmers and Funeral Directors was held in the Riffe Center located in Columbus. President David B. Tobias called the meeting to order at 1:07 P.M. Other Board members present were: Virginia S. Cheney, Ross C. DeJohn, John J. Hadley, Pernel Jones, Robert L. Shank, and Kurtis A. Tunnell. Also, present were: Frank J. Savage, Inspector, Charles H. Wisby, Inspector, Cameron R. Casper, Administrative Assistant, and Ann Cunningham, Executive Director. Marie Lorz of the Funeral Consumers Alliance of Central Ohio observed the meeting. In addition, Lisa Trost, John Ross, and former Board member, Roger Primm observed the meeting.

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On a motion by Mr. Hadley, seconded by Mr. Tunnell, the Board approved the minutes of the discussion held on December 14-15, 2004. Ayes: 7. Nay: 0. Motion approved.

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It was reported that Mr. DeJohn, Mr. Hadley, and Mr. Tobias reviewed the examination questions used on the October 2004 examination on January 4-5, 2005. Questions deemed incorrect were modified or deleted. The three Board members were paid per diem and reimbursed for allowable travel expenses.

The Executive Director announced that she, Mr. Casper, and a representative from the Central Service Agency would participate in an informal hearing with the Board's Budget Analyst in the Legislative Service Commission (LSC.) LSC prepares budget details for the House and Senate hearings.

The Board read the obituary and memorial folder for former Board Inspector, Paul E. DeWeese, who died December 27, 2004. Ms. Cunningham attended a Sunday Memorial Service in Wilmington, and Mr. Wisby attended the funeral in Mechanicsburg.

Mr. Tobias shared the task inventory survey that the International Conference of Funeral Service Examining Boards in Arkansas is sponsoring. The inventory is used for the purpose of job analysis relative to questions on the National Board Examination and the

Funeral Service Arts and Funeral Service Science Examinations used by many states including Ohio.

Board members were given a copy of the Regulatory Review newsletter article describing the settlement between the Virginia Board of Funeral Directors and Embalmers and the Federal Trade Commission. The settlement bars the Virginia Board from prohibiting or restricting truthful price advertising. According to the Virginia Board’s Counsel, it means that you can truthfully and accurately advertise prices and discounts, but still prohibits solicitation of business.



New Business

There were no applications for crematory facility licenses



There were no applications for crematory facility **pending** receipt of the occupancy permit and final inspection by the Board.



On a motion by Mr. Shank, seconded by Mr. Tunnell, the Board approved the issuance of a crematory facility license to the following **after** approval of the application, receipt of the occupancy permit, and the final inspection. Ayes: 7. Nays: 0. Motion approved.

<u>License no.</u>	<u>Crematory facility</u>	<u>Location</u>	<u>Final inspection</u>
CREM 000085	Toland-Herzig Cr	Dover	01/20/05
CREM 000086	North Dover Cr	Dover	01/20/05



On a motion by Mr. Hadley, seconded by Mr. Tunnell, the Board approved the following applications for funeral home license. Ayes: 7. Nays: 0.

<u>Firm Title</u>	<u>Address</u>	<u>County</u>	<u>Inspection</u>
Anderson, Baiter-Sahnd & W. Mack Johnson	Cincinnati	Hamilton	07/18/03
Bollinger-Catavolos FH	Cleveland	Cuyahoga	11/18/04
Brown-Forward, Inc	Shaker Hts	Cuyahoga	09/23/04
W.H. Dick & Sons FH	Celina	Mercer	01/06/05
W.H. Dick & Sons FH	Mendon	Mercer	01/06/05
Howe Wheeler Boyer Hornback	Piketon	Pike	10/23/03
McNabb FH	Columbus	Franklin	10/23/03

Marker & Heller FH Inc	Dayton	Montgomery	09/27/04
Marker & Heller FH Inc	Huber Hts	Montgomery	12/29/04
A. Nosek & Sons, Gerber-McCreery	Brecksville	Cuyahoga	01/18/05
Parker & Son FH	Lodi	Medina	03/21/02
Parker & Son FH	Spencer	Medina	06/07/99
Ritondaro FH Inc	Chardon	Geauga	09/30/04
Routsong FH	Centerville	Montgomery	09/23/03
Routsong FH	Dayton	Montgomery	05/10/04
Routsong FH	Kettering	Montgomery	06/10/04
Van Horn FH	Lakeview	Logan	09/21/04



On a motion by Mr. Hadley, seconded by Mr. Tunnell, the Board approved the following applications for funeral home licenses **pending** receipt of the occupancy permit and final inspection by the Board. Ayes: 7. Nays: 0. Motion approved.

<u>Firm title</u>	<u>Address</u>	<u>County</u>
Armentrout FH	Waynesfield	Auglaize
Cisco FH	St. Marys	Auglaize



On a motion by Mr. Shank, seconded by Mr. DeJohn, the Board approved the issuance of a funeral home license **after** approval of the application, receipt of the occupancy permit and the final inspection. Ayes: 7. Nays: 0. Motion approved.

<u>License #</u>	<u>Funeral Home</u>	<u>Location</u>	<u>Final Inspection</u>
FH 00	Newcomer FH	Grove City	01/25/05



The following funeral homes submitted amendments to change the manager for the funeral home for the month of December 2004.

<u>License No.</u>	<u>Firm Title</u>	<u>Manager</u>	<u>County</u>
FH 002623	Skillman, McDonald & Vernon FH	Judith Ann Trainer	Champaign
FH 002284	Jackson Lytle Williams Maley FH	Traci Skeen	Greene
FH 001482	Claus FH	Marilyn Claus Fraser	Cuyahoga
FH 002134	Wallace-Thomas FH Bradford-Sullivan Chapel	Jane E Wilson	Adams



The following funeral homes submitted amendments to change the funeral director actually in charge of and ultimately responsible for the funeral home for the month of December 2004.

<u>Identification No</u>	<u>Firm Title</u>	<u>AIC/UR</u>	<u>County</u>
FH 001223	Tobias FH	Jennifer D. Tobias	Montgomery



On a motion by Mr. Hadley, seconded by Mr. DeJohn the Board issued licenses to the following individuals who met the licensure requirements for embalmer and/or funeral director. Ayes: 7. Nays: 0. Motion approved.

<u>First name</u>	<u>Last name</u>	<u>Embalmer License #</u>	<u>Funeral Director License #</u>	<u>Effective</u>
Eugene G	Brown	9122 R		12/14/04
Jonathan W.	Carl		9050	12/14/04
Dwight E.	Secrest		9052	12/14/04
James E.	Smith, Jr.		9053	12/14/04
Joseph A.	Boes		9054	01/01/05
Jeffrey L.	Bour		9056	01/01/05
Lindsey M.	Cannon	9124 A	9055	01/01/05
William J.	Den Herder	9123 A	9051	01/01/05
Kimberly K.	Ogle	9125 A		01/01/05
Randy E.	Fisher(relicense )	7887 A	7343	01/14/05
Janice L.	Eckel		9057	01/25/05
Josette W.	Freeman		9058	01/25/05
John H.	Gentry	9126 R	9059	01/25/05
Connie E.	Grisell	9127 R	9060	01/25/05
Kara D.	Hamilton	9128 A	9061	01/25/05
Mary E.	Mann		9062	01/25/05
Timothy J.	McNulty	9129 A	9063	01/25/05
Janet L.	Ransom		9064	01/25/05
Thomas R.	Vennemann	9130 R	9065	01/25/05



The following individuals qualified, and were issued registration numbers during the month of December 2004:

<u>First Name</u>	<u>Last Name</u>	<u>Embalmer Number</u>	<u>Funeral Director Number</u>	<u>Date Registered</u>
Ann M.	Clark	E 0069 05	F 0110 05	12/04
Brian R.	Barnes	E 0073 05	F 0111 05	12/04
Teanel J.	Beck		F 0112 05	12/04
Trevor E.	Carlson	E 0074 05	F 0113 05	12/04
Lisa M.	Carpenter	E 0075 05	F 0114 05	12/04
Brock R.	Colman	E 0076 05	F 0115 05	12/04

Lee T.	Doyle	E 0077 05	F 0116 05	12/04
Brian B.	Ebright	E 0078 05	F 0117 05	12/04
March	Ferguson, Jr.	E 0079 05	F 0118 05	12/04
Victoria F.	Graber		F 0119.05	12/04
Scott A.	Guth	E 0080 05	F 0120 05	12/04
Kevin M.	Jordan	E 0080 05	F 0121 05	12/04
Thomas R.	Korn	E 0082 05	F 0122 05	12/04
Danielle R.	Kuhn	E 0083 05	F 0123 05	12/04
Jeremy R.	Leach	E 0084 05	F 0124 05	12/04
Joshua J.	McClaren	E 0085 05	F 0125 05	12/04
Kimberly M.	Monaghan	E 0086 05	F 0126 05	12/04
Alex K.	Moore	E 0087 05	F 0126 05	12/04
Amber L.	Renfrow	E 0088 05	F 0127 05	12/04
Michael D.	Webster	E 0089 05	F 0128 05	12/04
Raymond A.	Williams	E 0090 05	F 0130 05	12/04
Troy A.	Young	E 0091 05	F 0131 05	12/04



The following individuals certified apprenticeships during the month of October and December 2004.

<u>First name/initial</u>	<u>Last name</u>	<u>Apprenticeship</u>	<u>Funeral Home</u>
Brian R	Barnes	EMB/FD	Barnes FH 220 E Main St Eaton Ohio
Trevor E.	Carlson	EMB/FD	Carlson FH 1642 Pearl Rd Brunswick Ohio
Lisa M.	Carpenter	EMB/FD	Given-Dawson FH 186 Park Ave Coshocton Ohio
Ann M.	Clark	FD	Bringman-Clark & Co FH 226 E Wyandot Ave Upper Sandusky Ohio
Brock R.	Colman	EMB/FD	Coldren-Crates FH 205 W Sandusky St Findlay Ohio
Lee T.	Doyle	EMB/FD	Schaefer & Busby FH 24 W Ninth St Cincinnati Ohio
Brian D.	Ebright	EMB/FD	Ebright FH 55 W Springfield St Frankfort Ohio
March	Ferguson, Jr.	EMB/FD	Rhoden Memorial 1101 Palmetto Ave Akron Ohio
Scott A.	Guth	EMB/FD	Tidd FH 5265 Norwich St Hilliard Ohio
Kevin M.	Jordan	EMB/FD	Thompson-Hall & Jordan FH 11400 Winton Rd

			Forest Park Ohio
Danielle R.	Kuhn	EMB/FD	Sheridan FH 222 S Columbus St Lancaster Ohio
Jeremy	Leach	EMB/FD	T.P. White & Sons FH 2050 Beechmont Ave Cincinnati Ohio
Joshua J.	McClaren	EMB/FD	Behm Family FH 26 River St Madison Ohio
Kimberly M.	Monaghan	EMB/FD	Dwayne R. Spence FH 650 W. Waterloo St Canal Winchester Ohio
Alex K.	Moore	EMB/FD	Roberts FH 7067 Cleveland Rd Wooster Ohio
Amber L.	Renfrow	EMB/FD	Newcomer FH 3940 Kettering Blvd Kettering Ohio
Michael D.	Webster	EMB/FD	Webster FH 3080 Homeward Way Fairfield Ohio
Raymond A.	Williams	EMB/FD	CCMS 645 W North Bend Rd Cincinnati Ohio
Troy A.	Young	EMB/FD	Snouffer FH 1150 W Military Rd Zanesville Ohio



The Board office received and processed the following reports during the month of December 2004:

<u>Apprentice Reports</u>	<u>Embalmer</u>	<u>Funeral Director</u>
Apprenticeship Reports	86	201
Quarterly Master Reports	14	33
Board Interviews	2	5



The Board members reviewed various news articles.



On a motion by Mr. Hadley, seconded by Mr. DeJohn, the Board voted to hire Lance Chapin, Stein, Chapin & Associates, LLC, to assist the Board in completing the five-year review for \$60.00 per hour not to exceed \$3,000.00 in addition to purchase the required software license for \$250.00. Ayes: 7. Nays: 0. Motion approved.



On a motion by Mr. Hadley, seconded by Mr. Shank, the Board voted to send President Tobias, Secretary-Treasurer DeJohn, Executive Director Cunningham, and Administrative Assistant Casper to the International Conference of Funeral Service

Examining Boards’ annual convention in Northwest Arkansas. The convention is scheduled for April 8-9-10, 2005, and the motion is contingent upon available funds.

Ayes: 7. Nays: 0. Motion approved.



On a motion by Mr. Tunnell, seconded by Mr. Shank, the Board voted to subscribe to the Gongwer News Service for an annual group fee of \$750.00. The group rate was the result of negotiations by the Central Service Agency because most boards cannot afford the \$2,700.00 annual subscription. Ayes: 7. Nays: 0. Motion approved.



The Board members were reminded to submit their 2004 financial disclosure forms before April 15, 2005. The Board pays the individual \$40.00 filing fee for a total of \$320.00 to the Ohio Ethics Commission.



The Board members reviewed a proposal by the International Conference of Funeral Service Examining Boards to create a national disciplinary database. This proposal will be discussed at the annual convention in Northwest Arkansas.



Correspondence

1. A letter from Robert J. McClurkin concerning firm title. The Board accepted the change from "McVean & Hughes Funeral Home" to "McVean, Hughes, & McClurkin Funeral Home." Secretary to amend the Board’s records and advise Mr. McClurkin that all signage and advertisements must reflect the new firm title.
2. A letter James L. Kauffman requesting reinstatement. Secretary to inform Mr. Kauffman of the procedures and fees for reinstatement.
3. A letter from James A. Szakovits announcing the closure of Bennett-Emmert-Szakovits Funeral Home at 3219 Tremainsville Road. Mr. Szakovits will forward the necessary display license and a clearly enumerated list of all preneeds.
4. A letter from Darren Shapiro requesting a waiver of the bachelor’s degree. On a motion by Mr. DeJohn, seconded by Mr. Hadley, the Board voted to deny the request because Section 4717.06 of the Revised Code requires a bachelor’s degree. Ayes: 7. Nays: 0. Motion approved.

5. A letter from Charles L. Duke, Jr. and David A. Blackburn concerning change in ownership. Secretary to inform Mr. Duke and Mr. Blackburn that a new funeral home license is required.
6. A letter from William B. Weaver inquiring if his notice of having passed the embalmer's examination dated May 9, 1961 is sufficient to begin his apprenticeship. Due to the time lapse and the change in licensure requirements, Dr. Weaver must apply for registration, pass the National Board, and serve apprenticeships to comply with current law.
7. A letter from James R. Chiles requesting a change of firm title. The Board accepted the change from "Chiles & Sons-Laman Shawnee Chapel" "Chiles & Sons-Laman Wayne St. Chapel" and "Chiles & Sons Lewis Memorial Chapel" to "Chiles & Sons-Laman." The use of Cremation Services is not permitted in the license title, but may be used in advertisements. Secretary to amend the Board's records and advise Mr. Chiles that all advertisements and signage must reflect the new firm title.
8. A letter from Patrick E. Mahoney inquiring into use of the title "All Ohio Burial & Cremation Society, Inc." Secretary to inform Mr. Mahoney that any location that provides funeral services must be licensed as a funeral home.
9. A letter from Roy A. Van Atta requesting a change of firm title. The Board accepted the change from "Henderson, Van Atta & Johnston Funeral Service" to "Henderson-Van Atta Funeral Service." The use of Cremation Services is not permitted in the license title, but may be used in advertisements. Secretary to amend the Board's records and advise Mr. Van Atta that all advertisements and signage must reflect the new firm title.  
  
Mr. Van Atta also asked about the possibility of promoting "Licking County Cremation Service" to the general public. A.A.G. Siciliano is to address this question.
10. A letter from T. Scott Gilligan suggesting the placement of Board forms on the Board's website. While this has been a long-range plan, the numerous forms have not been converted to web use. The Board office will place the continuing education application for approval, the continuing education waiver and

- exemption forms, and the application for funeral home license on the Board's website.
11. A letter from Joseph D. Lanning informing the Board that Vanessa Ross is buying into the Cannon-Lanning Funeral Home, and presently owns 12%. Since this does not change the majority ownership, there is no requirement for a new funeral home license. To add Ms. Ross' name to the firm title, Mr. Lanning and Ms. Ross must complete an amendment in which Ms. Ross signs as the funeral director actually in charge of and ultimately responsible for the funeral home. The Secretary will forward the amendment.
  12. A letter from Richard J. Traunero offering a change of firm title. The Board accepted the change from "Hannay-Traunero Funeral Home" to "Traunero Funeral Home." Secretary to amended the Board's records and advise Mr. Van Atta that all advertisements and signage must reflect the new firm title.
  13. A letter from Jeff Heitmeyer requesting a waiver of the renewal fee for the Heitmeyer Funeral Home in Leipsic. On a motion by Mr. DeJohn, seconded by Mr. Hadley, the Board denied the request for a waiver because the funeral home is functioning as a funeral home. Ayes: 6. Nays: 0. Abstain: 1. Motion approved.
  14. A letter from Steven Dzendzel concerning firm title. The Board accepted the change from "Lehman Funeral Home" to "Lehman-Hogenkamp-Dzendzel Funeral Home." Secretary to amended the Board's records, and inform Mr. Dzendzel that all signage and advertisements must reflect the new firm title.
  15. A letter from Wayne Foster concerning a business card for an unlicensed employee. Secretary to inform Mr. Foster that the business card must reflect the licensed funeral home name and identify the licensed funeral director along with the name and title of the unlicensed individual.
  16. A letter from William A. Walker, attorney for White-Schwarzel Funeral Home concerning a business card, signage and advertisements. Secretary to inform Mr. Walker that the business card must reflect the licensed firm title and identify the licensed funeral director along with the name and title of the unlicensed individual. Also, the corporation title "Putman Funeral Home, Inc.," is not

licensed as a funeral home, and therefore cannot be used in advertisements, or other business materials and/or documents that could be viewed by the public.



The Apprenticeship Committee met on Tuesday, January 4, 2005 and Wednesday, January 5, 2005 to review questions in the examination question bank. Mr. DeJohn, Mr. Hadley, and Mr. Tobias, along with Mr. Casper and Ms. Cunningham analyzed questions, and determined which ones to incorporate into the January 2005 Ohio laws examination. Mr. DeJohn, Mr. Hadley, and Mr. Tobias received per diem and were reimbursed for allowable travel expenses. On a motion by Mr. DeJohn, seconded by Mr. Tunnell, the Board accepted the Committee's work. Ayes: 6. Nays: 0. Motion approved.



#### Inspectors' Reports

From December 12, 2004 through January 8, 2005, Inspector Wisby drove 2,628 miles in the counties of Auglaize, Clark, Clermont, Clinton, Fairfield, Fayette, Franklin, Hamilton, Hancock, Mercer, Montgomery and Scioto. He inspected 5 crematory facilities, and 55 funeral homes, and found one violation, conducted three investigations, and monitored four apprentices.

From December 12, 2004 through January 8, 2005, Inspector Savage reported that he drove 1,326 miles in the counties of Ashland, Crawford, Cuyahoga, Mahoning, Monroe, Portage, Richland, Summit, Washington, and Wayne. He inspected no crematory facilities, 68 funeral homes, and found two violations, conducted two investigations, and monitored no apprentices.



On a motion by Mr. DeJohn, seconded by Mr. Shank, the Board went into executive session pursuant to Section 121.22(G)(1) of the Revised Code, to consider complaints and possible disciplinary action against licensees, and Section 121.22(G)(3) of the Revised Code to conference with the Board's counsel to consider pending litigation. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye; Tunnell, Aye.

Mr. Tobias recused himself from the session at 2:35 P.M. and returned at 2:50 P.M.

The President declared the Board out of executive session.



On a motion by Mr. Hadley, seconded by Mr. Shank, the Board considered and closed nine (9) investigatory files. Ayes: 6. Nays: 0. Motion approved.



Fiscal

The Board reviewed the revenue journal with a balance as of \$21,127.00 as of the end of December, and voucher journal with 36 vouchers and encumbrances for December. Also, the Board reviewed a comparison chart of expenditures to date.

The Board members reviewed a detailed report reflecting the FY 2006-07 budget recommendations from Jordan James, the Board’s Budget Analyst in the Office of Budget and Management.



The Board recessed at 3:15 P.M.



Wednesday January 26, 2005

The Board reconvened at 8:15 A.M. in the Boardroom on the 31<sup>st</sup> Floor of the Riffe Center. President David B. Tobias presided. Present were: Virginia S. Cheney, Ross C. DeJohn, Pernel Jones, John J. Hadley, Robert L Shank, Kurtis A. Tunnell, Anthony Siciliano, Assistant Attorney General, Frank J. Savage, Inspector Charles H. Wisby, Administrative Assistant, Cameron R. Casper, Executive Director, Ann Cunningham. Mrs. Barbara Hadley, Roger Primm, and John Ross observed the meeting



Continuing education

The list of continuing education programs considered by the Board during the January 2005 meeting, is attached to the approved minutes filed in the Board’s office, and appears in the Continuing Education Section of the Board’s Website.

On a motion by Mr. Hadley, seconded by Mr. Tunnell, the Board approved, and where indicated denied, the following Prior Approval continuing education programs. Ayes: 7. Nays: 0.

On a motion by Mr. DeJohn, seconded by Mrs. Cheney, the Board approved, and where indicated denied, the following Blanket Approval continuing education programs. Ayes: 7. Nays: 0. Motion approved

On a motion by Mr. Tunnell, seconded by Mr. Shank, the Board approved, and where indicated denied, the following Individual Approval continuing education programs. The Board emphasized that college courses accepted by the Board for continuing education credit, are given the number of credit hours that are listed on the college transcript. Ayes: 7. Nays: 0 Motion approved

On a motion by Mr. DeJohn, seconded by Mr. Hadley, the Board approved the following exemptions and waivers. Ayes: 7. Nay: 0. Motion approved.

Applications for Exemptions and Waivers 2002-2004

<u>Waiver</u>	<u>Exemption</u>	<u>Licensee</u>	<u>Granted/Denied</u>
	X	Bender, John A	Granted
	X	Jamison, Judy	Granted
	X	Perkins, Jeffrey M	Granted
	X	Rich, Emily C.	Granted
	X	Routsong, Thomas H	Granted
X		Signorini, John	Granted
	X	Terebinski, Theresa	Granted
X		Walter, J. Harriet	Granted

Applications for Exemptions and Waivers 2004-2006

<u>Waiver</u>	<u>Exemption</u>	<u>Licensee</u>	<u>Granted/Denied</u>
X		Wood, Joan J.	Granted



On a motion by Mr. DeJohn, seconded by Mrs. Cheney, the Board meeting adjourned at 8:47 A.M. Ayes: 7. Nays: 0. Motion approved.

