

Monday – December 12, 2005

The Board Members treated the Board staff to a Holiday Luncheon at the Doubletree Suites Hotel. The regular meeting of the Board of Embalmers and Funeral Directors was held in the Riffe Center located in Columbus. President, Robert L. Shank called the meeting to order at 1:30 P.M. Other Board members present were: Virginia S. Cheney, Ross C. DeJohn, John J. Hadley, Pernel Jones, Roger Primm, and Kurtis A. Tunnell. Also, present were: Zachary Dunlap, Assistant Attorney General, Frank J. Savage, Inspector; Charles H. Wisby, Inspector; Jennifer Baugess, Administrative Assistant; Linda Clark, Certification/License Examiner; Lena Wright, Administrative Assistant, and Ann Cunningham, Executive Director.



On a motion by Mr. Hadley, seconded by Mr. DeJohn, the Board approved, as amended, the minutes of the meeting held on November 29 - 30, 2005. Ayes: 6. Nay: 0. Motion approved.



Director's Report

Ms. Cunningham reported that the Transition Team working on consolidation of twenty boards met December 8, 2005 and heard initial recommendations from the following consolidation workgroups: personnel, finance, information technology, support services, logistics, and Commerce. The recommendations identified the following issues: OCSEA/AFSCME employees that are currently unclassified, consistency in classification and compensation of Board Executive Directors and appointed board members, Fund 4K9 split for consolidated boards and freestanding boards, retention existing separate ALIs, FY 2007 appropriations set at levels contained in S.B. 222, increased cost of IT and CAVU licensing system transition into Commerce, personal service contracts, inspectors and investigators, AAG representation, complaint process, hearing, summary suspensions, common legislation, per diem, conflicts of interest, fining authority, criminal background check, core violations, legislative liaison/lobbying, professional development and professional organizations, location/square footage, assets/shared assets, equipment, owned/leased vehicles, licensing cycles, mail, central reception, fiscal services and human resource services. The Transition Team is scheduled to meet December 29, 2005, to vote on the final recommendations and report due December 31,

2005. Ms. Cunningham reiterated that if S.B. 222 reverses the original consolidation language of H.B. 66, the boards are determined to be proactive in improving, accountability and efficiencies by using the information compiled by the Transition Team.



Licensure

Roger Givens of West Virginia appeared before the Board for his reciprocal interview. On a motion by Mr. Hadley, seconded by Mr. Primm, the Board voted to approve Mr. Givens' application provided all required documents are received and compliant with Section 4717 of the Revised Code. Ayes: 7. Nays: 0. Motion approved.



There were no applications for crematory facility.

On a motion by Mr. DeJohn, seconded by Mr. Primm, the Board approved the following application for crematory facility license **pending** receipt of the occupancy permit and final inspection by the Board. Ayes: 6. Nays: 0. Abstain: 1. Motion approved.

<u>Facility</u>	<u>Location</u>	<u>County</u>
Twin State Cr Svc	Marietta	Washington



There were no crematory facility licenses to consider for ratification after the final inspection.



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

<u>Firm Title</u>	<u>Location</u>	<u>County</u>	<u>Inspection</u>
Huntley-Cremeens FH	Wellston	Jackson	11/07/05
Johnson FS, LLC	Chesterland	Geauga	(leasing)
Tabone-Komorowski FH	Solon	Cuyahoga	12/05/05



There were no applications for funeral home licenses **pending** receipt of the occupancy permit and final inspection by the Board.



There were no funeral home licenses considered for ratification after the final inspection.



Mrs. Clark presented her report on registrations, apprenticeships, and initial licenses to the Board Members. In addition, Mrs. Clark reminded Board Members that the January 2006 examination would be one day, after the elimination of a separate examination for sanitation. Pertinent OSHA questions will be added to the Ohio Laws examination.



On a motion by Mr. Hadley, seconded by Mr. DeJohn, the Board accepted the following individual as having met the licensure requirements, and ratified the issuance of an embalmer and/or funeral director license number. Ayes: 7. Nays: 0. Motion approved.

<u>Applicant</u>	<u>Embalmer License No.</u>	<u>Funeral Director License No.</u>	<u>Date</u>
David E. Rizzo	9171 A	9129	12/02/05
Andrew C. Crates	9172 A	9130	12/05/05
Robert M. Coleman		9131 R	12/06/05
Warren J. Newcomer, Jr.		9132 R	12/06/05
Aaron L. Pendergraft	9173 A	9133	12/06/05
Scott A. Blosser	9174 R	9134 R	12/09/05
Robert E. Calvert		9135	12/09/05
Jeffrey L. Ferrara		9136	12/09/05



There were no registration numbers issued during the month of November 2005.



The following individuals certified an apprenticeship during the month of November 2005.

<u>Name</u>	<u>Apprenticeship</u>	<u>Funeral Home</u>
Jay J. Foster	EMB/FD	J E Foster FH 701 Findley St Toronto
Ashlie K. Molner	FD	Schoedinger State St Chapel 229 E State St Columbus
Robert W. Duda	EMB/FD	Komorowski FH 4105 East 71 st St Cleveland



The Board office received and processed the following reports during the month of November 2005:

<u>Apprentice Reports</u>	<u>Embalmer</u>	<u>Funeral Director</u>
Apprenticeship Reports	57	146

Quarterly Master Reports	9	24
Board Interviews	4	6

◆◆◆◆

Licensure Issue A - The Board Members reviewed a letter from Brenda Joe Cherry requesting permission to continue working full time while serving her apprenticeship. On a motion by Mr. DeJohn, seconded by Mr. Hadley, the Board voted to deny Ms. Cherry's request based on Administrative Rule 4717-1-14 (F) which states "The apprentice shall serve full time and shall not be permitted to engage in any part-time employment or attend school during the period of apprentices credit time, except with prior written permission of the board. The board will not permit the apprentice to engage in part-time employment selling preneed funding or funeral services." Ayes: 7. Nays: 0. Motion approved. Secretary to inform Mrs. Cherry that she may request to work part time for no more than twenty (20) hours per week.

◆◆◆◆

Licensure Issue B - The Board Members reviewed a letter from Raquel Black Banks concerning her application for reciprocal licensure. On a motion by Mr. DeJohn, seconded by Mr. Primm, the Board tabled her request. Ayes: 7. Nays: 0. Motion approved.

◆◆◆◆

Fiscal

Ms. Wright presented the fiscal report to the Board. Board Members reviewed the revenue journal with a balance as of \$35,231.13 as of the end of November and voucher journal with 46 vouchers and encumbrances for November. Also, the Board reviewed a comparison chart of expenditures to date.

◆◆◆◆

Unfinished Business

Ms. Cunningham suggested that the Board staff forego the FARB Seminar in February if costs are prohibitive. A survey of Board Members determined that the President, Secretary/Treasurer, Executive Director, Administrative Assistant and two Inspections would attend the Conference of Funeral Service Examining Board scheduled for April 2006 in Louisville. A further review of estimated costs will be performed.

◆◆◆◆

The Board requested that the Board staff contact the Federal Trade Commission and request records under the Freedom of Information Act, of the recent FTC sweep in Ohio.



New Business

Board Member received a copy of the Board's Bi-Annual Building Security Assessment conducted on November 18, 2005. There were no recommendations.



Board Members received a copy of an email survey conducted by the International Conference of Funeral Service Examining Boards for the State of Missouri. The survey asked: What states allow individuals to bury their own without the supervision of a funeral director or establishment? What states allow transport of dead human bodies without being under the supervision of a licensed funeral establishment? Does disinterment and interment require a licensed funeral director or establishment's supervision? There were varied responses from eight states. Also, the Conference forwarded a preliminary report title "Licensing Agencies and Emergency Preparedness" sponsored by CLEAR.



Board Members received a statement indicating the new retirement rate for the Ohio Public Employees Retirement System. The rates of contribution are: employer 13.54% and employee 9.0% beginning January 1, 2006.



Board Members received a copy of a news release titled. "Taft Outlines Ohio Pandemic Flu Preparedness Strategy," a comprehensive planning effort to prevent, detect and respond to a flu pandemic.



Board Members received a copy of a survey by Ohio Women, Inc. and Ohio National Organization for Women titled "Gender Parity Among Ohio State Boards and Commissions," which asked six questions about the number of women on the Board.



The Board members reviewed various news articles.



Correspondence

On a motion by Mr. Primm, seconded by Mr. Jones, the Board voted to discuss a letter from Michael Czup concerning reinstatement of his lapsed licenses into Executive Session to conference with the Assistant Attorney General. Ayes: 7. Nays: 0. Motion approved.



Committee Reports

There was no report from the Apprenticeship Committee.



The Continuing Education Committee met at 11:00 A.M. before for the Board meeting to review continuing education applications for approval.



There was no report from the Staff Committee.



Inspectors' Reports

From November 28, 2005 through December 9, 2005, Inspector Savage reported that he drove 757 miles in the counties of Ashtabula, Cuyahoga, Erie, Portage and Stark. Inspector Savage presented the Board with the initial results of both Inspectors' research into the identification of a body prior to cremation. Board Members discussed crafting the recommendation into a rule, and/or defining "identification" in a rule.

Crematory facility inspections	60
Funeral home inspections	31
Violations discovered	0
Investigations activities	6
Apprentices monitored	0
Hearings	0

From November 28, 2005 through December 12, 2005, Inspector Wisby drove 1,359 miles in the counties of Athens, Clark, Darke, Hocking and Madison.

Crematory facility inspections	1
Funeral home inspections	26
Violations discovered	0

Investigations activities	0
Apprentices monitored	4
Hearings	0



Compliance

Mrs. Baugess presented the following information concerning amendments filed with the Board office during the previous months.

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 November 2005.

<u>I. D. #</u>	<u>Firm Title</u>	<u>AIC/UR</u>	<u>County</u>
FH 002525	DiCicco & Sons FH	Anthony DiCicco, Jr.	Cuyahoga
FH 002497	J. P. Rogers FH	Carl K. Huntley	Jackson
FH 001965	Kowalk FH	Rick Newcomer	Butler
FH 000655	McPeek FH	Deborah N. McPeek	Licking
FH 001644	Rybicki & Son FH	Thomas J. Rybicki	Cuyahoga
FH 001462	Sterling-McCullough Williams	Crystal Ann Williams	Mahoning
FH 000764	Wasko FH	Robert J. Wasko	Mahoning



The following funeral homes submitted amendments to change the manager of the funeral home for the month of November 2005.

<u>I. D. #</u>	<u>Firm Title</u>	<u>AIC/UR</u>	<u>County</u>
FH 002213	Craver-Riggs FH	Howard N. Riggs	Clermont
FH 002525	DiCicco & Sons FH	Anthony DiCicco, Jr.	Cuyahoga
FH 002760	Given-Dawson FH	William L. Given	Coshocton
FH 002497	J. P. Rogers FH	Carl K. Huntley	Jackson
FH 001965	Kowalk FH	Rick Newcomer	Butler
FH 000655	McPeek FH	Deborah N. McPeek	Licking
FH 002246	Reidy-Scanlan-Chambers	Thomas J. Klaameyer	Lorain
FH 002481	Riggs FH	Thomas A. Megie	Brown
FH 001462	Sterling-McCollough Williams	Crystal Ann Williams	Mahoning
FH 000764	Wasko FH	Jacquelyn Wasko Shaw	Mahoning



Compliance Issue 2 – On a motion by Mr. Tunnell, seconded by Mr. Primm, the Board approved the request by Jerrie L. Rodenberger to continue the operation of the Rodenberger Funeral Home located in Deshler, for twelve months until July 23, 2006.

Ms. Rodenberger indicated that she would submit a new application for funeral home license in lieu of renewing the current license. Ayes: 7. Nays: 0. Motion approved.

◆◆◆◆

On a motion by Mr. Primm, seconded by Mr. Jones, 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; Primm, Aye; Shank, Aye; Tunnell, Aye.

The President declared the Board out of executive session.

◆◆◆◆

On a motion by Mr. Hadley, seconded by Mr. Tunnell, the Board considered and closed two (2) investigatory files. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Shank, Aye; Tunnell, Aye.

◆◆◆◆

On a motion by Mr. DeJohn, seconded by Mr. Tunnell, the Board voted to table a request for reinstatement of licenses from Michael A. Czup. Ayes: 7. Nays: 0. Motion approved.

◆◆◆◆

Mr. Hadley withdrew his motion, which was seconded by Mr. Tunnell, to accept the six-month apprenticeship of Raquel Black Banks. There were no objections. The Board Members directed the Secretary to ask Mrs. Banks to return to the Board for a reciprocal interview.

◆◆◆◆

The Board recessed at 4:12 P.M.

◆◆◆◆

Tuesday – December 13, 2005

The Board reconvened at 8:01 A.M. in the Board Office on the 16th Floor of the Riffe Center. President Robert L. Shank presided. Present were: Virginia S. Cheney, Ross C. DeJohn, John J. Hadley, Pernel Jones, Roger Primm, Kurtis A. Tunnell, Inspector Frank J. Savage, Inspector Charles H. Wisby, Administrative Assistant Jennifer Baugess,

Executive Director Ann Cunningham. Barbara Hadley and Cameron Casper observed the Board meeting.

Continuing education

The list of continuing education programs considered by the Board during the December 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. Primm, the Board approved, and where indicated denied, the Prior Approval continuing education programs, and Individual continuing education programs. Ayes: 5. Nays: 0. Motion approved.

On a motion by Mr. Hadley, seconded by Mr. DeJohn, the Board approved, and where indicated denied the Blanket Approval continuing education programs. Ayes: 5. Nays: 0. Motion approved.

On a motion by Mr. DeJohn, seconded by Mr. Jones, the Board approved, and where indicated denied Individual continuing education programs. Ayes: 6. Nays: 0. Motion approved.

There were no applications for exemption of waiver of the continuing education requirements.

◆◆◆◆

On a motion by Mrs. Cheney, seconded by Mr. Tunnell, the Board meeting adjourned at 8:06 A.M. Ayes: 7. Nays: 0. Motion approved.

◆◆◆◆