

Monday – September 18, 2006

The regular meeting of the Board of Embalmers and Funeral Directors was held in the Riffe Center located in Columbus. President, Ross C. DeJohn, Sr., called the meeting to order at 1:02 P.M. Other Board members present were: Virginia S. Cheney, John J. Hadley, Pernel Jones, Roger Primm, Robert L. Shank, Sr. and Kurtis A. Tunnell. Also, present were: Zachary Dunlap, Assistant Attorney General, Inspector, 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.

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On a motion by Mr. Shank, seconded by Mr. Hadley, the Board approved, as amended, the minutes of the meeting held on August 14-15, 2006. Ayes: 6. Nay: 0. Motion approved.

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Director's Report

Ms. Cunningham introduced the new meeting binders, which will allow for an efficient and orderly presentation of materials. The Board staff will forward meeting materials electronically to Board Members, and hard copies of the material will be placed in meeting binders. There was a mixed reaction to the change.

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Board Members were informed that the ACLU asked a Federal Judge to block Ohio's new funeral protest law.

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Ms. Cunningham reported the Board staff is preparing renewal applications and informational inserts to be mailed in early October. The biennial renewal application is printed by DAS/OIT Services, stuffed and mailed by Vincent Direct. Renewal application and fees are sent to a lockbox facility that deposits the fees and forwards the renewal applications to the Board office within twenty-four hours. The Board staff will mail an instructional letter to approximately 180 Continuing Education Sponsors.

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Included with the instructional letters to sponsors, the Board staff describes the requirements for a master training class. Each class must be six hours in length and consist of instruction in specific areas for a specific amount of time. The Board staff estimates it will take one year to establish the classes.

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Ms. Cunningham announced that Roger Primm of Ashland was appointed to a five-year term as a Board Member.

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Ms Cunningham informed the Board that Mr. DeJohn and Inspector Savage participated in the Pittsburgh Institute of Mortuary Science Law Seminar on August 23, 2006. Mr. DeJohn was paid per diem and reimbursed for allowable travel expenses.

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Mr. Hadley, Mr. Dunlap and Mrs. Baugess will represent the Board of the October 5, 2006 apprenticeship seminar offered by the Ohio Funeral Directors Association. Mr. Hadley will be paid per diem and travel expense.

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Mr. Hadley and Inspector Wisby will present an hour program to OFDA District #13 in Lancaster on October 10, 2006. Mr. Hadley will be paid per diem and travel expense.

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Ms. Cunningham reported that Joseph Richer of Ontario, Canada, contacted her about a possible meeting of the states that make up District #4 of the International Conference of Funeral Service Examining Boards. The Board agreed to meet with Indiana, Michigan and Ontario in the Toledo area, and suggested topics such as preneed, mortuary science college trends [number of students], right of disposition, and electronic death registration. Ms. Cunningham will relay the information to Mr. Richer, and coordinate a meeting date and location.

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Board Members were informed that the Ohio Administrative Knowledge System [OAKS] will begin with the payroll ending December 23, 2006.

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Ms. Cunningham reported that the Central Service Agency Strategic Planning Committee met, and determined that IT is the highest priority item for the Board.

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Ms. Cunningham reported that the Office of Budget and Management approved the Board's request for a higher cap on the Board's Budget Request for FY08-09 with no guarantee of approval by the new Governor or Legislature.

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Board Members received copies of the Board's response to the annual survey by the Legislative Service Commission.

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Ms. Cunningham reminded the Board that the Budget Request for FY08-09 is due October 2, 2006.

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Board Members reviewed a press release received from the North Carolina Board concerning the investigation of solicitation for organ and tissue donation in the state of Carolina.

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Board Members received a copy of a survey by the St. Louis Community College concerning state licensing requirements.

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Ms. Cunningham reported that there was an error in the July Minutes in which it was erroneously reported the Richards Raff & Dunbar had changed the firm title of locations. The Minutes were corrected and a press release sent to all funeral homes in Clark County and posted on the Board's website.

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Licensure

On a motion by Mr. Hadley, seconded by Mr. Shank, the Board approved the following application for crematory facility. Ayes: 7. Nays: 0. Motion approved.

<u>Facility</u>	<u>Location</u>	<u>County</u>	<u>Inspection</u>
S & S Crematory	Holgate	Henry	08/16/06

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On a motion by Mr. Hadley, seconded by Mr. Shank, the Board approved the following application for crematory facility license pending receipt of the occupancy permit and final inspection by the Board. Ayes: 7. Nays: 0. Motion approved.

Facility	Location	County
Remembrance Crematory	Bowling Green	Wood

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There were no crematory facility applications considered for ratification after approval of the application, receipt of the occupancy permit, and the final inspection.

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There were no applications for embalming facility license.

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

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There were no embalming facility applications considered for ratification after approval of the application, receipt of the occupancy permit, and the final inspection.

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On a motion by Mr. Shank, seconded by Mr. Primm, 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>
Dunn-Quigley Ciriello & Carr	Cuyahoga Falls	Summit	07/19/06
Dunn-Quigley Ciriello & Carr	Akron	Summit	07/19/06
Saxton FH	Lakewood	Cuyahoga	06/30/06

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On a motion by Mr. Shank, seconded by Mr. Primm, the Board approved the following application for funeral home license pending receipt of the occupancy permit and final inspection by the Board. Ayes: 7. Nays: 0. Motion approved.

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There were no funeral home licenses considered for ratification after receipt of the occupancy permit and the final inspection.

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Person Before the Board

John M. Fabry, reciprocal applicant from Pennsylvania, appeared before the Board to discuss his application for reciprocal license. On a motion by Mr. Hadley, seconded by Mr. Tunnell the Board approved Mr. Fabry's request. Mr. Fabry must pass the Ohio Laws Examination, and submit an application and an initial fee.

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Paula M. Wavak, reciprocal applicant from Illinois, appeared before the Board to discuss her application for reciprocal license. On a motion by Mr. Hadley, seconded by Mr. Shank, the Board approved Ms. Wavak's request. Ms. Wavak must pass the Ohio Laws Examination, and submit an application and an initial fee.

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Mrs. Clark presented her report on registrations, apprenticeships, and initial licenses to the Board Members.

On a motion by Mr. Hadley, seconded by Mr. Tunnell, the Board approved the following applicants for embalmer and/or funeral director licenses. Ayes: 7. Nays: 0. Motion approved.

<u>License #</u>	<u>Name</u>	<u>City</u>	<u>Effective Date</u>
EMB	AMANDA L KOCH	CAMBRIDGE	9/18/06

FD	AMANDA L KOCH	CAMBRIDGE	9/18/06
EMB	ANDREA BOCKELMAN	SHELBY	9/18/06
FD	ANDREA BOCKELMAN	SHELBY	9/18/06
EMB	ANDREW P THORNBERRY	LEBANON	9/18/06
FD	ANDREW P THORNBERRY	LEBANON	9/18/06
EMB	BENJAMIN M STALEY	SYLVANIA	9/18/06
FD	BENJAMIN M STALEY	SYLVANIA	9/18/06
EMB	ERIN L MALKIN	HAMILTON	9/18/06
FD	ERIN L MALKIN	HAMILTON	9/18/06
EMB	GREGORY K BROWN	LOGAN	9/18/06
FD	GREGORY K BROWN	LOGAN	9/18/06
EMB	JAMEE L FUHRMAN	COLUMBUS	9/18/06
FD	JAMEE L FUHRMAN	COLUMBUS	9/18/06
FD	JEFFREY R MONREAL	EASTLAKE	9/18/06
EMB	JOSHUA B KIBA	CANTON	9/18/06
FD	JOSHUA B KIBA	CANTON	9/18/06
EMB	JULIUS M MOORE	TOLEDO	9/18/06
FD	KURT C ZABOR	PARMA	9/18/06
FD	LISA A SMITH	CLEVELAND	9/18/06
FD	MARK E HERMAN	CINCINNATI	9/18/06
EMB	MICHAEL G ARCONTI	EUCLID	9/18/06
FD	MICHAEL G ARCONTI	EUCLID	9/18/06
FD	PHILIP L KACHERSKY	GIRARD	9/18/06
EMB	PHILIP R BLACK	GREENVILLE	9/18/06
FD	PHILIP R BLACK	GREENVILLE	9/18/06
EMB	RAQUEL L BANKS	AVON	9/18/06
FD	RAQUEL L BANKS	AVON	9/18/06
EMB	RICHARD R HAND-CANNANE	MASSILLON	9/18/06
FD	RICHARD R HAND-CANNANE	MASSILLON	9/18/06
EMB	STEFANIE R MULLINIX	DAYTON	9/18/06
FD	STEFANIE R MULLINIX	DAYTON	9/18/06
EMB	TRICIA N McKINNON	DOVER	9/18/06
FD	TRICIA N McKINNON	DOVER	9/18/06
EMB	WM CRAIG RUTHERFORD	COLUMBUS	9/18/06
FD	WM CRAIG RUTHERFORD	COLUMBUS	9/18/06



The following individuals qualified and were issued funeral director registration numbers during the month of August 2006.

REG-000256	MARK D DONCHESS	COLUMBIANA	8/14/06
REG-000257	MARK W PINNICK	COLUMBUS	8/24/06



The following individuals certified an apprenticeship during the month of August 2006.

Cert 000255	Lajos L Szabo	Schoedinger Choices	F	Columbus	08/16/06
Cert 000256	Mark D Donchess	Seederly-Mong & Beck		Columbiana	08/18/06



The Board office received and processed the following reports during the month of August 2006:

<u>Apprentice Reports</u>	<u>Embalmer</u>	<u>Funeral Director</u>
Apprenticeship Reports	52	116
Quarterly Master Reports	8	19
Board Interviews	6	7



Licensure Issue 1 – The Board reviewed a request from Mark W. Pinnick concerning part-time employment while he serves his funeral director’s apprenticeship. On motion by Mr. Shank, seconded by Mr. Hadley, the Board approved Mr. Pinnick’s request to work no more than twenty hours per week outside his full-time apprenticeship. Ayes: 7. Nays: 0. Motion approved.



Licensure Issue 2 – The Board reviewed a request from Jean Pastore concerning part-time employment while she serves her embalmer and funeral director apprenticeships. On a motion by Mr. Shank, seconded by Mr. Primm, the Board approved Mrs. Pastore’s request to work no more than twenty hours per week outside her full-time apprenticeship. 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 \$10,411.74 as of the end of August, the second month in Fiscal Year 2007, and voucher journal with 30 vouchers and encumbrances for August. Also, the Board reviewed a comparison chart of expenditures to date.



The Board Members received a copy of a letter written by Nancy Manns, Executive Director of the Ohio Optical Dispensers Board and Chair of the Joint Regulatory Boards Group, sent to Carol Drake on behalf of the Joint Boards. The letter requested the transfer of the IT support staff for the Boards, specifically Bruce Sinmaz, from DAS/ASD/ITS to Central Service Agency. A committee of Executive Directors will meet with the Department of Administrative Services to discuss the situation.



The Board Members received a copy of the Board’s response to the annual survey by the Legislative Service Commission (LSC). LSC will compile the information and produce the annual report for several Boards and Commissions.



Ms. Wright informed the Board that the FY2006 Inventory Certification was submitted on September 12, 2006. The certification is due October 2, 2006.



The Board received a copy of the Board’s Request for Appeal of Budget Request Limitations and a copy of a memorandum from Timothy S. Keen, Director of the Office of Budget and Management. Director Keen authorized the new limitations for the FY08 and FY09 in the Board’s Budget Request. The increases to the budget request limitations do not guarantee the Boards any additional funding or appropriation. The increase allows the Board to provide more detailed justifications for funding above the original limitations. The justifications will be analyzed during the budget review process.



Committee Reports

The Continuing Education Committee met at 10:30 A.M. before for the Board meeting to review continuing education applications for approval.



The Preneed Committee met at 11:00 A.M. before the Board meeting to discuss long-range plans for preneed. Mr. Primm reported that the Committee will meet after the Board meeting to continue discussions. Mr. Primm stated that the Committee discussed the definition of preneed, funded and unfunded arrangements, trusting, and insurance. Mr. Primm went on to state that under new guidelines, consumers and funeral homes need to know where they can trust, and to identify legal trusts. Other items discussed were: education of consumers, portability/transfer, principal, and interest. The Committee believes legislation should be distinct on the subject of transfers and cancellations. Mr. Jones suggested that the Board ask for another Attorney General’s Opinion. The Committee will continue to identify problems and situations that need to be addressed in their discussions with the Departments of Commerce and Insurance, professional associations, and consumers organizations.



Inspectors' Reports

From August 5, 2006 through September 16, 2006, Inspector Wisby drove 4,216 miles in the counties of Allen, Champaign, Clark, Darke, Greene, Hardin, Henry, Highland, Licking, Miami, Montgomery, Pickaway, Preble, Ross, Scioto, Shelby, and Williams.

Crematory facility inspections	6
Embalming Facility inspections	0
Funeral home inspections	77
Violations discovered	4
Investigations activities	6
Apprentices monitored	0
Hearings	0



From August 5, 2006 through September 16, 2006, Inspector Savage drove 2,316 miles in the counties of Ashtabula, Crawford, Cuyahoga, Knox, Marion, Medina, Morrow, Stark, Wayne, and Wyandot.

Crematory facility inspections	8
Embalming Facility inspections	0
Funeral home inspections	94
Violations discovered	0
Investigations activities	4
Apprentices monitored	
Hearings	0



Compliance

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 August 2006.

FH002259	Carter FH	Eugene Schoolfield	20060830	Lorain
FH001037	Dunn-Quigley & Ciriello	Dennis Dunn	20060801	Summit
FH001899	Matheney FH	Rhett Matheney	20060829	Morgan
FH001379	Minges FH	Mary Minges	20060804	Hamilton
FH002161	Walter-Schoedinger	Wayne Smith	20060801	Champaign



The following funeral homes submitted amendments to change the manager of the funeral home for the month of August 2006.

FH001751	Bowman FH N	Harriett Townsend	20060815	Montgomery
FH001557	Cardaras	Thomas McGranor	20060803	Athens
FH002259	Carter FH	Eugene Schoolfield	20060830	Lorain
FH001948	Cunningham-Becker	Matthew Maxwell	20060830	Mahoning
FH000628	Davis FH	Mitchell Babcock	20060821	Lake
FH001037	Dunn-Quigley & Ciriello	Robert Shaw	20060801	Summit
FH000113	Goings Mem C	Richard Goings	20060831	Clark
FH001796	Joseph R. Garr FS Inc	Joseph Garr	20060803	Hamilton
FH001379	Minges FH	Mary Minges	20060804	Hamilton
FH002228	Thorn-Black FH	Brian McClelland	20060817	Guernsey



Mrs. Baugess presented the following for Board consideration:

Compliance Issue 1 – The Board reviewed a letter from Mary C. Minges in which Mrs. Minges asked the Board to rescind approval of her application for a waiver of the continuing education requirements. On a motion by Mr. Tunnell, seconded by Mr. Primm, the Board approved Mrs. Minges’ request so that she may assume management of her late husband’s funeral home. Ayes: 7. Nays: 0. Motion approved.



Compliance Issue 2 – The Board reviewed a letter from Joseph C. Salsky concerning reinstatement of his embalmer’s license and his funeral director’s license. On a motion by Mr. Hadley, seconded by Mrs. Cheney, the Board approved the request for reinstatement provided Mr. Salsky complies with the requirements of Section 4717.08 of the Revised Code, by successfully passing the Ohio Laws examination and remitting the penalty fees. Ayes: 7. Nays: 0. Motion approved.



Compliance Issue 3 - The Board reviewed a letter from T. Scott Gilligan, on behalf of Michael J. Ryan, concerning a change of firm title. The Board accepted the change from “Vorhis Funeral Home” to “Vorhis & Ryan Funeral Home” for three locations;

Springdale, Cincinnati, and Norwood.” Secretary to notify Mr. Gilligan and Mr. Ryan that all signage and advertisements must reflect the new firm title.

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Compliance Issue 4 – The Board reviewed a letter from Tim Krukowski concerning reinstatement of his funeral director’s license. On a motion by Mr. Hadley, seconded by Mrs. Cheney, the Board approved the request for reinstatement provided Mr. Krukowski complies with the requirements of Section 4717.08 of the Revised Code, by successfully passing the Ohio Laws examination and remitting the penalty fees. Ayes: 7. Nays: 0. Motion approved.

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On a motion by Mr. Hadley, seconded by Mr. Jones, the Board voted to close the following investigatory files:

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Complaint #0605127

Consumer’s father entered into a preneed in 1997, and died in October 05. The consumer believes that the family is entitled to the interest, although the at-need costs are more than the preneed and interest. The funeral home only charged family for cash advance items. In addition, the complaint was filed with Consumer Protection Section of Attorney General’s Office, which closed the complaint with no action against funeral home.

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Complaint #0602107

The deceased's daughter-in-law alleges that an unlicensed individual held himself out to be a funeral director. The Board office has a statement from the widow indicating that she knew the individual was unlicensed because he was a friend and he was accompanied by a licensed funeral director when the arrangements were made. The widow signed the contracts. The funeral director states that there were underlying issues between the widow and son.

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Complaint #0707005

The daughter came in from out of town to handle arrangements for her mother. The court-appointed guardian prepaid the deceased’s funeral. The daughter changed the services to direct cremation. The deceased was a large woman and required a larger outer receptacle than the funeral home had available. The funeral home gave the daughter the option to order one, but the daughter insisted that everything be finalized that day because she was returning home, out of state. The only available option was a casket, which still fell within the prepaid funds. Daughter signed the statement of goods and services, but later questioned whether the casket was cremated. The crematory documents verify that the deceased was cremated in the casket.

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Complaint #0603110

Two of the deceased’s children make the arrangements and sign the contract. The children were beneficiaries of the deceased’s insurance policies, and with the exception of one child, the children assigned the policies to the funeral home. The one exception did not participate in making arrangements. The funeral director contacted her to explain that she could assign the \$1000 policy to the funeral home to help cover the funeral bill. She elected not to assign her policy and did not believe the funeral director should have called her.

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Complaint #707015

The family of the deceased contacted the funeral home to make arrangements. At the arrangement conference, the funeral director suggested having the service at larger location. The family decided to keep it at the funeral home. On the day of the funeral there was a very large crowd, and seating was not specifically set-aside for all of the family members. This is a small funeral home has altered how they present seating and parking to families.

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Complaint #0604123

The Board received an anonymous letter of complaint alleging that two funeral directors had someone sign their names instead of attending continuing education activities. The two funeral directors submitted written statements denying the accusation.

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Complaint #0707009

One of the owners of a funeral home complained when another owner's son began an apprenticeship. The complainant alleged that the owners agreed that none of their children would serve an apprenticeship at the funeral home. After much discussion and correspondence, the apprentice has terminated his apprenticeship.

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Complaint #070712

The deceased died in 1996, and in March 2005, the widow contacts the funeral home to request a copy of the paperwork for her husband's funeral. The funeral home informs her that there is an outstanding balance, plus late payment fees. The widow claims that she paid the bill in full in 1996, but she has no proof. The funeral home submitted copies of her original payments, and all deposit slips since 1996. The funeral home will accept proof, otherwise, this is a collection matter.

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Complaint #0604122

A consumer complained that she did not receive three death certificates that she allegedly ordered from the funeral home. The funeral home sent her a copy of the invoice showing her that she had not ordered death certificates. She has since ordered her own.

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Complaint #0604125

An attorney, representing the heirs of an estate, alleges that the deceased had a prepaid funeral, but the attorney has no documents. The funeral home has no record of a prepaid funeral, and suggested the attorney contact the executor of the estate.

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Complaint #0708018

When the deceased died in July 2005, the funeral home offered the family financing through a third party, but the widow and a daughter were denied credit approval. Another daughter signs the contract, and the funeral home gave the family an additional 30 days to pay. The family sent a payment of \$3,420 to the funeral home in August 2005. The funeral home returned the check as it was not payment in full. The account has been turned over to a collection agency.

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Complaint #0707010

The daughter of the deceased complained because the obituary did not mention the grandchildren or great-grandchildren. Although invited to attend, the daughter did not

participate in the arrangement conference with her stepmother and siblings. She asked the funeral home to publish a revised obituary. The daughter does not believe she should be billed for the revised obituary. The situation was resolved and the daughter did not pay.

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At a hearing on June 13, 2006, Richard L. Humphrey, funeral director license no. 008692, and the J.E. Humphrey Funeral Home, license no. FH 002248, were charge with violation of Section 4717.14(A)(4) of the Revised Code, for immoral or unprofessional conduct; specifically, for failure to comply with the requirements of Section 1111.19 of the Revised Code by not depositing payments for the preneed contract of Helen Manning within thirty days with the designated trustee.

The following motions were made pursuant to the Report and Recommendation of Hearing Officer, Marc E. Myers, on the hearing held June 13, 2006, concerning violations previously listed. No objections to the Report and Recommendation were submitted for consideration prior to voting on the motions.

Motion by Mr. Tunnell, seconded by Mr. Hadley, to approved the Hearing Officer's finding of fact. Roll Call Vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Shank, Aye; Tunnell, Aye.

Motion by Mr. Tunnell, seconded by Mr. Shank, to approved the Hearing Officer's Conclusions of Law. Roll Call Vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Shank, Aye; Tunnell, Aye.

Motion by Mr. Tunnell, seconded by Mr. Shank, to approved the Hearing Officer's recommendation. Roll Call Vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Shank, Aye; Tunnell, Aye.

Board Order

The Board issued a reprimand to Richard L. Humphrey, funeral director license no. 008692 and J. E. Humphrey Funeral Home, license no. 002248.

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At a hearing on April 24, 2006, the Bowman Funeral Chapel South, funeral home, license no. 001750, were charge with violation of Section 4717.14 (A)(4) of the Revised Code, and Section 4717-1-25 of the Administrative Code, for unprofessional conduct; specifically, for failure to file an annual preneed contract report for the calendar year 2004.

The following motions were made pursuant to the Report and Recommendation of Hearing Officer, Marc E. Myers, on the hearing held April 24, 2006, concerning violations previously listed. No objections to the Report and Recommendation were submitted for consideration prior to voting on the motions.

Motion by Mr. Tunnell, seconded by Mr. Shank, to approved the Hearing Officer's finding of fact. Roll Call Vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Shank, Aye; Tunnell, Aye.

Motion by Mr. Tunnell, seconded by Mr. Shank, to approved the Hearing Officer's Conclusions of Law. Roll Call Vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Shank, Aye; Tunnell, Aye.

Motion by Mr. Tunnell, seconded by Mr. Primm, to approved the Hearing Officer's recommendation. Roll Call Vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Shank, Aye; Tunnell, Aye.

Board Order

Bowman Funeral Chapel, license no. 001750 is suspended for seven days beginning October 2, 2006



At a hearing on April 24, 2006, the Bowman Funeral Chapel North, license no. 001751, were charge with violation of Section 4717.14 (A)(4) of the Revised Code, and Section 4717-1-25 of the Administrative Code, for unprofessional conduct; specifically, for failure to file an annual preneed contract report for the calendar year 2004.

The following motions were made pursuant to the Report and Recommendation of Hearing Officer, Marc E. Myers, on the hearing held April 24, 2006, concerning violations previously listed. No objections to the Report and Recommendation were submitted for consideration prior to voting on the motions.

Motion by Mr. Tunnell, seconded by Mr. Hadley, to approved the Hearing Officer's finding of fact. Roll Call Vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Shank, Aye; Tunnell, Aye.

Motion by Mr. Tunnell, seconded by Mr. Primm, to approved the Hearing Officer's Conclusions of Law. Roll Call Vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Shank, Aye; Tunnell, Aye.

Motion by Mr. Tunnell, seconded by Mr. Hadley, to approved the Hearing Officer's recommendation. Roll Call Vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Shank, Aye; Tunnell, Aye.

Board Order

Bowman Funeral Chapel, license no. 001751 is suspended for fourteen days beginning October 2, 2006



On a motion by Mr. Tunnell, seconded by Mr. Hadley, the Board voted to accept the settlement agreements negotiated by Zachary Dunlap, Assistant Attorney General and T. Scott Gilligan, attorney for Ronald L. Kercheval, violation of Section 4717.14(A)(4) of the Revised Code, for immoral or unprofessional conduct. Specifically, for conduct surrounding the funeral and entombment of Barbara Norris. The signed settlement agreements and forfeitue have been received. Roll Call Vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Shank, Aye; Tunnell, Aye.



On a motion by Mr. Tunnell, seconded by Mr. Shank, the Board voted to charge Richard Goings, embalmer license no. 006907 and funeral director license no. 006098 and the

Goings Memorial Chapel with violation of Section 4717.14 (A) (4) of the Ohio Revised Code, for Unprofessional Conduct; specifically for failure to comply with the requirements of Section 1111.19 of the Revised Code by failing to properly deposit payments for the a preneed contract within thirty days with a designated trustee. Roll Call Vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Shank, Aye; Tunnell, Aye.



The Staff Committee met after the Board meeting recessed at 3:50 P.M.



Tuesday – September 19, 2006

The Board reconvened at 8:00 A.M. in the Board Office on the 16th Floor of the Riffe Center. President Ross C. DeJohn presided. Present were: Virginia S. Cheney, Ross C. DeJohn, John J. Hadley, Pernel Jones, Roger Primm, Robert L. Shank, Kurt A. Tunnell, Zachary Dunlap, Assistant Attorney General, Inspector Frank J. Savage, Inspector Charles H. Wisby, Administrative Assistant Jennifer Baugess, Executive Director Ann Cunningham. Barbara Hadley observed the Board meeting.



Preneed Committee

M. DeJohn reported that the Preneed Committee met after the meeting on Monday, and continued to discuss statutory changes, and the need for conversations with the General Assembly.



Continuing education

The list of continuing education programs considered by the Board during the September 2006 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. Hadley, 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. Shank, the Board approved, and where indicated denied, the Prior with Blanket Approval continuing education programs. Ayes: 5. Nays: 0. Motion approved.

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

On a motion by Mr. Hadley, seconded by Mr. Jones, the Board approved the following applications for 50-year exemption of the continuing education requirement. Ayes: 6. Nays: 0. Motion approved



Applications 50-year exemption:

<u>Date Recd</u>	<u>Licensee</u>	<u>License #'s</u>
08/14/06	Joseph Linn Colburn	5680 A/4480
08/28/06	Milton O. Law	6017 A/5023



On a motion by Mrs. Cheney, seconded by Mr. Jones, the Board meeting adjourned at 8:18 A.M. Ayes: 7. Nays: 0. Motion approved.