

Monday – September 15, 2008

The Board of Embalmers and Funeral Directors met in regular session in the Riffe Center at 77 South High Street in Columbus, Ohio. John J. Hadley, President, called the meeting to order at 1:06 P.M. Other Board members present were: Linda M. Betzer, Pernel Jones, Sr., Ty D. Marsh, Roger Primm, Robert J. Wasko, and Pamela Williams-Briggs. Staff Members present were: Eric E. Anderson, Inspector; Michael T. Lyme, Inspector; Jennifer Baugess, Administrative Assistant; Linda Clark, Certification and Licensure Examiner, Lena Wright, Administrative Assistant, and Ann Cunningham, Executive Director.

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On a motion by Mr. Jones, seconded by Mr. Wasko, the Board approved, as amended, the minutes of the meeting held on August 18-19, 2008. Ayes: 5. Nay: 0. Abstain: 2. Motion approved.

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Executive Director's Report

Board welcomed two new members appointed by Governor Strickland. Linda M. Betzer is the public member who will complete Mrs. Cheney's term, and Pamela Williams-Briggs is the first woman appointed to the Board who licensed as an embalmer and a funeral director, and she will serve a five-year term.

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Board Members received an informational sheet including all Board Members and a copy of the Board's schedule for calendar year 2009.

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Ms. Cunningham informed that Board that the State of Ohio has an emergency notification system, and had the Riffe Center been closed due the windstorm, she would contact Board staff and Board Members of the situation

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Board Members were informed that Senator Eric Kearney agreed to the Board's suggested language for Receivership in Sub. S.B. 196.

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Ms. Cunningham announced that the Board's Budget Request for Fiscal Year 2010 and 2011 was submitted electronically on Friday, September 12. The Board is restricted to the same allocation as Fiscal Year 2009. As with previous budget requests, the Board must maintain enough money in Fund 4K9 to cover expenses.

Board members received a copy of a memo from the Office of Budget and Management titled "Budget Directive #7 = Process to Reduce Authorized Expenditures. After the second round of budget cuts, there is a possibility the Legislature will sweep Fund 4K9, and the Board would be forced to reduce spending accordingly.

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Ethics Training is scheduled for October and Ms. Cunningham will notify the Board Members of the time and place.

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Mrs. Baugess and Mr. Primm are prepared to impart the Board's presentation at the OFDA Apprentice Seminar on September 25, 2008.

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Mrs. Baugess plans to attend part of the North American Cemetery Regulators Association Annual Convention in Cleveland on September 17-18, 2008.

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In addition, the Inspectors are prepared to attend the Crematory Operators Certification Program at Worsham College near Chicago on September 28, 2008.

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Board Members received allowable estimates for sending Board President and Secretary-Treasurer along with Ms. Cunningham and Mrs. Baugess to the International Conference of Funeral Service Examining Board [Conference] Annual Convention at Kingsmill Resort in Williamsburg, Virginia, February 25-26-27, 2009.

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Ms. Cunningham informed the Board that District No. 15 requested Inspector Anderson as a speaker for one of their district meeting.

Board Members received a copy of an inquiry from the Ohio Department of Insurance, asking if the Board was interested in participating in discussions involving suspension of a license for failing to comply with any administrative or court order directing payment of state income tax. The proposal is similar to the child support law in which the appropriate county agency notifies the Board that a licensee failed to pay child support and the Board automatically suspends the individual's license. Ms. Cunningham will attend the discussion and report back to the Board.

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Board Members received a copy of news articles including a new report that Michael Mastromarino of New Jersey pled guilty to hundreds of counts of abusing corpses, forgery, theft and other crimes stemming from an operation he ran with three Philadelphia funeral director and funeral homes in New York and New Jersey. The body parts and tissue were removed without permission and sold around the country without medical screening.

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Licensure

There were no applications for crematory facility license for consideration by the Board.

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

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There were no previously approved applications for the issuance of a crematory facility license 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 a final inspection by the Board.

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There were no previously approved applications for the issuance of an embalming facility license to the following after approval of the application, receipt of the occupancy permit, and the final inspection.

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On a motion by Mr. Primm, seconded by Mr. Wasko, 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>
Orr FH	West Unity	Williams	08/08/07
Saxton FH	Lakewood	Cuyahoga	Leasing
Sibley-Murray FH	Warren	Trumbull	03/13/08
Urbanski FH Ltd	Toledo	Lucas	02/02/08



On a motion by Mr. Wasko, seconded by Mr. Jones, the Board approved the following application for Funeral Home license pending receipt of an occupancy permit and final inspection by the Board. Ayes: 7. Nays: 0. Motion approved.

<u>Firm Title</u>	<u>Location</u>	<u>County</u>
Higgins-Reardon	North Jackson	Mahoning
Schlusser FH	Wapakoneta	Auglaize.



There were no previously approved applications for the issuance of a funeral home license to the following after approval of the application, receipt of the occupancy permit, and the final inspection.



Mrs. Clark reported on registrations, apprenticeships, and initial licenses to the Board Members.

Person Before the Board

Theodore J. Schleifer, III appeared before the Board as an applicant for reciprocal licensure. After answering questions, the Board, on a motion by Mr. Wasko, seconded by Mr. Primm, voted to table Ms. Schleifer’s application. Ayes: 7. Nays: 0. Motion approved.



Board Members reviewed a letter from Alexandra Kay Craciun, funeral director apprentice concerning part-time college courses. On a motion by Mr. Wasko, seconded by Mr. Primm, the Board voted to allow Ms. Craciun to attend Baldwin-Wallace’s Music Therapy Equivalency Program during her apprenticeship but for no more than twenty [20] hours per week. Ayes: 7. Nays: 0. Motion approved.



On a motion by Mr. Primm, seconded by Mr. Wasko, the following individuals were issued embalmer and/or funeral director license numbers during. Ayes: 7. Nays: 0. Motion approved.

<u>License No.</u>	<u>Name</u>	<u>City</u>	<u>Date</u>
EMB-9313 FD-9309	Allen, Brian L	Circleville	09/15/08
EMB-9314 FD-9310	Binkowski, Jada M.	Perrysburg	09/15/08

FD-9311	Castellucci, Nancy K	Alliance	09/15/08
EMB-9315			
FD-9312	Ebright, Jennifer	Frankfort	09/15/08
EMB-9316			
FD-9313	Fields, Suzanne K	Columbus	09/15/08
EMB-9317			
FD-9314	Gentry, Douglas P	Dayton	09/15/08
EMB-9318			
FD-9315	Grooms, Terry W.	Waverly	09/15//08
EMB-9319			
FD-9316	Harling, Jennifer L.	Coldwater	09/15/08
EMB-9320			
FD-9317	Koch, Mitchell W.	Loudonville	09/15/08
EMB-9321			
FD-9318	McCartney, Holly R	Columbus	09/15/089
FD-9319	McDouguald, Lillian M.	Cleveland	09/15/08
FD-9320	McGrath, Marie E.	North Royalton	09/15/08
EMB-9322			
FD-9321	Miller, Gary J. II	Fort Wright, KY	09/15/08
EMB-9323			
FD-9322	Orr, Alan G.	Ridgeville, IN	09/15/08
EMB-9324			
FD-9323	Reilly, Shawn F.	Wickliffe	09/15/08
EMB-9325			
FD-9324	Stanfield, Zachary D.	New Richmond	09/15/08
EMB-9326			
FD-9325	Townson, Andra M.	South Point	09/15/08
EMB-9327			
FD-9326	Watson, Matthew E.	East Liverpool	09/15/08
EMB-9328			
FD-9327	Zoz, Molly E	Fairfield	09/15/08



The following individuals were issued embalmer and/or funeral director registration numbers during the month of August 2008.

<u>Registration No.</u>	<u>Name</u>	<u>City</u>	<u>Date</u>
FD-0412	Craciun, Alexandra K.	Cleveland	08/14/08
FD-0413	Freeman, John E.	Springfield	08/18/08



The following individuals certified embalmer and/or funeral director apprenticeships during the month of August 2008.

<u>Certification</u>	<u>Name</u>	<u>Funeral Home</u>	<u>City</u>	<u>Date</u>
EMB-0227 FD-0331	Cherry, Brenda J.	Calliman FS	Columbus	08/20/08
FD-0412	Craciun, Alexandra K.	Craciun-Berry FH	Cleveland	08/25/08
FD-0413	Freeman, John E.	Porter-Qualls FH	Springfield	08/18/08
EMB-0268 FD-0401	Okorowski, Lori M.	Ivey FH	Hamilton	08/08/08
FD-0396	Thomas, Kelly L.	Gillman FH	Rittman	08/01/08



Mrs. Clark engaged the Board Members in a discussion of apprentices who allegedly do not work full time, but appear for funeral services only. The Board Members proposed to develop more specific guidelines, and directed Mrs. Clark to research apprentice guidelines from other states.



Reports submitted by apprentices during the month of August.

<u>Apprentice Reports</u>	<u>Embalmer</u>	<u>Funeral Director</u>
Apprenticeship Reports	56	129
Quarterly Master Reports	9	21
Board Interviews	3	5



Fiscal

Miss Wright presented the fiscal portion of the Board meeting and the Board Members reviewed the revenue journal indicating that the Board collected \$1,092 in August 2008 for a total of \$4,566.13 for Fiscal Year 2009. Also, the Board reviewed the voucher journal of 49 vouchers and encumbrances for August, and the Budget Overview chart of allotments and expenses. Miss Wright gave Board Members a copy of the Board's FY10-11 IT Investment Plan. In addition, Board Members received estimates of travel expenses for the 105th Annual Convention of the International Conference of Funeral Service Examining Board.



Committee Report

President Hadley readjusted the following Committee Assignments:

Crematory Review:	Hadley, Primm, and Wasko
Apprenticeship:	Betzer, Jones, and Williams-Briggs
Continuing Education:	Marsh, Primm, and Williams Briggs

Preneed:	Marsh, and Primm
Staff	Officers



Compliance - Inspectors' Reports

Inspector: Anderson	Board meeting: September 15-16, 2008		
Start date: August 17, 2008	End date: September 13, 2008		
<u>Facility</u>	<u>Crematory Facility</u>	<u>Embalming Facility</u>	<u>Funeral Home</u>
Annual inspections this period Inspected 6 funeral homes out of territory	3	0	61
Total facilities as of July 1	49	3	598
New facilities added after July 1	0	0	0
Facilities closed after July 1	0	0	0
Adjusted total	49	3	598
Annual inspections to-date	7	0	201
Remaining to be inspected this FY	42	3	397
Violations this period	0	0	11
Apprentices Monitored this period	0		3
<u>Mileage</u>			
Mileage this report	3,025		
Total FY mileage to-date	8,055		
<u>Misc</u>	<u>Dates</u>		
Investigations this period	1		
Bd office-hearing/meetings	8/18, 8/19, 8/27, 8/27		
Conferences/presentations			
Court			
Leave	8/26, 9/10 [4 hours]		
Training			



Inspector: Lyme	Board meeting: September 15-16, 2008		
Start date: August 17, 2008	End date: September 13, 2008		
<u>Facility</u>	<u>Crematory</u>	<u>Embalming</u>	<u>Funeral</u>

	<u>Facility</u>	<u>Facility</u>	<u>Home</u>
Annual inspections this period			
Inspected 6 funeral homes out of territory	1	0	59
Total facilities as of July 1	49	2	574
New facilities added after July 1	0	0	0
Facilities closed after July 1	0	0	0
Adjusted total	49	3	574
Annual inspections to-date	7	0	157
Remaining to be inspected this FY	42	3	417
Violations this period	0	0	1
Apprentices Monitored this period	0		2
<u>Mileage</u>			
Mileage this report	2,621		
Total FY mileage to-date	6,678		
<u>Misc</u>	<u>Dates</u>		
Investigations this period			
Bd office-hearing/meetings	8/18, 8/19, 8/27, 8/28		
Conferences/presentations			
Court			
Leave			
Training			

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Compliance

Mrs. Baugess reported that there are twenty-three (23) pending complaints, seventeen (17) charged complaints pending hearing, settlements or Board Order Compliance.

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There were no forfeitures received by the Board. The Board has one (1) hearing scheduled for September.

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The Board confirmed that the Board office is to prepare and submit press releases of all Board Orders and Settlements. The release will include licensee's name, a brief description of violation and the penalty. The Board office will send the press release to most popular newspaper in area of licensee, and publication is at the discretion of the newspaper. In addition, releases will be forwarded to the three state associations.

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Board Members received website printouts of a Michigan business that offers to pay funeral homes for the disposition of metal implants

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In August 2008, the Board received the amendments to change the manager and/or the funeral director actually in charge of and ultimately responsible for the funeral home listed below.

<u>License No.</u>	<u>Facility Name</u>	<u>Licensee</u>	<u>Type</u>	<u>County</u>
FH001433	McCoy-Moore FH	Jared Moore	AIC	Gallia
FH001433	McCoy-Moore FH	Melissa Moore	MGR	Gallia
FH001513	Bauer Laubenthal FH	Philip Mercado	AIC	Lorain

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Compliance Motion No. 1

On a motion by Mr. Jones, seconded by Mr. Primm, the Board voted to close seven [7] investigatory files because of no violation or jurisdiction and/or complaint settled by involved parties. Roll call vote: Betzer, Aye, Hadley, Aye; Jones, Aye; Marsh, Aye; Primm, Aye; Wasko, Aye, Williams-Briggs, Aye.

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Compliance Motion No. 2

On a motion by Mr. Primm, seconded by Ms. Betzer, the Board voted to order Atkinson Feucht Hare Funeral Home to cease using photographs of funeral home personnel that do not identify individuals and job titles, specifically licensed embalmers and funeral directors. Roll call vote: Betzer, Aye, Hadley, Aye; Jones, Aye; Marsh, Aye; Primm, Aye; Wasko, Aye, Williams-Briggs, Aye.

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Compliance Motion No. 3

On a motion by Mr. Primm, seconded by Ms. Betzer, the Board voted to order Best Home to cease using the incorrect address in advertisements. Roll call vote: Betzer, Aye, Hadley, Aye; Jones, Aye; Marsh, Aye; Primm, Aye; Wasko, Aye, Williams-Briggs, Aye.

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Compliance Motion No. 4

On a motion by Mr. Wasko, seconded by Ms. Betzer, the Board voted to charge William F. Boyd and the E.F. Boyd Funeral Home with violation of Section 4717.14(A)(5) of the Revised Code, the licensee knowingly permitted an unlicensed person, other than a person serving an apprenticeship, to engage in the professional or business of embalmer or funeral directing under the licensee's supervision. Specifically for allowing an unlicensed person to act as a funeral director by handling arrangements for Ms. Bessie Wells In March 2008. Roll call vote: Betzer, Aye, Hadley, Aye; Jones, Aye; Marsh, Aye; Primm, Aye; Wasko, Aye, Williams-Briggs, Aye.

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Compliance Mail No. 1

The Board reviewed a letter from Philip C. Mercado concerning firm title. The Board accepted the firm title change from "Bauer-Laubenthal Funeral Home" to Bauer-Laubenthal-Mercado Funeral Home." Secretary to inform Mr. Mercado that all signage and advertisements must reflect the new firm title.



Compliance Mail No. 2

The Board reviewed a letter from Craig Nicol requesting reinstatement of his funeral director's license. Mrs. Baugess to inform Mr. Nicol that according to the settlement signed in 2003, he cannot apply for reinstatement for seven years.



Compliance Mail No. 3

The Board reviewed a letter from Sharon S. Herlihy and Williams B. Chambers concerning firm title. The Board accepted the firm title change from "Herlihy-Tinsman Funeral Home" to Herlihy-Chambers Funeral Home." Secretary to inform Mrs. Herlihy and Mr. Chambers that all signage and advertisements must reflect the new firm title.



Compliance Mail No. 4

The Board reviewed a letter from Douglas B. Miller, Keystone America, concerning firm title. As mandated by Section 4717.11 (B) of the Revised Code, the Keller-Ochs-Koch-Weerts Funeral Home changed firm title by the twenty-four month deadline by adding the Weerts, the name of the funeral director actually-in-charge of and ultimately responsible for the funeral home [AIC]. Mr. Weerts left the funeral home and ceased to AIC, and Mr. Miller requested permission to remove "Weerts" and asked for an extension in which to find a new AIC and change the firm title. The Board denied Mr. Miller's request.



The Board reviewed a letter from Thomas D. Rue concerning firm title. The Board accepted the firm title change from "Littleton & Rue Funeral Home" to Kevin F. Jennings Funeral Home" in West Liberty. Secretary to inform Mr. Rue that all signage and advertisements must reflect the new firm title.



The Board meeting recessed at 4:18 P.M.



Tuesday – September 16, 2008

The Board reconvened at 8:10 A.M. in the Riffe Center in Columbus, Ohio. President John J. Hadley presided. Present were: Linda M. Betzer, Pernel Jones, Sr., Ty D. Marsh, Roger Primm, Robert J. Wasko, Pamela Williams-Briggs, Eric E. Anderson, Michael T. Lyme, and Ann Cunningham. Barbara Hadley observed the Board meeting.



Continuing education

The following motions concern the continuing education programs considered by the Board during the September 2008 meeting and appear in the Continuing Education Section of the Board's Website.

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

On a motion by Ms. Betzer, seconded by Mr. Wasko, the Board approved, and where indicated denied, the Prior Approval with Blanket approval continuing education programs, and individual continuing education programs. Ayes: 7. Nays: 0. Motion approved.

On a motion by Mr. Wasko, seconded by Mrs. Williams-Briggs, the Board approved, and where indicated denied, the Blanket Approval continuing education programs. Ayes: 7. Nays: 0. Motion approved.

There were no applications from individual licensees for approval of a continuing education program.

On a motion by Mr. Primm, seconded by Mr. Jones, the Board approved the following exemption and/or waivers. Ayes: 7. Nays: 0. Motion approved.

Waiver	Exemption	Licensee	Grant/denied
X		Roderick D. Patterson	Granted

On a motion by Mr. Primm, seconded by Mr. Jones, the Board approved the following 50-year exemption. Ayes: 7. Nays: 0. Motion approved.

Date received	Licensee	License no.
09/15/08	John M. Busch	FD 005098



On a motion by Mr. Wasko, seconded by Mr. Marsh, the Board meeting adjourned at 8:52 A.M. Ayes: 7. Nays: 0. Motion approved.