

Monday – March 15, 2009

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 1:14 P.M. Other Board members present were: Linda M. Betzer, Pernel Jones, Sr., Roger Primm, Robert J. Wasko, and Pamela Williams-Briggs. Staff Members present were: Assistant Attorney General, Walter McNamara, 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 Ms. Betzer, seconded by Mr. Jones, the Board approved, as amended, the minutes of the meeting held on February 9-10, 2009. Ayes: 6. Nay: 0. Motion approved.

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Executive Director's Report

Ms. Cunningham reminded Board Members to file their Financial Disclosure Statement for calendar year 2008 with the Ohio Ethics Commission before April 15.

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On February 20, 2009, Mr. Wasko, Mr. Anderson, and Mrs. Baugess traveled to Carrollton at the request of Rep. Mark Okey to meet with consumers and funeral homes involved in a closed complaint. Mr. Wasko was paid per diem and reimbursed for allowable travel expenses

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On March 12, 2009, Ms. Cunningham and Mrs. Baugess participated in the Ohio Funeral Directors Association Apprentice Seminar.

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Board Members; Mr. Primm and Mr. Wasko and Staff; Ms. Cunningham and Mrs. Baugess, will attend the Ohio Funeral Directors Association Legislative Reception on March 17, 2009 in the Riffe Center.

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On March 10, 2009, Ms. Cunningham gave testimony on the Board's Budget Request for FY2010-2011, to the Agriculture and Development Sub-Committee of the House Finance Committee. Ms. Cunningham gave Board Members the latest draft of language that will affect all licensing boards and commissions that amends current language to group common functions and procedures under Central Service Agency in order to create efficiencies and accountability.

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Ms. Cunningham reported that the latest budget proposal involving employees calls for ten (10) furlough days for each year of the biennium. Employees select ten days for which they will receive no pay in FY2010, and ten days in FY2011. State Controlling Board and the state unions must act on the proposal.

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Ms. Cunningham announced that Inspector Lyme would attend the National Certified Investigator/Inspector Training [NCIT] basic training offered by the Council on Licensure, Enforcement, and Regulation [CLEAR] in Austin, Texas, April 20-22, 2009. The basic training is a prerequisite for the specialized training that Mrs. Baugess along with Inspectors Anderson and Lyme will attend later this year in Columbus.

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The Board staff is finishing the Biennial Renewal and CE Audit; and is processing the Annual Preneed Reports due March 30.



Mr. Hadley reported that he, Mr. Wasko, Ms. Cunningham and Mrs. Baugess attended a very informative annual convention of the International Conference of Funeral Service Examining Boards [Conference] in Williamsburg, Virginia, February 26-27, 2009. Programs included: Avian Influenza Preparedness in the Death Care Profession, various roundtable discussions, Generational Differences and Their Effect on Discipline, Can We Regulate Ourselves into Compliance, Districts Meetings, Dirty Secrets about Crematory Regulation, National Prearranged Services Issue – An Overview, and a Panel Discussion on Preneed Pitfalls & Successes. Ms. Cunningham was elected Vice-President of the Association of Executives of Funeral Service Boards, and reported the Executives discussed disciplinary actions, unlicensed practice, and preneed.



Board Members received copies of the following: Illinois State Journal-Register Illinois timeline of the Illinois Funeral Directors Association Trust – allegations of mismanagement, Funeral Consumers Alliance of Central Ohio Price Survey, Yellowbook article about new Board Member, Pamela Williams-Briggs, and Newsweek article “Where Death Comes Cheap.”



Licensure

On a motion by Ms. Betzer, seconded by Mr. Wasko, the Board approved the following application for crematory facility. Ayes: 6. Nays: 0. Motion approved.

<u>Facility</u>	<u>Location</u>	<u>County</u>	<u>Inspection</u>
Brook Park Crem Center	Brookfield	Trumbull	03/13/08



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



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.



There were no applications for embalming facility license.



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



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.



On a motion by Mr. Primm, seconded by Ms. Betzer, the Board approved following application for funeral home license Ayes: 6. Nays: 0.

<u>Firm Title</u>	<u>Location</u>	<u>County</u>	<u>Inspection</u>
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Dawson FH Inc	East Liverpool	Columbiana	01/06/09
Dombrowski-Humphrey-Riddle	Lorain	Lorain	08/14/08
House of Eberhardt FH	New Franklin	Summit	09/23/08
Chas A Miller Inc	Cincinnati	Hamilton	07/10/08
Smoot FS LLC	Columbus	Franklin	leasing

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

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Previously, the Board approved the issuance of a funeral home license to the following after approval of the application, receipt of the occupancy permit and the final inspection. The funeral home license no. was issued the date of the final inspection.

<u>License No.</u>	<u>Funeral Home</u>	<u>Location</u>	<u>Issue Date</u>
FH 003063	Ryan FH	Columbus	02/26/09
FH 003064	Strawbridge Mem C	Cleveland	03/04/09

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

License Issue No. 1

Zackary D. Cartee, Indiana, appeared before the Board as a reciprocal applicant. On a motion by Mr. Wasko, seconded by Mr. Primm, the Board voted to approve Mr. Cartee's applications, and allow him to take the Ohio Laws Exam. Ayes: 6. Nays: 0. Motion approved.

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License Issue No. 2

Brad D. Prochnow, Michigan, appeared before the Board as a reciprocal applicant. On a motion by Mr. Wasko, seconded by Mr. Jones, the Board voted to approve Mr. Prochnow's applications, and allow him to take the Ohio Laws Examination. Ayes: 6. Nays: 0. Motion approved.

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License Issue No. 3

The Board reviewed a letter from Stephen R. Best concerning his apprenticeship. On a motion by Mr. Primm, seconded by Ms. Betzer, the Board voted to allow Mr. Best to attend school for no more than twenty hours per week during his funeral director's apprenticeship. Ayes: 6. Nays: 0. Motion approved.

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License Issue No. 4

The Board reviewed a letter from Julie Loudon Johnson concerning her completed apprenticeship. On a motion by Mr. Wasko, seconded by Ms. Betzer, the Board voted to allow Ms. Johnson to take the Funeral Service Arts and Ohio Laws Examinations. Ayes: 6. Nays: 0. Motion approved.

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There were no applicants for initial embalmer and/or funeral director licenses to be considered by the Board

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The following individuals were issued embalmer and/or funeral director registration numbers during the month of February 2009.

<u>Registration No</u>	<u>Name</u>	<u>City</u>	<u>Date</u>
FD-0454	Lucas, Yolanda H	Bedford Hts	02/02/09
FD-0455	Cook, Jill V	Elyria	02/17/09
FD 0456	Kershaw, Joan M	Cleveland	02/17/09
FD-0457	Kurner, Michael D	Mingo Junction	02/17/09



The following individuals certified embalmer and/or funeral director apprenticeships during the month of February 2009.

<u>Certification</u>	<u>Name</u>	<u>Funeral Home</u>	<u>City</u>	<u>Date</u>
EMB-0289 FD-0437	Bonnell, Kenneth E	Henderson-Van Atta Stickle	Newark	02/09/09
EMB-0290 FD-0438	Brown, Aaron M	McVay-Perkins FH	Caldwell	02/25/09
FD-0456	Kershaw, Joan M	Bodnar-Mahoney FH	Cleveland	02/28/09



Reports submitted by apprentices during the month of February 2009.

<u>Apprentice Reports</u>	<u>Embalmer</u>	<u>Funeral Director</u>
Apprenticeship Reports	61	133
Quarterly Master Reports	10	22
Board Interviews	6	9



The Board reviewed the results of the Ohio Laws Examination written January 28, 2009 and February 10, 2009. On a motion by Mr. Primm, seconded by Mrs. Williams-Briggs the Board approved applicants with a score of 75% or higher on the examinations to be issued an embalmer and/or funeral director license number, pending receipt of a properly completed application and the initial license fee. In addition, embalmer applicants must provide National Board Certification, and two-year funeral director applicants must provide proof of successfully passing the Funeral Service Arts Examination. A list of applicants, their scores, and license numbers will be entered into the journal. Roll Call Vote: Betzer, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

This is the last time Board Members will review examination results in this manner because beginning in April 2009, applicants will take computer-based examinations, and

their scores will be certified to the Board office by the Conference. The Board Staff will present a list of qualified applicants to the Board Members.



Fiscal

Miss Wright presented the fiscal portion of the Board meeting and the Board Members reviewed the revenue journal indicating that the Board collected \$59,315.00 in February, for a total of \$967,306.65 for Fiscal Year 2009. Also, the Board reviewed the voucher journal of 39 vouchers and encumbrances for February, and the Budget Overview chart of allotments and expenses. Ms. Wright reported that seventy-three [73] individual licensees and one crematory facility did not renew and the licensing information was transferred to the Ohio Department of Health Office of Vital Statistics in order to deactivate the licensees' access to the Electronic Death Registration System.



Committee Report

Ms. Betzer offered a draft of changes to law and rule as a starting place for the various ideas being discussed by the Apprenticeship Committee. The Committee is not scheduled to meet in March, but plans to meet in April.

The Continuing Education Committee met before Board Meeting to review applications for approval of continuing education activities.



Compliance - Inspectors' Reports

Inspector: Anderson	Board meeting: March 16-17, 2009		
Start date: February 1, 2009	End date: March 14, 2009		
Facility	<u>Crematory Facility</u>	<u>Embalming Facility</u>	<u>Funeral Home</u>
Annual inspections this period	5	0	80
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	27	2	483
Remaining to be inspected this FY	22	1	115
Violations this period	0	0	7
Apprentices Monitored this period	0		7
Mileage			
Mileage this report	3,987		
Total FY mileage to-date	25,699		

<u>Misc</u>	<u>Dates</u>
Investigations this period	0
Bd office-hearing/meetings	2/9, 2/10, 3/2, 3/3
Conferences/presentations	
Court	
Training	
Leave	3/9, 3/10



Inspector: Lyme	Board meeting: March 16, 2009		
Start date: February 1, 2009	End date: March 14, 2009		
<u>Facility</u>	<u>Crematory Facility</u>	<u>Embalming Facility</u>	<u>Funeral Home</u>
Annual inspections this period	7	0	77
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	34	1	439
Remaining to be inspected this FY	15	2	135
Violations this period	0	0	1
Apprentices Monitored this period	0		4
<u>Mileage</u>			
Mileage this report	3,508		
Total FY mileage to-date	19,111		
<u>Misc</u>	<u>Dates</u>		
Investigations this period	3		
Bd office-hearing/meetings	2/9, 2/10, 3/2, 3/4		
Conferences/presentations			
Court			
Training			

leave	
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Compliance

Mrs. Baugess reported that there are sixteen pending complaints, thirteen charged complaints pending hearing, settlements or Board Ordered Compliance.

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There were no forfeitures received by the Board. The Board conducted two hearings. The Hearing Officer has two outstanding Reports and Recommendations.

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The conversion to computer-based testing continued after the January examination utilized one hundred-twenty questions from the new item bank. Board staff prepared a grid of answers, which were reviewed and evaluated by Pearson Vue. The Board reviewed the statistical results, and Pearson Vue prepared one computer-based examination of fifty questions. A weight was given to each of the fifty questions, and then examination scores were calculated and forwarded to the Board. The procedure for future examination candidates will match the current process used for the National Board Examination. Qualified examination candidates will schedule their own date for testing and results will be certified to the Board.

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Mrs. Baugess reported that 1,157 blank Annual Preneed Report forms were mailed to funeral homes, and as of March 12, 2009, the Board received 551 forms.

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On February 20, Representative Okey moderated the meeting between Board personnel and the consumers. Fifteen people attended including the owners of the funeral homes involved with the closed complaint.

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The Board staff mailed 318 CE audit notices to randomly selected licensees. Secretary directed to send certified letters to two licensees who failed to submit their forms.

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The Board requested that a notice be posted on the Board's website to remind licensees and funeral homes of the R.C. 4511.451, a Public Safety law, governing funeral processions.

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In February 2009, the Board received the amendments to change the manager and/or the funeral director actually in charge of and ultimately responsible for the funeral homes listed below.

<u>License #</u>	<u>Funeral Home</u>	<u>Licensee</u>	<u>Type</u>	<u>County</u>
FH001822	Hall-Jordan & Pretty Mem C	Pretty, Archie	AIC	Butler
FH001822	Hall-Jordan & Pretty Mem C	Pretty, Archie	MGR	Butler
FH000138	Arbaugh-Pearce-Greenisen	Greenisen, Robert	AIC	Columbiana
FH000138	Arbaugh-Pearce-Greenisen	Greenisen, Robert	MGR	Columbiana
FH002603	Burr FH	Turnbull, Thomas	AIC	Defiance

FH002603	Burr FH	Oberlin, Earl	AIC	Defiance
FH002603	Burr FH	Burr, Gary	MGR	Defiance
FH002807	Jamison, Jamison & Brown	Clarke, Warren	MGR	Hamilton
FH002804	Jamison, Jamison & Brown	Jordan, Kevin	MGR	Hamilton
FH001681	Busch FH	Busch, James	AIC	Lorain
FH002595	Lane FH	Knarr, David	MGR	Mahoning
FH001899	Matheney FH	Matheney, Rhett	MGR	Morgan
FH000898	Wellman FH	Wellman, Charles	AIC	Pickaway
FH002682	Secor FH	Lewis, Megan	MGR	Richland
FH002604	Burr FH	Turnbull, Thomas	AIC	Williams
FH002604	Burr FH	Oberlin, Earl	AIC	Williams
FH002604	Burr FH	Turnbull, Thomas	MGR	Williams
FH002602	Oberlin-Ford FH	Turnbull, Thomas	AIC	Williams
FH002602	Oberlin-Ford FH	Oberlin, Earl	MGR	Williams

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Compliance Issue No. 1

Board Members reviewed pages from a questionable website. The Board declined to act at this time.

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Compliance Motion No. 1

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

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Compliance Motion No. 2

On a motion by Mr. Wasko, seconded by Mr. Jones, the Board voted to charge William F. Boyd, II and E. F. Boyd & Son Funeral Home with violation of R.C. 4717.14(A)((5), the licensee knowingly permitted an unlicensed person, other than a person serving an apprenticeship, to engage in the profession or business of embalming or funeral directing under the applicant's or licensee's supervision. Roll call vote: Betzer, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

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Compliance Motion No. 3

On a motion by Mrs. Williams-Briggs, and seconded by Mr. Primm, the Board voted to closed one investigatory file concerning transfer a preneed contract and advise the consumer and funeral home of Sub S.B.196 – preneed that becomes effective July 6, 2009 and which addresses transferring preneed contracts. Roll call vote: Betzer, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

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Compliance Motion No. 4

On a motion by Mrs. Williams-Briggs, seconded by Mr. Wasko, the Board voted to close an investigatory file and to forward the complaint to the state agency with proper jurisdiction. Roll call vote: Betzer, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

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Compliance Motion No. 5

On a motion by Ms. Betzer, seconded by Mr. Wasko, the Board voted to accept the settlement agreement negotiated by Walter McNamara, Assistant Attorney General and Natalie Pestalozzi and Oak Meadow Cremation Service. Ms. Pestalozzi admitted to using false or deceptive advertising by offering funeral service from a location other than a licensed funeral home, and agreed to remit a forfeiture. Roll call vote: Betzer, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

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Compliance Motion No. 6

On a motion by Mr. Primm, seconded by Mrs. Williams-Briggs, the Board voted to accept the settlement agreement negotiated by Walter McNamara, Assistant Attorney General and Richard G. Snider and Baker-Hazel & Snider Funeral Home. Mr. Snider admitted to using false or deceptive advertising by offering funeral service from American Cremation Service which is not licensed by the board to conduct funeral directing services, and agreed to remit a forfeiture. Roll call vote: Betzer, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

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Compliance Motion No. 7

On a motion by Ms. Betzer, seconded by Mrs. Williams-Briggs, the Board voted to accept the settlement agreement negotiated by Walter McNamara, Assistant Attorney General and Sheryl Riggs and Dale-Riggs Funeral Home. Ms. Riggs admitted to unprofessional conduct relating to the funeral services of A.D. Eggleston. Specifically for misleading the family by informing them that they were legally obligated to have the services in Ohio, and agreed to remit a forfeiture. Roll call vote: Betzer, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

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Compliance Motion No. 8

On a motion by Mr. Jones, seconded by Mr. Wasko, the Board voted to charge Jeffrey S. Staver and Tredway Pollitt Funeral Home for violation for failure to retain all records relating to a preneed funeral contract or insurance policy for at least five years after satisfaction of the contract. Roll call vote: Betzer, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

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Compliance Motion No. 10

On a motion by Ms. Betzer, seconded by Mr. Wasko, the Board voted to remove from the table the February 9, 2009 motion to charge all licensees and facilities that failure to renew. Ayes: 6. Nays: 0. Motion approved.

On a motion by Ms. Betzer, seconded by Mr. Jones, the Board voted to charge the following forty-three funeral directors actually in charge of and ultimately responsible for the funeral home and the funeral homes and crematories pursuant to R.C. 4717.04(A)(9)(b) for violating R.C. 4717.08(A), R.C. 4717.14(A)(3) and Ohio Administrative Rule 4717-1-16(A)(1) specifically for failure to renew by December 31,

2008 and continuing to file certificate of death and/or conduct funeral services and/or cremations prior to renewing their licenses. Roll call vote: Betzer, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Wasco, Aye; Williams-Briggs, Aye.

<u>Licensee</u>	<u>Facility</u>	<u>Location</u>
Kenneth R. Heyl	Heyl FH	Ashland
Paul R. Young III	Paul R Young FH	Hamilton
John D. Clepper	Vielhauer-Clepper FH	Cincinnati
Paul R. Young Jr.	Paul R Young FH	Cincinnati
Charles M. Scott	Boyer-Vanwormer-Scott FH	Toledo
David R. Jasin Jr.	David R Jasin FH	Toledo
Patricia A. Wiley	Chute-Wiley FH	New Lexington
Charles E. Wellman Jr.	Wellman FH	Circleville
Robert L. Gresser	Gresser FH	Orrville
Brad L. Batton Paul T. Lucas	Lucas-Batton FH	Upper Sandusky
Charles M. Scott	Bersticker-Scott FH	Toledo
Richard Reidy Jr.	Richard J Reidy FH	Lorain
Kenneth E. Perkins III	McVay-Perkins FH	Caldwell
J. Jeffrey Fretti	J Jeffrey Fretti FH	Toledo
Miriam Maczuga Mosinski	Mosinski FH	Cleveland
Ronald L. Alexander	Alexander FH	Millersburg
Nancy L. Coreno	Coreno FH	Cleveland
R. Scott Davis Leichia Dawn Davis	Roger W Davis FH	West Portsmouth
Charles E. Watson	Watson's FH	Cleveland
Tracey L. Crowe	Staley-Crowe FH	Deer Park
Ted S. Lawver	Hopkins Lawver FH	Akron

Howard N. Riggs	Craver-Riggs FH	Milford
Dennis M. Pavley	Eggleston Meinert Pavley FH	Oregon
Jason H. Lucas	Lucas Mem C	Bedford Hts
Tarea M. Rhoden	Howard-Rhoden Mem H	Youngstown
John R. Lafferty	Lafferty FH.	West Union
George W. Brown Jr.	Jamison, Jamison & Brown FH	Cincinnati
Thomas A. McGinness	Jack Monreal FH	Willowick
Sheryl A. Riggs	Dale-Riggs FH	Toledo
John L. Stroup	Belton-Stroup FH	Fairborn
Julian H. Renfro	Renfro Funeral Services Inc	Cincinnati
Ted S. Lawver	Hopkins Lawver FH	Uniontown
George W. Brown Jr.	Jamison, Jamison & Brown FH	Forest Park
Ted S. Lawver	Hopkins Lawver FH	Mogadore
Samuel T. Kelsch	Witt, Good & Kelsch FH	Cincinnati
Ronald B. McNabb	McNabb FH	Columbus
Charles E. Wellman Jr.	Wellman FH	Laurelville
Mark L. Kacirek	Kacirek FH	North Olmsted
Brett Wesley Cunningham	Cunningham F Svcs	Anderson Twp
Scherrie Mclin	Mclin FH Inc	Dayton
Fred T. Wehr	Woodside Cem & Arboretum	Middletown
James P. Murphy	Greenfield Crem	Cleveland
Michael JKJ Smith	Smith Mortuary LLC	Columbus

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Compliance Motion No.11

On a motion by Mr. Wasko, seconded by Mrs. Williams-Briggs, the Board voted to accept the settlement agreement negotiated by Walter McNamara, Assistant Attorney General and Patrick Mahoney and Bodnar-Mahoney Funeral Home. Mr. Mahoney admitted to using false or deceptive advertising, specifically including, but not limited to, listing All Ohio Cremation & Burial Society in obituaries, not the name of the funeral home, and agreed to remit a forfeiture. Roll call vote: Betzer, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

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Compliance Motion No.12

On a motion by Mr. Wasko, seconded by Ms. Betzer, the Board voted to close an investigatory file involving permission to change caskets. Roll call vote: Betzer, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

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Compliance Motion No. 13

On a motion by Ms. Betzer, seconded by Mr. Wasko, the Board rejected a settlement offered by Attorney Scott Gilligan for the complaint involving Kiser Funeral Home, indicating that the complaint should go to hearing. Roll call vote: Betzer, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

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Compliance Issue No. 1

The Board reviewed a letter from Andrew Joseph Egan Ryan concerning a firm title. The Board accepted the change from “Ryan Funeral Home” to “Egan-Ryan Funeral Home.” Secretary to inform Mr. Egan Ryan that all signage and advertisements must reflect the new firm title.

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Compliance Mail No. 2

The Board reviewed a letter from Frank L. Zak concerning firm title. The Board accepted the change from “Zak-Monbarren Funeral Home” to “Zak-Thacker & Monbarren Funeral Home” for locations in Doyleston and Dalton. Secretary to inform Mr. Zak that all signage and advertisements must reflect the new firm title.

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Compliance Mail No. 3

The Board reviewed a letter from Earl C. Oberlin, III and Thomas L. Turnbull concerning firm title. The Board accepted the change from “Oberlin-Ford Funeral Home” to “Oberlin-Turnbull Funeral Home,” for locations in Bryan and Sherwood. Secretary to inform Mr. Oberlin and Mr. Turnbull that all signage and advertisement must reflect the new firm title.

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Compliance Mail No. 4

The Board reviewed a letter from Earl C. Oberlin, III and Thomas L. Turnbull concerning firm title. The Board accepted the change from “Burr Funeral Home” to “Oberlin-Turnbull Funeral Home.” Secretary to inform Mr. Oberlin and Mr. Turnbull that all signage and advertisement must reflect the new firm title.

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Compliance Mail No. 5

The Board reviewed a letter from James J. Vaughn concerning the CE audit and his inability to provide certificates of attendance. The Board directed Mr. Vaughn to apply

for an exemption, which requires him to sign a statement that he will not practice embalming or funeral directing until he earns the eighteen hours of approved continuing education.

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The Board meeting recessed at 4:40 P.M.

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Tuesday – March 17, 2009

The Board reconvened at 8:08 A.M. in the Riffe Center in Columbus, Ohio. President John J. Hadley presided. Present were: Linda M. Betzer, Pernel Jones, Sr., Roger Primm, Robert J. Wasko, Pamela Williams-Briggs, Walter McNamara, Jennifer Baugess, Eric E. Anderson, Michael T. Lyme, and Ann Cunningham. Barbara Hadley observed the Board meeting.

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Compliance Motion No. 9

On a motion by Ms. Betzer, seconded by Mr. Wasko, the Board voted to charge Robert O. Tate, Jr. and the Tate Funeral Service with violation of R.C. 4717.14 (A)(3), specifically for violating R.C. 3705.17 that requires the funeral director to file a satisfactory and complete death certificate within five days after the date of death, and for violation of R.C. 4717.14 (A)(4) for unprofessional conduct. Mr. Tate failed to file a completed death certificate until approximately five months after the death. In addition, the Board voted to charge Mr. Tate and the Tate Funeral Service with violation of R.C. 4717.14(A)(4) for unprofessional conduct specifically for failure to disclose casket price differences to the family of Augusta Martin. Roll call vote: Betzer, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

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Continuing Education

The following motions concerning the continuing education programs considered by the Board during the March 2009 meeting and appear in the Continuing Education Section of the Board's Website.

On a motion by Jones seconded by Ms. Betzer, the Board approved, and where indicated denied, the Prior Approval continuing education programs. Ayes: 6. Nays: 0. Motion approved.

On a motion by Mr. Jones, seconded by Ms. Betzer, the Board approved, and where indicated denied, the Prior Approval with Blanket approval continuing education programs, and individual continuing education programs. Ayes: 6. Nays: 0. Motion approved.

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

On a motion by Mr. Wasko, seconded by Mr. Jones, the Board approved, and where indicated denied, the requests for individual approval of a continuing education program. Ayes: 6. Nays: 0. Motion approved.

On a motion by Mr. Wasko, seconded by Ms. Betzer, the Board voted to deny applications for approval of a continuing education activity submitted by Herrick Martin, because that programs were not approved prior to the activity. The Board directed Mr. Martin to apply for an exemption, which requires him to sign a statement that he will not practice embalming or funeral directing until he earns the eighteen hours of approved continuing education. Ayes: 6. Nays: 0. Motion approved.

On a motion by Mrs. Williams-Briggs, seconded by Ms. Betzer, the Board voted to deny an application for approval of a continuing education activity submitted by Michelle Herndon, because that program were not approved prior to the activity. Ayes: 6. Nays: 0. Motion approved.

On a motion by Ms. Betzer, seconded by Mr. Wasko, the Board approved the following exemptions and/or waivers. Ayes: 6. Nays: 0. Motion approved.

Compliance Period 2006 - 2008

<u>Waiver</u>	<u>Exemption</u>	<u>Licensee</u>	<u>Grant/denied</u>
X		Malcolm W. Moore	Granted
	X	Laurence M. Baldwin	Granted
	X	John W. Gooldin	Granted
	X	Kenneth R. Heyl	Granted
X		Marion Burcham	Granted
	X	Tina S. Holloway Lee	Granted
	X	Daniel P. Madden	Granted
	X	James A. Brell, Jr.	Granted
	X	John T. Lafferty	Granted

Compliance Period 2009 - 2010

<u>Waiver</u>	<u>Exemption</u>	<u>Licensee</u>	<u>Grant/denied</u>
X		Frederick W. Lenk	Granted
X		Robin L. Perkins	Granted
X		Wayne E. Morton	Granted

On a motion by Mr. Jones, seconded by Mr. Wasko, the Board approved the following 50-year exemptions. Ayes: 6. Nays: 0. Motion approved.

<u>Date received</u>	<u>Licensee</u>	<u>License no.</u>
03/06/09	Ross C. DeJohn, Sr.	DUAL 005905
02/20/09	Ray J. Greenisen	DUAL 005700
02/23/09	Valentine Sujkowski	FD 004876



On a motion by Mr. Wasko seconded by Mrs. Williams-Briggs, the Board meeting adjourned at 9:07 A.M. Ayes: 6. Nays: 0. Motion approved.