

MINUTES

Tuesday, July 15, 2003

The regular meeting of the Board of Embalmers and Funeral Directors was held in the Riffe Center located in Columbus. President Pernel Jones, Sr. called the meeting to order at 1:05 P.M. Other Board members present were: Virginia S. Cheney, Ross C. DeJohn, John J. Hadley, Robert L. Shank, David B. Tobias, and Kurtis A. Tunnell. Also present were: Kate Oklok, Assistant Attorney General, Anthony D. Siciliano, Assistant Attorney General, Frank J. Savage, Inspector, Charles H. Wisby, Inspector, and Ann Cunningham, Executive Director.

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On a motion by Mr. Shank, seconded by Mr. Hadley, the minutes of the June 18-19, 2003, meeting were approved as amended. Ayes: 7. Nays: 0. Motion approved.

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On a motion by Mr. Hadley, seconded by Mr. Shank, the minutes of the special meeting held on June 26, 2003 were approved. Ayes: 7. Nays: 0. Motion approved.

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Announcements

The Executive Director offered a copy of the International Conference of Funeral Service Examining Boards (Conference) latest quarterly newsletter to Board members.

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The Board decided not to send a representative to the annual conference of the Council on Licensure, Enforcement, and Regulation (CLEAR) in Toronto, Ontario in September.

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The Executive Director announced that the Ohio Crematory Operator Association cancelled the Crematory Operator Certification Seminar to be held in Columbus on July 22-23 due to lack of applicants. The Seminar will be rescheduled for a later date.

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Reorganization

President Jones asked for nominations for president. Mr. Tobias nominated Mr. Hadley. Mr. DeJohn moved that the nominations be closed, and to cast a unanimous ballot for the nominations. Ayes: 7. Nays: 0. Nomination approved.

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President Jones asked for nominations for vice-president. Mr. Hadley nominated Mr. Tobias. Mr. DeJohn moved that the nominations be closed, and to cast a unanimous ballot for the nominations. Ayes: 7. Nays: 0. Nomination approved.

President Jones asked for nominations for Secretary-Treasurer. Mr. DeJohn nominated Mr. Shank. Mr. DeJohn moved that the nominations be closed, and to cast a unanimous ballot for the nominations. Ayes: 7. Nays: 0. Nomination approved.

Pursuant to Section 4717.03(D) of the Revised code, President Hadley appointed Mr. Hadley, Mr. Jones, and Mr. Tobias to represent the Board on the Crematory Review Board.

President Hadley appointed the following committees: Apprenticeship Guidelines; Mr. DeJohn, Mr. Shank, and Mr. Tobias; Continuing Education - 3rd Party; Mr. DeJohn, Mr. Jones, and Mr. Shank; Staff Committee; Mr. Hadley, Mr. Shank, and Mr. Tobias.

Unfinished Business

There was no unfinished business to be reported or discussed.



New Business

On a motion by Mr. Shank, seconded by Mr. Tunnell, the Board voted to take from the table the application for funeral home license submitted by Robert O. Tate, Jr. to be titled "Tate Funeral Service, LLC." located at 1003 Broadway, Toledo, Ohio 43609. Ayes: 7. Nays: 0. Motion approved.

On a motion by Mr. Shank, seconded by Mr. Tunnell, the Board approved the following applications for Crematory Facility License, and issued the license. Ayes: 7. Nays: 0.

<u>Firm Title</u>	<u>Address</u>	<u>County</u>	<u>Inspection</u>
North Coast Cremation Co	Brunswick	Medina	6/17/03



There were no applications for crematory facility pending receipt of an occupancy permit.

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On a motion by Mr. Shank, seconded by Mr. Tunnell, the Board approved the following application for funeral home license, and issued the license. Ayes: 7. Nays: 0. Motion approved.

<u>Firm Title</u>	<u>Address</u>	<u>County</u>	<u>Inspection</u>
Schwartz, Spence, Boyer & Cool Home for Funerals	Lorain	Lorain	3/24/03

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

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The following funeral homes submitted an amendment to change the manager during the month of June 2003.

<u>I.D.#</u>	<u>Firm Title</u>	<u>Manager</u>	<u>County</u>
43-00-0676	Cowling-Truman FH	Tad O. Cowling	Lorain
43-00-0113	Goings Memorial Chapel	Wayne E. Hennessee	Clark
43-00-0501	B. J. Meyer Sons FH	Paula A. Meyer	Hamilton
43-00-2481	Burger-Riggs Funeral Home	Howard N. Riggs	Brown
43-00-0207	Ferrara Funeral Home	Judith Faulhaber Kyle	Cuyahoga

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There 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 June 2003.

<u>I.D.#</u>	<u>Firm Title</u>	<u>AIC/UR</u>	<u>County</u>
43-00-0207	Ferrara Funeral Home	Judith Faulhaber Kyle	Cuyahoga

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There were no applicants for embalmer or funeral director licenses.

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The following individuals qualified and were issued registration numbers during the month of June 2003:

<u>Applicant</u>	<u>Embalmer Registration #</u>	<u>Funeral Director Registration #</u>	<u>Date</u>
Karen Holte	E-0010 04	F-0010 04	06/11/03
Margo Sommerville		F-0011 04	06/11/03

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Rebecca Lautenslager	E-0011 04	F-0012 04	06/13/03
Mary Jo Hellwarth		F-0013 04	06/27/03
Kristen Wheeler		F-0014 04	06/27/03
Matthew Burkitt	E-0012 04	F-0015 04	06/30/03
Lindsey Cannon	E-0013 04	F-0016 04	06/30/03
Peggy Cheek	E-0014 04	F-0017 04	06/30/03
Bradley Chute	E-0015 04	F-0018 04	06/30/03
Stephanie Hall	E-0016 04	F-0019 04	06/30/03
Melissa Reinhart	E-0017 04	F-0020 04	06/30/03
Amy Walton	E-0018 04	F-0021 04	06/30/03



The following individuals certified apprenticeships during the month of June 2003.

<u>Apprentice</u>	<u>Apprenticeship</u>	<u>Funeral Home</u>
William Chambers	Emb/FD	Barkdull Funeral Home 33 N Gamble St Shelby Ohio 44875
Robert Coleman	FD	Thompson-Hall & Jordan FH 11400 Winton Rd Forest Park Ohio 45240
Mary Jo Hellwarth	FD	W.H. Dick & Sons FH 218 W Market St Celina Ohio 45822
Carl Huntley	FD	J.P. Rogers FH 120 West Broadway Wellston Ohio 45692
Rebecca Lautenslager	Emb/FD	Tobias Funeral Home 648 Watervliet Ave Dayton Ohio 45420
Thomas Rhoads	FD	Newcomer-Farley FH 3047 E Dublin-Granville Rd Columbus Ohio 43231
Margo Sommerville	FD	Sommerville FH 1695 Diagonal Rd Akron Ohio 44320
Kristen Wheeler	FD	Wheeler Funeral Home 101 Longview Ave Mingo Junction OH 43938
Phillip Wilmoth	Emb/FD	Geo H. Rohde & Son FH 3183 Linwood Ave Cincinnati Ohio 45208



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The Board was informed that the Board office received and processed the following reports during the month of June 2003:

Embalming Case Reports	81
Embalming Master Reports	13
Embalmer Interviews	3
Funeral Director Progress Reports	214
Funeral Director Master Reports	35
Funeral Director Interviews	4

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The were no news articles.

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The Board adopted the proposed calendar for calendar year 2004

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The Board received a notice from Herman C. Butler, State Registrar of Vital Statistics, informing registrars, funeral directors, coroners, hospitals, courts, and other users of Ohio vital records of a fee change to \$15 for a certified copy. Vital Statistics will no longer issue uncertified copies. Also enclosed were the new death certificate standards. This information will be supplied to apprentices.

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On a motion by Mr. DeJohn, seconded by Mr. Jones, the Board voted to send Anthony D. Siciliano, Assistant Attorney General to the 11th Annual Attorney certification Seminar offered by the Federation of Associations of Regulatory Boards in October 2003. The Board will reimburse one-half of the allowable travel expense.

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Mr. Hadley and Mr. Tobias volunteered to assist the Inspectors in monitoring the examinations on July 29-30, 2003 in the Riffe Center.

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Person Before the Board

Reciprocal applicant David A. Hallenbeck of Lawrence, Kansas was interviewed by the Board concerning his application. On a motion by Mr. Hadley, seconded by Mr. Tunnell, the Board voted to approved Mr. Hallenbeck's application, and allow him to write the required examinations in July 2003. Ayes: 6. Nays: 0. Motion approved.

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Correspondence

1. A letter from Kacy Peterson, concerning part-time employment during her funeral director's apprenticeship. On a motion by Mr. Tunnell, seconded by Mr. DeJohn, the Board approved Ms. Peterson's request to work at Moses Peterson Realty for no more than fifteen hours per week during her apprenticeship. Ayes: 7. Nays: 0. Motion approved. Secretary to inform Ms. Peterson that she needs to make a second request with specific times and hours relative to college classes.
2. A letter from Pamela Williams-Briggs thanking Mr. Jones and Inspector Wisby for their presentation during the Buckeye State Funeral Directors and Embalmers Association convention in Toledo.
3. A letter from Drew W. Griffin asking for an exemption from the five-year rule to serve as a master for an apprentice. The motion by _____ failed for lack of a second, and was withdrawn. Secretary to refer Mr. Griffin to Administrative Rule 4717-1-01(N) and (O) which defines a master as a licensed embalmer and/or funeral director with at least five years experience in the state of Ohio.
4. A letter from Robert L. Weigel informing the Board that the Weigel Funeral Home, a business entity, change from a sole proprietorship to a limited liability Corporation(LLC.) Secretary to acknowledge his Weigel's letter.
5. A letter from Richard W. Goings requesting permission to allow his apprentice, Kacy Peterson, to work with other funeral homes that contract with Mr. Goings. Secretary to ask for the names and specific details for the Board's consideration.



Apprenticeship Guideline Committee

The Board was informed that the Assistant Attorney General was researching other legal entities and case law for definitions of direct supervision. Board members discussed the number of hours required for preceptor training, and possibly the number credit hours of continuing education.

Staff Committee

The committee agreed to meet at 10:30 A.M. on August 19, 2003, in the Doubletree Restaurant.

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The Board asked that the Inspectors' monthly report continue to show the number of inspections performed during the reporting period, but include the total number of facilities to be inspected as of the monthly report.

Inspectors' Reports

Inspector Wisby reported that he drove 2,961 miles in the counties of Butler, Franklin, Hamilton, Highland, Lucas, Perry, and Wood. He inspected two crematory facilities, and 51 funeral homes. He found seven violations. He conducted five investigations and monitored two apprentices. Along with Mr. Jones, Inspector Wisby participated in the Buckeye State Funeral Directors meeting on June 13, 2003

Inspector Savage reported that he drove 1,368 miles in the counties of Ashland, Columbiana, Coshocton, Cuyahoga, Jefferson, Stark, Tuscarawas, and Wayne. He inspected no crematory facilities, 35 funeral homes, and found no violations, conducted three investigations, and monitored no apprentices.

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

President Hadley declared the Board out of executive session at 2:55 P.M.

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On a motion by Mr. Shank, seconded by Mr. Jones, the Board voted to accept the settlement agreement negotiated by Kate Oklok, Assistant Attorney General, with Michael E. Cicero, attorney for Robert and Renee Liston, and the Liston Funeral Home. The settlement is the result of charges against the Liston for violation of Section 4717.14(A)(3) and (4) of the Revised Code and Administrative Rule 4717-1-18, for unprofessional conduct, specifically for solicitation of the funeral of Josephine Hoffa,

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after her death, or about December 30, 2002. Mrs. Liston will forfeit apprenticeship credit time, and certify an apprenticeship with a master not associated or employed by Liston Funeral Home. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye; Tunnell, Aye.

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On a motion by Mr. Shank, seconded by Mr. Tunnell, the Board tabled the application for funeral home license submitted by Robert O. Tate, Jr. pending receipt of the occupancy permit and final inspection by the Board. Ayes: 7. Nays: 0. Motion approved.

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On a motion by Mr. DeJohn, seconded by Mrs. Cheney, the Board voted to close four (4) investigatory files. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye; Tunnell, Aye.

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Fiscal

The Board reviewed the revenue and voucher journals for June, the percentage chart as of June, and a comparison of revenue and disbursements. In addition, the Board reviewed the final appropriation for Fiscal Years 2004-2005, and law changes to Sections 4717.07 and 4717.09 of the Revised Code, fees and continuing education.

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There were numerous questions on and discussion of staffing and expenditures

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The Board recessed at 3:25 P.M.

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Wednesday, July 16, 2003

The Board reconvened at 8:06 A.M. at in the Board office. Present were: Virginia S. Cheney, Ross C. DeJohn, John J. Hadley, Pernel Jones, Sr., Robert L. Shank, Kurtis A. Tunnell, Inspector Frank J. Savage, Inspector Charles H. Wisby, Executive Director; and Executive Director, Ann Cunningham. Anthony D. Siciliano and Kate Oklok, Assistant Attorney Generals, arrived after the start of the meeting. Barbara Hadley was also present.

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The Board received confirmation of a funeral home name and a list of fees.

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Mr. Jones requested that the Board convene an executive session for the purpose of discussing personnel matters during the August meeting



Mr. Jones made a motion, seconded by Mr. DeJohn, that the Inspectors inspect all remaining funeral home, within thirty days. On a motion by Mr. Shank, seconded by Mr. DeJohn, the Board voted to amend the original motion. Ayes: 7. Nays: 0. Motion to amend approved. The amended motion states that the Inspectors inspect all remaining funeral homes within thirty days, if possible. Ayes: 3. Nays: 2. Abstain: 1. Motion failed.



Continuing Education

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

Prior Approval:

Date	Sponsor	Title	Hours
030505	CONRAD	Practical Applications for OSHA Standards Toledo OH Paul H Conrad 419-868-7270 Blanket Approval thur 06-30-04	02
030606	BATES	Product Knowledge - Meaningful Memories Batesville IN Donald J Baechle, Jr. 800-622-8373 Blanket Approval thru 06-30-04	06
030613	CCMS	Fifth Quarter Practicum Program Cincinnati OH Teresa Dutko Blanket Approval thur 06-30-04	02
030616	BATES	Product Knowledge Batesville IN Donald J Baechle, Jr 800-622-8373 Blanket Approval thur 06-30-04	02
030620	CLARK	Clark American Valor - Military Vaults - Urn Vaults - Video Defiance OH Ned A Spangler 800-848-3570 Blanket Approval thru 06-30-04	03
030624	BAXTER	Vault College II Cincinnati OH Holly Bridgers 513-641-1010 Blanket Approval thurh 06-30-04	02
030625	BATES	Meeting the Need of Our Changing Families Batesville IN Donald Bachle, Jr	06
030625	CONRAD	Practical Applications for OSH Standards Woodville OH Paul H Conrad 419-868-7270 Blanket Approval thur 06-30-04	02
030626	CENTRAL	Grief & Loss Better Care in the 21st Century	03

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		Dayton OH Joel L Getts Blanket Approval thru 06-30-04	
030716	YORK	The Future of Funeral Cemetary Mem Products York OH Jamie Maack 800-343-5121 Blanket Approval thru 06-30-04	09
030722	CENTRAL	Talking with Children & Teens About Death & Dying Cincinnati OH Joel L Getts Blanket Approval thru 06-30-04	02
030731	OFDA 13	Creutzfeld - Jakob Disease Coshocton OH Larry L Sheridan 740-246-6334	03
030731	AURORA	Aurora Casket Coshocton OH Larry L Sheridan 740-246-6334 Blanket Approval thur 06-30-04	02
030806	LANEFH	Leadership First Canfield OH Joseph D Lane 330-533-3326	Denied
030808	LOGAN	"Rock U 2003" Selling & Marketing Rock of Ages Memorials for Logan Monument Co Lancaster OH William R Boone 740-385-5525	05
030904	DODGE	Restoration & Cosmetology for the Embalming Professional Moon Township PA Debbie Dodge 617-661-0500	06
040211	GMCFDA	Regional Postmortem Examination Service Kettering OH Brian R James 937-252-0716	01
040414	GMCFDA	Lives & Deaths of Katherine, Orville, Wilbur & Bishop Wright Kettering OH Brian R James 937-252-3122	01
040609	GMCFDA	Bereavement, Stress and How it Affects Us and Those We Serve Kettering OH Brian R James 937-252-3122	01

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

Individual Approval

Date	Licensee	Title	Hours
020701	42-00-7616	September 15-18, 2003 History - Forensic Anth - High Profile Funerals - Reconstructive Surgery - Awakening from Grief - Succession Planning - Multi Cultural Funeral Atlantic City NJ Steven A Farus	10
020701	42-00-7597	June 19, 2003 FTC Largo FL John W Gooldin	01
020701	42-00-8237	June 17, 2003 WV Funeral Director Convention Weston WV L Paul Ingram	03

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020701	42-00-8501	June 7, 2003 Responsibilities in Death Registration Orlando FL Tim G Miller	01
020701	42-00-8501	June 7, 2003 The Embalming Process - An Analysis Orlando FL Tim G Miller	01

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

Blanket Approval:

Sponsor	Title	Hours
THANOHMS	Restorative Art & Cosmetology Mary Rizzo 800-742-8257	09

On a motion by Mr. Tunnell, seconded by Mr. Jones, the Board approved the following waivers and exemptions. Ayes: 7. Nays: 0. Motion approved.

Waivers and Exemptions

Waiver	Exemption	Licensee Name	Granted/Denied
X		Brown, W Sherman	granted



On a motion by Mr. DeJohn, seconded by Mrs. Cheney, the Board meeting adjourned at 8:38 A.M. Ayes: 7. Nays: 0.