

MINUTES

Tuesday, June 18, 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 1:15 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, Frank J. Savage, Inspector, Charles H. Wisby, Inspector, and Ann Cunningham, Executive Director.

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On a motion by Mr. Hadley, seconded by Mr. DeJohn, the minutes of the May 20-21, 2003, meeting were approved as amended. Ayes: 6. Nays: 0. Motion approved.

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Announcements

The Executive Director informed the Board members that the Pittsburgh Institute of Mortuary Science confirmed December 10, 2003, as the second Law Seminar for calendar year 2003.

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The Executive Director distributed draft of the Board's calendar for the remainder of calendar year 2003 (beginning of Fiscal Year 2004) and for calendar year 2004. Board members are to review the suggested schedule and confirm the calendar at the July meeting.

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President Jones expressed his appreciation for his time as president, and extended a thank you to Mr. DeJohn for his service to the Board. Mr. DeJohn received a small token representing the Board's appreciation.

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Unfinished Business

The Board members received a brief update and written comments on the availability of licensee addresses, including street number, and name on the Board's website once the new licensing system is installed.

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The Board received the management letter from Betty Montgomery, Auditor of State. The letter was the same as the draft reviewed earlier, and the Board office is correcting

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procedures for inventory, documentation of employee evaluations, and on-site inspections.



Board members reviewed a letter from Dalene L. Randall, Executive Director of the International Conference of Funeral Service Examining Boards, Inc., in Arkansas. Ms. Randall expressed regret that Ohio did not attend the annual convention for the first time in memory. However, Ms. Randall did forward a brief synopsis of the convention topics, discussions, and decisions.



On a motion by Mr. Tunnell, seconded by Mr. Shank, the Board denied Ms. Cunningham's request for sixty-four hours of vacation, a procedural matter to avoid losing vacation leave as Ms. Cunningham had reached the maximum allowable. Ms. Cunningham will be reimbursed for the leave. Ayes: 7. Nays: 0. Motion approved.



The Board offered the following suggestions to the Ohio Funeral Directors Association for its apprentice seminar; (1) offer the seminar twice each year, (2) present specific instructions on Vital Statistics, Preneed, Taxation, OSHA, Veterans Administration, Taxation, Clergy, (3) lecturers should be solicited from the specific agency that oversees each of the subjects above. The Board suggested that the apprentice and preceptor training be incorporated at a future date.



The Board members received a copy of a letter from Representative John J. White requesting information necessary for review by the Sunset Committee. Included with the letter was a subsequent notice that the Board would not be reviewed because of an exemption for licensing boards.



New Business

On a motion by Mr. Tunnell, seconded by Mr. Hadley, the Board issued embalmer and/or funeral director licenses to the following individuals who met the licensure requirements. Ayes: 7. Nays: 0. Motion approved

<u>Applicants</u>	<u>Embalmer License #</u>	<u>Funeral director License #</u>
Eric Anthony	9047 A	8946

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Bryan Avance	9048 A	8947
Daniel Bove	9049 A	8948
Mark Fickes	9050 A	8949
Christopher Garndy	9051 A	8950
Brian Habegger	9052 A	8951
Glynis Hems	9053 A	
Duane Hilty	9054 A	8952
David Levy		8953
Daniel Madden	9055 A	
Sandra Rogers		8954
Edward Small	9056 A	8955
Michael Smith	9057 A	8956
Ryan Smith		8957
Heather Terry		8958

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

<u>Applicant</u>	<u>Embalmer Registration #</u>	<u>Funeral Director Registration #</u>	<u>Date</u>
James Baer		C-8870	05/19/03
David Adams	D 7030	C 8871	05/22/03
William Chambers	D 7031	C 8872	05/22/03
Phillip Wilmoth	D 7032	C 8873	05/22/03



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

<u>Applicant</u>	<u>Apprenticeship</u>	<u>Funeral home</u>
David Adams	Em/Fd	Hilliard & Mullaney FH 174 N Lyman St Wadsworth Ohio 44281
James Baer	Fd	McFarland & Son FS 271 N Park Ave Warren Ohio 44482
Devin Beeker	Em/Fd	Swart Funeral Home 207 E Central Ave West Carrollton Ohio 45449
Kacy Peterson	Em/Fd	Goings Memorial Chapel 1323 Johnny Lytle Ave Springfield Ohio 45506



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

Embalming Case Reports	30
Embalming Master Reports	5
Embalmer Interviews	2
Funeral Director Progress Reports	103
Funeral Director Master Reports	17
Funeral Director Interviews	11



On a motion by Mr. Hadley, seconded by Mr. Tunnell, the Board approved the following applications for funeral home licenses, and issued each a license. Ayes: 6. Nays: 0.

<u>Firm Title</u>	<u>Address</u>	<u>County</u>	<u>Inspection</u>
Small FS	Mansfield	Richland	5/15/2003



On a motion by Mr. Hadley, seconded by Mr. DeJohn, the Board tabled 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.



There were no applications for crematory facility licenses other than those pending receipt of an occupancy permit.



On a motion by Mr. Shank, seconded by Mr. Tunnell, 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.

<u>Firm Title</u>	<u>Address</u>	<u>County</u>
Avance Crematory	Fairfield	Butler



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

<u>I.D.#</u>	<u>Firm Title</u>	<u>Manager</u>	<u>County</u>

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43-00-2569	Crosby Funeral Home	Kent P. Berkheimer	Franklin
43-00-1574	L. Eugene Smith & Son FH	Shane C. Smith	Clinton

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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 May 2003.

<u>I.D.#</u>	<u>Firm Title</u>	<u>AIC/UR</u>	<u>County</u>
43-00-2569	Crosby Funeral Home	Kent P. Berkheimer	Franklin

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The Board reviewed various news articles related to the funeral profession.

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On a motion by Mr. Tunnell, seconded by Mr. Shank, the Board voted to send Mr. DeJohn and Inspector Savage to the Pittsburgh Institute of Mortuary Science Law Seminar on August 13, 2003. Ayes: 6. Nays: 0. Motion approved.

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The Executive Director informed the Board that the annual conference of the Council on Licensure, Enforcement and Regulation would be held September 11-13, 2003 in Toronto, Canada.

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The Board decided not to adopt rules to certify licensed embalmers and funeral directors as competent observers. Secretary instructed to relay the decision to the State Medical Board

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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

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1. A letter from Thomas C. Kelsch concerning opening a funeral service. Secretary instructed to inform Mr. Kelsch that such a service as described would require a funeral home license.
2. A letter from Bruce A. Lieurance responding to the Board's request for additional information. On a motion by Mr. Tunnell, seconded by Mrs. Cheney, the Board voted to table the matter until the Assistant Attorney General could research and offer legal advice. Ayes: 7. Nays: 0. Motion approved.
3. A letter from Mary Jo Hellwarth concerning part-time employment during her funeral director's apprenticeship. On a motion by Mr. Hadley, seconded by Mr. Tobias, the Board approved Ms. Hellwarth's request to work as a teacher for no more than two days per week during the school year. Ayes: 7. Nays: 0. Motion approved.
4. A letter from Geoffrey Alan Wells informing the Board of a change of corporate title. The funeral home name remains unchanged.
5. A letter from Bryan E. Chandler concerning advertising. Secretary to inform Mr. Chandler that provided he submits an application for funeral home license and secures building permits, he may advertise the future opening of his new funeral home.
6. A letter from Peggy Cheek concerning part-time employment during her apprenticeship. On a motion by Mr. Hadley, seconded by Mr. Shank, the Board approved Ms. Cheek's request to work as a nurse for less than twenty hours per week during her apprenticeship. Ayes: 7. Nays: 0. Motion approved.
7. A. letter from J.P. Rogers of the J.P. Rogers Funeral Home in Wellston concerning a mailing campaign. Secretary to advise Mr. Rogers that the Board is not permitted to advise licensees on advertisement, and strongly advise that Mr. Rogers obtain legal counsel and consider contacting the Division of Financial Institutions with his questions.
8. A letter from Ronald B. McNabb offering a chronological account of his attempt to rebuild his funeral home after a devastating arson fire in November 2001. On a motion by Mr. DeJohn, seconded by Mr. Tunnell, the Board voted to inform Mr. McNabb that after this length of time, his current funeral home license must be

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cancelled and he needs to submit an application for a new funeral home license.

Ayes: 7. Nays: 0. Motion approved.

9. A letter from Jean Pastore, wife of Steven J. Pastore concerning the operation of the Kerr-Pastore Funeral Home in Salineville. On a motion by Mr. Hadley, seconded by Mr. Shank, the Board approved the continued operation of the funeral home until June 1, 2004. Ayes: 7. Nays: 0. Motion approved.
10. A letter from R. Bruce Koons responding to the Board's request for additional information. On a motion by Mr. Hadley, seconded by Mr. Shank, the Board voted to table the matter until the Assistant Attorney General could research and offer legal advice. Ayes: 7. Nays: 0. Motion approved.
11. A letter from Walter L. Adkins submitted at the request of the Board. The Board reviewed the yellow pages advertisement and determined there was no violation.
12. A letter from Richard D. Geib concerning Mary Mann's apprenticeship. Motion by Mr. DeJohn, seconded by Mr. Hadley, to deny credit for previous apprenticeship time. Ayes: 2. Nays: 5. Motion failed. Secretary instructed to send termination forms to secure previous apprenticeship credit, and certification forms to finish the required two years.



Person Before the Board

Robert G. W. Cartmill of West Virginia, appeared before the Board to discuss his application for reciprocal licenses. On a motion by Mr. Tunnell, seconded by Mr. Hadley, the Board voted to approved Mr. Cartmill's application for reciprocal embalmer and funeral director licenses. Mr. Cartmill is required to successfully pass the embalmer and funeral director Ohio laws examinations. Ayes: 7. Nays: 0. Motion approved.



Mr. Tunnell left the meeting at this point.



Inspectors' Reports

Inspector Savage reported that he drove 1,471 miles in the counties of Cuyahoga, Mahoning, Monroe, Richland, Stark, Tuscarawas, and Washington. He inspected no crematory facilities, 24 funeral homes, and found no violations, conducted four investigations, and monitored no apprentices. Inspector Savage attended the Ohio

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Funeral Directors Association Annual Convention on April 30, May 1-2, 2003 and the Ohio Crematory Operators Meeting on May 8, 2003. Inspector Wisby attended the Ohio Funeral Directors Association Annual Convention on April 30, May 1-2, 2003 and the Ohio Crematory Operators Meeting on May 8, 2003

Inspector Wisby reported that he drove 2,570 miles in the counties of Athens, Butler, Clinton, Fayette, Franklin, Licking, Logan, Montgomery, Union, and Warren. He inspected no crematory facilities, and 57 funeral homes. He found four violations. He conducted no investigations and monitored two apprentices.

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On a motion by Mr. DeJohn, seconded by Mr. Hadley, 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.

Mr. Shank recused himself at 3:30 P.M.

President Pernel Jones declared the Board out of executive session at 3:55 P.M.

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On a motion by Mr. Hadley, seconded by Mr. Tobias, the Board voted to close two (2) investigatory files. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye.

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Fiscal

The Board reviewed the revenue and voucher journals for May, the percentage chart as of April, and a comparison of revenue and disbursements.

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The members received a copy of the Board's section of House Bill 95, main operating appropriations bill, showing the introduced language, and language passed by the House and as report by the Senate Finance and Financial Institutions Committee.

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On a motion by Mr. Shank, seconded by Mr. Hadley, the Board approved the personnel service contract with Blaugrund, Herbert and Martin, Inc to act as hearing officer at the rate of \$95.00 per hour for a maximum of \$4,750.00 for Fiscal year 2004, pending availability of funds. Ayes: 6. Nays: 0. Motion approved.

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On a motion by Mr. Tobias, seconded by Mrs. Cheney, the Board approved the personal service contract for educational consultant, Donald Neff, at the rate of \$20.00 per hour for a maximum of \$1,500.00 for Fiscal Year 2004, pending availability of funds. Ayes: 6. Nays: 0. Motion approved.

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The Board met as a committee of the whole to discuss the apprenticeship program in particular training of master and/or preceptors. The Board is considering establishing a five or six hour mandatory training program as a requirement to serve as a master.

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The Board recessed at 4:40 P.M.

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Wednesday, June 19, 2003

The Board reconvened at 8:06 A.M. in the Board office. Present were: Virginia S. Cheney, Ross C. DeJohn, John J. Hadley, Pernel Jones, Sr., Robert L. Shank, David B. Tobias, Kate Oklok, Assistant Attorney General, Inspector Frank J. Savage, Inspector Charles H. Wisby, Executive Director; and Executive Director, Ann Cunningham.

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On a motion by Mr. Hadley, seconded by Mr. Shank, the Board agreed to send the Executive Director to the Ohio Crematory Operators training on July 23. Ayes: 6. Nays: 0. Motion approved.

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The Board met as a committee of the whole to discuss improvements to the apprenticeship program. A.A.G. Kate Oklok lead the discussion of proposed language changes to Rule 4717-1-14 of the Administrative Code.

A.A.G. Oklok left the meeting after the discussion was concluded.



Continuing Education

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

Prior Approval:

Date	Sponsor	Title	Hours
030317	AURORA	Marketing Today & Tomorrow Aurora IN Dave Lane 513-979-5260 Blanket Approval thru 06-30-04	01
030430	REGSPTSV	Annual OSHA Training Lucasville OH Blanket Approval thru 06-30-04	03
030506	BATES	Option's Presentation - Meaningful Memories Batesville IN Donald J Baechle, Jr 800-622-7373 Blanket Approval thur 06-30-04	04
030513	CENTRAL	Grief & Loss - Better Care for the 21st Century Cincinnati OH Joe L Getts Blanket Approval thru 06-30-04	03
030516	MILSO	Milso Factory Tour; Maximizing Opportunity, Creating Unique Celebrations, Personal Impressions Richmond IN Steve Duffy Blanket Approval thur 06-30-04	06
030516	REGSPTSV	Annual OSHA Training Cincinnati OH David Partridge Blanket Approval thru 06-30-04	03
030520	CLARK	Tour of Clark Service Center N Royalton OH Ned A Spangler Blanket Approval thru 06-30-04	01
030520	CLARK-1	Personalization of Clark Vaults & Urn Vaults N Royalton OH Ned A Spangler Blanket Approval thur 06-30-04	01
030520	CLARK-2	Clark American Valor & Military Vaults & Urn Vaults N Royalton OH Ned A Spangler Blanket Approval thru 06-30-04	01
030523	WILBERT	Synchronized Marketing Plant Pataskala OH Kathleen Berry Blanket Approval thur 06-30-04	02
030528	TOTAL	The Tax Reconciliation Act of 2001 & The Effect on Funeral Owners	02

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		Middletown OH E Todd Fowler 513-721-1735 Blanket Approval thur 06-30-04	
030529	WILBERT	Synchronized Marketing Plant Mentor OH Kathleen Berry Blanket Approval thru 06-30-04	02
030529	BATES	First Impressions and Moments of Truth in Your FH Batesville IN Deb St Pierre 800-338-6630 ext 32526 Blanket Approval thur 06-30-04	04
030605	AURORA	Marketing Today & Tomorrow Warren OH Dave Lane 513-979-5263	02
030611	ICFA	Small Cemetery & Funeral Management Conference Santa Monica CA Lisa D'Angelo 703-391-8400 ext 214	12
030612	OFDA #12	Synchronized Marketing Plan (Burial Vault 101) St Clairsville OH Brad McClelland 740-432-5705 Blanket Approval thru 06-30-04	02
030623	CUYFDA	Innovations in the Monument Industry Cleveland OH Tina Girod 216-481-3118	03
030624	OFDA 10	Evolution in Action Gallipolis OH Dawn Little	04
030703	COLUMBIA	Grave Relocations at Highland Hills Cemetery Lisbon OH George Coffman 740-537-1234 Program was originally rescheduled May 1, 2003	02
030711	SILVA	OSHA/FTC Training Akron OH Steve Libby or Christ Silva 330-666-8958	04
030802	EPSILO-1	Litigation & Standard of Care in Embalming Birmingham AL Talitha Thomas 864-246-8549	02
030802	EPSILON	Anatomical Embalming Birmingham AL Talitha Thomas 864-246-8549	02
030802	NFD&MA	Beginning Computers Birmingham AL Sharon Seay 404-286-6680	02
030803	NFD&MA	Excel Birmingham AL Sharon Seay 404-286-6680	02
030803	NFD&MA-1	New Member Orientation Birmingham AL Sharon Seay 404-286-6680	01
030803	NFD&MA-2	Risk Management for Funeral Directors Birmingham AL Sharon Seay 404-286-6680	02
030803	NFD&MA-3	Intermediate Computers Birmingham AL Sharon Seay 404-286-6680	02
030803	NFD&MA-4	OSHA Update Birmingham AL Sharon Seay 404-286-6680	02
030803	NFD&MA-5	Southern Burial Customs Birmingham AL Sharon Seay 404-286-6680	02
030804	NFD&MA	Time Management Birmingham AL	01

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		Sharon Seay 404-286-6680	
030804	NFD&MA-1	The State of Black Funeral Service in the new Millennium Birmingham AL Sharon Seay 404-286-6680	02
030804	NFD&MA-2	Stress Management Birmingham AL Sharon Seay 404-286-6680	01
030804	NFD&MA-3	Is Your Employer Putting Your Career on the Lowering Device? Birmingham AL Sharon Seay 404-286-6680	01
030804	NFDA	NFDA Leadership Conference Asheville NC Sandra Jeske 262-789-1880	10
030805	NFD&MA	Your Employee Handbook Birmingham AL Sharon Seay 404-286-6680	02
030805	NFD&MA-1	Diversity Issues Birmingham AL Sharon Seay 404-286-6680	02
030805	NFD&MA-2	Building a Better Business Birmingham AL Sharon Seay 404-286-6680	02
030805	NFD&MA-3	Shipping Human Remains Birmingham GA Sharon Seay 404-286-6680	02
030805	NFD&MA-4	Current Topics in Embalming Birmingham AL Sharon Seay 404-286-6680	02
030806	NFD&MA	Selecting Staff Birmingham AL Sharon Seay 404-286-6680	02
030822	SCIOTO	First Sem-Annual Funeral Directors Conference Portsmouth OH Darlene Traylor 740-355-0113	02
031008	GMCFDA	Annual OSHA Training Kettering OH Brian R James 937-252-3122	03

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

Blanket Approval:

<u>Sponsor</u>	<u>Title</u>	<u>Hours</u>
FRCOMHMS	Communicable Disease John T McQueen, CFSP 727-822-4700	02
TCS	Intelligence Graveyard - Enhancing Funeral Service with information management Mark D Ivey or David Haldeman 513-652-6643	03

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

Individual Approval

<u>Date</u>	<u>Licensee</u>	<u>Title</u>	<u>Hours</u>
020701	42-00-8765	June 7, 2003 Amer Historian Ill Funeral Dir Assoc Curator -	03

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		Chicago Defender, Publisher Advertising - - Nutrition for the Funeral Practitioner Chicago IL Carmen R Collins	
60565	42-00-8765	June 6, 2003 Master Embalming - Precious Memories - Funeral Directing our Future Naperville IL Carmen R. Collins	06
020701	42-00-8020	August 5, 2003 Child Death Investigation Richmond KY Ronald R Cook	12
020701	42-00-7007	May 1-2, 2003 Trimming to Win Washington DC Richard J Diehl	09
020701	42-00-7597	May 21, 2003 Death Service Marketing-Use of Arterial Chemicals- Value of Embalming Reports Clearwater FL John W Gooldin	03
020701	42-00-7597	May 22, 2003 Work Place Violence-Moulage for Disaster Drills- Exposure Clearwater FL John W Gooldin	05
020701	42-00-8729	May 28, 2003 Funeral Service Innovations & Implementations AnnArbor MI Dean A Mueller	02
020701	42-00-6455	TBD APS 396 Advanced Pastoral Counseling Hales Corners WI Richard J Perko	18
020701	42-00-6487	June 24, 2003 Family Business Succession Planning & Estate Planning for Funeral Directors Indianapolis IN Jeff Powers	06

There were no exemptions or waivers offered for consideration.



On a motion by Mrs. Cheney, seconded by Mr. Shank, the Board meeting adjourned at 9:00 A.M. Ayes: 6. Nays: 0.