

MINUTES

Wednesday, March 19, 2003

The regular meeting of the Board of Embalmers and Funeral Directors was held at 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, Frank J. Savage, Inspector, Charles H. Wisby, Inspector, and Ann Cunningham, Executive Director.

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

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Announcements

The Executive Director informed the Board that Collective Bargaining negotiations were completed. For two years, there will be no raises, no step increases, and no longevity increases. Employee costs for health insurance will increase; monthly fee, copayment, deductible, and prescription costs. There will be a one-time 2 percent ratification payment in December 2004, and a four- percent general wage increase on July 1, 2005.

A copy of the Conference Report from the International Conference of Funeral Service Examining Boards was given to members who did not receive a copy.

The Executive Director reminded the Board that she and Inspector Wisby would be participating in the Central Ohio Funeral Directors Association meeting on March 25, 2003.

The Board members were reminded that the Ohio Funeral Directors Association Annual Convention is scheduled for April 30 through May 2. The Association provides booth space, and the Board leases the furnishings.

Board members were reminded to submit their financial disclosure statement before April 15, 2003.

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Unfinished Business

The Apprenticeship Committee reported that they met with Ms. Oklok and Ms. Cunningham before the Board meeting to discuss proposed changes and to request additional information from Iowa and Pennsylvania.



New Business

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

<u>Firm Title</u>	<u>Address</u>	<u>County</u>	<u>Inspection</u>
McVean	Youngstown	Mahoning	Inspection
A. Ripepi & sons FH, Inc.	Cleveland	Cuyahoga	Inspection



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

<u>Firm Title</u>	<u>Address</u>	<u>County</u>	<u>Inspection</u>
Thomas G. Smith	Cleveland	Cuyahoga	Inspection



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

<u>Firm Title</u>	<u>Address</u>	<u>County</u>	<u>Inspection</u>
O. R. Woodyard Co	Columbus	Franklin	Inspection



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

<u>I.D.#</u>	<u>Firm Title</u>	<u>Manager</u>	<u>County</u>
43-00-2177	Seederly Mong & Beck FH	Christopher J Graff	Mahoning
43-00-2569	Crosby Funeral Home	Jay C. Moffett	Franklin
43-00-1948	Cunningham-Becker FH	Patrick S. Morrow	Mahoning
43-00-0994	R. A. Franklin Inc. MC	Frederick Fries	Stark
43-00-2310	Neidhard-Hensley FH	Sean M. Gillen	Hamilton



There were no funeral homes submitting amendments to change the funeral director actually in charge of and ultimately responsible for the funeral home for the month of February 2003.

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There were no embalmer or funeral director licenses eligible to be granted



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

<u>Applicant</u>	<u>Embalmer Registration #</u>	<u>Funeral Director Registration #</u>	<u>date</u>
Robert Calvert		C-8854	02/03/03
Valarie Delvitto	D-7020	C-8855	02/03/03
William Shannon, Jr.		C-8856	02/13/03
Kari Bryner	D-7022	C-8857	02/21/03
Michalene Gompf		C-8858	02/21/03
Kacy Peterson	D-7021	C-8859	02/21/03



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

Kari Bryner	Emb/FD	Schoedinger North Chapel 5554 Karl Rd Columbus OH 43229
Robert Calvert	FD	Brucker-Kishler FH 985 North 21 st St Newark OH 43055
Gene Dale	FD	Gasiorowski Memorial 3302 Lagrange St Toledo OH 43608
Valerie DelVitto	Emb/FD	Hahn-Hostetler-Silva FH 98 Seventeenth St NW Barberton OH 44203
Senta Folds	Emb/FD	E.F. Boyd & Son FH 2165 East 89 th St Cleveland OH 44106
Michalene Gompf	FD	Gompf Funeral Service 440 S Center St Cardington OH 43315
Steven Smith	FD	Brown Funeral Home 706 N Main St Hicksville OH 43526
Shannon Williams Jr.	FD	Berry Funeral Home 23040 Center Ridge Rd Westlake OH 44145



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

Embalming case reports	42
Embalming master reports	7
Embalmer interviews	9

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Funeral Director progress reports	138
Funeral Director master reports	23
Funeral Director interviews	15



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



On a motion by Mr. Hadley, seconded by Mr. Tunnell, the Board designated Mr. Tobias to represent the Board at the Ohio Embalmers Association Fall Seminar in Rootstown on October 3, 2003. Ayes: 7. Nays: 0. Motion approved.

The Executive Director relayed an inquiry from the Community Tissue Service in Dayton. The Service asked if funeral homes were permitted to charge for preparation of a body after an organ and/or issue donation. The Service was referred to the Federal Trade Commission Funeral Rule which states that the charge must be on the funeral home's General Price List. The Board suggested the Service contact the local funeral director's association to inform funeral homes that families that donate are not charged for the process of donation, and the funeral homes should contact the Service if there are any charges.



Correspondence

1. A letter from Ryan C. James reporting the progress on the rebuilding of his funeral home after it was destroyed by fire. Secretary to thank Mr. James for his update.
2. A letter from Larry R. Madasz informing the Board of the sale of the Brook Park Cremation Centers, Inc. Secretary to acknowledge.
3. A letter from Larry R. Madasz informing the Board of the sale of the Madasz Funeral Home. He submitted the funeral home display license and a clearly enumerated list of all preneed accounts.
4. A letter from Howard A. Strowder informing the Board of the renovation of Strowder's Funeral Chapel, Inc.. Inspector Savage to inspect the facility.

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5. A letter from Charles M. Billow informing the Board of the close of the Billow Funeral Home in Talmadge. Secretary to request a clearly enumerated account of all preneed accounts..
6. A letter from William H. Parker informing the Board of death of his father, Paul H. Parker and requesting permission to continue the operation of the Parker & Son Funeral Home for twelve months. On a motion by Mr. Hadley, seconded by Mr. Tobias, the Board approved Mr. Parker's request to continue the operation of the funeral home until February 9, 2004. Ayes: 7. Nays: 0. Motion approved..
7. A letter from Aaron A. Esposito requesting permission to work part time during his apprenticeship. On a motion by Mr. Hadley, seconded by Mr. Shank, the Board approved Mr. Esposito's request to work part time for no more than twenty hours per week. Ayes: 7. Nays: 0. Motion approved.
8. An email from Richard J. Traunero asking the Board to consider a rule regarding letterhead and advertising similar to the Massachusetts Board of Registration of Funeral Directors and Embalmers. The Massachusetts Board entered into agreements with 30 funeral homes in resolution of complaints that the funeral homes list the name, complete address and telephone number of all entities which possess an ownership interest of 10% or more in the funeral home. The agreement was based on Massachusetts State law. Secretary to acknowledge receipt and advise Mr. Traunero that Ohio Law does not mandate like disclosures, and therefore the Board has no legal basis for such an agreement.
9. A letter and a certification of judgement entry from Richard A. Schwager, attorney for Teresa Lee Owens, advising the Board that Ms. Owens legally changed her name to Teresa Lee Brooks Owens, and requested a change of firm title from "Owens Funeral Home" to "Brooks Owens Funeral Home, Inc." The Board with the exception of Mr. Jones, approved the request for the change of firm title.
10. A letter from Heather Love Reynolds, an apprentice requesting an exception to the Board rule that apprenticeship must begin before October 1 to qualify for the October examination. The Board reviewed Ms. Reynolds attachments, and the Board file. Secretary to ask for proof of employment as an apprentice and a

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notarized statement from her master verifying that Ms. Reynolds was an apprentice on October 1.

11. A letter from Dalene L. Randal, Executive Director of the International Conference of Funeral Service Examining Boards, Inc. expressing regret that the Board will be unable to attend the annual convention.
12. A letter from Timothy F. Barrett requesting reinstatement of his licenses. Secretary to forward the requirements and procedure for reinstatement.



Inspectors' Reports

Inspector Savage reported that he drove 2,063 miles in the counties of Ashtabula, Cuyahoga, Lake, Lorain, Mahoning, Noble, Richland, Stark, Summit, and Trumbull. He inspected three crematory facilities, 43 funeral homes, and found eight violations. He conducted 11 investigations and monitored two apprentices.

Inspector Wisby reported that he drove 2,708 miles in the counties of Adams, Allen, Auglaize, Butler, Franklin, Gallia, Hamilton, and Lucas. He inspected 5 crematory facilities, 53 funeral homes, and found one violation, conducted three investigations, and monitored seven apprentices.



Ms. Oklok gave the Board members a copy of Judgement Entry from the Stark County Court of Common affirming the Board's decision to suspend the licenses of Wendell C. Brogdon and the Brogdon and Son Funeral Home for thirty days.



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; Tunnell, Aye.

Ms. Oklok left the session at 2:34 P.M. and return at 3:44 P.M.

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President Pernel Jones declared the Board out of executive session

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On a motion by Mr. Hadley, seconded by Mrs. Cheney, the Board voted to close five (5) investigatory files. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye, Tunnell, Aye.

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The following motions were made pursuant to the report and recommendation of hearing officer, Marc E. Myers, on the hearing held September 9, 2002 concerning the Board's denial of the applications submitted by Bruce A. Sampson for licensure as an embalmer and a funeral directors by reciprocity. The Board also considered objections to the Report and Recommendation submitted by T. Scott Gilligan, attorney for Mr. Sampson.

Motion by Mr. Hadley, seconded by Mr. Tunnell, to approve the hearing officer's findings of fact. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, abstain; Tobias, Aye; Tunnell, Aye.

Motion by Mr. Hadley, seconded by Mr. Tunnell, to approve the hearing officer's conclusions of law. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, abstain; Tobias, Aye; Tunnell, Aye.

Motion by Mr. Hadley, seconded by Mr. Tunnell, to approve the hearing officer's recommendation that the applications submitted by Bruce A. Sampson for licensure as an embalmer and funeral director in Ohio by reciprocity is denied. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, abstain; Tobias, Aye; Tunnell, Aye.

Order of the Board:

That the applications submitted by Bruce A. Sampson for licensure as an embalmer and funeral director in Ohio by reciprocity be denied.

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Fiscal

The Board reviewed the February Monthly Transaction Register, the voucher and revenue journals for February, the percentage chart as of February, and a comparison of revenue and disbursements.



The Board received a copy of Executive Order 2003-03T mandating spending reductions through June 30, 2003.



The Board reviewed the status of the Budget request for 2004-2005. The Executive Budget Recommendations are \$563,639 FY 2004 and \$594,880 FY 2005. The Executive Recommendation allegedly includes funding to hire an investigative assistant beginning January 2004, but does not include some funding for current operational costs. Board members received a copy of the Professional and Occupational Licensing Boards section of the Executive Budget. President Jones reported on his appearance before the Agriculture and Development Subcommittee of the House Finance Committee on March 5, 2003.



The Board reviewed the grades of the embalmer Ohio laws examinations and the Funeral Service Arts and Science examinations written, February 25-26, 2003. Motion by Mr. DeJohn, seconded by Mr. Hadley, that applicants with a score of 75% or higher on the examinations will be issued an embalmer license number, pending receipt of a properly completed application and the initial license fee. Motion approved. A list of applicants, their scores, and license numbers will be entered into the journal. Roll Call Vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye; Tunnell, Aye. Motion approved.

The Board reviewed the funeral director Ohio Laws, Sanitation, and Funeral Service Arts examinations written on February 25-26, 2003. Motion by Mr. Tobias, seconded by Mrs. Cheney, that applicants with a score of 75% or higher on these examinations be granted a funeral director license number, pending receipt of a properly completed application and the initial license fee. Motion approved. A list of licensees, their scores, and license

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numbers will be entered into the journal. Roll Call Vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Shank, Aye; Tobias, Aye; Tunnell, Aye. Motion approved.

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On a motion by Mrs. Cheney seconded by Mr. Hadley, the Board recessed at 4:27 P.M. Ayes: 6. Nays: 0. Motion approved.

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Thursday, March 20, 2003

The Board reconvened at 7:55 A.M. at in the Board office. Present were: Virginia S. Cheney, Pernel Jones, Sr., Robert L. Shank, David B. Tobias, Kurtis A. Tunnell, Inspector Frank J. Savage, Inspector Charles H. Wisby, Executive Director; and Executive Director, Ann Cunningham. Both Mr. DeJohn and Mr. Hadley were unavoidably absent from the meeting, and the remaining Board members deferred further discussions with the exception of considering the continuing education programs.

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Continuing Education

On a motion by Mr. Shank, seconded by Mr. Tunnell, the Board approved, and, where indicated, denied, the following continuing education programs. Ayes: 5. Nays: 0.

Prior Approval:

DATE	SPONSOR	TITLE	Hrs
030000	NFDA	Bio/Chemical Hazards: The New Battleground Teleconference Sandra Jeske 800-228-6332 DATE TO BE DETERMINED - NOT A BLANKET	03
030204	REGSPTSV	Annual OSHA Training New Castle PA David E Partridge 804-784-7349 Blanket Approval thru 06-30-04	03
030206	REGSPTSV	Annual OSHA Training Wheeling WV David Partridge 804-784-7347 Blanket Approval thru 06-30-04	03
030218	BATES	Meeting the Needs of Our Changing Families Columbus OH Donald J baechle, Jr 800-622-8373 Blanket Approval thru 06-30-04	02
030219	BATES	Meaningful Memories Wooster OH Donald J Baechle, Jr	02
030224	AURORA	Marketing Today & Tomorrow Aurora Plant Tour Aurora IN Steve Becker 513-979-5263 Blanket Approval thru 06-30-04	03
030225	AURORA	Marketing Today & Tomorrow Circleville OH	02

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		Dave Lane Blanket Approval thru 06-30-04	
030227	BAXTER	Vault College II Cincinnati OH Holly Bridgers 513-641-1010 Blanket Approval thru 06-30-04	02
030227	WISEMAN	Cultural Diversity Archbold OH W Thomas Wiseman Ph D 419-782-4886 Blanket Approval thru 06-30-04	04
030306	BAXTER	Vault College II Cincinnati OH Holly Bridgers 513-641-1010 Blanket Approval thru 06-30-04	02
030306	OFDA	OFDA Resource Center Update Dindlay OH Diana O'Neal 614-486-5339 Blanket Approval thru 06-30-04	02
030307	TURNER	Burial Vault 101 Toledo OH Lance Ray Blanket Approval thru 06-30-04	02
030320	WILBERT	Synchronized Marketing Plan Cleveland OH Kathleen M Berry 216-521-1705 starting time pending	02
030320	OFDA #16	Interstate & International Shipping of Remains Canton OH Craig E Gordon 330-456-4766	02
030320	FIREFDA	Trauma Scene Services Norwalk OH David F Koch 419-626-1070	02
030320	REYNOL-1	Benefits of Selling Preneed Insurance Independence OH Judy Vandervort 814-653-9666	02
030320	REYNOLDS	Merchandising Products from Metal Caskets to the .. Independence OH Judy Vandervott 814-653-9666 Blanket Approval thru 06-30-04	02
030326	OFDA #3	OFDA Education Program Springfield OH Jon Neeper 419-229-2300	02
030327	SUMMIT	Funeral Home Benefit Plans Akron OH Scott Mason 330-535-9183	02
030331	CUYFDA	Santa's Hide-Away Hollow Memorial Chapel Cleveland OH Tina Girod 216-481-3118	03
030408	GCFDA	Communicable Disease & Bioterrorism Implications for Funeral Directors Cincinnati OH 45208 513-871-3433	02
030416	GMCFDA	How Hospice & Funeral Directors work for Families Kettering OH Brian E Wolfe 937-879-0800	01
030421	FDANWO	Workplace Resources Toledo OH Carter Neff 419-243-6281	02
030427	NFD&M	The Academy of Professional Funeral Service Practice St Louis MO Edith Churchman 404-286-6680	01
030428	NFD&M	Security for Your Funeral Home	01

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		St Louis MO Edith Churchman 404-286-6680	
030428	NFD&M-1	Providing Maximum Service in an Economically Stressed Market St Louis MO Edith Churchman 404-286-6680	01
030429	NFD&M	How to Dress and Casket for Full Couch Caskets St Louis MO Edith Churchman 404-286-6680	01
030429	NFD&M-1	Common Probate Issues St Louis MO Edith Churchman 404-286-6680	01
030430	OFDA	OFDA 123rd Annual Convention & Exhibition "How to Stay Up No Matter What Comes Down" "NFDA Update & State of the Association" Columbus OH Diana O'Neal 614-486-5339	03
030430	OFDA-1	OFDA 123rd Annual Convention & Exhibition 14 ... "20-minute Workshops" must attend 3 for 1 CE Columbus OH Diana O'Neal 614-486-5339	01
030501	OFDA	OFDA 123rd Annual Convention & Exhibition "Update on Infectious Diseases" Columbus OH Diana O'Neal 614-486-5339	01
030501	OFDA-1	OFDA 123rd Annual Convention & Exhibition "A Walk thru Brunner Funeral & Cremation Retail Store" Columbus OH Diana O'Neal 614-486-5339	01
030501	OFDA-2	OFDA 123rd Annual Convention & Exhibition "Summary of Dodd Bill" Columbus OH Diana O'Neal 614-486-5339	01
030501	OFDA-3	OFDA 123rd Annual Convention & Exhibition "Website Design" Columbus OH Diana O'Neal 614-486-5339	01
030501	OFDA-4	OFDA 123rd Annual Convention & Exhibition "Positive Value of Funeral Service and Its Future" Columbus OH Diana O'Neal 614-486-5339	02
030502	OFDA	OFDA 123rd Annual Convention & Exhibition "Charting Your Course to Greater Family Satisfaction" Columbus OH Diana O'Neal 614-486-5339	02
030508	BAIRD	Traumatic Grief Seminar (Open Meeting) Troy OH Tamara Baird 937-339-2602	03
030512	MUNZ-PIR	Bucyrus Community Bereavement Seminar Bucyrus OH Greg A Northrop 419-562-6190	06
030513	HISTOR-1	Lakeside Mausoleum Introduction & Tour Toledo OH Alan K Fuhrhop 419-472-2186	01
030513	HISTORIC	Lakeside Mauseleum Introduction & Tour Toledo OH Alan K Fuhrhop 419-472-2186	01
030515	NFDA	Funeral Rule Compliance Teleconference Teleconference Sandra Jeske 800-228-6332	03

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030517	UFD&EGC	Monthly Meeting Cincinnati OH Arlene J Lawrence 513-241-6788	02
030519	NFD&M	Embalming the African-American Female, OSHA Regulations & Related Issues Romulus MI David W Akins 313-875-1589	04
030612	BUCKEYE	BSFDEA Summer Seminar & Convention Toledo OH Pamela Williams-Briggs 419-524-6999	09
030617	PIMS	Funeral Service Law Update Erie PA Gene Ogrodnik 412-362-8500	03
030618	PIMS	The Funeral: Chance to Touch, Serve and Heal Erie PA Gene Ogrodnik 412-362-8500	03
030621	UFD&EGC	Monthly Meeting Cincinnati OH Arlene J Lawrence 513-241-6788	02
030700	NFDA	Environmental Best Practices For Funeral Homes Teleconference Sandra Jeske 800-228-6332	03
030721	FORENSIC	Masters Conference St Louis MO Julie A. Howe 314-268-5970 4 day conference - 5 hrs each day	20
031029	HOPE	Overview/Categories of Childhood Loss, Grief Resolution techniques, What is Complicated Grief?, Working with Terrorism Broadview Hts OH Marilyn A Deliberato 216-883-39000 Program was approved for April 9, 2003, date has been changed to Oct 29, 2003	06
031113	NFDA	Preparing Your Funeral Home for an OSHA Inspection Teleconference Sandra Jeske 800-228-6332	03

On a motion by Mr. Tunnell, seconded by Mr. Shank, the Board approved, and where indicated denied, the following continuing education programs. Ayes: 5. Nays: 0.

Blanket Approval:

SPONSOR	TITLE	Hrs
ASTRAL	Industry Trends: Standardization vs Personalization Lenny Ball 765-874-2525	02
NFDAHMS	Online Learning Center - 8 topics (see attached) Sandra Jeske 800-228-6332	03
PRACTHMS	Business Morals & Ethics & The Funeral Director, Motivation & Coaching for the successful Funeral Director, Stress in the Funeral Home Environment, Hazardous Chemicals/Toxic Substances, Computer Concepts for the Funeral Home, The Grieving Process, The Funeral Profession & Consumer Behavior, Coping with Stress as a Funeral Director, Sacred/Sensitive ... and Sane, Professional Ethics in a Changing Environment, Richard A. Santore 800-731-4714 Requested increase of 1 hour for a total of 4 hours	
SRS COMP	Using Technology to Better Manage Your Funeral Home Kimberly Simons 724-940-3255	02
TOTAL	The Economic Growth & Tax Relief Reconciliation Act of 2001	02

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	& the effect on tax that effects Funeral Home owners & Employees E Todd Fowler 513-721-1735	
TRIGARD	Funeral Service Blake Swinford 217-477-5732	07

On a motion by Mrs. Cheney, seconded by Mr. Tunnell, the Board approved, and where indicated denied, the following continuing education programs. Ayes: 5. Nays: 0.

Individual Approval:

DATE	LICENSEE	TITLE	Hrs
020701	42-00-8410	February 11, 2003 Back Safety Lake Worth FL Chad R Hogenkamp	01
020701	42-00-7057	March 5, 2003 Hazardous Communication - Hazardous Chemicals Handling & Storage Respiratory Protection - Preparation Room Requirements Arcadia FL Delmos L Newsome	08
020701	42-00-7057	March 4, 2003 Communicable Disease (HIV-AIDS-HBV) - Bloodborne - Pathogens-Universal Protection - Federal Trade Commision (FTC) Arcadia FL Delmos Newsome	07
020701	42-00-7379	February 5, 2003 Who Moved My Cheese Portland IN Don L Spencer	03

On a motion by Mr. Tunnell, seconded by Mr. Tobias, the Board approved the following exemptions and waivers. Ayes: 5. Nay: 0. Motion approved.

Application for waiver/exemption:

Waiver	Exemption	Licensee Name	Granted/Denied
X		Snider, Donald I.	Granted



On a motion by Mr. Tunnell, seconded by Mr. Tobias, the Board meeting adjourned at 8:04 A.M. Ayes: 5. Nays: 0.q

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