

MINUTES

Wednesday – August 17-18, 2004

The regular meeting of the Board of Embalmers and Funeral Directors was held in the Riffe Center located in Columbus. President David B. Tobias called the meeting to order at 1:08 P.M.. Other Board members present were: Virginia S. Cheney, Ross C. DeJohn, Pernel Jones, Sr., Robert L. Shank, and Kurtis A. Tunnell. Also, present were: Anthony D. Siciliano, Assistant Attorney General, Frank J. Savage, Inspector, Charles H. Wisby, Inspector, Cameron Casper, Administrative Assistant, and Ann Cunningham, Executive Director. John Gabel and Warren H. Kohles of the Funeral Consumers Alliance of Central Ohio observed the meeting.

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On a motion by Mr. Hadley, seconded by Mr. Tunnell, the minutes of the July 12-13, 2004, meeting were approved as amended. Ayes: 7. Nays: 0. Motion approved.

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On a motion by Mr. DeJohn, seconded by Mr. Hadley, the Board voted to deny Ms. Cunningham's request for leave July 12-23, 2004. Ayes: 7. Nays: 0. Motion approved. This is a procedural motion to avoid loss of vacation leave.

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Announcements

Mr. Hadley will represent the Board at the annual apprenticeship seminar presented by the Ohio Funeral Director's Association on October 7, 2004, in Columbus.

Board members received the definition of "Constructive Possession," having the authority to control disposition although another party has physical possession.

Inspector Savage and Mr. DeJohn agreed to represent the Board at the Pittsburgh Institute of Mortuary Science Law Seminar scheduled for December 8, 2004.

Mr. Tobias served as examination monitor along with Mr. Casper and Ms. Cunningham at the July 27-28, 2004 examinations. Mr. Tobias was paid per diem and reimbursed for eligible travel expenses.

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Ms. Cunningham explained that Inspectors Savage and Wisby will continue to use paper inspection forms for funeral homes and crematory facilities because the forms are signed at the completion of an inspection. The staff would continue to research the possible elimination of paper forms

The Conference Report, 1<sup>st</sup> Edition 2004 was distributed to Board members.

The Board approved the following training and convention schedule for Fiscal Year 2005, provided funds are available:

Cameron Casper - Reid Technique of Interviewing and Interrogation Seminar  
November 8-9-10, 2004, Columbus Ohio

Ann Cunningham and Cameron Casper - 29<sup>th</sup> Annual FARB Forum  
February 4-6, 2005, Scottsdale, Arizona

Dave Tobias, Ann Cunningham, Cameron Casper - 101<sup>st</sup> Annual Conference Convention  
April 8-9-10, 2005, Rogers, Arkansas



### Unfinished Business

Ms. Cunningham informed the Board that the International Conference of Funeral Service Examining Board plans to offer the Funeral Service Arts (Comprehensive) examination through test sites equipped for computer-based testing. The Board will utilize the computer-based option and eliminate paper test for one of the five examinations offered by the Board. Board members were reminded that the embalmer Ohio laws examination and the funeral director Ohio laws examination are merged into one Ohio Laws examination beginning October 2004.

Board members were informed of some confusion over the maximum amount allowed for funeral expenses under Workers' Compensation. Section 4123.66 of the Revised Code states the maximum is \$5,500.00.

On a motion by Mr. Hadley, seconded by Mr. Tunnell, the Board voted to amended the examination sales tax questions. Examination takers will be allowed to select their method of calculation, either unit or itemized pricing. Ayes: 7. Nays: 0. Motion approved.

### New Business

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There were no applications for crematory facility license.

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

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

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

<u>Firm Title</u>	<u>Address</u>	<u>County</u>	<u>Inspection</u>
E. Todd Fowler, FD	Fairfield	Butler	09/02/04
Garrett FH	McArthur	Vinton	10/24/03
McWilliams FH	Wellston	Jackson	10/24/03
Slade FH Inc	Payne	Paulding	07/19/04

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On a motion by Mr. DeJohn, seconded by Mr. Shank, the Board approved the following application for funeral home 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>
Reed FH	North Canton	Stark

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

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There were no amendments to change the manager during the month of July 2004.

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The 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 July 2004.

<u>Identification No.</u>	<u>Firm Title</u>	<u>AIC/UR</u>	<u>County</u>
43-00-2538	H. H. Birkenkamp FH	Susan J. Birkenkamp	Lucas
43-00-2581	Baker FH, Inc	Dennis Oskinski	Cuyahoga

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There were no individuals who met the licensure requirements, and therefore the Board did not issue embalmer and/or funeral director license numbers.



The following individuals qualified, and were issued registration numbers during the month of July 2004:

<u>First Name</u>	<u>Last Name</u>	<u>Embalmer Number</u>	<u>Funeral Director Number</u>	<u>Date Registered</u>
Linda D.	Hambrick	E 0064 05	F 0093 05	07/01/04
Kurt C.	Zabor		F 0094 05	07/01/04
Brenda K.	Toney		F 0095 05	07/20/04



The following individuals certified apprenticeships during the month of July 2004.

First name/initial	Last name	Apprenticeship	Funeral Home
Wesley W.	Bonner	FD	William A. Gaines FH 9116 Union Ave Cleveland Ohio 44105
Linda D.	Hambrick	EMB/FD	Cummings-Davis FH 13201 Euclid Ave Cleveland Ohio 44112
Erica L.	Kiser	EMB/FD	Love Funeral Home 405 East Third St Ottawa Ohio 45875
Brenda K.	Toney	FD	Walker Funeral Home 98 West Main St Norwalk Ohio 44857
Kurt C.	Zabor	FD	Zabor Funeral Home 5680 Pearl Rd Parma Ohio 44129



The Board office received and processed the following reports during the month of July 2004:

<u>Apprentice Reports</u>	<u>Embalmer</u>	<u>Funeral Director</u>
Apprenticeship Reports	102	168
Quarterly Master Reports	17	28
Board Interviews	10	15



The Board members reviewed various news articles.



On a motion by Mr. DeJohn, seconded by Mr. Hadley, the Board voted to amended the proposed calendar for 2005, the April and July 2005 meeting dates were changed. Ayes: 7. Nays: 0. Motion Approved. Meetings and exams will be posted on the web site.

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Board members received a copy an article titled "Using Receipt for Third Party Merchandise," written by T. Scott Gilligan, National Funeral Directors Association General Counsel.

Board members received a copy of a Memorandum titled "Employer-Specific Information on OPERS' Health Care Preservation Plan," written by Laurie Fiori Hacking, Executive Directors of Ohio Public Employees Retirement System.

Motion by Mr. DeJohn, seconded by Mr. Hadley, to deviate from the agenda to interview a reciprocal applicants. Ayes: 7. Nays: 0. Motion approved.

### Person Before the Board

Connie E. Grisell, applicant from West Virginia, appeared before the Board to discuss her application for reciprocal license. On a motion by Mr. Hadley, seconded by Mr. Shank the Board approved Ms. Grisell's application. Ms. Grisell will be permitted to sit for the required examinations in October 2004.



### Correspondence

1. A letter from Dalene Paull, Executive Director of the International Conference of Funeral Service Examining Boards, stating that due to problems with candidate photographs for the National Board Examination, all candidates with inappropriate photograph will have their results held until the Conference office receives an appropriate notarized photograph.
2. A letter from Brett Ransom, stating that he is serving his embalmer apprenticeship under Robert L. Ransom and his funeral director apprenticeship on Don A. Pfeil. This decision allows Janet Ransom to complete her funeral director apprenticeship under Robert Ransom. Board accepted Mr. Ransom's explanation.
3. A letter from Aaron Pendergraft requesting permission to attend thirteen hours of graduate study classes during his apprenticeship. On a motion by Mr. Hadley, seconded by Mr. DeJohn, the Board approved Mr. Pendergraft's request.

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4. A letters from Dan Johnson, Manager, New Lexington Banking Center and Brenda J. Wright, Executive Vice-President, the Peoples National Bank concerning a preneed trust. Matter referred to the Assistant Attorney General.
5. A letter from Wayne Seth Tufts requesting permission to reinstate his embalmer and funeral director licenses. Board approved Mr. Tufts' request provided he fulfills the legal requirements to reinstate.
6. A letter from Edward C. Rusnak requesting permission to reinstate his embalmer and funeral director licenses. Board approved Mr. Rusnak's request provided he fulfills the legal requirements to reinstate.
7. A letter from Randy E. Fisher requesting permission to reinstate his embalmer and funeral director licenses. Board approved Mr. Fisher's request provided he fulfills the legal requirements to reinstate
8. A letter from George R. Brown, II. Informing the Board the Brown-Dawson Funeral Home, Inc. was merged into Brown Funeral Services, Inc. as of July 31, 2004. The funeral home name was changed to Brown-Dawson Funeral Home, Inc. The Board accepted the changes, and will amend the Board's records to reflect the correct information.
9. A letter from James Conrad, Administrator/Chief Executive Officer, Bureau of Workers' Compensation explaining recent legislation to curb substance abuse in the workplace. Ms. Cunningham will prepare the appropriate policy for Board review.
10. An invitation from the Ohio Department of Health, Office of Vital Statistics to attend an Open House on August 31, 2004, and tour their new facilities.



### Inspectors' Reports

Inspector Savage reported that he drove 1,830 miles in the counties of Ashtabula, Cuyahoga, Erie, Huron, Lorain, Stark, Summit, Tuscarawas, and Washington. He inspected 11 crematory facilities, 65 funeral homes, and found no violation, conducted six investigations, and monitored two apprentices.

Inspector Wisby reported that he drove 2,378 miles in the counties of Allen, Darke, Delaware, Franklin, Hamilton, Licking, Paulding, Putnam, Van Wert. He inspected 4

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crematory facilities, and 55 funeral homes, and found 4 violations, conducted six investigations, and monitored seven apprentices. Inspector Wisby completed his inspection of all funeral homes in his area by second week of July.

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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; Jones, Aye; Hadley, Aye; Shank, Aye; Tobias, Aye, Tunnell, Aye.

The President declared the Board out of executive session.

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Due to the efforts of Mr. Casper, Administrative Assistant – Compliance, the Board was able to consider 43 investigatory files, and on a motion by Mr. Hadley, seconded by Mr. Tunnell, the Board voted to close all 43 files. Ayes: 7. Nays: 0. Motion approved. In addition, on a motion by Mr. Shank, seconded by Mr. Tunnell, the Board considered and closed 16 investigatory files. Ayes: 7. Nays: 0. Motion approved.

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Fiscal

The Board reviewed the revenue journal with a balance as of \$3,028 as of the end of July, and voucher journal with 83 vouchers and encumbrances for May. Also, the Board reviewed a comparison chart of expenditures to date.

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The Board recessed at 3:50 P.M.

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Thursday August 18, 2004

The Board reconvened at 8:01 A.M. in the Board office. President David B. Tobias presided. 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, Administrative Assistant, Cameron Casper and Executive Director, Ann Cunningham. Barbara Hadley was also present.

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Continuing Education

The Board directed Ms. Cunningham to prepare a standard letter and/or form detailing the ramifications of applying for and receiving an exemption and/or waiver of the continuing education requirements.

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

Motion approved.

Prior Approval (see attached list of programs)



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

Motion approved.

Blanket approval (see attached list of programs)



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

Motion approved.

Individual approval (see attached list of programs)



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

Applications for Waiver or Exemption 2002-2004

<u>Waiver</u>	<u>Exemption</u>	<u>Licensee Name</u>	<u>Granted/Denied</u>
X		Blackburn, Doyle E.	Granted
	X	Smith, Carol L.	Granted
	X	Young, Paul Russell	Granted

On a motion by Mr. Tunnell, seconded by Mr. DeJohn, the Board tabled a request for an exemption for the continuing education requirements submitted by Madelyn M. Watts. Ayes: 7. Nays: 0. Motion approved.

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On a motion by Mr. DeJohn, Seconded by Mr. Shank, the Board voted to send a letter to Ms. Watts to explain her options. Ayes: 7. Nays: 0. Motion approved.



The Board reviewed the grades of the Embalmer Ohio laws examinations and the Funeral Service Arts and Science Examinations written July 27-28, 2004. Motion by Mr. Hadley, seconded by Mr. DeJohn, 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 applications 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.

The Board reviewed the grades of the Funeral Director Ohio laws, Sanitation and the Funeral Service Arts Examinations written July 27-28, 2004. Motion by Mr. Jones, seconded by Mrs. Cheney, 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 applications 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.



On a motion by Mr. DeJohn, seconded by Mrs. Cheney, the Board meeting adjourned at 8:46 A.M. Ayes: 7. Nays: 0. Motion approved.



Board Meeting August 17-18, 2004

PRIOR APPROVAL GROUP:

<u>Date</u>	<u>Sponsor</u>	<u>Title</u>	<u>Hours</u>
040528	REGSPTSV	OSHA Required Annual Training Cincinnati OH David E Partridge Blanket Approval thru 06-30-04	03
040529	OTR	Partnership for Life Middletown OH Brianna Abbott Blanket Approval thru 06-30-04	02
040529	OTR	Partnership for Life Middletown OH Brianna Abbott Blanket Approval thru 06-30-04	02
040701	BATES	Meeting the Needs of Our Changing Families	06

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		Batesville IN Donald J Baechle, Jr Blanket Approval thru 06-30-06	
040812	NFDATEL	New Overtime Rules, Federal Wage & Hour Laws via telephone Sandra Jeske 800-228-6332	02
040818	YORK	A Fresh Look at the Future Des Moines IA Karl Seyler, Jr 504-529-4332 Previously approved program - no changes	08
040819	YORK	A Fresh Look at the Future Kansas City KS Karl Seyler, Jr 504-529-4332 Previously Approved Program - no changes	08
040901	YORK	A Fresh Look at the Future Rochester NY Karl Seyler, Jr 504-529-4332	08
040827	CCMS	Understanding Generational Diversity in the Funeral Home Cincinnati OH Teresa Dutko	01
040818	CONRAD	Practical Applications for OSHA Standards (Review and Update) Sagamore Hills OH Paul H Conrad 419-868-7270 previously approved program no changes	02
040915	OFDA #7	Educational Conference Findlay OH Rindy Crates 419-365-5262	10
040720	CONRAD	OSHA and the Funeral Home Industry Toledo OH Paul H Conrad 800-968-7270 Previously Approved program no changes	02
040928	OCOA	Operator Classroom Training/Operator Hands-on Training Columbus OH Robert P Smith 216-398-8400	10
041110	ICFA	Fall Management Conference Phoenix AZ Lisa D'Angelo 703-391-8400 ext 214	08
041015	BUSCH	Reflections on Life's Final Chapter Cleveland OH J Mark Busch 216-749-7450	06
040909	DODGE	Facing Today's Embalming Challenges - Part I Moon Township PA Bob Buhrig, CFSP 717-975-2063	03
040909	DODGE-1	Facing Today's Embalming Challenges - Part II Moon Township PA Bob Buhrig, CFSP 717-975-2063	03
040920	JFDA	Helping Children Learn to Deal with Death - the Difference Between the ways in which children and adults approach death Lynn MA Florence Pressman, CAE	02
040920	JFDA-1	Funeral Director's Relationship to the Chevra Kadisha Boston MA Florence Pressman, CAE 781-477-9300	02
040921	JFDA	From the consumer's Point of View - Consumers and their Power to shape the Industry Boxton MA Florence Pressman, CAE	02
040921	JFDA-1	The Futility of Fighting Evolution Boston MA Florence Pressman, CAE 781-477-9300	02
040921	JFDA-2	Jewish Religious Attitudes to Cremation Boston MA Florence Pressman, CAE 781-477-9300	01
040922	JFDA	Seeing the Arrangement Process Through the Consumer's Eyes Boston MA	02

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		Florence Pressman, CAE 781-477-9300	
040922	JFDA-1	Jewish American Identity is Changing - How does that Affect Jewish Funerals Boston MA Florence Pressman, CAE 781-477-9300	03
041013	GMCFDA	Annual OSHA Training Kettering OH Lora J Morris 937-298-6560	03
040923	CENTRAL	Experiencing the Asian-American Funeral Springfield OH Joel L Getts 937-572-8636	01
040817	OFDA	OFDA Master Trust Committee Meeting Columbus OH Diana O'Neal 486-5339	01
040927	CUYFDA	Succession planning, wealth transfer and reetirement. Cleveland OH Tina Girod 216-481-3118	03
040713	AURORA	The Balanced Funeral Arrangement - Lifetimes Aurora Indiana Dave Lane 513-979-5263 Blanket Approval thru 06-30-06	12
040715	AURORA	The Balanced Funeral Arrangement - Lifetimes Aurora Indiana Dave Lane 513-979-5263 Blanket Approval thru 06-30-06	12
040723	BATES	Meeting The Needs of Our Changing Families Batesville Indiana Donald J Baechle, Jr 800-622-8373 Blanket Approval thru 06-30-06	06
040803	T-AURORA	Marketing Today & Tomorrow - Plant Tour Aurora IN Dave Lane 513-979-5263 Blanket Approval thru 06-30-06	01
040920	FDANWO	Funeral Coaches and The Victory Center Toledo OH Carter Neff 419-243-6281	02
040803	AURORA	Marketing Today & Tomorrow - Solution Merchandising Aurora IN Dave Lane 513-979-5263 Blanket Approval thru 06-30-06	02
041104	VNS-HSPC	Grief in the Workplace; A Companioning Philosophy of Caregiving Akron OH Rev Linda S Gregson 330-668-4662	06
041021	LEAVITT	Living with Loss: Caring for the Caregiver Parkersburg WV Pamala 304-422-4313	03
041022	LEAVITT	Living with Loss: Caring for the Caregiver Parkersburg WV Pamala Scott-Elzey 304-422-6459	03
041006	SIFH	2004 Annual Meeting Montral Quebec James Fruehling, Ph D 847-236-9401	14
040908	TRI-CO	Roundtable Discussions Washington CH OH Roger Littleton 800-507-3382	02
040825	TRIGARD	Vaults-Burial Vaults Cremation Vaults & Urns Serenity Casket/Vaults Gallipolis OH Donald Shupe 740-388-9376	04
041028	EAC	The Skilled Helper: Undertanding Grief and Loss Clevelandd OH Steven R Shopp 440-842-0875	02
040921	OFDA #19	Ohio/County Health Departments-Death Certificates Fairport Harbor OH Nan Burr 440-285-2182	03
040908	TRI-CO	Compassionate Friends - Overview & Understanding New Philadelphia OH Robert Smith 330-852-2141	02

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041025	CUYFDA	Catholic Cemeteries Association Cleveland OH Tina Girod 216-481-3118	03
041001	TRUMBUL L	24th Annual Probate Practice Program Girard OH Robert N Rusu 330-533-5447	06

BLANKET APPROVAL GROUP:

<u>Sponsor</u>	<u>Title</u>	<u>Hours</u>
OFDA	OFDA/NFDA Legislative, Member Services & Funeral Service Issues and Update. Diana O'Neal 614-486-5339	02
CLEVEYEB	End of Life Opportunities Marcy McLain 216-844-3937	01
MATTHEWS	Winds of Change - Cremation and Funeral Service Roger Elliott 800-327-2831	03
T-BATES	Batesville Casket Warehouse Tour Mike Kierstead 01	01
T-WLBRT	Plant Tour - Manufacturing A Burial Vault Kathleen M Berry	01
WILBERT	Synchronized Marketing Plan Kathleen M Berry 216-521-1705	02
T-MILSO	Milso Industries Metal Manufacutring Plant Tour Steve Duffy 877-966-2006	01
T-MILSO	Milso Industries Metal Manufacutring Plant Tour Steve Duffy 877-966-2006	01
MILSO	Trends and Opportunities; Marketing to Today's Consumers Steve Duffy 877-966-2006	02
MILSO	Personalization Workshop Steve Duffy 877-966-2006	01
MILSO	Hardwood Caskets and Cremation Workshop Steve Duffy 877-966-2006	01
WILBERT	Synchronized Marketing Plan Kathleen M Berry 216--521-1705	02
MILSO	Display Designs and Ideas Steve Duffy 877-966-2006	01
SOERR	Construction and Tyes of Burial Vaults Tom Shank 419-625-9132	01

INDIVIDUAL APPROVAL GROUP:

<u>Date</u>	<u>Licensee</u>	<u>Title</u>	<u>Hours</u>
040701	42-00-7389	July 20 & 27, 2004 Communication at the End of Life Dayton OH Jeffery W Sanner	08
040701	42-00-6905	September 20, 2004 Coping with Grief in a Get over it and Move on World Pittsburgh PA Paul T Yeloushan III	06
040701	41-00-8231	September 20, 2004 Coping with Grief in a "Get Over it & Move on World" Pittsburgh PA Kathleen Yeloushan-Paszek	06
040701	42-00-8687	September 22, 2004 Coping with Grief in a "Get Over it & Move on World" Independence OH Timeka Lynn Woods	06
040701	42-00-7616	Sept 20-23, 2004 Convention - New Jersey Atlantic City NJ Steven Farus	08