

Tuesday – September 27, 2005

The regular meeting of the Board of Embalmers and Funeral Directors was held in the Riffe Center located in Columbus. President, Robert L. Shank called the meeting to order at 1:00 P.M. Other Board members present were: Virginia S. Cheney, Ross C. DeJohn, John J. Hadley, Pernel Jones, Roger Primm, and Kurtis A. Tunnell. Also, present were: Anthony Siciliano, Assistant Attorney General; Zachary, Attorney General's Office, Frank J. Savage, Inspector; Charles H. Wisby, Inspector; Jennifer Baugess, Administrative Assistant; Linda Clark, Certification/License Examiner; Lena Wright, Administrative Assistant, and Ann Cunningham, Executive Director. Warren Kohles of the Funeral Consumer Alliance observed the meeting.



On a motion by Mr. DeJohn, seconded by Mr. Hadley, the Board approved, as amended, the minutes of the meeting held on August 23-24, 2005. Ayes: 6. Nay: 0. Motion approved.



Director's Report

Ms. Cunningham informed the Board a public hearing for the new and amended rules is scheduled for October 4. Mrs. Cheney, Mr. DeJohn, Mr. Hadley, Mr. Primm, and Mr. Tunnell will participate and form a quorum to conduct the hearing. Board Members will be paid per diem and reimbursed for allowable travel expenses.



Board Members were reminded that Mr. Hadley, A.A.G. Siciliano, Mr. Dunlap, Mrs. Baugess, and Ms. Cunningham will participate in the Ohio Funeral Directors Association Apprentice Seminar on October 13.



Licensure

There were no applications for crematory facility license.



On a motion by Mr. Hadley, seconded by Mr. Primm, the Board approved the following applications for crematory facility pending receipt of the occupancy permit and final inspection by the Board. Ayes: 7. Nays: 0. Motion approved.

<u>Facility</u>	<u>Location</u>	<u>County</u>
Southern Ohio Vault Co	New Boston	Scioto
Greater Cincinnati Cr	Cincinnati	Hamilton

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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 crematory facility licenses were issued the date of the final inspection.

License No.	Crematory facility	Location	Final inspection License issued
CR 000091	Cremation Center	Wauseon	09/07/05

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

<u>Firm Title</u>	<u>Location</u>	<u>County</u>	<u>Inspection</u>
Grisell Funeral Home	Clarington	Monroe	09/12/05
Grisell Funeral Home	Sardis	Monroe	04/23/05
Grisell Funeral Home	Bellaire	Belmont	08/17/05

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On a motion by Mr. Hadley, seconded by Mr. Primm, the Board approved the following applications for funeral home licenses **pending** receipt of the occupancy permit and final inspection by the Board. Ayes: 7. Nays: 0. Motion approved.

Firm title	Location	County
Piorkowski FH	Cincinnati	Hamilton

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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 was issued on the date of the final inspection.

<u>License No.</u>	<u>Funeral home</u>	<u>Location</u>	<u>Final inspection</u>
FH 002808	Brown Funeral Chapel	Ironton	09/01/05

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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 August 2005.

<u>I. D. #</u>	<u>Firm Title</u>	<u>Manager</u>	<u>County</u>
FH 000012	Chiles & Sons-Laman FH	H. Robert Laman	Allen
FH 000009	Chiles & Sons-Laman FH	H. Robert Laman	Allen
FH 000010	Chiles & Sons-Laman FH	H. Robert Laman	Allen



The following funeral homes submitted amendments to change the manager of the funeral home for the month of August 2005.

<u>I. D. #</u>	<u>Firm Title</u>	<u>AIC/UR</u>	<u>County</u>
FH 000012	Chiles & Sons-Laman FH	Duane G. Hedrick	Allen
FH 000010	Chiles & Sons-Laman FH	Gerald Kill	Allen
FH 000009	Chiles & Sons-Laman FH	Robert P. Brown	Allen
FH 002622	Porter-Qualls FH	Dawn M. While	Greene
FH 002203	Gattozzi & Son FH	Jay P. Jones	Geauga
FH 002228	Thorn-Blank FH, Inc.	Bradley J. McClelland	Guernsey



Mrs. Clark presented her report on registrations, apprenticeships, and initial licenses to the Board Members:

On a motion by Mr. Hadley, seconded by Mr. Primm, the Board accepted the following individuals as having met the licensure requirements, and issued embalmer and/or funeral director license numbers. Ayes: 7. Nays: 0. Motion approved.

<u>Name</u>	<u>Embalmer license No.</u>	<u>Funeral Director license No.</u>
James F. Baer		9103
Anthony D. Barker	9156 A	9104
Michael H. Barnes	9157 A	9105
Amy L. Bergman	9158 A	9106
Adam T. Byers	9159 A	9107
Timothy C. Combs	9160 A	9108
Earl L. Deugan		9109
Frank I. Gadd, III	9161 A	9110
Vincent J. Giovannazzo	9162 A	9111

Michaelene N. Gompf		9112
Kyle D. Good	9163 R	9113
Daniel A. Griffin		9114
Mary Jo Hellwarth		9115
Carl K. Huntley		9116
Justin R. Kaszowski	9164 A	9117
Eric L. Kiser	9165 A	9118
Kevin L. McDowd	9166 R	9119
Brett A. Ransom	9167 A	9120
Thomas E. Rhoads		9121
Brain K. Rotenbor		9122
Thomas A. Schneider	9168 R	9123
Steven R. Smith		9124
Margo M. Sommerville		9125
Kristen N. Wheeler		9126
Stacie L. Whetstone		9127
Eric A. Zink	9169 A	9128



The following individuals qualified and were issued registration numbers during the month of August 2005.

Name	Embalmer No.	Funeral Director No.	Date registered
Cameron R. Casper		0173 06	08/04/05
Andrew J. Jenkins		0174 06	08/04/05
Sara M. Lawver		0175 06	08/04/05
Mindy J. Edwards		0176 06	08/23/05
John W. Douthitt	0116 06	0177 06	08/23/05
Brandee M. McClenic	0117 06	0178 06	08/29/05



The following individuals certified an apprenticeship during the month of August 2005.

<u>Name</u>	<u>Apprenticeship</u>	<u>Funeral Home</u>
Cameron R. Casper	FD	Denbow-Primm-Kemery FH 313 Center St Ashland 44805
Christopher L. Gilbert	EMB/FD	Tobias FH 648 Watervliet Ave Dayton 45420
Donia M. Intriere	FD	Schoedinger North Chapel 5554 Karl Rd Columbus 43229
Andrew J. Jenkins	FD	Hopkins Lawver FH 547 Canton Rd

		Akron 4431
Brandee M. Wilkinson	EMB/FD	Stewart & Calhoun FH 529 W. Thornton St Akron 44307

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The Board office received and processed the following reports during the month of August 2005:

<u>Apprentice Reports</u>	<u>Embalmer</u>	<u>Funeral Director</u>
Apprenticeship Reports	38	117
Quarterly Master Reports	6	19
Board Interviews	5	9

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Reciprocal Applicants:

Travis Hutchins appeared before the Board to interview as a reciprocal applicant from Kentucky. On a motion by Mr. Hadley, seconded by Mr. Primm, the Board approved Mr. Hutchins application. Recently licensed as an embalmer, Mr. Hutchins will qualify for an embalmer license when the Board receives National Board Certification. Secretary to schedule Mr. Hutchins for the required examinations in October. Ayes: 7. Nays: 0. Motion approved.

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Mary A. Johnson appeared before the Board to interview as a reciprocal applicant from Florida. On a motion by Mr. Hadley, seconded by Mr. Jones, the Board approved Mrs. Johnson application. Secretary to schedule Mrs. Johnson for the required examinations in October. Ayes: 7. Nays: 0. Motion approved.

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Warren Newcomer, Jr. appeared before the Board to interview as a reciprocal applicant from Kansas. On a motion by Mr. Hadley, seconded by Mr. Tunnell, the Board approved Mr. Newcomer's application. Secretary to schedule Mr. Newcomer for the required examinations in October. Ayes: 7. Nays: 0. Motion approved.

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Mrs. Clark presented the following letters to the Board for consideration:

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On a motion by Mr. DeJohn, seconded by Mr. Tunnell, the Board removed from the table an application for reciprocal license by Raquel Banks. On a motion by Mr. Hadley, seconded by Mr. Primm, the Board voted to accept the letter of withdrawal from Mrs. Banks. Ayes: 7. Nays: 0. Motion approved.

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Board Members reviewed a letter from Brandee M. Wilkinson in which she stated that she began her apprenticeship on March 29, 2005, and passed the National Board Examination in May. Recently Ms. Wilkinson realized that her mortuary science college transcript was not sent to the Board. The Board had not issued registration numbers and therefore did not have Ms. Wilkinson on file as an apprentice. On a motion by Mr. Hadley, seconded by Mr. DeJohn, the Board voted to deny Ms. Wilkinson's request to recognize her apprenticeship because Chapter 4717 of the Revised Code requires applicants to be registered as an embalmer and a funeral director, then certify the apprenticeships. Ayes: 7. Nays: 0. Motion approved.

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Fiscal

Ms. Wright presented the fiscal report to the Board. Board Members reviewed the revenue journal with a balance as of \$18,579.86 as of the end of August and voucher journal with 61 vouchers and encumbrances for August. Also, the Board reviewed a comparison chart of expenditures to date.

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Unfinished Business

Ms. Cunningham reported that the Transition Team held its initial meeting on September 2, 2005. On September 14, the Transition Team heard public testimony from fifteen individuals representing associations. Speakers focused on: 1. consolidation is bad, 2. licensees pay for their Board's appropriation, not General Revenue Fund, and 3. if there is a consolidation, it should include all twenty-seven boards.

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It was reported that due to scheduling problems, the Board will not participate in the Pittsburgh Institute of Mortuary Science Law Seminar in December.

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Ms. Cunningham was asked if the six-hour training required for master embalmers and master funeral directors would be considered for continuing education credit. On a motion by Mr. DeJohn, seconded by Mr. Primm, the Board voted to grant continuing education credit for the six-hour training for masters provided the sponsor submitted the required, properly completed application and documentation. Ayes: 7. Nays: 0. Motion approved.

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New Business

A.A.G. Siciliano introduced Zachary Dunlap as his replacement. Mr. Dunlap graduated from the Moritz College of Law at the Ohio State University, and recently sat for the Ohio Bar Exam. Over the next few months, the Board will make a transition as Mr. Dunlap assumes the responsibilities as the Board's Assistant Attorney General.

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The Board members reviewed a report on the recent Supreme Court ruling involving home addresses of State Employees in which it was determined the addresses are not public record.

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The Board members reviewed various news articles.

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The Board received a brochure from the International Conference of Funeral Service Examining Boards that offers a history, organization, mission and services provided by the Conference.

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Ms. Cunningham asked the Board to consider sending staff members to the 30th Annual FARB Forum in San Diego, California, February 3-5, 2006. Last year's Forum was especially informative. Ms. Cunningham will prepare an estimate of the costs for the Board Members to review.

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Board Members received a copy of recently-introduced H.B. 342 which if enacted would create the right to execute a written declaration governing the disposal of one's body after death, to specify which documents have priority over such a declaration, and to specify

who has the duty of disposing of the body of a deceased person. The legislation will be monitored.



Board Members discussed the situation occurs when an out-of-state funeral home contacts an Ohio funeral home to pick up a deceased human body, perhaps embalm, and then the body is shipped to the other state. The question was asked “who signs as funeral director?” After much discussion, the Board extended an invitation to Mark Kassouf, Assistant State Registrar, to attend the next Board meeting in hopes of resolving the situation.



Correspondence

1. A letter from Dave Tobias expressing his thanks and appreciation for the framed resolution given to him by the Board for his years of service as a member.
2. A letter from Anne G. Dunbar, Secretary of Chapman-Raff, Inc., concerning a change of firm title. The Board accepted the change from “Trostel, Chapman & Christmas Funeral Home” to “Trostel Chapman Funeral Home.” Secretary to inform Mrs. Dunbar that all advertisements and signage must reflect the new firm title.
3. A letter from Craig Flury concerning a change of firm title. The Board accepted the change from “Gordon Memorial Home” to “Gordon-Flury Memorial Home.” Secretary to inform Mr. Flury that all advertisements and signage must reflect the new firm title.
4. A letter from Judith M. Marshall for SCI Ohio Funeral Services, Inc concerning a change of firm title. The Board accepted the change from “Silva Funeral Home” to “Bokas Funeral Home.” Secretary to inform Mrs. Marshall that all advertisements and signage must reflect the new firm title.
5. A letter from James B. Cooper requesting a waiver of the penalty fees for reinstatement. Secretary to inform Mr. Cooper that the Board must abide by the mandate of Chapter 4717 and therefore it has no authority to waive the penalty fees.

6. A letter from Rudolph P. Skunza informing the Board of the closing of Held-Skunza Funeral Home on Parson Avenue in Columbus. Secretary to request the return of the display license and a clearly enumerated list of all preneed.
7. A letter from John E. Robinson requesting approval of an advertisement to include licensed funeral directors, other employees and family members. Secretary to instruct Mr. Robinson that any advertisement must clearly identify the licensed funeral directors, and suggested the use of funeral assistant instead of funeral director assistant.
8. A letter from M.J.K. Jones informing the Board of the closing of the M J K Jones Funeral Service located on Fifth Avenue in Columbus. Secretary to request the return of the display license and a clearly enumerated list of all preneed.
9. A letter from Charles W. Rose concerning the death of Rachel Smith Blye and the operation of the Smith Funeral Home. On a motion by Mr. Hadley, seconded by Mr. Primm, the Board approved the continued operation of the funeral home until July 31, 2006, and a change of firm title from “Smith Funeral Home” to “Smith Rose Funeral Home.” Ayes: 7. Nays: 0. Motion approved.
10. A letter from Daniel P. Lucas concerning change of firm title. The Board approved the change from “Lucas Funeral Home” to “Lucas-Batton Funeral Home” in Upper Sandusky and Nevada. Secretary to inform Mr. Lucas that all advertisements and signage must reflect the new firm title.
11. A letter from Daniel Walter requesting permission to reinstate his funeral director’s license. Secretary to inform Mr. Walter that he is required to pass the Ohio laws examination and remit renewal and penalty fees.
12. A letter from Paula M. Trenkamp requesting permission to reinstate her funeral director’s license. Secretary to inform Mrs. Trenkamp that she is required to pass the Ohio laws examination and remit renewal and penalty fees.



Inspectors' Reports

From August 22, 2005 through September 17, 2005, Inspector Savage reported that he drove 1,548 miles in the counties of Carroll, Cuyahoga, Lake, and Monroe.

Crematory facility inspections	0
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Funeral home inspections	29
Violations discovered	0
Investigations activities	5
Apprentices monitored	0

From August 22, 2005 through September 17, 2005, Inspector Wisby drove 2,951 miles in the counties of Auglaize, Delaware, Fairfield, Franklin, Fulton, Greene, Hamilton, Lawrence, Mercer, Montgomery, Pike, Preble, and Williams.

Crematory facility inspections	9
Funeral home inspections	63
Violations discovered	3
Investigations activities	3
Apprentices monitored	0

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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; Primm, Aye; Shank, Aye; Tunnell, Aye.

The President declared the Board out of executive session.

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On a motion by Mr. Tunnell, seconded by Mr. Jones, the Board considered and closed twenty-three (23) investigatory files. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Shank, Aye; Tunnell, Aye.

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On a motion by Mr. Hadley, seconded by Mrs. Cheney, to charge Daniel J. Snider and the Bryan Funeral Home with violation of Section 4717.14(A)(4) of the Revised Code, for immoral or unprofessional conduct specifically, for solicitation of a dead human body by a licensed embalmer or licensed funeral director after the death had occurred. Roll

call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Shank, Aye; Tunnell, Aye.

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On a motion by Mr. Hadley, seconded by Mr. Primm, to charge Cora Walker and the Walker Funeral Home with violation of Section 4717.14(A)(4) of the Revised Code, for immoral or unprofessional conduct specifically, for demanding payment prior to the proceeding with a funeral service for Peer Falzone. Roll call vote: Cheney, Aye; DeJohn, Aye; Hadley, Aye; Jones, Aye; Primm, Aye; Shank, Aye; Tunnell, Aye.

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The Board recessed at 4:15 P.M.

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Wednesday September 28, 2005

The Board reconvened at 8:00 A.M. in the Board Office on the 16th Floor of the Riffe Center. President Robert L. Shank presided. Present were: Virginia S. Cheney, Ross C. DeJohn, John J. Hadley, Pernel Jones, Roger Primm, Kurtis A. Tunnell, Inspector Frank J. Savage, Inspector Charles H. Wisby, Administrative Assistant Jennifer Baugess, Executive Director Ann Cunningham. Barbara Hadley observed the Board meeting.

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Continuing education

The list of continuing education programs considered by the Board during the September 2005 meeting is attached to the approved minutes filed in the Board's office and appears in the Continuing Education Section of the Board's Website.

On a motion by Mr. DeJohn, seconded by Mr. Hadley, the Board approved, and where indicated denied, the Prior Approval continuing education programs, and Individual continuing education programs. Ayes: 5. Nays: 0. Motion approved.

On a motion by Mr. Primm, seconded by Mr. Jones, the Board approved, and where indicated denied the Blanket Approval continuing education programs. Ayes: 5. Nays: 0. Motion approved.

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

On a motion by Mr. Tunnell, seconded by Mrs. Cheney, the Board approved, and where indicated denied, applications for exemption of waiver of the continuing education requirements.

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On a motion by Mr. DeJohn, seconded by Mr. Jones, the Board meeting adjourned at 8:15A.M. Ayes: 7. Nays: 0. Motion approved.

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