

Please be aware of the following before you file a complaint:

1. The complaints and any documents that you submit will become a public record.
2. In investigating the complaint, the party being complained against will receive a copy of your complaint.
3. The Board is unable to recover any money for the consumer in a funeral bill dispute. If there is a violation of the Board's laws and/or rules, we will take action against the facility and/or individual's license(s).
4. The Board receives an average of 110 complaints a year, therefore, a typical resolution period may be 3-6 months or longer depending on the nature of the complaint.
5. The Board's compliance staff investigates all complaints, and presents complaints to the Board as a whole. If you contact an individual Board Member about your complaint, the Board Member must excuse herself/himself from any discussion and/or vote on your complaint. Do not contact individual Board Members.

Write down everything from the minute you feel you might have a complaint, to make sure you record details while they're fresh in your mind. If another person is with you and shares your concerns, ask that person to write down what happened, too. Sometimes that person will remember additional helpful information. Be sure to **date** all of your notes. Write down the **names** of everyone you deal with, even if it is just a first name or a description of what the person looked like. **Keep a log of all phone conversations** including who said what and when they said it.

How to file a Complaint:

The Board requires all complaints to be submitted, in writing, to the Board of Embalmers and Funeral Directors, 77 South High Street, 16th Floor, Columbus, Ohio 43215-6108. If you have a complaint against a funeral home, embalmer, funeral director, crematory facility or embalming facility, download the complaint form on this website, complete the complaint form, and submit to the address above.

Please include copies of any relevant documentation with your complaint (i.e. statement of goods and services, contracts, etc.)

In addition, it is a good idea to indicate what kind of resolution you would like to see. You will not always get what you want, but providing such information can be helpful in the investigative process.

Investigation of a Complaint:

Although the Board does not represent individuals who file complaints, the Board's compliance staff reviews complaints in a timely manner to ensure that a complaint is processed and that the Board is provided with complete information to take appropriate action.

After the Board office receives your complaint, you will receive written confirmation from the Board that your complaint was received and that the matter is being investigated. The Board's compliance staff reviews the complaint, assigns a complaint number, and then the licensee and/or facility are notified in writing that there has been a complaint filed against them. The licensee and/or facility will receive a copy of your complaint along with notification from the Board office as described above.

The licensee and/or facility will be given 15 business days to respond to the allegation(s). Once the response is received from the respondent, the compliance staff will gather all relevant information and conduct any necessary interviews of the witnesses.

Board Action:

After investigation of a complaint is complete, the Board will evaluate the complaint. If the Board determines that a violation did not occur, the Board will close the complaint and the complainant will receive written notification of the Board's decision.

If a violation of the Board's law or rule exists, the Board will take appropriate action based upon the recommendation of the compliance staff. If the Board makes a motion to charge the licensee for a violation and it is approved, a notice of such will be sent to the licensee. The licensee will have 30 days in which to request a hearing.

If a hearing is requested, a hearing is scheduled before a Hearing Officer. Both sides will be provided an opportunity to present their case, evidence and witnesses.

Please keep in mind that you may be issued a **subpoena** and be required to testify.

In the event there is no request for a hearing received within the 30-day period, the Board may schedule a hearing to present evidence and witnesses, citing *Goldman v. State Medical Board of Ohio* (1996), 110 Ohio App.3d 124, 673 N.E.2d 677.

After the hearing, the Hearing Officer issues a Report and Recommendation to the Board. A copy of the Report and Recommendation is also sent to the licensee. The licensee is given 10 days from the receipt of the Report and Recommendation to submit any objections.

The Board reviews the Hearing Officer's Report and Recommendation and any objections from the licensee and/or facility, and either approves, disapproves or modifies the Report and Recommendation. The Board decides on the appropriate disciplinary action and issues a Final Order.

Disciplinary action taken against licensees or licensed facilities may include:

- Settlement Agreement
- Suspension
- Revocation
- Fines

The Board's Final Order may be appealed to the Court of Common Pleas and subsequent appeals can be made to the Court of Appeals and the Ohio Supreme Court.

The Board does not have jurisdiction over unlicensed persons practicing embalming or funeral directing, and therefore cannot take disciplinary action against them. However, after an investigation, an injunction or criminal prosecution to prohibit further unlicensed activity may be filed with the appropriate authority and/or the complaint may be forwarded to another state agency.