



State of Ohio Board of Embalmers and Funeral Directors

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MINUTES

Convening of the Board

The Board of Embalmers and Funeral Directors met in regular session on Monday, December 16, 2013, in the 31st Floor Boardroom of the Riffe Center located at 77 South High Street, Columbus, Ohio. Board President Robert Carter called the meeting to order at 2:01 p.m. Other board members in attendance were Mr. Robert Wasko, Mr. Ty Marsh, Ms. Linda Betzer, Mr. Thomas Fleming and Mr. Greg Boyer. Board staff members present were Executive Director Vanessa Niekamp, Inspectors Eric Anderson and Troy Seehase, Office personnel Linda Clark, Danny Finrock, and Jarrod Williams. Also attending was Assistant Attorney General Carla Dowling-Fitzpatrick, board counsel.

Reading and Consideration of the Minutes

President Robert Carter asked for reading and consideration of the November 2013 meeting of the Board Minutes.

Mr. Thomas Fleming commented on his approval of the format of minutes. He expressed thanks to those responsible for the arrangement. Mr. Jarrod Williams explained producing the minutes is collaboration; a rough draft is prepared for Executive Director Vanessa Niekamp to review, and Director Niekamp edits and approves a final version for presentation to the board.

On a motion by Mr. Thomas Fleming, and seconded by Mr. Ty Marsh, the Board voted to approve the November 2013 meeting of the Board Minutes. *Ayes: 6, Nays: 0; Motion passed.*

Persons before the Board

Board President Robert Carter offered greetings and welcomed all in attendance. Mr. Carter called those scheduled to appear before the board, one at a time, and instructed each person to speak clearly and audibly so all may hear.

Ms. Erin E. Moser appeared before the board seeking reciprocal embalmers and funeral directors licenses. Ms. Moser currently holds license credentials from the state of New York. She is a 2006 graduate of Cincinnati College of Mortuary Science. Ms. Moser explained that after mortuary school, she began apprenticeship in Ohio, but terminated early due to difficulties during the training. She later sought opportunity in New York State where she served apprenticeship and earned licensure in 2010. Ms. Moser recently returned to Ohio and is actively seeking employment opportunities.

There was a questions and answers session between Ms. Moser and the board.

On a motion by Mr. Greg Boyer, and seconded by Mr. Ty Marsh, the Board voted to approve the reciprocal licensure pending receipt of all applicable documentation to the board office.

Ayes: 6, Nays: 0; Motion passed.

Mr. Raymond D. Johnson appeared before the board seeking a reciprocal funeral directors license. Mr. Johnson currently holds credential from the state of Delaware. He is a graduate of Pittsburgh Institute of Mortuary Science and earned bachelor's degrees in Psychology and Sociology from Kent State University. Mr. Johnson stated that after mortuary school, he sought apprenticeship opportunity in Delaware State and earned licensure in 2010. He recently returned to Ohio and is employed with Farus Funeral Home in New Concord, Ohio.

There was a questions and answers session between Mr. Johnson and the board.

On a motion by Mr. Robert Wasko, and seconded by Mr. Greg Boyer, the Board voted to approve the reciprocal licensure pending receipt of all applicable documentation to the board office.

Ayes: 6, Nays: 0; Motion passed.

Licensure

Applications for Facility Licenses

Existing Facility – change of location and/or ownership effective Dec. 16, 2013:

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to approve the following application for license: *Ayes: 6, Nays: 0; Motion passed.*

License #	Firm Title	Location	Inspection
FH.003329	Snyder Funeral Home Richardson Davis Chapel	Galion	08/12/13

Leasing from an Existing Funeral Homes – effective Dec. 16, 2013:

On a motion by Mr. Robert Wasko, and seconded by Mr. Thomas Fleming, the Board voted to approve the following application for license: *Ayes: 6, Nays: 0; Motion passed.*

License #	Firm Title	Location	Inspection
FH.003328	LoPresti Funeral Home	South Euclid	09/29/11

New facility/new building (Funeral Home) – consideration & approval of paperwork:

On a motion by Mr. Greg Boyer, and seconded by Ms. Linda Betzer, the Board voted to approve the following application for license: *Ayes: 6, Nays: 0; Motion passed.*

Firm Title	Location	County
Matthew W Conley Funeral Home	Youngstown	Mahoning

Name changes:

On a motion by Mr. Robert Wasko, and seconded by Mr. Greg Boyer, the Board voted to approve the following name change: *Ayes: 6, Nays: 0; Motion passed.*

License #	Current Name	New Name	County
003324	Wilson-Geesey FH	Thompson-Geesey FH	Williams

No Motion Items

Change the manager and/or AIC/UR:

License #	Facility Name	Licensee by Last Name	Type	County
FH.002750	Frank E. Smith FH	Smith, Frank	Mgr	Fairfield
FH.003093	Minges Funeral Home	Minges, Mark	Mgr/Aic	Hamilton
FH.002664	Novak Funeral Home	Skunza, Rudolph	Mgr/Aic	Franklin

*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 funeral home license no. was issued the date of the final inspection. *Issued date of Board meeting (special case where you are approving the paperwork and the licensed number):*

License #	Funeral Home	Location	Issue date
FH.003326	Grunn Funeral Hume	Dayton	11/18/13
FH.003327	Heitmeyer Funeral Home	Columbus Grove	11/15/13

Applications for Individual Licenses

Initial licenses to be granted Dec. 16, 2013:

On a motion by Mr. Robert Wasko, and seconded by Mr. Greg Boyer, the Board voted to approve the following applications for license: Ayes: 6, Nays: 0; Motion passed.

License #	Name	City	Effective Date
EMB.009559 A FD.009630	Harvey, Sarah E.	Columbus	12/16/13
EMB 009660 A FD.009631	Walsh, Jerilyn	Youngstown	12/16/13

No Motion Items

The following individuals were issued registration numbers during Nov. 2013:

Registration #	Name	City	Effective Date
FD.0764	Anderson, David	Springfield	11/01/13
EMB.0508 FD.0765	Bond, Nichole	Marion	11/01/13
EMB.0513 FD.0771	Brandon, Jonathan	West Milton	11/08/13
EMB.0509 FD.0766	Cornell, Cortney	Findlay	11/01/13
FD.0772	Creemeens-King, Jennifer	Gallipolis	11/13/13
FD.0767	Hayes, Joseph	Worthington	11/01/13
EMB.0510 FD.0768	Rhoden, Randy	Lebanon	11/01/13
EMB.0511 FD.0769	Sherwood, Kyle	Sagamore Hills	11/01/13
EMB.0512 FD.0770	Smith, Demi	Lima	11/01/13

No Motion Items

The following individuals certified an apprenticeship during the month of Nov 2013:

Regis #	Name	FH Name	City	Effective Date
EMB.0508 FD.0765	Bond, Nichole	Hughs-Allen FH	Marion	11/01/13
EMB.0515 FD.0771	Brandon, Jonathan	Hale-Sarver Family FH	W Milton	11/08/13
EMB.0509 FD.0766	Cornell, Cortney	Coldren Crates FH	Findlay	11/18/13
FD.0772	Cremeens-King, Jen	Cremeens FH	Gallipolis	11/13/13
FD.0767	Hayes, Joseph	Rutherford-Corbin FH	Worthington	11/01/13
EMB.0510 FD.0768	Rhoden, Randy	Stine-Kilburn FH	Lebanon	11/01/13
EMB.0511 FD.0769	Sherwood, Kyle	Ferfolia Funeral Home	Sagamore Hills	11/18/13
FD.0727	Watkins, Jan	Reeb Funeral Home	Sylvania	11/25/13

Board meeting notations:

President Robert Carter spoke on recent action from the International Conference of Funeral Service Examining Boards (The Conference). The Conference suspended students and graduates of the American Academy McAllister Institute (AAMI) from accessing any Conference examinations, including the National Board Examinations Arts and Science sections in November. This action was taken based upon an ongoing investigation that has revealed what appears to be widespread examination item harvesting and sharing among and between students and AAMI personnel.

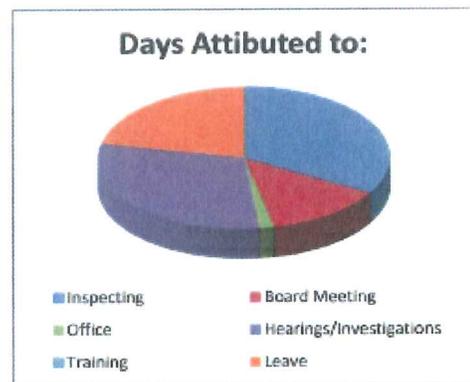
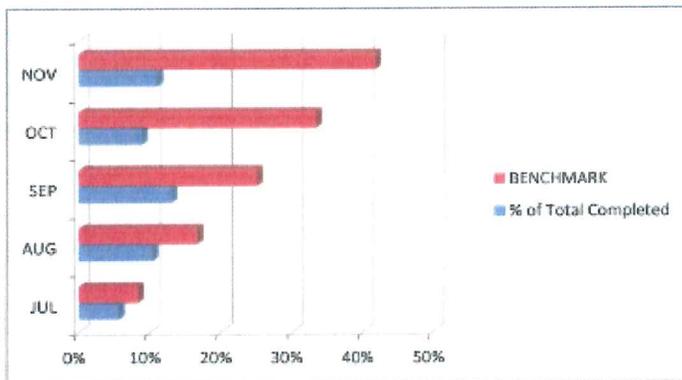
Mr. Carter stated the Conference is addressing cheating by enacting a provision to require any person found guilty of cheating on an exam, to be deemed ineligible from testing for one year from the infraction.

Inspector's Reports

Inspector Eric Anderson and Inspector Troy Seehase presented their reports individually.

Time period start: 11/17/2013 end: 12/14/2013 Board Meeting 22-Mar-1906 FY2014

Board Meeting	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Year total
Mileage	2,773	2,891	2,644	1,639	3,742	2,273							15,962
Apprentices													
Interviewed	0	6	2	0	1	0							9
Not Available	2	0	1	0	0	1							2
Inspections - Annual													completed
Crem Fac	60	1	3	1	0	5	2						12
Emb Fac	2	0	0	0	0	0	0						0
FH	620	37	29	18	9	42	18						153
Total	682	38	32	19	9	47	20						165
% of Total Completed	6%	10%	13%	9%	11%	50%	58%	67%	75%	83%	92%	100%	24%
BENCHMARK	8%	17%	25%	33%	42%	50%	58%	67%	75%	83%	92%	100%	100%
Difference	-3%	-6%	-12%	-25%	-31%								-76%
Violations Identified	1	0	0	0	0	6							7
Inspections - Follow-up													completed
Crem Fac	0	0	0	0	0	0							0
Emb Fac	0	0	0	0	0	0							0
FH	0	0	0	0	0	0							0
Total	0	0											
Inspections - New Facility													completed
Crem Fac	0	0	0	0	1	0							1
Emb Fac	0	0	0	0	0	0							0
FH	1	0	1	0	0	1							3
Total	1	0	1	0	1	1	0	0	0	0	0	0	4
Investigations Working	14	32	60	23	41	30							200
Days Attributed to:													
Inspecting				6	9	5							20
Board Meeting	2	1	1	2	2	0							8
Office	1	1	0	1	2	2							1
Hearings/Investigations	0	0	0	4	8	6							18
Training	0	0	0	0	0	0							0
Leave	0	0	0	7	2	4							13
Total Days Included	3	2	1	20	23	17	0	0	0	0	0	0	66



FUN - Inspector Monthly Report

Report Parameters

Report = FUN
 FUN - Inspector = ANDERSON
 From 1/1/2013 to 12/31/2013

Report generated on 12/13/2013 at 9:13:40 AM

Inspection Date	Credential Number	Name	County	Contact	Reason	Comments
20131119	FH 001472	HEITGER FUNERAL SERVICE	Stark	no one available	Annual Inspection	
20131125	FH 002320	ROBERTS FUNERAL HOME	Medina	Rebecca Ryan	Annual Inspection	In Compliance
20131120	FH 002274	HIGBINS-REARDON FUNERAL HOMES	Mahoning	no one available	Annual Inspection	
20131120	FH 002273	HIGBINS-REARDON FUNERAL HOMES	Mahoning	Bill Palma	Annual Inspection	In Compliance
20131127	FH 001128	HADLEY FUNERAL HOMES INC	Washington	Barara Hadley	Annual Inspection	In Compliance
20131125	FH 002737	PARKER & SON FUNERAL HOMES INC	Medina	Dennis Chapman	Annual Inspection	In Compliance
20131125	FH 002738	PARKER & SON FUNERAL HOMES INC	Medina	obtained code/walked thru	Annual Inspection	In Compliance
20131125	FH 002844	HILLIARD-ROSPERT FH	Medina	Dan Rospert	Annual Inspection	In Compliance
20131119	CREM 000150	PAQUELET CR	Stark	Tim Cotton	Annual Inspection	In Compliance
20131120	FH 002842	FORTUNATO-REARDON FS	Mahoning	Bill Palma	Annual Inspection	In Compliance
20131212	FH 001289	THE J. W. WILLS CO./HOUSE OF WILLS	Cuyahoga	Stephanie Strawbridge	Annual Inspection	No sanitary floor, no hot water, no private sign on door, no emergency light, building has no heat and there are multiple areas of water damage on ceilings in prep room, chapel, lobby, and slumber room.
20131119	FH 002763	HEITGER FUNERAL SERVICE INC	Stark	Catherine Heitger	Annual Inspection	In Compliance

FUN - Inspector Monthly Report

Report Parameters

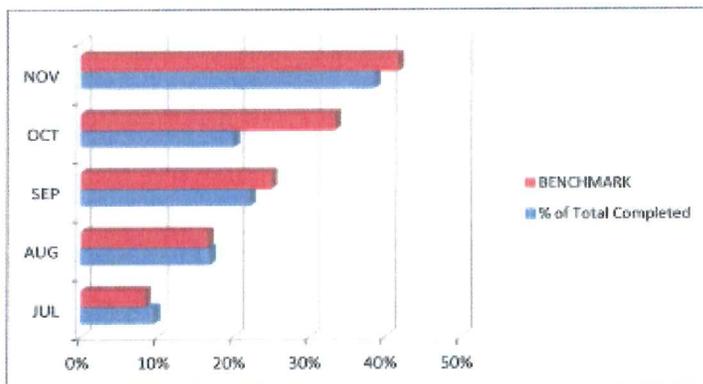
Board = FUN
 FUN - Inspector = ANDERSON
 From 11/1/2013 to 12/31/2013

Report generated on 12/13/2013 at 9:13:40 AM

Inspection Date	Credential Number	Name	County	Contact	Reason	Comments
20131120	CREM 000081	VALLEY CREM SVCS	Mahoning	Bill Palma	Annual Inspection	In Compliance
20131125	FH 002335	COX FUNERAL HOME	Medina	no one available	Annual Inspection	
20131211	FH 002921	STERLING-MCCULLOUGH WILLIAMS FH	Mahoning	No one available	Annual Inspection	
20131116	FH 002647	PAQUELET & ARNOLD-LYNCH FH	Stark	Tim Cotton	Annual Inspection	In Compliance
20131116	FH 002648	PAQUELET FH	Stark	Tim Cotton	Annual Inspection	In Compliance
20131120	FH 001947	CUNNINGHAM-BECKER FUNERAL HOME	Mahoning	Patty Asher	Annual Inspection	In Compliance
20131211	FH 002604	F. D. MASON MEM FH	Mahoning	Eunice Mason	Annual Inspection	In Compliance
20131211	FH 002917	WASKO FH INC	Mahoning	Robert Wasko	Annual Inspection	In Compliance

Time period start: 11/15/2013 end: 12/12/2013 Board Meeting 16-Dec-2013 FY2014

Board Meeting	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Year total
Mileage	2,158	3,057	3,190	3,027	3,245	2,527							17,204
Apprentices													
Interviewed	3	1	0	3	3	0							10
Not Available	0	2	0	0	0	2							2
Inspections - Annual													completed
Crem Fac	60	7	7	2	3	3	4						26
Emb Fac	2	0	0	1	0	0	1						2
FH	547	51	38	29	42	52	29						241
Total	609	58	45	32	45	55	34						269
% of Total Completed	10%	17%	22%	20%	39%	44%							44%
BENCHMARK	8%	17%	25%	33%	42%	50%	58%	67%	75%	83%	92%	100%	100%
Difference	1%	0%	-3%	-13%	-3%	-6%							-56%
Violations Identified	2	3	0	1	3	1							10
Inspections - Follow-up													completed
Crem Fac	0	0	0	0	0	0							0
Emb Fac	0	0	0	0	0	0							0
FH	0	0	0	0	2	6							0
Total	0	0	0	0	2	6	0	0	0	0	0	0	8
Inspections - New Facility													completed
Crem Fac	0	0	0	3	0	0							3
Emb Fac	0	0	0	0	0	0							0
FH	0	1	0	0	0	2							3
Total	0	1	0	3	0	2	0	0	0	0	0	0	6
Investigations Working	5	8	7	10	12	2							44
Days Attributed to:													
Inspecting				17	16	12							45
Board Meeting	2	1	2	2	2	1							10
Office	1	1	0	1	2	1							1
Hearings/Investigations	0	0	0	0	1	0							1
Training	0	0	0	0	0	0							0
Leave	0	0	0	0	0	1							1
Total Days Included	3	2	2	20	21	15	0	0	0	0	0	0	63



FUN - Inspector Monthly Report

Report Parameters
 Board - FUN
 FUN - Inspector - Seehase
 From 1/1/2013 to 12/31/2013

Inspection Date	Credential Number	Name	County	Contact	Reason	Comments
20131115	FH 002605	GRISIER FUNERAL HOME	Fulton	Jeffrey R. Strayer	Annual Inspection	In Compliance
20131115	FH 002618	GRISIER FH	Fulton	Sabrina Grisier	Annual Inspection	In Compliance
20131115	FH 003327	HEITMEYER FH	Putnam	David R. Heitmeyer	Initial Inspection	In Compliance
20131118	FH 003326	GRUNN FUNERAL HOME	Montgomery	W. Eric Lusain	Initial Inspection	In Compliance
20131121	CREM 000097	QUALITY FUNERAL CHOICES	Lucas	James Grygiel	Annual Inspection	In Compliance
20131121	CREM 000161	NORTHWEST OHIO CREM	Lucas	No One Available	Annual Inspection	
20131121	CREM 000060	TOLEDO CREMATION SERVICE	Wood	Eric S. Hummel	Annual Inspection	In Compliance
20131122	FH 000433	SHORT FUNERAL HOME	Fulton	Reilly Short	Annual Inspection	In Compliance
20131122	FH 002402	EAGLE FUNERAL HOME-BARRETT CHAPEL	Fulton	Permission Given Walked Thru	Annual Inspection	In Compliance
20131122	FH 002584	FOX MORTUARY SERVICES	Fulton	Bill Chester	Annual inspection	In Compliance
20131122	FH 002614	EDGAR-GRISIER FH	Fulton	Bill Chester	Annual inspection	In Compliance
20131125	FH 000099	PAUL R YOUNG FUNERAL HOMES INC	Butler	Josh Koehler	Annual Inspection	In Compliance
20131125	FH 000101	ZETTLER FUNERAL HOME	Butler	Thomas G. Zettler	Annual Inspection	In Compliance
20131126	CREM 000105	FINAL WISHES	Hamilton	Michael J. Sexton	Annual Inspection	In Compliance
20131126	EFAC 000009	NEWCOMER EMBALMING CENTER	Hamilton	Rodney Galloway	Annual Inspection	1 Violation Embalmer Actually in Charge License
20131126	FH 002421	REBOLD, ROSENACKER & SEXTON FUNERAL HO	Hamilton	Michael J. Sexton	Annual Inspection	In Compliance
20131126	FH 002533	VITT, STERMER & ANDERSON	Hamilton	No One Available	Annual inspection	
20131126	FH 002711	VORHIS & RYAN FUNERAL HOME	Hamilton	Tony Bedinghaus	Annual inspection	In Compliance
20131129	FH 001159	DUNN FUNERAL HOME INC	Wood	Stephen C. Dunn	Annual inspection	In Compliance
20131129	FH 002697	MARSH FH	Wood	Rhonda Bliss	Annual inspection	In Compliance
20131129	FH 002696	MARSH FH	Wood	David Marsh	Annual Inspection	In Compliance

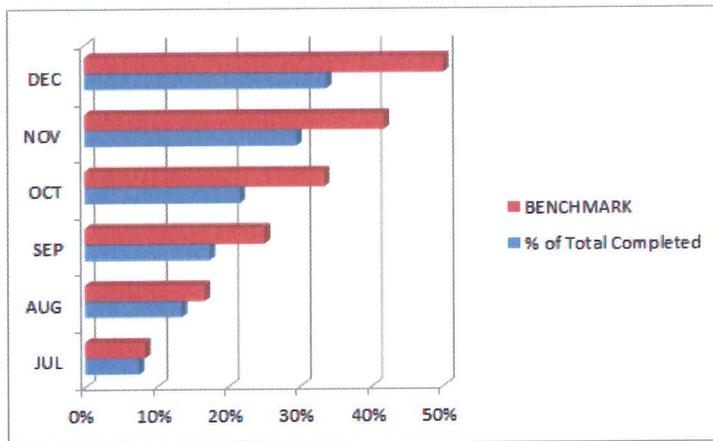
FUN - Inspector Monthly Report

Report Parameters
 Board = FUN
 FUN - Inspector = Seehase
 From 11/15/2013 to 12/12/2013

Inspection Date	Credential Number	Name	County	Contact	Reason	Comments
20131202	FH 002015	MANNASMITH-SCHNJRRENBARGER FUNERAL HOME	Logan	Nancy Carpenter	Annual Inspection	In Compliance
20131202	FH 005277	SMITH EICHHOLTZ FH	Logan	John Engle	Annual Inspection	In Compliance
20131202	FH 003263	EICHHOLTZ DARING & SMITH FH	Logan	John Engle	Annual Inspection	In Compliance
20131202	FH 003264	EICHHOLTZ DARING & SMITH FH	Logan	Door Unlocked Walked Thru	Annual Inspection	In Compliance
20131203	FH 002398	COTNER FUNERAL HOME	Franklin	Barth R. Cotner	Annual Inspection	In Compliance
20131203	FH 002707	SPENCE-MILLER FH	Franklin	C. Jeff Spence	Annual Inspection	In Compliance
20131203	FH 003186	TRIPLETT FH	Franklin	Marian J. Gary	Annual Inspection	In Compliance
20131203	FH 003280	SMITH MORTUARY	Franklin	Veda Smith Lindsey	Annual Inspection	In Compliance
20131205	FH 002286	HARTLEY FUNERAL HOME	Hancock	Door Unlocked Walked Thru	Annual Inspection	In Compliance
20131205	FH 002216	HANNEMAN FUNERAL HOME	Henry	Door Unlocked Walked Thru	Annual Inspection	In Compliance
20131205	FH 003130	WRIGHT-HABEGGER FH	Henry	No One Available	Annual Inspection	
20131205	FH 001369	SMITH-CRATES FUNERAL HOME	Wood	William Bucher	Annual Inspection	In Compliance
20131206	FH 000834	H H ROBERTS MORTUARY INC	Montgomery	No One Available	Annual Inspection	
20131206	FH 002206	HOUSE OF WHEAT	Montgomery	Wayne A. Wheat	Annual Inspection	In Compliance
20131206	FH 002735	MARKER & HELLER FUNERAL HOMES INC	Montgomery	Gary L. Heller	Annual Inspection	In Compliance
20131210	FH 000531	TUFTS SCHILDMEYER FH	Hamilton	John Keller	Annual Inspection	In Compliance Apprentices Allison Tirey at other location
20131210	FH 001470	RADEL FUNERAL SERVICE CO	Hamilton	Henry Radel, Jr.	Annual Inspection	In Compliance Apprentices Jocelyn Ramsey on removal
20131210	FH 002474	WEIL FUNERAL HOME INC	Hamilton	Mike Steil	Annual Inspection	In Compliance
20131210	FH 003252	NEWCOMER FH	Hamilton	Susan Murphey	Annual Inspection	In Compliance
20131212	FH 002686	BARNES FC	Fulton	David R. Barnes	Annual Inspection	In Compliance
20131212	FH 002860	ZACHRICH FH	Henry	Ryan D. Zachrich	Annual Inspection	In Compliance

Time period start: 10/6/2013 end: 11/16/2013 Board Meeting 18-Nov-2013 FY2014

Board Meeting	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Year
Inspections - Annual													<i>completed</i>
Crem Fac	120	8	10	3	3	8	6						38
Emb Fac	4	0	0	1	0	0	1						2
FH	1167	88	67	47	51	94	47						394
Total	1291	96	77	51	54	102	54						434
% of Total Completed	7%	13%	17%	22%	29%	34%							34%
BENCHMARK	8%	17%	25%	33%	42%	50%	58%	67%	75%	83%	92%	100%	100%
Difference	-1%	-3%	-8%	-12%	-12%	-16%							-66%
Average No. Days Attributed to:													
Inspecting				11.5	12.5	12							36
Board Meeting	2	1	1.5	2	2	0.5							9
Office	1	1	0	1	2	1.5							1
Hearings/Investigations	0	0	0	2	4.5	3							9.5
Training	0	0	0	0	0	0							0
Leave	0	0	0	3.5	1	2.5							7
Total Days Included	3	2	1.5	20	22	19.5	0	0	0	0	0	0	68



Compliance

State of Ohio Board of Embalmers and Funeral Directors

Compliance Motion #1

**On motions denoted with an asterisk (*), the names and identifying information were redacted from discussion and proposed notices during deliberation. Matters were referred to only by case number. Identifying information was added during the writing of the minutes based upon the correlating case number.*

Recommendation to Charge #1400067

*On a motion by Mr. Robert Wasko, and seconded by Mr. Thomas Fleming, the Board voted to charge:

*Smith Mortuary (FH.003280) and *Ms. Roberta L. Brady Mallory-Smith (DUAL.008894)

With a violation of: R.C. 4717.14 (A)(4) - The applicant or licensee has committed immoral or unprofessional conduct. 4717-8-01 Unprofessional Conduct (G)-“Failure to comply with any Board request during an inspection or investigation, or finding, or order.”

And order: Motion: An order to Pay Forfeiture (3rd Offense)
[licensee may request hearing instead]
(4717-12-01(A)(3)(a) \$7,500.00 min -\$10,000.00 max)
Amount of forfeiture imposed: \$7,500.00

ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko	X			
Ty Marsh	X			
Linda Betzer	X			
Robert Carter	X			
Thomas Fleming	X			
Greg Boyer	X			

The motion passed with a vote of 6 to 0.

Details:

10/30/2013- The initial complaint was received by the Board of Embalmers and Funeral Directors.

11/04/2013- The standard "Request Response" letter was issued to the funeral home requesting a response within 14 days. A copy of the original complaint was sent with the letter.

12/03/2013- Inspector T. Seehase spoke with funeral home staff during an inspection. The funeral home indicated that they would submit a response in a few days. A staff member stated she never received the complaint notice in the mail. Troy let her make a copy of the complaint and asked if she could get back with him later in the week. She said okay but he has not yet heard from her.

12/12/2013 – Executive Director Niekamp contacted the Funeral Home to inform them the case would be presented to the Board on 12/16/13 at 2:00 pm should a response not be submitted prior to the meeting. Niekamp was told the funeral home had received a copy from Seehase, but had not prepared a response yet.

No response has been received.

This funeral home has been previously charged, on two separate occasions, with Unprofessional Conduct.

Board meeting notations:

There was discussion among the board on procedures of mailing notifications from the board office.

**On motions denoted with an asterisk (*), the names and identifying information were redacted from discussion and proposed notices during deliberation. Matters were referred to only by case number. Identifying information was added during the writing of the minutes based upon the correlating case number.*

Recommendation to Charge

*On a motion by Mr. Robert Carter, and seconded by Ms. Linda Betzer, the Board voted to charge:

*Patricia A. Wills (DUAL.008301) (CURRENTLY RESIDING IN FLORIDA) and *The J.W. Wills Co. / House of Wills (FH.001289) (BOTH CURRENTLY SUSPENDED UNTIL 02/27/2013):

With a two (2) violations of: 4717.06(B)(1) The board shall issue a license to operate a funeral home only for the address at which the funeral home is operated. The funeral home license and licenses of the embalmers and funeral directors employed by the funeral home shall be displayed in a conspicuous place within the funeral home. **Specifically, the license of the funeral home, embalmers and funeral directors are not displayed.**

With a six (6) violation of: 4717-7-02(D) A license shall not be issued to a funeral home until the funeral home meets the following requirements:

(1) Every funeral home shall possess and keep in good working condition on the premises such equipment and paraphernalia as the board deems adequate for the conduct of business and the protection of the public health. All portions of a funeral home which are accessible to or used by the general public shall be kept in a clean and sanitary condition. **Specifically, there is excessive water damage which caused holes in the ceiling; nor is the facility kept in a clean and sanitary manor.**

(2) If embalming will take place at the funeral home, the funeral home shall maintain on the premises a preparation or embalming room which shall be adequately equipped and maintained in a sanitary manner for the preservation and care of dead human bodies. Such rooms shall contain only the articles, facilities and instruments necessary for the preparation of dead human bodies for burial or final disposition and shall be kept in a clean and sanitary condition. Such rooms shall be used only for the care and preparation of dead human bodies. The minimal requirements for the preparation or embalming room shall be as follows: **Specifically, there is excessive water damage which left holes in the ceiling of the prep-room; nor is the prep-room kept in a clean and sanitary manor.**

(a) Sanitary floor; **specifically, the floor is particle board which is neither clean nor sanitary.**

(c) Running hot and cold water with a sink for personal hygiene; **specifically, there is no hot water, nor is there a personal sink.**

(k) The embalming or preparation room shall be strictly private. A "private" sign shall be posted on the door(s) entering the preparation room. No one shall be allowed therein while the body is being embalmed except the embalmers, funeral directors, apprentices, officials in discharge of their duties, and other authorized persons; **specifically, a "private" sign is not posted.**

(p) Sufficient emergency lighting. ***Specifically, there is no emergency lighting.***

And order: Motion: For Summary Suspension

Upon review of the written allegations prepared by the Executive Director; and finding there is clear and convincing evidence that the licensee’s continued practice presents a danger of immediate and serious harm to the public; it is therefore ordered to suspend *Patricia A. Wills funeral directors license, and *The J.W. Wills Co. / House of Wills funeral home license without a prior adjudicatory hearing.

ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko	X			
Ty Marsh	X			
Linda Betzer	X			
Robert Carter	X			
Thomas Fleming	X			
Greg Boyer	X			

The motion passed with a vote of 6 to 0.

Details:

Inspector entered the Funeral Home on 12/12/13 for the purpose of continuing the preneed audit started 12/3/13.

Inspector found the following issues:

1. No heat in the building
2. No hot water in restrooms
3. No hot water in the embalming room
4. No emergency lighting in the embalming room
5. There is no private sign on the embalming room door
6. The embalming room floor is bare plywood (not a sanitary floor)
7. A personal lavatory with hot and cold running water is not present
8. The funeral home license is not on display
9. The manager’s license is not on display
10. Inspector observed and photographed several areas of water damage where parts of the ceiling have fallen down or are about to fall down in the of the embalming room, chapel, slumber room, main hallway and a closet (photos included)

**On motions denoted with an asterisk (*), the names and identifying information were redacted from discussion and proposed notices during deliberation. Matters were referred to only by case number. Identifying information was added during the writing of the minutes based upon the correlating case number.*

Recommendation to Charge #1400066

*On a motion by Mr. Robert Carter, and seconded by Ms. Linda Betzer, the Board voted to charge:

*Grunn Funeral Home (FH.003237), *Mr. Robert L. Grunn (FD.008251), and * Mr. W. Eric Lusain (CERT.00690)

With a violation of: 4717.14 (A) (4) The applicant or licensee has committed immoral or unprofessional conduct. 4717-8-01 Unprofessional Conduct – Specifically, there was a lack of communication with the family regarding the condition of the body. There was also a lack of organization at the funeral.

And order: Motion: An order to Pay Forfeiture (1st Offense)
 [licensee may request hearing instead]
 (4717-12-01(A)(3)(a) \$500.00 min -\$5,000.00 max)
 Amount of forfeiture imposed: \$5,000.00

ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko	X			
Ty Marsh	X			
Linda Betzer	X			
Robert Carter	X			
Thomas Fleming	X			
Greg Boyer	X			

The motion passed with a vote of 6 to 0.

Details:

11/1/2013- Initial complaint received from the daughter of the deceased, on behalf of herself and thirteen other people.

The complaint states:

- Date of death was 10/2/2013. The deceased was picked up at his home and the paperwork related to the funeral was completed via email and through the website of the funeral home. Insurance proceeds, processed through an express insurance service, were used to pay for the funeral. The funeral took place at a church eight (8) days later on 10/10/2013.
- The funeral home arrived with the body fifteen minutes after the viewing was scheduled to begin and forty-five minutes beyond the scheduled time for arrival. The casket was dirty, wrapped in a dirty blanket and the family had to wipe off the casket.
- When the casket was opened, the deceased was very dark, as a result of extreme jaundice. No make-up had been applied. The funeral director explained that make-up had not been applied due to facial hair. The family was distraught about the appearance of the corpse and eventually called in make-up specialists associated with another funeral home in the area.
- The deceased was wearing a pullover that had not been provided by the family. The explanation was that this was needed due to a leakage issue with the embalming fluid.
- The complainant describes, in detail, that the funeral director and the apprentice seemed in a hurry, distracted, took numerous cell phone calls during the viewing and the graveside service, and were rude to the family. They acted in a very haphazard fashion each step of the way, and they were disorganized throughout the event.

The funeral home, after the conclusion of the service, refunded the excess insurance benefits and the \$2,500.00 funeral service fee, plus tax, to the family.

11/22/2013 -The funeral home provided a response dated 11/18/2013. They acknowledged that they were late, due to traffic issues, and therefore, there was not a proper set-up. They addressed the issues with the makeup and the embalming, but state they used their best judgment due to the jaundice, facial hair and leakage. They describe a very hostile situation evolving during the course of the event. They made the refund to try to rectify the situation. They also stated that they apologized several times.

11/13/2013- Inspector Seehase provided a written summary of conversations with the funeral director, individuals at the funeral chapel and the pastor who conducted the services. Members of the family provided a description of the events that was consistent with the complaint. The funeral director acknowledged that he should have communicated with the family about the appearance and clothing. He described an unexpected darkening due to the length of time from the embalming on 10/3/2013 and the funeral on 10/10/2013. The pastor expressed shock about the funeral.

Mr. Seehase also spoke with the physician about the jaundice and edema before death. He also spoke with a staff person at the funeral chapel where the embalming was done. That person stated that the deceased looked good for a jaundice case right after the embalming, but that he was concerned at the time due to the length of time until the funeral. One of the people called in to apply make-up stated that the jaundice was extreme and that there were signs of leakage and a smell of formaldehyde around the casket.

Prior Orders of the Board:

Issued to same Funeral Home, Funeral Director (AIC) and Apprentice (Owner)

1. 10-15-2013 determined there was reasonable evidence to propose the suspension, or revocation of the license for the following violations and ordered an opportunity for hearing (to be held in January 2014):
 - a. 4717.13 (A)(3) – Advertise or otherwise offer to provide or convey the impression that the person provides funeral directing services unless the person is licensed as a funeral director under this chapter and is employed by or under contract to a licensed funeral home and performs funeral directing services for that funeral home in a manner consistent with the advertisement, offering or conveyance.
 - b. 4717.13(A)(5) – Operate a funeral home without a license to operate the funeral home issued by the board under this chapter.

Board meeting notations:

There was a questions and answers session between Inspector Seehase and the board on the investigation.

Mr. Robert Wasko questioned Executive Director Vanessa Niekamp on the leadership structure of the funeral home. Mrs. Niekamp replied that the apprentice has ownership of the funeral home and the funeral director /actual in charge is an employee of the apprentice.

Recommendation to Close

On a motion by Mr. Greg Boyer, and seconded by Mr. Robert Wasko, the Board voted to close the following case:

Complaint #	Date Received	Alleged Violation	Conclusion
1400064	10/16/2013	There is a related case previously charged by Board for Unprofessional Conduct based on using outdated forms. - 4717.14(A)(4) This complainant believes the funeral director did not have a majority of the siblings signatures needed for the cremation and contacted him to "trick" him into signing.	Staff reviewed the available information and determined that there were sufficient signatures for the authorization to cremate.

ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko	X			
Ty Marsh	X			
Linda Betzer	X			
Robert Carter	X			
Thomas Fleming	X			
Greg Boyer	X			

The motion passed with a vote of 6 to 0.

Pending Cases

CASE NUMBER	DATE RECEIVED	ALLEGED VIOLATION	COMMENTS	NEXT STEP
1400071	11/22/2013	Failure to properly close FH per ORC		Response due 12/9/2013
1400072	11/27/2013	Violation of 4717.24(A)(4)(16&17)(C)(D)(E).	Cremation-authorized by other than next of kin	Initial letters 12/3/2013. Response due 12/17/2013.
1400073	11/29/2013	Refused to release body, UC, Funeral bill dispute	Body was released to the wrong FH by the hospital. The FH then refused to release the body to another funeral home. There was an altercation and an assault. The first FH is now charging \$1,000.00 for embalming.	Initial letters 12/04/2013. Response due 12/18/2013.

	DATE CHARGED	RESPONDENT	CHARGED VIOLATION	NEXT STEP	STATUS
1201050 1205092 1311036 1104091 1208006 1209021 1302073 1301051	6/17/2013	Robert P. McDermott FD and FH	Preneed Misappropriation	Permanent Revocation. McDermott has filed an appeal with Trumbull County Court, Stay of revocation denied. Briefs submission schedule has been set up by the Court. Mr. McDermott's attorney has filed a brief. AAG brief is due 1/14/2014.	AAG - Appeal of Revocation
1304086	4/15/2013	Gerald Polk	An unlicensed individual is in violation of 4717.13(A)(1)	This is connected to 1301061. Board motion 4/15/2013 to request the Ohio Attorney General's Office to seek an injunction against an unlicensed individual for a violation of 4717.13(A)(1) 5/6/2013-still pending AG decision 6/3/2013-still pending. 8/5/2013 MIT meeting review - The AAG originally working on this should get something to AAG Carla Dowling-Fitzpatrick this week. 9/9/2013-AAG reported she is still waiting on the local prosecutor to provide information. 10/7/2013- Still pending information from local prosecutor. As of 11/4/2013 MIT meeting-AAG drafting request for permission to gain motion for injunction from the Attorney General.	AAG - Injunction Pending
1302053	7/15/2013	Joseph Nero	4717.13(A)(5) Operate a funeral home without a license issued by the board under this chapter. Specifically, the Blessing Cremation Center is licensed as a crematory only.	Board voted 7/15/2013 to charge with a \$1,000.00 forfeiture. Board charge order mailed 7/22/2013. Forfeiture due 8/23/2013. 8/5/2013 MIT review- Has contacted AAG and may contest. As of 8/23/2013, there is a proposed settlement in process for a forfeiture of \$500.00 and an agreement to license the facility as a funeral home. As of 11/4/2013 MIT meeting, the settlement agreement went out last week. The crematory will be licensed as a funeral home. 12/6/13 Still do not have a signed agreement by Nero from AAG. 12/9/2013-AAG will call Mr. Nero.	AAG - Settlement Pending
1400031	8/19/2013	Bersticker-Scott FH-FH001278	Preneed Annual Report	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond(9/25/2013). Hearing request deadline 9/25/2013. 9/9/2013- AAG reported contact and possible settlement. As of 9/24/2013, a hearing request was received from Attorney Douglas King. Preneed report received 9/16/2013. Settlement sent via AAG to respondent on 10/09/13. As of 11/4/2013 MIT meeting, the settlement has not yet returned. 12/9/2013-AAG will follow up.	AAG - Settlement Pending
1400036	8/19/2013	JE Humphrey FH-FH002248	Preneed Annual Report	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). Hearing request deadline 9/25/2013. Hearing request received 9/17/2013. Preneed reports filed 9/6/2013. As of 11/4/2013 MIT meeting, the settlement is not back. 12/9/2013-AAG will follow up.	AAG - Settlement Pending
1400042	8/19/2013	Novak FH-FH002664	Preneed Annual Report	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). Hearing request deadline 9/30/2013. As of 9/27/2013, no request for hearing has been received. The Preneed report has not been filed. Goldman hearing to be scheduled 11/14/2013. As of 11/4/2013 MIT meeting, Goldman to be scheduled 12/11/or 12/12. 11/20/2013-Preneed recently received. 11/26/13 - AAG stated settlement agreement to VAN within the week. 12/6/13 No settlement from AAG. 12/9/2013-AAG will put together a proposed settlement.	AAG - Settlement Pending
1400044	8/19/2013	Schwartz, Spence, Boyer and Cool Home for Funerals-FH002644	Preneed Annual Report	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). The Preneed report was filed 9/27/2013. As of 10/7/2013, AAG sent VN settlement agreement for approval. 12/05/2013-\$1,000.00 paid. 12/06/13 AAG to send signed settlement to VAN. 12/9/2013-AAG will put together a proposed settlement.	AAG - Settlement Pending

	DATE CHARGED	RESPONDENT	CHARGED VIOLATION	NEXT STEP	STATUS
1400046	8/19/2013	Williams, Gregory and Martin F5-FH003029	Preneed Annual Report	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). As of 11/4/2013 MIT meeting. Goldman to be scheduled 12/11 or 12/12. Settlement now in process.12/3/2013- \$1,000.00 forfeiture paid. 11/16/2013- Preneed report filed. Settlement to be drafted by AAG. 12/9/2013- AAG will check on status.	AAG - Settlement Pending
1400035	8/19/2013	Howard-Rhoden MH-FH002476	Preneed Annual Report	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). Hearing request deadline 9/30/2013. As of 9/27/2013-No hearing request has been submitted. Preneed report not filed. 10/7/2013- Goldman hearing to be scheduled 11/14/2013. As of 10/30/2013, the hearing date is being rescheduled. Update at 11/4/2013 MIT meeting- Hearing to be set in mid-December. FH may be closed. Hearing cancelled. Notice of Board Order mailed to Tarea Rhoden 12/6/13. 12/9/2013-Office will remain Board order.	Board Order Mailed
1400061	11/16/2013	Joseph R. Garr F5 Inc. Joseph Richard Garr	Anna Baxter	Unprofessional Conduct- Filed to have the cremains available at the funeral and failed to communicate this information to the family	Hearing request due 12/20/2013
1400066	11/19/2013	McVean, Hughess and McClurkin FH, Christopher Engartner	Board	False or deceptive advertising, unlicensed funeral home, funeral directing from an unlicensed facility, 47 17.13(A)(3)	Hearing request due 12/26/2013.
1400007	8/19/2013	Troy Christman- DUAL-000060	CE Audit- Did not complete the 16 hours by 12/31/2012, but has since completed required hours.	Board voted 8/19/2013 to charge with a \$1,500.00 forfeiture. Forfeiture due 9/30/2013. Settlement faxed on 09/30/13. Forfeiture reduced to \$500.00. 11/7/2013 status update-No settlement or payment. Settlement mailed 9/3/2013. Settlement signed 10/15/13, fine due 11/15/13. Certified signature on 11/14/13. 12/6/13 No fine received.	Pending Fine
1400038	8/19/2013	Kevin M. Coyne F5-FH003076	Preneed Annual Report	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). Settlement Completed 11/16/2013. Fine of \$1,000.00 due 5/17/2014.	Pending Fine
1400008	8/19/2013	Jonathan Leavitt- DUAL 008520	CE Audit- Did not complete the 16 hours by 12/31/2012, but has since completed required hours.	Board voted 8/19/2013 to charge with a \$1,500.00 forfeiture. Settlement faxed on 09/30/13. Forfeiture reduced to \$500.00. 11/7/2013 status update-No settlement or payment. Settlement signed 10/15/13, fine due 11/15/13. 12/06/13 Signed Agreement not accepted and returned to Board. Remailed 12/09/13.	Pending Fine
1400003	7/24/2013	Robert A. Lewis	Misappropriation	Board order- opportunity for hearing-September Board meeting.- Charge order issued. Request for hearing due 10/16/2013.As of 11/4/2013 MIT meeting, Goldman to be scheduled. 12/9/2013-Investigative Summary to be prepared. Hearing Scheduled 01/28/14.	Pending Goldman Hearing
1400022	8/19/2013	Danferd Avis- 05422	CE Audit-Failed to respond to the request of the Board, but has a current exemption or waiver.	Board voted 8/19/2013 to charge with a \$500.00 forfeiture. Charge order 8/30/2013. Objection period ends 9/29/2013. Settlement of case with submission of audit document. 10/01/13 Request for hearing. As of 11/7/2013-CE Audit form had been mailed to attorney, but there is no settlement. 12/9/2013- Hearing to be scheduled and Investigative Summary prepared. Hearing scheduled for 01/29/14.	Pending Hearing
1400033	8/19/2013	Czap FH-FH002850	Preneed Annual Report	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). Hearing request deadline 9/25/2013. 9/9/2013- AAg reported contact and possible settlement. 9/12/2013 Request for Hearing received 9/14/2013.Notice states the report was submitted 3/29/2013 and he will waive hearing if the copy being submitted with the hearing request is sufficient. Copy of hearing request received 9/17/2013. Preneed report received 9/16/2013. As of 11/4/2013 MIT meeting, prepare Investigative Summary for 01/29/14 hearing- prepared	Pending Hearing

	DATE CHARGED	RESPONDENT	CHARGED VIOLATION	NEXT STEP	STATUS
1201053001-1201053053	9/3/2013	McClurkin FH	Misappropriation, Preneed Annual Report	Board order September Board meeting-suspension without hearing. Orders issued. Summary suspension- 9/17/2013 Board Order. Green-card received 09/21/13. As of 11/4/2013 MIT meeting, there is a formal hearing request-hearing to be scheduled. Request for hearing due 10/16/2013.AAG reported 10/7/2013 contact with an attorney representing Patrick. Request for hearing received.	Pending Hearing
1400063	10/7/2013	Timothy Werner	Board	Convicted of a felony involving moral turpitude- a felony of the fourth degree, convicted of a crime involving moral turpitude-abuse of a corpse and Unprofessional Conduct-misrepresented himself to the Dept. Of Health by submitting false documents to gain access to EDRS. Opportunity for hearing. Request due 11/20/2013. 12/9/2013-Hearing to be scheduled and Investigative Summary completed. Hearing Scheduled for 01/22/14.	Pending Hearing
1400002	7/25/2013	Stine-Kilburn Fh	Dottie Hamilton	UC-rude FD behavior, \$500.00 forfeiture due 11/20/2013. Hearing requested and notice of continuance issued. 12/9/2013-Investigative Summary to be completed and hearing date scheduled. Hearing scheduled for 01/22/14.	Pending Hearing
1400049	8/23/2013	Wood-Kortright-Borkoski FH, Franklin Gray-FD and Aaron Borkoski-FD and AIC	Board	FH and Borkoski-opportunity for hearing for operating a FH without a license. \$172,500.00 forfeiture each for two FD's for misrepresenting the facility on death certificates in order to operate from an unlicensed FH. Hearing requests and forfeitures due 11/20/2013. Requests for hearings - 10/30/2013 - from Gray and Borkoski. 12/9/2013- Hearing date to be scheduled and Investigative Summary completed. Hearing scheduled for 01/22/14.	Pending Hearing
1400057	9/24/2013	Grunn FH, Eric Luzain-apprentice, and Robert Grunn FD/AIC	Board	Advertisement and operating a FH without a license. Hearing request. 12/9/2013-Hearing date to be scheduled and Investigative Summary completed. Hearing scheduled for 01/28/14.	Pending Hearing
1400016	8/19/2013	Carleen Carlson-FD 007774	CE Audit-Did not complete the entire 18 hours by 12/31/2012, and there is no documentation that any of the hours have been made up.	Board voted 8/19/2013, to suspend license and to charge with a \$2,000.00 forfeiture. Sent in request for hearing 9/27/2013.11/8/2013 status update- Payment, but no settlement-settlement mailed 10/9/2013. Settlement resent on 12/09/13.	Settlement Pending
1302054	4/15/2013	Charles E. Watson and FH	Complainant states that her mother made periodic payments totaling \$3,100.00 to this funeral home as part of a preneed arrangement. When the mother passed away, arrangements were handled by another funeral home. The funeral home has not responded to a number of attempts by the family to contact it. The family is requesting a refund of the money.	As of 8/5/2013-\$3,000.00 settlement agreement being drafted. Did not file notice of appeal. 10/02/13 - AAG plans to have settlement before board at OCT meeting. 10/7/2013-AAG still working on settlement. As of the 11/4/2013 MIT meeting, the agreement has not returned. AAG to follow up. 12/9/2013- The settlement is back and awaiting Board signature on 12/16/2013.	Settlement Pending Board Signature
1400037	8/19/2013	Jackson-Kercheval-Meyers FH-FH002126	Preneed Annual Report	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). Hearing request deadline 9/25/2013. 9/9/2013- AAG reported contact and possible settlement. Hearing request if no settlement letter received 9/10/201. Preneed report received 9/9/2013. As of 10/7/2013, AAG sent VN Settlement Agreement to approve. As of 11/4/2013 MIT meeting, Settlement back (\$1,000.00), but payment not yet made.	Settlement Pending Board Signature
1400039	8/19/2013	Kirby F5-FH003025	Preneed Annual Report	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). Hearing request deadline 9/25/2013. Hearing request received 8/30/2013. Preneed report received on 8/30/2013. As of 11/4/2013 MIT meeting-no update.	Settlement Pending Board Signature

	DATE CHARGED	RESPONDENT	CHARGED VIOLATION	NEXT STEP	STATUS
1400040	8/19/2013	Moore FH-FH002237	Preneed Annual Report	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). Hearing request deadline 9/25/2013. 9/9/2013- AAG reported contact and possible settlement. Dementia situation. Request for hearing submitted with reports. 9/10/2013. Report received 9/9/2013. As of 10/7/2013, AAG sent VN Settlement Agreement to approve. As of 11/4/2013 MIT meeting- No additional update. 12/3/2013- forfeiture of 51,000.00 paid.	Settlement Pending Board Signature
1400041	8/19/2013	Moore FH-FH002236	Preneed Annual Report	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). As of, 10/7/2013, AAG sent VN Settlement Agreement to approve. 12/3/2013 forfeiture of \$1,000.00 paid.	Settlement Pending Board Signature
1400045	8/19/2013	Vensil and Chute FH, Inc.- FH002639	Preneed Annual Report	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). Hearing request deadline 9/30/2013. 9/9/2013 AAG reported contact and possible settlement.. 9/25/2013- received copy of hearing request dated 9/4/2013. It arrived in the office on 9/5/2013. As of 9/27/2013, no Preneed report filed. As of 10/7/2013, AAG sent VN Settlement Agreement to approve. Preneed received 9/30/2013. Settlement signed by respondent.	Settlement Pending Board Signature

Board meeting notations:

President Robert Carter declared that Monday's board meeting agenda was complete and suggested to proceed to committees.

On a motion by Mr. Robert Carter, and seconded by Mr. Greg Boyer, the Board voted to recess the meeting: *Ayes: 6, Nays: 0; Motion passed.*

The December 2013 meeting of the Board recessed at 4:17 p.m.



State of Ohio Board of Embalmers and Funeral Directors

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Reconvening of the Board

The Board of Embalmers and Funeral Directors reconvened in regular session on Tuesday, December 17, 2013, in the 31st Floor Boardroom of the Riffe Center located at 77 South High Street, Columbus, Ohio. Board President Robert Carter called the meeting to order 9:06 a.m. Other board members in attendance were Mr. Robert Wasko, Mr. Ty Marsh, Ms. Linda Betzer, Mr. Thomas Fleming, and Mr. Greg Boyer. Board staff members present were Executive Director Vanessa Niekamp, Inspectors Eric Anderson and Troy Seehase, Office personnel Linda Clark, Danny Finrock, and Jarrod Williams. Also attending was Assistant Attorney General Carla Dowling-Fitzpatrick, board counsel.

Continuing Education

Mr. Thomas Fleming presented the applications for continuing education programs.

State of Ohio Board of Embalmers and Funeral Directors

Continuing Education

Applications for 50 Year Exemption

On a motion by Mr. Greg Boyer, and seconded by Ms. Linda Betzer, the Board voted to approve the following application:

Licensee	License Number(s)	Note
Thomas R. Neeld	DUAL 6384	First Issued 12/02/1963

The motion passed with a vote of 6 to 0.

Applications for Individual License Requesting Continuing Education

Continuing Education Programs December 17, 2013:

On a motion by Mr. Greg Boyer, and seconded by Ms. Linda Betzer, the Board voted to approve the following applications for continuing education: Ayes: 6, Nays: 0, Motion passed.

Name	Location	Course Name	Hours	Program Date
Elmer, Rebecca L.	Online	Understanding Grief	3	10.31.2013
Elmer, Rebecca L.	Online	Infant Embalming Techniques	3	11.01.2013
Elmer, Rebecca L.	Online	Funeral Rituals and Mental Health	3	11.13.2013
Garrett Jr, Marshall Arnold	Lake Charles, Louisiana	Louisiana Organ Procurement Agency	2	12.12.2013
Garrett Jr, Marshall Arnold	Fort Polk, Louisiana	Casualty Notification Officer Training	10	11.6-7.2013

Applications for Continuing Education

Continuing Education Programs December 17, 2013;

On a motion by Mr. Greg Boyer, and seconded by Mr. Robert Waske, the Board voted to approve the following applications for continuing education: Ayes: 6, Nays: 0; Motion passed.

Sponsor Name	Program Date	Hours	Location	Course Name	Contact	Phone
AMERICAN COACH SALES	1/21/2014	3	Cleveland, Ohio	The Use of Professional Service Vehicles	Kathleen Berry	888-321-8613
AURORA CASKET COMPANY	1/22/2014	2	Cleveland, Ohio	Selecting Special Products	Lacy Robinson	812-925-5862
CATHOLIC CEMETERIES ASSOCIATION	2/5/2014	3	Cleveland, Ohio	Modern Day Issues in the Death Care Industry	Bonnie M. Rosala	216-865-5391
CENTRAL INSTITUTE FOR EDUCATIONAL ADVANCEMENT	1/6/2014	3	Mansfield, Ohio	Embalming Review for Contemporary Embalmers	Joel L. Gettis	937-572-8030
CENTRAL INSTITUTE FOR EDUCATIONAL ADVANCEMENT	1/6/2014	3	Mansfield, Ohio	The Funeral Director and the Honey Bee	Joel L. Gettis	937-572-8036
CENTRAL INSTITUTE FOR EDUCATIONAL ADVANCEMENT	1/6/2014	3	Mansfield, Ohio	The Death Care Industry Today	Joel L. Gettis	937-572-8036
CREMATION ASSOCIATION OF NORTH AMERICA	1/17/2014	6	Wheatridge, IL	Crematory Operations Certification Program	Nanette Haase	(312) 245-1077
CREMATION ASSOCIATION OF NORTH AMERICA	2/4/2014	6	Las Vegas, NV	Crematory Operations Certification Program	Nanette Haase	(312) 245-1077
CREMATION ASSOCIATION OF NORTH AMERICA	3/11/2014	6	Branson, Mo	Crematory Operations Certification Program	Nanette Haase	(312) 245-1077
CREMATION ASSOCIATION OF NORTH AMERICA	5/16/2014	6	Baltimore, MD	Crematory Operations Certification Program	Nanette Haase	(312) 245-1077
CREMATION ASSOCIATION OF NORTH AMERICA	6/5/2014	6	Minneapolis, MN	Crematory Operations Certification Program	Nanette Haase	(312) 245-1077
CREMATION ASSOCIATION OF NORTH AMERICA	11/11/2014	6	Saint Pete Beach, FL	Crematory Operations Certification Program	Nanette Haase	(312) 245-1077
EMBALMERS ASSOCIATION OF CLEVELAND	1/23/2014	3	Parma, Ohio	Lifebanc Process	Steven Shopp	440-842-0875
FIRELANDS FUNERAL DIRECTORS ASSOCIATION	12/15/2013	2	Norwalk, Ohio	Caring for the Non-Profits	David F Koch	419-526-1070
FUNERAL DIRECTORS ASSOCIATION OF NW OHIO INC	1/20/2014	2	Toledo, Ohio	Catholic Funeral Rites and Partners in Progress - Improving Relationships between	Carter Neff	419-249-6281
FUNERALCONTINUINGEDUCATION.COM	Online	3	Online	Restorative Art and Modern Techniques	Barbara Cardone	718-701-0385
FUNERALCONTINUINGEDUCATION.COM	Online	2	Online	The Sociology of Death	Barbara Cardone	718-701-0385
FUNERALCONTINUINGEDUCATION.COM	Online	2	Online	Funeral Bereavement and Memorialization	Barbara Cardone	718-701-0385

State of Ohio
Board of Embalmers and Funeral Directors

Continuing Education

HOSPICE OF THE WESTERN RESERVE	2/6/2014	3	Cleveland, Ohio	Supporting Complicated Grief and Sudden Death	Julie McBee	216-385-7733
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	1/23/2014	2	Ohio	Update on the Affordable Care Act for Small Business	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	1/28/2014	2	Richmond, VA	Adventures in Cremation	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	1/28/2014	7	Richmond, VA	NFDA Certified Crematory Operator Program	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	2/5/2014	1	Las Vegas, NV	Cremation Families Are not all Created Equal	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	2/5/2014	2	Las Vegas, NV	The Future of Funeral Services: Social Media - Its Experience and Value	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	2/5/2014	1	Las Vegas, NV	Roundtables with a Twist	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	2/5/2014	2	Las Vegas, NV	Adventures in Cremation	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	2/6/2014	1	Las Vegas, NV	Breathing Life into Funeral Home Marketing, Facebook, Television and a Sense of	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	2/6/2014	1	Las Vegas, NV	Leading in Times of Rapid Change	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	2/6/2014	2	Las Vegas, NV	Learning at 00 Below Zero	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	2/13/2014	1	Greenwood, Indiana	Peri Loss Services and Your Funeral Home: Collaborating to Create Success	Kathleen Walczak	800-228-6332
OHIO FUNERAL DIRECTORS ASSOCIATION	1/22/2014	2	Columbus, Ohio	Board of Directors Meeting	Dana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	2/7/2014	2	Dominican Republic	Developing an Effective Leadership Style	Dana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	2/7/2014	2	Dominican Republic	Creating Standards of Excellence - The Devils in the Details	Dana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	2/6/2014	2	Dominican Republic	Mind, Spirit and Body - Creating Balance in the End of Life Service	Dana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	2/6/2014	2	Dominican Republic	Presenting Yourself with Confidence and the Art of Seminars	Dana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	2/6/2014	2	Dominican Republic	Effective First Call and Arrangement Conference Flow for the Cremation	Dana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	2/6/2014	2	Dominican Republic	Community Outreach Programs, Events and Outreach that set your funeral home apart	Dana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	2/19/2014	2	Columbus, Ohio	Master Trust Training Seminar	Dana O'Neal	614-486-5339
THE CLEVELAND AFRICAN AMERICAN FD & EMB ASSOC	1/14/2014	3	Worrensville, Ohio	Overview, Piscataway and Organ Retrieval of L. Itebanic	Tara Simpson	216-410-5288

State of Ohio
Board of Embalmers and Funeral Directors

Continuing Education

THE DODGE INSTITUTE FOR ADVANCED MORTUARY STUDIES	2/23/2014	6	Mau, Hawaii	Dodge Sunshine Seminar - Day 1	Debbie Dodge	800-443-6343
THE DODGE INSTITUTE FOR ADVANCED MORTUARY STUDIES	2/24/2014	4	Mau, Hawaii	Dodge Sunshine Seminar - Day 2	Debbie Dodge	800-443-6343
THE DODGE INSTITUTE FOR ADVANCED MORTUARY STUDIES	2/25/2014	6	Mau, Hawaii	Dodge Sunshine Seminar - Day 3	Debbie Dodge	800-443-6343
THE DODGE INSTITUTE FOR ADVANCED MORTUARY STUDIES	2/27/2014	4	Mau, Hawaii	Dodge Sunshine Seminar - Day 4	Debbie Dodge	800-443-6343
UNITED FUNERAL DIRECTORS & EMBALMERS OF SOUTHERN OH	2/15/2013	2	Cincinnati, Ohio	What's New With Our County Coroner, Dr. Sammarco, M.D	Libby Brown	513-488-3494
UNITED FUNERAL DIRECTORS & EMBALMERS OF SOUTHERN OH	1/16/2014	2	Cincinnati, Ohio	Visi Records with the city of Cincinnati Seminar	Libby Brown	513-488-3494
UNITED FUNERAL DIRECTORS & EMBALMERS OF SOUTHERN OH	3/15/2014	2	Cincinnati, Ohio	What to do when it's time to have services and Burial for our Military?	Libby Brown	513-488-3494
UNITED FUNERAL DIRECTORS & EMBALMERS OF SOUTHERN OH	4/19/2014	2	Cincinnati, Ohio	How do you Cremate when it looks impossible?	Libby Brown	513-488-3494



State of Ohio Board of Embalmers and Funeral Directors

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Executive Director's Report

Budget/Fiscal Overview

SFY13 has ended. We will continue to receive invoices for SFY13 to be paid on the prior year encumbrances. This is the current overview of the SFY13 budget as of December 11, 2013:

SFY13	Budget	Expense	Encumberance	Available Budget
510	\$29,155.00	\$28,008.13	\$0.00	\$1,146.87
520	\$158,299.54	\$155,722.22	\$8.20	\$1,504.81
530	\$85,394.71	\$49,923.39	\$35,470.90	\$0.42
595	\$1,090.00	\$1,090.00	\$0.00	\$0.00
500 - QTR1	\$121,929.46	\$121,929.46	\$0.00	\$0.00
500 - QTR2	\$111,100.55	\$111,100.55	\$0.00	\$0.00
500 - QTR3	\$121,264.74	\$121,264.74	\$0.00	\$0.00
500 - QTR4	\$108,531.00	\$105,567.00	\$0.00	\$2,964.00
Budget	\$736,765.00	\$694,605.49	\$35,479.10	\$5,616.10

This is the current overview of the SFY14 budget as of December 11, 2013:

SFY14	Budget	Expense	Encumberance	Available Budget
510	\$45,000.00	\$16,981.54	\$18,341.00	\$9,677.46
520	\$172,000.00	\$53,667.73	\$78,610.81	\$39,721.46
530	\$5,000.00	\$371.50	\$0.00	\$4,628.50
595	\$1,000.00	\$530.00	\$0.00	\$470.00
500 - QTR1	\$138,000.00	\$135,735.07	\$0.00	\$2,264.93
500 - QTR2	\$119,000.00	\$90,139.50	\$0.00	\$28,860.50
500 - QTR3	\$138,000.00	\$0.00	\$0.00	\$138,000.00
500 - QTR4	\$119,000.00	\$0.00	\$0.00	\$119,000.00
Budget	\$737,000.00	\$297,425.34	\$96,951.81	\$342,622.85

Our disbursements from November 15, 2013, through December 11, 2013, are as follows:

Voucher ID	Vendor Name	Accounting Date	Payment Amount
00002063	CINCINNATI BELL ANY DISTANCE INC	11/22/2013	\$14.78
00002064	THE OHIO STATE UNIVERSITY	11/18/2013	\$250.00
00002065	OHIO DEPARTMENT OF JOB & FAMILY SERVICES	11/25/2013	\$10,509.54
00002066	BARBARA A STAFFORD	11/25/2013	\$352.50
00002067	UNITED PARCEL SERVICE	11/25/2013	\$2.27
00002068	DEPARTMENT OF ADMINISTRATIVE SERVICES	11/25/2013	\$776.91
00002069	VERIZON WIRELESS	11/25/2013	\$302.64
Summary			\$12,208.64

We currently have one individual on payment plan. This person is compliant with the approved payment schedule.

Items of Interest

Recent media regarding the misappropriation of preneed funds in Youngtown, Dayton and Canton, has prompted statewide interest in regulation of the funeral industry. We are working daily on requests for information from reporters.

OFDA has held a Master's Training Seminar on Friday, November 22, 2013. Ty Marsh presented on behalf of the Board.

Upcoming Events

Apprentice Interview will be conducted by Robert Carter and Linda Betzer this month. We will need a volunteer to take February (Fleming already assigned) and May (Wasko already assigned) due to the resignation of Ty Marsh. A copy of the Meeting Date through June is in your binder for review.

Our next meeting will be in Columbus, Ohio, on Monday, January 13th and Tuesday, January 14th. We will be in Riffe Center 31st Floor Board Room. Apprentice Interview for January will be conducted by Greg Boyer and Robert Wasko.

The 110th Annual Meeting of The Conference is scheduled for Tuesday, February 25, 2014, through Thursday, February 27, 2014, in Orlando, Florida. Board President, Robert Carter and Executive Director, Vanessa Niekamp will attend to represent Ohio.

OFDA has announced the 134th Annual Conference and Exhibition will be held at the Hilton at Easton, in Columbus, Ohio, from May 14th through the 16th, 2014. Please reserve your rooms at the Hilton, before the block of rooms is no longer available.

Policy for Consideration

The attached proposed revisions to FUN IPP004: Continuing Education Process was originally passed by the board in October 2012. The attached revisions update the IPP to current practice.

On a motion by Mr. Robert Wasko, and seconded by Mr. Thomas Fleming, the Board voted to adopt the Internal Policy and Procedure as revised: ***FUN IPP004: Continuing Education Process***

ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko	X			
Ty Marsh	X			
Linda Betzer	X			
Robert Carter	X			
Thomas Fleming	X			
Greg Boyer	X			

The motion passed with a vote of 6 to 0.

Board meeting notations:

Mr. Thomas Fleming questioned Executive Director Vanessa Niekamp on the Ohio Department of Jobs and Family Services disbursement of \$10,509.54. Mrs. Niekamp replied that the payment was attributed to an unemployment compensation claim.

Operations Committee Report

President Robert Carter presented the Operations Committee Report from the meeting held Monday, December 16, 2013. A topic of discussion during the committee meeting was an introduction of a cloud based software application named "BoardDocs". The product is a paperless solution allowing organizations to improve the creation and management of board documents and meetings. Executive Director Niekamp is researching the features of the product to determine if the board would benefit from its implementation. An analysis and recommendation may be offered at a later date.

Licensure

New facility/new building (Funeral Home) – consideration & approval of paperwork:

On a motion by Mr. Greg Boyer, and seconded by Mr. Robert Wasko, the Board voted to approve the following application for license: *Ayes: 6, Nays: 0; Motion passed.*

Firm Title	Location	County
Gwen Mooney Funeral Home	Cincinnati	Hamilton

Board meeting notations:

Note: An application listing the firm title as “Gwen Mooney Funeral Home-Tri County” was presented to the board for approval during the Monday, December 16, 2013 meeting of the Board.

There was discussion among the board on applications containing names with directional references.

Executive Director Vanessa Niekamp referenced Ohio Revised Code 4717.06 (B) (3)-the statute prohibiting directional or geographical references in the name of a funeral home. She questioned the board if they considered the “Tri County” portion of the name to be in violation of the statute.

There was discussion among the board on requirements for naming funeral homes.

A consensus was reached by the board to offer opportunity to the applicant to amend the application. President Robert Carter instructed Ms. Linda Clark to contact the applicant and ask if they would consider removing “Tri County” from the name. The board decided to defer consideration of the application until a response was received from the applicant.

An amended application listing the firm title as “Gwen Mooney Funeral Home” was presented to the board for approval during the Tuesday, December 17, 2013 meeting of the Board.

OAC 4717-2-03 DUTIES OF THE OFFICERS.

(C) The *secretary-treasurer* of the board shall supervise the executive director who shall keep the minutes of all meetings of the board and shall be responsible for all records, books, applications and other papers belonging to the board. The executive director shall attend to all correspondence and perform, or cause to be performed, all clerical duties.

The secretary-treasurer shall furnish, upon request, all forms incidental to obtaining any embalmer's or funeral director's license, and shall issue, or cause to be issued, renewal of licenses unless otherwise ordered by the board.

The secretary-treasurer shall collect all revenue as provided by law and shall deposit, or cause to be deposited, all revenue with the treasurer of the state.

(D) The *president* and *secretary-treasurer* shall sign all licenses issued under this chapter and affix the board's seal to each license.

Secretary-Treasurer

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to nominate Mr. Thomas Fleming for board secretary-treasurer.

ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko	X			
Ty Marsh	X			
Linda Betzer	X			
Robert Carter	X			
Thomas Fleming	X			
Greg Boyer	X			

The motion passed with a vote of 6 to 0.

RC 4717.03 A quorum of the board consists of four members, of whom at least three shall be members who are embalmers and funeral directors. The concurrence of at least four members is necessary for the board to take any action.

Board meeting notations:

Mr. Ty Marsh accepted employment with a state entity in November 2013. Ohio Ethics Law prohibits a state employee, in certain circumstances, from serving a second public position concurrently. To comply with state laws and related statutes, Mr. Marsh tendered his notice of resignation as a board member representing the public, from the Board of Embalmers and Funeral Directors effective January 1, 2014. The duties of the secretary-treasurer of the board shall be assigned to another board member.

Additional Non-agenda Discussion

President Robert Carter expressed gratitude to Mr. Ty Marsh for his many years of service as a board member, representing the public. He proceeded to say that during Mr. Marsh's tenure, Ty shared his bounty of wisdom in discussions, provided strategic guidance administering regulations, and always maintained perspective of his responsibility to the public. On a personal note, Mr. Carter declared Mr. Marsh to be a mentor, confidant, and an influential role model. Mr. Carter concluded with presenting gifts to Mr. Marsh.

Mr. Ty Marsh thanked Mr. Carter for his kind remarks and offered a few words of his own. Mr. Marsh stated that he had enjoyed his years of service with the board and considered the time spent an honor and privilege. He added that during his tenure, he had seen many positive initiatives by the board and was proud to participate in those advances.

Mr. Marsh also recalled memorable moments such as his appointment to the board by former Ohio Governor Ted Strickland and entertaining apprenticeship interviews. He also shared his sadness on the closures of funeral homes with which he had personal encounters prior to his appointment.

Mr. Ty Marsh expressed his thanks to all board members and board office staff past and present for their support and dedication to the board's duties and responsibilities. He declared that he will miss the fellowship of the board and the opportunity to serve as a member.

Mr. Greg Boyer shared the following concern with the board: Mr. Boyer received a telephone call from an individual seeking advice on licensing. The caller inquired if the board would consider an applicant with a felony conviction. The caller also attempted to solicit Mr. Boyer's opinion about attending mortuary school and project the chances of obtaining licensure despite the conviction. Mr. Boyer declared he did not offer any opinion or advice to the caller.

Assistant Attorney General Carla Dowling-Fitzpatrick, board counsel, offered legal opinion to board members about receiving uninvited contact. She suggested that if any board member experiences a similar situation they should not offer opinion or advice. The board member should instruct the contactor to consult the Ohio Revised Code or communicate with the board office to assist with answering their question(s).

On a motion by Mr. Thomas Fleming, and seconded by Mr. Greg Boyer, the Board voted to adjourn the meeting: *Ayes: 6, Nays: 0; Motion passed.*

The December 2013 meeting of the Board adjourned at 9:50 a.m.