

Monday – June 14, 2010

The Board of Embalmers and Funeral Directors met in regular session in the Riffe Center at 77 South High Street in Columbus, Ohio. John J. Hadley, President, called the meeting to order at 1:01 P.M. Other Board members present were: Linda M. Betzer, Ty D. Marsh, Robert J. Wasko, and Pamela Williams-Briggs. Staff Members present were: Cheryl R. Hawkinson, Assistant Attorney General; Eric E. Anderson, Inspector; Lisa A. Bruns, Inspector; Jennifer Baugess, Administrative Assistant; Lena Wright, Administrative Assistant and Ann Cunningham, Executive Director. Also in attendance were three Legal Interns from the Attorney General’s Office: Julie Patter, Justin Buntain, and Loren Simmons, and Nancy Green of the Funeral Consumer Alliance.

Mrs. Hawkinson introduced Attorney Kevin Shoemaker as the Special Council appointed by the Attorney General’s Office to assist the Board Members in writing the Board’s Administrative Rules including the five-year review and new rules for preneed. Mr. Shoemaker explained his procedure for reviewing current rules, amending rules and shaping new rules. Mr. Shoemaker will participate in the Apprenticeship Committee Meeting on Tuesday June 15.

Reciprocal Applicants

Charles Ives, North Ridgeville, appeared before the Board to request consideration as an applicant for reciprocal licensure. On a motion by Mr. Wasko, seconded by Ms. Betzer, the Board voted to accept Mr. Ives’ Bachelor’s Degree and Master’s Degree confirmed by the Ohio Department of Education and evidenced by his Ohio Teacher’s License. Ayes: 5, Nays: 0. Motion approved. On a motion by Mr. Wasko, seconded by Ms. Betzer, the Board voted to permit Mr. Ives to sit for the Ohio Laws Examination and the Comprehensive Examination. Ayes: 5. Nays: 0. Motion approved.

Jennifer I. Span, Parma Heights, appeared before the Board to request consideration as an applicant for reciprocal licensure. On a motion by Mr. Wasko, seconded by Ms. Betzer, the Board voted to permit Ms. Span to sit for the Ohio Laws Examination. Aye: 5. Nays: 0. Motion approved

♦♦♦♦♦

On a motion by Ms. Betzer, seconded by Mr. Marsh, the Board approved, as amended, the minutes of the meeting held on May 17-18, 2010. Ayes: 5. Nays: 0. Motion approved.

♦♦♦♦♦

Executive Director’s Report

The Executive Director introduced Inspector Lisa Bruns and explained that Mrs. Bruns is in the Board Office learning procedures, reading complaints, and reviewing files. Mrs. Bruns and Mr. Anderson will perform inspections together to become familiar with the process.

♦♦♦♦♦

The Executive Director informed the Board Members that previous language to amend the renewal penalty will be prepared for the upcoming budget submission. At the suggestion of the Board, Mrs. Hawkinson will research the use of escrow.

♦♦♦♦♦

Licensure

On a motion by Mr. Marsh, seconded by Mrs. Williams-Briggs, the Board approved the following application for crematory facility license for existing facilities because of change of location, change of ownership, or change of crematory operator. Ayes: 5. Nays: 0. Motion approved.

<u>License no.</u>	<u>Crematory Facility</u>	<u>Location</u>	<u>Inspection</u>
CREM000135	Cincinnati Crem Co	Cincinnati	06/11/09

♦♦♦♦♦

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

♦♦♦♦♦

There were no previously-approved applications for crematory facility license that submitted an occupancy permit and had a final inspection.

♦♦♦♦♦

There were no applications for an embalming facility license for existing embalming facilities with a change of location or ownership.

♦♦♦♦♦

There were no applications for an embalming facility license for new facilities pending receipt of the occupancy permit and a final inspection.

♦♦♦♦♦

There were no previously approved applications for embalming facilities that submitted an occupancy permit and had a final inspection.

♦♦♦♦♦

On a motion by Mrs. Williams-Briggs, seconded by Ms. Betzer, the Board approved the following application for funeral home license for existing facilities because of change of location or ownership. Ayes: 5. Nays: 0. Motion approved.

<u>License no.</u>	<u>Funeral Home</u>	<u>Location</u>	<u>Inspection</u>
FH003133	Cosic FH	Willoughby Hills	02/07/10

♦♦♦♦♦

On a motion by Ms. Betzer, seconded by Mr. Wasko, the Board approved the following applications for funeral home license pending receipt of an occupancy permit and a final inspection by the Board. Ayes: 5. Nays: 0. Motion approved.

<u>Funeral Home</u>	<u>Location</u>	<u>County</u>
Catchen Family FH	Cincinnati	Hamilton
Crates Funeral Choices	Arcadia	Hancock

♦♦♦♦♦

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 number was issued on the date indicated below.

<u>License no.</u>	<u>Funeral Home</u>	<u>Location</u>	<u>Issue date</u>
FH003132	Hufford FH	Findlay	05/25/10
FH003134	Crates Funeral Choices	Arcadia	06/14/10

◆◆◆◆◆

On a motion by Mrs. Williams-Briggs, seconded by Ms. Betzer, the Board granted embalmer and/or funeral director licenses to qualified applicants. Ayes: 5. Nays: 0. Motion approved. [See attached list]

◆◆◆◆◆

The Board reviewed a list of individuals, who were issued embalmer and/or funeral director registration numbers during the month of May 2010. [See attached list]

◆◆◆◆◆

The Board reviewed a list of individuals who certified embalmer and/or funeral director apprenticeship during the month of May 2010. [See attached list]

◆◆◆◆◆

The Board reviewed a chart of the number of registrations, certifications, apprenticeship reports, and new licenses issued from July 2009 through May 2010. [See attached list]

◆◆◆◆◆

Summary Suspension

At this point in the meeting, the Board considered a complaint presented by Mrs. Hawkinson and the Board Staff. This portion of the meeting was transcribed by a court reporter and attached find the Notice of Summary Suspension and Opportunity for Hearing and Entry of Order. The motions are as follows:

On a motion by Mrs. Williams-Briggs, seconded by Ms. Betzer, the Board voted that based on an inspection and investigation, there is clear and convincing evidence that the continued practice by Gregory J. Routson and the Routson Funeral Chapel presents a danger of immediate and serious harm to the public, the Board further ordered that Embalmer License No. 007828, Funeral Director License No. 007256 and Funeral Home License No. 002939 be summarily suspended and the licensee and funeral home cease embalming, funeral directing and funeral services immediately. Roll Call Vote: Betzer, Aye; Hadley, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye.

Also attached to these minutes find the Notice of Summary Suspension and Opportunity for Hearing and Entry of Order.

◆◆◆◆◆

Fiscal

Ms. Wright reported on fiscal matters. The Board Members reviewed the revenue journal that reflected that the Board collected \$2,466.00 in May for a total of \$53,428.47. The Board reviewed a list of sixteen vouchers and encumbrances for May, and the Budget Overview chart of allotments and expenses.

On a motion by Ms. Betzer, seconded by Mr. Wasko, the Board approved the personal service contract with Blaugrund, Herbert, Kessler, Miller, Myers & Postalakis, Inc., Inc. to act as hearing officer at the rate of \$95.00 per hour for a maximum of \$4,750.00 for Fiscal Year 2011, pending availability of funds. Roll Call Vote: Betzer, Aye; Hadley, Aye; Marsh, Absent; Wasko, Aye; Williams-Briggs, Aye.

On a motion by Ms. Betzer, seconded by Mrs. Williams-Briggs, the Board approved the personal service contract for Educational Consultant, Donald Neff, at the rate of \$25.00

per hour for a maximum of \$1,000.00 for Fiscal Year 2011, pending availability of funds. Roll Call Vote: Betzer, Aye; Hadley, Aye; Marsh, Absent; Wasko, Aye; Williams-Briggs, Aye.

◆◆◆◆

The Staff Committee reported that Ann Cunningham informed the Committee that she is retiring from her position as Executive Director on October 31, 2010. The Officers will consult with Central Service Agency to post and fill the position.

◆◆◆◆

Compliance

On a motion by Ms. Betzer, seconded by Mr. Wasko, the Board authorized the Assistant Attorney General to file a complaint in Hancock County Court of Common Pleas to request an appointment of a receiver and sequester the assets of the Routson Funeral Chapel including all preneed contracts and trust accounts pursuant to R.C. 4717.14(D). Roll Call Vote: Betzer, Aye; Hadley, Aye; Marsh, Absent; Wasko, Aye; Williams-Briggs, Aye.

Inspector Anderson presented his monthly report for the period of May 5, 2010 to June 5, 2010, and the report is attached.

◆◆◆◆

Mrs. Baugess reported that there are twelve pending complaints, twenty-two charged complaints, pending hearings, settlements or Board-Ordered compliance.

The Board received a forfeiture from A.L. Rogers Funeral Services.

The Board Staff conducted two hearings and has scheduled five hearings with possible settlements pending. There are two Report and Recommendations pending.

◆◆◆◆

The Board reviewed a list of amendments to change the manager and/or the funeral director actually in charge of and ultimately responsible for the funeral home. [See attached list]

◆◆◆◆

Compliance Motion No. 1

On a motion by Mrs. Williams-Briggs, seconded by Mr. Wasko, the Board voted to close four investigative complaints. Roll Call Vote: Betzer, Aye; Hadley, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye.

◆◆◆◆

Compliance Motion No. 2

The following motions were made pursuant to the Report and Recommendation of Hearing Officer, Marc E. Myers on the hearing held February 22, 2010 involving Ronald B. McNabb and the McNabb Funeral Home, Inc.

Motion by Ms. Betzer, seconded by Mr. Marsh to approve the Hearing Officer's Finding of Facts. Roll Call Vote: Betzer, Aye; Hadley, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye.

Motion by Ms. Betzer, seconded by Mr. Marsh to approve the Hearing Officer's Conclusions of Law. Roll Call Vote: Betzer, Aye; Hadley, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye.

Motion by Ms. Betzer, seconded by Mr. Marsh to approve the Hearing Officer's Recommendations. Roll Call Vote: Betzer, Aye; Hadley, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye.

Order of the Board:

The Board ordered a letter of reprimand sent to Ronald B. McNabb and the McNabb Funeral Home, Inc. pursuant to R.C. 4717.04(A)(9)(b) for violating R.C. 4717.08(A) and R.C. 4717.14(A)(3) and Administrative Rule 4717-1-16(A)(1).



Compliance Motion No. 3.

The following motions were made pursuant to the Report and Recommendation of Hearing Officer, Marc E. Myers on the hearing held March 19, 2010 involving Michael J.K. Jones.

Motion by Ms. Betzer, seconded by Mr. Wasko, to approve the Hearing Officer's Finding of Facts. Roll Call Vote: Betzer, Aye; Hadley, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye.

Motion by Ms. Betzer, seconded by Mr. Wasko, to approve the Hearing Officer's Conclusions of Law. Roll Call Vote: Betzer, Aye; Hadley, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye.

Motion by Ms. Betzer, seconded by Mr. Wasko, to approve the Hearing Officer's Recommendation. Roll Call Vote: Betzer, Aye; Hadley, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Abstain.

Order of the Board:

The Board ordered the revocation of Embalmer license No. 008746 and Funeral Director License No. 008536 held by Michael J.K. Jones for violation of R.C. 4717.14(A)(4) for unprofessional conduct specifically for the errors made relating to the funeral service of Mary M. Parks.



Compliance Motion No. 4

On a motion by Ms. Betzer, seconded by Mr. Marsh, the Board voted to charge Rebecca Alli and the Smith Mortuary for violation of R.C. 4717.14(A)(4) for unprofessional conduct, specifically for accepting a duplicate payment for funeral services and failure to return the payment to the Ohio Victims Compensation Fund. Roll Call Vote: Betzer, Aye; Hadley, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye.



Compliance Motion No. 5

On a motion by Ms. Betzer, seconded by Mr. Wasko, the Board voted to charge Idethel Kay Gaines and the Gaines Funeral Home with violation of R.C. 4717.14(A)(2) and R.C. 4717.14(A)(3) and R.C. 4717.14(A)(4) specifically for being guilty and sentenced for

violation of R.C. 2913.41(A)(2) M1 tampering with records, R.C. 2923.02/R.C. 2913.31(A)(1) M1 attempted forgery, forging identification cards, R.C. 2913.02(A)(3) M1 theft, aggravated theft and R.C. 2921.13(A)(09) M1 falsification. Roll Call Vote: Betzer, Aye; Hadley, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye.

◆◆◆◆◆

Compliance Mail No. 1

The Board reviewed a letter from Charlene Paquelet concerning the change of firm title. On a motion by Mr. Wasko, seconded by Ms. Betzer, the Board voted to accept the change of firm title from “Arnold-Lynch Funeral Home” to “Paquelet & Arnold-Lynch Funeral Home.” Secretary to inform Mrs. Paquelet that all signage and advertisements must reflect the new firm title. Ayes: 5. Nays: 0. Motion approved.

◆◆◆◆◆

Compliance Mail No. 2

The Board reviewed a letter from Lewis H. Seiler announcing the closing of the Bowman Funeral Chapel located on Hoover Avenue in Dayton. In addition, the “Bowman Funeral Chapel South” located on Germantown Street is now known as “Bowman Funeral Chapel, LLC. The Board accepted the firm title change and closure notice.

◆◆◆◆◆

On a motion by Mr. Wasko, seconded by Ms. Betzer, the Board entered into Executive Session pursuant to R.C. 121.22(G)(3) to confer with the Board’s counsel to discuss pending litigation. Roll Call Vote: Betzer, Aye; Hadley, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye.

The President declared the Board out of Executive Session, and there was no action to report.

◆◆◆◆◆

The Board meeting recessed at 4:46 P.M.

◆◆◆◆◆

Tuesday – June 15, 2010

The Board reconvened at 9:01 A.M. in the Riffe Center in Columbus, Ohio. President John J. Hadley presided. Present were: Linda M. Betzer, Ty D. Marsh, Robert J. Wasko, Pamela Williams-Briggs, Jennifer Baugess, Lisa A. Bruns, Eric E. Anderson, and Ann Cunningham.

◆◆◆◆◆

Continuing Education

The following motions involve the continuing education programs considered by the Board during the June 2010 meeting, and are posted on the Board’s website under Continuing Education.

◆◆◆◆◆

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

◆◆◆◆◆

On a motion by Mr. Marsh, seconded by Ms. Betzer, the Board acknowledged, the Blanket with date continuing education programs that were previously approved. Ayes:

5. Nays: 0. Motion approved.

◆◆◆◆

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

◆◆◆◆

On a motion by Mr. Marsh, seconded by Ms. Betzer, the Board approved, and where indicated denied, the individual continuing education programs. Ayes: 5. Nays: 0. Motion approved.

◆◆◆◆

On a motion by Mr. Marsh, seconded by Ms. Betzer, the Board approved the following application for exemption. Aye: 5. Nays: 0. Motion approved.

<u>Waiver</u>	<u>Exemption</u>	<u>Licensee</u>	<u>Granted/denied</u>
	X	Sigler, Kenneth	Granted

◆◆◆◆

On a motion by Ms. Betzer, seconded by Mr. Wasko, the Board meeting adjourned at 9:08 A.M.

◆◆◆◆

John J. Hadley, President

Attest: _____
Pamela Williams-Briggs, Secretary-Treasurer

Initial Licenses - June 2010

On a motion by _____, seconded by _____, the Board voted to grant an embalmer and/or a funeral director license to the following qualified individuals.

Ayes: _____ Nays: _____ Motion approved.

License #	Name	City	Effective
EMB009404	CHERRY BRENDA	COLUMBUS	6/14/2010
FD009425	CHERRY BRENDA	COLUMBUS	6/14/2010
EMB009405	SWACKHAMMER JULIE	WINCHESTER	6/14/2010
FD009426	SWACKHAMMER JULIE	WINCHESTER	6/14/2010
FD009427	WHITE DEMEATRES	FOREST PARK	6/14/2010

REGISTRATION

The following individuals qualified for an embalmer and/or a funeral director
Registration Number during the month of June 2010

Registration No.	Name	City	Effective
EMB-0342 FD-0520	BARNES BRITNEY	CINCINNATI	20100511
EMB-0518 FD-0341	SCHIAVONE ELAINA	YOUNGSTOWN	20100501
<i>MR. GRANT'S EFFECTIVE DATE WAS JANUARY 21, 2010</i>			
FD-0519	OWEN GRANT	SHAKER HEIGHTS	20100506

Certification

The following individuals ualified for an embalmer and/or a funeral director apprenticeship during the month of June 2010

Registration Number	Apprentice	Funeral Home	City	Effective
FD-0499	JENNINGS KARI	7064 BROWNELL DR	MENTOR	20100503
EMB-0328	JENNINGS KARI	7064 BROWNELL DR	MENTOR	20100503
FD-0515	KARLA ANDREW	7414 WOOSTER PKWY	PARMA	20100505
FD-0517	RYAN MICHAEL	TUFTS-SCHILDMEYER FH	LOVELAND	20100501
FD-0518	SCHIAVONE ELAINA	924 BURLINGTON ST	YOUNGSTOWN	20100510
EMB-0341	SCHIAVONE ELAINA	924 BURLINGTON ST	YOUNGSTOWN	20100510

1 APPRENTICE RE-CERTIFIED DURING THE MONTH OF JUNE

FD-0425	JOHNSON MATTHEW	WALTER FH	TOLEDO	2010052410
---------	-----------------	-----------	--------	------------

Board meeting: 6/14/2010 FY2010

<i>Actual month collected</i>	<i>JUL</i>	<i>AUG</i>	<i>SEP</i>	<i>OCT</i>	<i>NOV</i>	<i>DEC</i>	<i>JAN</i>	<i>FEB</i>	<i>MAR</i>	<i>APR</i>	<i>MAY</i>	<i>JUN</i>	<i>Fiscal Year</i>
<i>registrations</i>													<i>total</i>
embalmer	6	none	1	3	2	1	1	11	1	0	6	0	32
funeral director	10	none	5	6	4	1	2	11	3	1	8	0	51
total	16	none	6	9	6	2	3	22	4	1	14	0	83

<i>certified apprentices</i>													<i>total</i>
embalmer	5	2	1	1	3	2	1	8	3	0	3	0	29
funeral director	7	3	3	5	4	2	1	9	4	2	5	0	45
total	12	5	4	6	7	4	2	17	7	2	8	0	74

<i>Embalmer apprentice Reports</i>													<i>total</i>
quarterly reports	97	115	43	109	49	56	98	96	43	81	24	0	811
master reports	16	19	7	18	8	9	16	16	7	13	4	0	133
Board Member interview	2	9	5	2	4	0	2	7	6	2	0	0	39
total	115	143	55	129	61	65	116	119	56	96	28	0	983

<i>Funeral Director apprentice Reports</i>													<i>total</i>
quarterly reports	246	206	104	252	135	87	240	165	88	204	60	0	1787
master reports	41	34	17	42	22	14	40	27	14	34	10	0	295
Board Member interview	7	15	6	6	10	5	6	9	7	5	0	0	76
total	294	255	127	300	167	106	286	201	109	243	70	0	2158

<i>new license issued</i>													<i>total</i>
embalmer	7	5	5	3	3	5	0	7	6	5	2	0	48
funeral director	9	8	7	4	3	5	1	8	8	6	3	0	62
total	16	13	12	7	6	10	1	15	14	11	5	0	110

Numbers represent actual documents received by Board office in designated month.



State of Ohio Board of Embalmers and Funeral Directors

77 South High Street, 16th Floor, Columbus, OH 43215-6108 • Phone: (614) 466-4252 • Fax (614) 728-6825
E-Mail: oh.emb.bd@funeral.ohio.gov • Website: www.funeral.ohio.gov

NOTICE OF SUMMARY SUSPENSION AND OPPORTUNITY FOR HEARING

June 14, 2010

Routson Funeral Chapel
Gregory J. Routson
201 Osborn Avenue
Findlay, OH 45840

Mr. Routson:

Enclosed please find certified copies of the Entry of Order, the Notice of Opportunity for Hearing, and an Order of Summary Suspension and Notice of Opportunity for Hearing pursuant to R.C. Section 4717.14 (C). Those attached documents are fully incorporated herein.

You are advised that continued practice of embalming and/or funeral directing after receipt of this Order shall be considered practicing without a license, in violation of R.C. Section 4717.14 (A)(4), R.C. Section 4717.14 (A)(3) as it incorporates Administrative Rule 4717-1-18 (F) and R.C. Section 4717.14 (A)(3) as it incorporates R.C. Section 3705.29 (A)(1) and R.C. Section 3705.29 (C)(4).

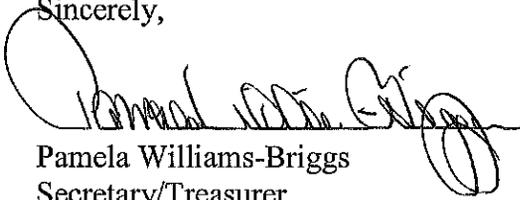
Additionally, pursuant to R.C. Chapter 119 and R.C. 4717.14 (C), you are hereby advised that you are entitled to a hearing on the allegations set forth in the Notice of Opportunity for Hearing. If you wish to request such hearing, that request must be made in writing and be received in the offices of the Board of Embalmers and Funeral Directors within thirty (30) days of the date of mailing of this notice. Further information concerning such hearing is contained within the Notice of Opportunity for Hearing.

R.C. Section 119.12 may authorize an appeal from this Order of Summary Suspension. Such an appeal may be taken to the Court of Common Pleas in the county where you are a resident or do business. If you are no longer a resident of Ohio or have no place of business in Ohio, such an appeal may be taken in Franklin County. Such an appeal, setting forth the Order appealed from and the grounds of appeal, must be commenced by the filing of a Notice of Appeal with the

Board of Embalmers and Funeral Directors and a copy of the Notice of Appeal with the Court within fifteen (15) days after the mailing of this notice and in accordance with the requirements of R.C. Section 119.07.

The date of the mailing of this notice is June 14, 2010.

Sincerely,

A handwritten signature in black ink, appearing to read 'Pamela Williams-Briggs', with a large circular flourish at the end.

Pamela Williams-Briggs
Secretary/Treasurer

Certified Mail No. 7004 1160 0000 5915 3200
Return Receipt Requested

Enclosures

cc: Cheryl Hawkinson, AAG



State of Ohio Board of Embalmers and Funeral Directors

77 South High Street, 16th Floor, Columbus, OH 43215-6108 • Phone: (614) 466-4252 • Fax (614) 728-6825
E-Mail: oh.emb.bd@funeral.ohio.gov • Website: www.funeral.ohio.gov

BEFORE THE BOARD OF EMBALMERS AND FUNERAL DIRECTORS

IN THE MATTER OF :

GREGORY J. ROUTSON :

Embalmer License #007828
Funeral Director License #007256
ROUTSON FUNERAL CHAPEL
Funeral Home License #1939

ENTRY OF ORDER

This matter came on for consideration before the Board of Embalmers and Funeral Director on the 14th day of June 2010.

Pursuant to Section 4717.14 (C) of the Ohio Revised Code, and upon consideration of written allegations prepared by the Executive Director, and

Pursuant to the determination that there is clear and convincing evidence that Gregory J. Routson and Routson Funeral Chapel have violated the following:

R.C. 4717.14 (A)(4) The applicant or licensee has committed immoral or unprofessional conduct.

(5) The applicant or licensee knowingly permitted an unlicensed person, other than a person serving an apprenticeship, to engage in the profession or business of embalming or funeral directing under the applicant's or licensee's supervision.

(6) The applicant or licensee has been habitually intoxicated, or is addicted to the use of morphine, cocaine, or other habit-forming or illegal drugs.

R.C. 4717.24 (A) (16) The certification of the authorizing agent to the effect that all of the information and statements contained in the authorization form are accurate;

(C) An authorizing agent who signs a cremation authorization form under this section is hereby deemed to warrant the accuracy of the information and statements contained in the authorization form, including the person's authority to authorize the cremation.

OAC 4717-1-16 (B) (2) (a) (ii) (a) Every funeral home or branch 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.

(b) 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:

(i) Sanitary floor;

(ii) All instruments and appliances used in the embalming of a dead human body shall be thoroughly cleansed and sterilized using an appropriate disinfectant immediately at the conclusion of each individual case;

(ix) Containers for refuse, trash and soiled linens shall be adequately covered or sealed at all times;

(xii) All waste materials, refuse, used bandages and cotton shall be destroyed in accordance with all applicable OSHA and EPA regulations;

(xiv) All bodies in the preparation room should be treated with proper care and dignity and should be properly covered at all times.

OAC 4717-1-18 (D) Violations of the federal trade commission's funeral industry rule, codified as Chapter 16, Part 453 of the Code of Federal Regulations (hereinafter, referred to as the "funeral rule"). The funeral rule became effective on January 11, 1994. A copy is available on the federal trade commission's website at <http://www.ftc.gov>.

As alleged in the Notice of Summary Suspension and Opportunity for Hearing which is enclosed herewith and fully incorporated herein, which determinations are based upon review of information received pursuant to an investigation; and

Pursuant to their further determination that Gregory J. Routson's and Routson Funeral Chapel continued practice presents a danger of immediate and serious harm to the public; and further

The following Order is hereby entered on the Records of Board of Embalmers and Funeral Directors the 14th day of June 2010;

It is hereby ORDERED that the embalmer and funeral director licenses of Gregory J. Routson in the State of Ohio be summarily suspended.

It is hereby ORDERED that Gregory J. Routson shall immediately cease the practice of embalming and funeral directing.

It is hereby ORDERED that Routson Funeral Chapel shall immediately cease all operations.

It is hereby ordered Gregory J. Routson shall provide the Board with a list of preneed contracts and shall notify the families and transfer all preneed contracts immediately upon the request of the families.

This Order shall become effective immediately.



Pamela Williams-Briggs
Secretary/Treasurer

 July 14, 2010
Date



State of Ohio Board of Embalmers and Funeral Directors

77 South High Street, 16th Floor, Columbus, OH 43215-6108 • Phone: (614) 466-4252 • Fax (614) 728-6825
E-Mail: oh.emb.bd@funeral.ohio.gov • Website: www.funeral.ohio.gov

NOTICE OF OPPORTUNITY FOR HEARING

June 14, 2010

Routson Funeral Chapel
Gregory J. Routson
201 Osborn Avenue
Findlay, OH 45840

Mr. Routson:

In accordance with R.C. Chapter 119, you are hereby notified that the Board of Embalmers and Funeral Directors [Board] intends to determine whether or not to limit, revoke, or suspend your embalmer, funeral director and funeral home license for one or more of the following reasons:

1. You have committed immoral or unprofessional conduct, a violation of R.C. 4717.14(A)(4), by failing to meet with families to arrange funeral services; unprofessional embalming; inappropriate condition of corpse;
2. You have violated R.C. 4717.14 (A) (5) by allowing unlicensed staff members to meet with families for the purpose of selling and arranging funeral services.
3. You have violated R.C. 4717.14 (A) (6) by being habitually intoxicated, or addicted to the use of morphine, cocaine, or other habit-forming or illegal drugs. Eyewitness accounts have been provided regarding this addiction and the Board's inspector's witnessed questionable behavior during the inspection on June 8, 2010.
4. You have violated R.C. 4717.24 (A) (16) and R.C. 4717.24(C) by certifying that all information on cremation authorization forms is accurate, including the person's authority to authorize the cremation. Evidence obtained indicates the authorizing agent in one or more instances did not complete a cremation authorization form and the form was completed solely by the licensee.
5. You have violated OAC 4717-1-16 (B)(2)(a)(ii)(a); OAC 4717-1-16 (B)(2)(a)(ii)(b); OAC 4717-1-16 (B)(2)(a)(ii)(b)(i); OAC 4717-1-16 (B)(2)(a)(ii)(b)(ii); OAC 4717-1-16 (B)(2)(a)(ii)(b)(ix); OAC 4717-1-16 (B)(2)(a)(ii)(b)(xii); OAC 4717-1-16 (B)(2)(a)(ii)(b)(xiv); Including, but not limited to, keeping refuse and soiled linens in a public area; failing to keep the preparation room in a clean and sanitary condition; failing to maintain a sanitary floor; failing to properly sterilize all instruments used in the embalming; failing to keep containers for refuse, trash and soiled linens covered; failure

Routson #1006095

July 14, 2010

to destroy waste materials in accordance with all applicable OSHA and EPA regulations; failing to treat at least one body with proper care and dignity by partially embalming and leaving the body un-refrigerated for a period of 13 days.

6. You have violated OAC 4717-1-18 (D) by failing to provide families with a statement of goods and services at the conclusion of finalizing funeral arrangements.
7. You have committed immoral or unprofessional conduct by threatening and/or harassing employees.
8. You have committed immoral or unprofessional conduct by using a temporary container that previously contained cremated remains to make a gift for funeral director's female employees.
9. The licensee has committed immoral or unprofessional conduct by being in the funeral home naked or partially clothed during business hours in the public areas.
10. You have committed immoral or unprofessional conduct by putting on the jacket of the deceased in front of the family.
11. You have committed immoral or unprofessional conduct by misappropriating monies from memorial contributions for families of the deceased.
12. You have committed immoral or unprofessional conduct by failing to oversee the daily operations of the funeral home, as required by being the manager and licensee actually in charge of and ultimately responsible for the funeral home.

Pursuant to R.C. Chapter 119, you are hereby advised that you are entitled to a hearing in this matter. If you wish to request such hearing, the request must be made in writing and must be received in the office of the Board of Embalmers and Funeral Directors within thirty (30) days of the date of mailing of this notice. Please note that if you are a corporation, a limited liability company, company of a limited liability partnership you must be represented by counsel.

You are further advised that, if you timely request a hearing, you are entitled to appear at such hearing in person, or by your attorney, or you may present your position, arguments, or contentions in writing, and that at the hearing you may present evidence and examine witnesses appearing for or against you.

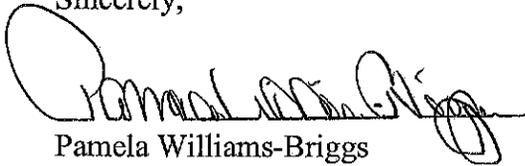
In the event that there is no request for a hearing received within thirty (30) days of the date of mailing of this notice, the Board of Embalmers and Funeral Directors may revoke the licenses.

The license(s) that are subject to Board action are as follows:

Funeral Home	FH 001939
Embalmer	EMB 007828
Funeral Director	FD 007256

The date of the mailing of this notice is June 14, 2010.

Sincerely,



Pamela Williams-Briggs
Secretary/Treasurer

Certified Mail No. 7004 1160 0000 5915 3200
Return Receipt Requested

Enclosures

cc: Cheryl Hawkinson, AAG

Time period start: **5/9/2010** end: **6/5/2010** Board Meeting **14-Jun-2010** FY 2010

<i>Board Meeting</i>	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Year total	
mileage	4,327	2,263	2,879	2,974	2,794	1,652	2,190	2,359	4,662	2,952	2,348	2,700	34,100	
apprentices	1	2	5	1	1	3	2	1	6	2	0	0	24	
<i>Inspections - Annual</i>													<i>completed</i>	<i>remaining</i>
Crem Fac 48	6	2	2	4	4	1	4	2	7	4	0	3	39	9
Emb Fac 3	1	0	0	0	0		1			1	0		3	0
FH 611	81	39	42	52	56	30	28	35	77	38	21	45	544	67
Total 662	88	41	44	56	60	31	33	37	84	43	21	48	586	76
<i>Inspections - Follow-up</i>													<i>completed</i>	
Crem Fac	0												0	
Emb Fac	0					1							1	
FH	0							1		2		3	6	
Total	0	0	0	0	0	1	0	1	0	2	0	3	7	
<i>Inspections - New Facility</i>													<i>completed</i>	
Crem Fac	0					1			1				2	
Emb Fac	0												0	
FH	0							1	1	1		1	4	
Total	0	0	0	0	0	1	0	1	2	1	0	1	6	
Investigations	5	3	9	1	1	1	7	8	8	2	5	2	52	
Violations	7	8	4	2	5	1	1	0	6	1	0	2	37	
Bd meetings days	2		2	2	2	2	2	2	2	2	2	2	22	
Bd office days	2		2	2	2		2	2	2	4	4	2	24	
Hearings days	0												0	
Training days	0												0	

There are twenty-six pay periods each Fiscal Year.

Inspectors submit one travel expense report every pay period [two weeks.]

This Inspector's report covers two 2-week expense report periods prior to Board Meeting.

Twice each Fiscal Year, the report covers three 2-week expense report periods.

Apprentices = number of apprentices the inspector talked with during a facility inspection.

Inspections - number of facilities inspected, number may include times when facility is not opened or no one is present.

Investigations = number of tasks; interviews with consumers/licenseses, procurement of court records/death certificates, meeting with other state/law enforcement agencies, etc.

Violations - number of violations noted on inspection reports.

Board meeting = number of days spent in Board Meeting.

Board Office = number of days spent in Board Office for AAG/Inspectors meetings, review of complaints, hearings, etc.

Training = number of days spent in class/training

AMENDMENTS TO CHANGE MANAGER and/or AIC/UR
June 14-15, 2010 BOARD MEETING
Changed 5/1/10 to 5/32/10

<u>License</u>	<u>Facility Name</u>	<u>Licensee</u>	<u>Type</u>	<u>County</u>
FH001553	Wilson FH	Fiutem Jerald	MGR	Belmont
FH000616	Wilson FH	Griswold Robert	MGR	Belmont
FH000078	Wilson FH	Wilson Jason	AIC	Belmont
FH000078	Wilson FH	Wilson Jason	MGR	Belmont
FH000616	Wilson FH	Wilson Jason	AIC	Belmont
FH001553	Wilson FH	Wilson Jason	AIC	Belmont
FH003023	Brown-Dawson FH	Brown George	AIC	Butler
FH002784	Miller-McFall FH	Rogers Arthur	AIC	Cuyahoga
FH002784	Miller-McFall FH	White Linda	MGR	Cuyahoga
FH001644	Rybicki & Son FH	Latek Joseph	MGR	Cuyahoga
FH002590	Blaschalk-Wilson FH	Wilson Jason	AIC	Jefferson
FH001750	Bowman FC South	Townsend F. Harriet	AIC	Montgomery
FH001750	Bowman FC South	Townsend F. Harriet	MGR	Montgomery
FH002647	Arnold-Lynch FH	Paquelet Charlene	AIC	Stark
FH002647	Arnold-Lynch FH	Paquelet Charlene	MGR	Stark
FH001201	Paquelet FH	Paquelet Joseph	AIC	Stark
FH001201	Paquelet FH	Paquelet Joseph	MGR	Stark