

Monday – March 21, 2011

The Board of Embalmers and Funeral Directors met in regular session in the Riffe Center at 77 South High Street in Columbus, Ohio. Robert Wasko, President, called the meeting to order at 1:05 P.M. Other Board members present were: Linda M. Betzer, Robert C. Carter, Thomas Fleming, Ty Marsh, Roger Primm 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; Linda Clark, Certification/Licensure Examiner; Lena Wright, Administrative Assistant and Malik M. Hubbard, Executive Director.

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On a motion by Mr. Primm, seconded by Mrs. Williams-Briggs, the Board approved, as amended, the minutes of the meeting held on February 14-15, 2011. Ayes: 7. Nays: 0. Motion approved.

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Executive Director's Report

A summary report from the 107th Annual Meeting of The International Conference of Funeral Service Examining Boards held March 2-4, 2011 in Myrtle Beach, South Carolina was given to the Board. Board member Robert Carter was voted District Representative of the Conference, representing Ohio, Ontario, Indiana, and Michigan.

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The Executive Director reported that Governor Kasich's office had submitted the Executive Budget Report for fiscal years FY12 and FY13.

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The Executive Director reported that the Ohio Funeral Director's Association hosted their Legislative Reception at the Vern Riffe Center. Staff members in attendance were Malik Hubbard, Lisa Bruns, and Jennifer Baugess. Board members in attendance were Robert Wasko, Roger Primm, Thomas Fleming and Robert Carter.

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Executive Director informed the Board that on March 17th, 2011 the Ohio Department of Health distributed a memo to its local deputy and sub-registrars stating that it will no longer accept alkaline hydrolysis as a form of disposition on death certificates and will not grant burial permits for this form of disposition.

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The Executive Director informed the Board that the Ohio Attorney General's Office had returned a formal opinion on Senate Bill 196 regarding the change in statute pertaining to the Board's authority over Preneed contracts.

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The Executive Director reminded the Board that Ohio Funeral Directors Association would host their Apprentice Seminar on March 23rd, 2011 at their office.

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The Executive Director also informed the Board that the Gaines Funeral Home will host the African American Funeral Directors of Cleveland Meeting. The Gaines Funeral Home had requested that a representative of the Board come and update them on the new administrative rules. The meeting will be on April 28th, 2011.

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The Board entered into discussion about insurance assignments that are assigned to funeral directors and should they be included in preneed annual reports. The board

concluded that if the assignment is associated with a bill of goods and services or a preneed contract then it should be reported.

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Licensure

On a motion by Mr. Fleming, seconded by Mr. Carter, the Board voted to approve the following applications for funeral home licenses for existing facilities because of a change of location or ownership. Ayes: 7. Nays: 0. Motion approved.

Chart 1

<u>License no.</u>	<u>Firm Title</u>	<u>Location</u>	<u>Inspection</u>
FH003169	Malloy Memorial	Lakewood	12-28-10
FH003170	Bridgeforth Funeral Service	Cleveland	03-09-10

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On a motion by Mrs. Williams-Briggs seconded by Mr. Fleming, the Board voted to approve applications for funeral home licenses pending receipt of an occupancy permit and final inspection by the Board. Ayes: 7. Nays: 0. Motion approved.

Chart 2

<u>Firm Title</u>	<u>Location</u>	<u>County</u>
John Hodapp Son Inc.	Liberty Twp.	Butler
Briceland Funeral Service LLC.	Brookfield	Trumbull

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On a motion by Ms. Betzer, seconded by Mr. Primm, the Board voted to approve the following application for the existing crematory facility due to a change of location, ownership or crematory operator. Ayes: 7 Nays: 0

Chart 3

<u>License no.</u>	<u>Crematory Facility</u>	<u>Location</u>	<u>Inspection</u>
FH000146	Lakewood Crematory	Lakewood	12-28-10

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

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

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

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

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

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Persons before the Board

Craig A. Pritchett is a licensed embalmer and funeral director in the state of West Virginia. He recently received a position at a funeral home in West Virginia that conducts one or two funerals in Ohio per year. He came before the Board seeking a reciprocal embalmer and funeral director's license.

On a motion by Ms. Betzer, seconded by Mr. Carter, the Board voted to grant Mr. Pritchett the opportunity to seek an Ohio reciprocal Embalmer and Funeral Director's license. Mr. Pritchett must pass the Ohio Laws and Rules exam. Motion Passed.

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John McGough, the Government Relations person representing the Ohio Funeral Directors Association addressed the Board concerning pending administrative rule changes. He spoke on behalf of the Ohio Funeral Directors Association and Scott Gilligan. The new proposed Administrative rule under 4717: 8-1(e) exists as "failure to comply with any rule, state law or federal law". The OFDA objects to the rule on the grounds that proposed Administrative rule is too broad and may exceed the Board's authority.

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Licensing Issues Before the Board

The Board received a letter from Ross C. DeJohn Jr. of DeJohn Funeral Homes and Crematory. Mr. DeJohn expressed some concerns about his former apprentice, David Napoli that resigned from his funeral home. Mr. DeJohn refused to sign the apprentice's termination papers citing, lack of integrity and honesty on the part of Mr. Napoli. According to the letter received by the Board Mr. Napoli told Mr. DeJohn that he was uncertain about his career in the funeral business and would possibly pursue other career interests. The Monday after his final day with Mr. DeJohn, Mr. Napoli took another position with one of Mr. DeJohn's competitors. The Board requested that Mrs. Clark send an interview notice to Mr. Napoli. Ms. Betzer will also correspond with Mr. DeJohn about signing termination paperwork. The Board requests that a copy of the minutes be placed in Mr. Napoli's license file.

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On a motion by Mr. Carter, seconded by Ms. Betzer, the Board voted to grant an embalmer and/or funeral director license to the qualified applicants. Ayes: 7. Nays: 0. Motion Approved.

Chart 4

<u>License no.</u>	<u>Name</u>	<u>Location</u>	<u>Issue date</u>
EMB-9432 R FD-9466	Bowser, Vera M.	Snellville, GA	03-21-11
FD-9467	Craiun, Alexandra K.	Parma	03-21-11
FD-9468	Day, Alison H.	Toledo	03-21-11
FD-9469	Woodyard, Devin R.	Worthington	03-21-11



The Board reviewed a list of individuals, who were issued embalmer and/or funeral director registration numbers during the month of February 2011.

Chart 5

<u>License no.</u>	<u>Name</u>	<u>Location</u>	<u>Issue date</u>
EMB-0390 FD-0579	Hart, Jordan D.	Wadsworth	02-03-11
EMB-0391 FD-0580	Henderson, LaToya J.	Hamilton	02-10-11
EMB-0392 FD-0581	Palmer, Jonathan E.	Chillicothe	02-10-11
FD-0583	Snider, Abby J.	Dayton	02-17-11
EMB-0389 FD-0578	Thomas, Rosalyn C.	Youngstown	02-01-11
EMB-0393 FD-0582	Varndell, Ryan W.	New London	02-10-11



The Board reviewed a list of Apprenticeships certified during the month of February.

Chart 6

<u>License no.</u>	<u>Name</u>	<u>Funeral Home</u>	<u>City</u>	<u>Effective Date</u>
EMB-0390 FD-0579	Hart, Jordan D.	Hilliard-Rospert FH	Wadsworth	02-03-11
EMB-0392 FD-00581	Palmer, Jonathan E.	Fawcett Oliver Glass & Palmer FH	Chillicothe	02-14-11
FD-0570	Stutzman, Donna J.	Weigel FH	Swanton	02-14-11
EMB-0389 FD-0578	Thomas, Rosalyn C.	JE Washington FS	Youngstown	02-01-11
EMB-0393 FD-0582	Varndell, Ryan W.	Eastman FH	New London	02-10-11

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Linda Clark reported that in the month of February there were 5 embalmer and 6 funeral director registrations. There were 4 embalmer and 5 funeral director certified apprentices. There were 56 Embalmer apprentice reports, 9 Embalmer master reports for apprentices and 2 Board member apprentice interviews. There were 103 Funeral Director Apprentice reports, 17 Funeral Director Master Reports and 5 Funeral Director interview reports.

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Mrs. Clark reported that there was one new embalmer license issued and 4 funeral director licenses issued for the month of February, accumulative report attached.

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Fiscal

Ms. Wright reported on fiscal matters. The Board Members reviewed the revenue journal that reflected that the Board collected \$52,847.14 in February for a total of \$1,106,919.40. The Board reviewed a list of Thirty-three vouchers and encumbrances for February, and the Budget Overview chart of allotments and expenses.

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Ms. Wright reported that the first payment of \$562.50 from Mr. Brian Wikoff was received for his payment arrangement.

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Ms. Wright reported that the first payment of \$417.14 from Mr. Keith Young was received for his payment arrangement.

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Ms. Wright presented the Governor's proposed Executive Budget report pertaining to the Board of Embalmers and Funeral Directors for fiscal years FY12 and FY13. She indicated a 13% overall cut for that budget cycle.

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Preneed Committee Report

The committee met and discussed the Attorney General's Opinion regarding Senate Bill 196. The committee's recommendation to the Board was to send a copy to the Ohio Funeral Director's Association for their review, possible comments, and/or suggestions. The Assistant Attorney General Cheryl Hawkinson will come up with an action plan for next steps regarding implementation of Senate Bill 196.

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President of the Board Robert Wasko asked that a new committee be formed to discuss statute changes within the Ohio Revised Code. Mr. Wasko indicated that committee structure will be discussed further tomorrow after the recess.

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Person before the Board

Mr. Jack Davis recently surrendered the license of D.W. Davis Funeral Home to the Board. He spoke to the Board and stated that his son would be purchasing the D.W. Davis Funeral Home and would now need an inspection. The Board informed Mr. Davis that an application for a new funeral home would be needed from his son to proceed with the funeral home licensure process.

Mr. Davis also expressed his concern with the statute language regarding unprofessional conduct including the word immoral. He suggested that this language be changed or be made more specific.



Compliance

Monthly inspector reports were given by inspectors Eric Anderson and Lisa Bruns for the month of February 2011. Reports are attached.

Mrs. Baugess reported that there are four pending complaints and fifteen charged complaints.

The Board received forfeitures from the following: \$1000 Magetti Gavin Funeral (complaint #1107017)

There are four scheduled hearings with four to be scheduled.



Compliance 1

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 for the month of February.

Chart 7

Lic. Number	Facility Name	Licensee by Last Name	Type	County
FH001557	Cardaras FH	Smith, James	MGR	Athens
FH001663	John Hodapp Sons Inc.	Hodapp, John	MGR	Butler
FH001663	John Hodapp Sons Inc.	Hodapp, John	AIC	Butler
FH003151	Bowman FC LLC	Young, Keith	MGR	Montgomery
FH003151	Bowman FC LLC	Young, Keith	AIC	Montgomery
FH002669	Engle-Shook FH	Engle, John	MGR	Seneca



NOTE:

On motions denoted with an asterisk (*), the names and identifying information was redacted from discussion and proposed notices during the course of 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.

Compliance Motion No. 1*

On a motion by Mrs. Williams-Briggs, seconded by Mr. Carter, the Board voted to close four investigative complaints Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Primm, 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 September 29, 2010 involving Joseph Nero Lic# FD 006957 and Vito-Nero Funeral Home Lic# FH 001897.

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

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

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

Order of the Board: The funeral director's license held by Joseph Nero and the funeral home license of by Vito-Nero Funeral Home be suspended for seven days.



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 October 27, 2010 involving Tad Cowling Lic# FD 008651 and Cowling Funeral Home Lic# FH 000675.

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

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

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

Order of the Board: The Cowling Funeral Home was ordered to pay a forfeiture of \$500.00 within 30 days. The funeral home license held by Cowling Funeral Home will be suspended for 30 days if it fails to pay the \$500.00 forfeiture in a timely fashion. Mr. Tad Cowling will be issued a reprimand.



Compliance Motion No. 4

On a motion by Ms. Betzer, seconded by Mr. Primm, the Board voted to accept the settlement agreement negotiated by Cheryl Hawkinson, Assistant Attorney General and Brian Wikoff relative to the reinstatement of his embalmers and funeral directors licenses and payment arrangements. Mr. Wikoff must pay all past due and current renewal fees and all late fees in the amount of \$13,500 for his embalmer and funeral director's licenses. Mr. Wikoff must make twenty-three monthly payments of \$562.50 on or before the first of each month, beginning, June 1, 2011. Mr. Wikoff shall pass the Ohio Laws and Rules exam pursuant to 4717.08 within 90 days from the date the Board adopts this

settlement agreement. Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

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Compliance Motion No. 5

On a motion by Mr. Carter, seconded by Mrs. Williams-Briggs, the Board voted to accept the settlement agreement negotiated by Cheryl Hawkinson, Assistant Attorney General and Keith Young relative to the reinstatement of his embalmer license and payment arrangements. Mr. Young must pay all past due and current renewal fees and all late fees in the amount of \$2,920 for his embalmer's license. Mr. Young must make five monthly payments of \$417.14 on or before the first month beginning June 1, 2011. Mr. Young shall pass the Ohio Laws and Rules exam pursuant to 4717.08 within 90 days from the date the Board adopts this settlement agreement.

Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

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Compliance Motion No. 6*

On a motion by Ms. Betzer, seconded by Mr. Primm, the Board voted to charge Hennessy Funeral Home Lic# FH 002419, AIC and Manager Terrance P. Hennessy II Lic# FD 008450 for violation of R.C. 4717.14 (A)(4). The applicant or licensee has committed immoral or unprofessional conduct. Specifically for failure to comply with the requirements of Section 4717.31 (formerly R.C. 1111.19) by failing to properly deposit payments for the preneed contract of Lena Ruby within thirty days with a designated trustee or insurance company. The Board ordered a forfeiture of \$2500.00. Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Nay; Marsh, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye. Motion Passed.

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Compliance Motion No. 7*

On a motion by Ms. Betzer, seconded by Mr. Carter, the Board voted to send the case charge back to Board staff for further investigation. Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Abstain; Marsh, Aye; Primm, Abstain; Wasko, Aye; Williams-Briggs, Nay. Motion Passed.

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Compliance Motion No. 8*

On a motion by Mr. Primm, seconded by Ms. Betzer, the Board voted to issue a notice of Opportunity for Hearing for Walker Funeral Home Lic.# FH 003138 and AIC Deborah J. Weaver Lic.# FD 008652 for violation of R.C. 4717.14 (A)(4) The applicant or licensee has committed immoral or unprofessional conduct. Specifically for failing to properly supervise a funeral director apprentice at a funeral service on February 9, 2011. Roll Call Vote: Betzer, Aye; Carter, Nay; Fleming, Aye; Marsh, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye. Motion Passed.

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Compliance Motion No. 9*

On a motion by Mrs. Williams-Briggs, seconded by Mr. Carter, the Board voted to table this compliance motion in the case of D.B. Washington Funeral Home Lic. # FH 003167 and the AIC and Manager Dean Bernard Washington Jr. Lic. # FD 007293 for violation of R.C. 4717.14 (A) (4). The applicant or licensee has committed immoral or unprofessional conduct and/or violated R.C. 4717.14 (A)(10) by misleading the public by

using false or deceptive advertising. Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye. Motion Passed.

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Compliance Motion No. 10*

On a motion by Mrs. Williams-Briggs, seconded by Ms. Betzer, the Board voted to charge Thomas E. McWilliams Lic.# FD 007933, Joseph R. Roush Lic.# FD 008106, and William A. Gross Lic.# FD 008367 for violation of R.C. 4717.08 (A) and 4717.14(A)(3) of the revised code and Rule 4717-1-16(A)(1) of the Administrative Code. 4717.14(3) The applicant or licensee has purposely violated any provision of sections [4717.01](#) to [4717.15](#) or a rule adopted under any of those sections; division (A) or (B) of section [4717.23](#) ; division (B)(1) or (2), (C)(1) or (2), (D), (E), or (F)(1) or (2), or divisions (H) to (K) of section [4717.26](#) ; division (D)(1) of section [4717.27](#) ; or divisions (A) to (C) of section [4717.28](#) of the Revised Code; any rule or order of the department of health or a board of health of a health district governing the disposition of dead human bodies; or any other rule or order applicable to the applicant or licensee. Specifically for failing to renew their funeral director license by December 31, 2010 and continuing the business of funeral directing. Prior to the license being renewed, death certificate(s) were filed. The Board ordered a forfeiture of \$500.00 per death certificate filed. Thomas E. McWilliams Lic.# FD 007933 filed two death certificates (\$1000) and Joseph R. Roush Lic.# FD 008106 and William A. Gross Lic.# FD 008367 both filed one death certificate (\$500) each. Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

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Compliance Motion No. 11

On a motion by Mr. Fleming, seconded by Ms. Betzer, the Board voted to withdraw the Summary Suspension issued to D.W. Davis Funeral Home lic. # FH000957. The AIC and Manager, Mr. Jack D. Davis surrendered the funeral home license prior to receiving the certified notice of the summary suspension. Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

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On a motion by Mr. Fleming, seconded by Mr. Carter the Board entered into executive session pursuant to Section 121.22(G)(3) of the Revised Code to confer with the Board's counsel to discuss imminent and/or pending litigation at 4:40PM. . Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye.

The President declared the Board out of Executive Session at 5:58PM, and there was no action to report

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The Board meeting recessed at 5:58 P.M.

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Tuesday – March 22, 2011

The Board reconvened at 9:05 A.M. in the Riffe Center in Columbus, Ohio. President Robert Wasko presided. Present were Linda M. Betzer, Robert C. Carter, Thomas Fleming, Roger Primm, Ty Marsh, Pamela Williams-Briggs and staff members present were: Cheryl R. Hawkinson, Assistant Attorney General; Eric E. Anderson, Inspector;

Lisa A. Bruns, Inspector; Jennifer Baugess, Administrative Assistant; and Malik M. Hubbard, Executive Director.

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On a motion by Mr. Fleming, seconded by Ms. Betzer, the Board voted that based on an inspection and investigation, there is clear and convincing evidence that the continued practice of the McLin Funeral Home presents a danger of immediate and serious harm to the public, the Board further ordered that Funeral Home License No. 003029 and Funeral Director License No. 007208 held by Scherri McLin be summarily suspended and the funeral home cease embalming, funeral directing and funeral services immediately Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye. Motion Approved.

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The Board reviewed language on the proposed Administrative Rules. On a motion by Ms. Betzer, seconded by Mr. Primm, the Board voted to amend and file Administrative Rule 4717: 8-1(E) from failure to comply with any rule, state law, or federal law, to say: violations of state or federal laws involving dishonesty, falsification, misrepresentation, deceit, or deception. Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye. Motion Approved.

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Compliance Motion No. 9*

On a motion by Mr. Marsh, seconded by Mrs. Williams-Briggs, the Board voted to remove from the table. Motion Passed.

On a motion by Mr. Primm, seconded by Ms. Betzer, the Board voted to issue a notice of Opportunity for Hearing to D.B. Washington Funeral Home Lic. # FH 003167 and the AIC and Manager Dean Bernard Washington Jr. Lic. # FD 007293 for violation of R.C. 4717.14 (A) (4). The applicant or licensee has committed immoral or unprofessional conduct and/or violating R.C. 4717.14 (A) (10) by misleading the public by using false or deceptive advertising. Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Primm, Aye; Wasko, Aye; Williams-Briggs, Aye. Motion Passed.

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Compliance Mail #1

Swart Funeral Home, Inc. sent in a request for a firm title change. They will continue to operate at the same location, but request that the firm change its title to Swart & Wolfe Funeral Home, Inc, located at 207 E. Central Ave, W. Carrollton, Ohio.

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Compliance Mail #2

Brough-Getts Funeral Home sent in a letter seeking a firm title change to Brough-Getts-Staver Funeral Home, located at 102 S. Second St., Miamisburg, Ohio.

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Compliance Mail #3

Smith Rose Funeral Home sent a request for a firm title change to Smith Rose & Brown Funeral Home, located at 370 S. Broadway St., Dayton, Ohio.

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Compliance Mail #4

Smith & Ogle Funeral Home sent a request for a firm title change to Ogle & Paul R. Young Funeral Home, located at 5086 College Corner Pike, Oxford, Ohio.

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Compliance Mail #5

Anthony Vitantonio would like the Board to consider reducing terms of his suspension and fine due to his firm being a small one doing less than 45 funerals a year and misunderstanding the terms of his suspension. He requested that his fine of \$5000 be reduced to a more manageable amount for him and his days of suspension be lessened. The Board requested that Jennifer Baugess send three letters; to Mr. Vitantonio's residence, funeral home, and his partner's business address stating the Board's original order, the timeline and terms of his suspension, and that his payment is past due.

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Continuing Education

The following motions involve the continuing education programs considered by the Board during the March 2011 meeting, and are posted on the Board's website under Continuing Education.

On a motion by Ms. Betzer, seconded by Mr. Carter, the Board approved, and where indicated denied, the Prior Approval continuing education programs. Ayes: 7. Nays: 0. Motion approved.

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On a motion by Mr. Fleming, seconded by Ms. Betzer, the Board acknowledged, the Blanket with date continuing education programs that were previously approved. Ayes: 7 Nays: 0. Motion approved.

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On a motion by Mr. Primm, seconded by Mr. Carter, the Board approved, and where indicated denied, the Blanket continuing education programs. Ayes: 7. Nays: 0. Motion approved.

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On a motion by Mr. Primm, seconded by Mr. Fleming, the Board approved, and where indicated denied, the individual continuing education programs. Ayes: 7. Nays: 0. Motion approved.

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On a motion by Mr. Primm, seconded by Mr. Marsh, the Board approved the waiver of Mariska Kinsey. Ayes: 7. Nay: 0. Motion Approved

On a motion by Mr. Fleming, seconded by Mr. Carter, the Board voted to table the waiver application of Mr. James E. Saxton to collect additional information. . Ayes: 7. Nay: 0. Motion Approved

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Board President Robert Wasko requested that two committees be established to review possible statute changes in the Ohio Revised Code. Board members Ms. Betzer, Mr. Carter, Mr. Fleming and Mr. Wasko will serve on Committee A. Board members Mr. Marsh, Mr. Primm, Mrs. Williams-Briggs, and Mr. Wasko will serve on Committee B. Further details as to the committees will be discussed in the Board meeting.

On a motion by Mr. Fleming, seconded by Mr. Carter the board entered into executive session pursuant to Section 121.22(G)(3) of the Revised Code to confer with the Board's counsel to discuss imminent and or pending litigation at 10:30A.M. Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Primm, Aye Wasko, Aye; Williams-Briggs, Aye.

The President declared the Board out of Executive Session at 11:19 A.M, and there was no action to report

On a motion by Mr. Fleming, seconded by Mr. Carter, the Board meeting adjourned at 11:19 A.M.

Robert J. Wasko, President

Attest: _____
Pamela Williams-Briggs, Secretary-Treasurer

Board meeting: 3/21/2011 FY 2011

<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	3	3	4	5	4	0	15	5					39
funeral director	0	5	6	4	5	4	14	6					44
total	3	8	10	9	9	4	29	11					83
<i>certified apprentices</i>													<i>total</i>
embalmer	6	4	2	4	7	0	11	4					38
funeral director	3	6	5	4	7	4	12	5					46
total	9	10	7	8	14	4	23	9					84
<i>Embalmer apprentice Reports</i>													<i>total</i>
quarterly reports	84	37	85	74	68	73	79	56					556
master reports	14	6	14	12	11	12	13	9					91
Board Member interview	4	1	3	2	7	4	3	2					26
total	102	44	102	88	86	89	95	67					673
<i>Funeral Director apprentice Reports</i>													<i>total</i>
quarterly reports	131	56	176	129	93	164	177	103					1029
master reports	20	8	29	21	15	27	29	17					166
Board Member interview	6	4	5	4	9	5	5	5					43
total	157	68	210	154	117	196	211	125					1238
<i>new license issued</i>													<i>total</i>
embalmer	8	1	3	0	5	2	4	1					24
funeral director	6	1	5	1	8	6	5	4					36
total	14	2	8	1	13	8	9	5					60

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

Time period start: 2/13/2011 end: 3/12/2011 Board Meeting 21-Mar-2011 FY 2011

<i>Board Meeting</i>	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Year total		
mileage	3,910	2,165	2,944	2,177	2,166	2,865	2,462	2,964	2,639				24,292		
apprentices	2	1	1	0	0	2	1	4	0				11		
<i>Inspections - Annual</i>													<i>completed</i>	<i>remaining</i>	
Crem Fac	50	5	3	3	2	2	4	5	2	4			30	20	
Emb Fac	3	0	0	0	0	0	1	0	1	0			2	1	
FH	613	58	31	29	24	35	43	43	51	28			342	271	
Total	666	63	34	32	26	37	48	48	54	32	0	0	0	374	292
<i>Inspections - Follow-up</i>													<i>completed</i>		
Crem Fac	0	0	0	0	0	0	0	0	0	0			0	0	
Emb Fac	0	0	0	0	0	0	0	0	0	0			0	0	
FH	0	0	0	0	1	1	0	0	0	0			2	0	
Total	0	0	0	0	1	1	0	0	0	0	0	0	0	2	0
<i>Inspections - New Facility</i>													<i>completed</i>		
Crem Fac	0	0	0	1	0	0	0	1	0	0			2	0	
Emb Fac	0	0	0	0	0	0	0	0	0	0			0	0	
FH	1	1	0	0	0	0	2	0	0	0			4	0	
Total	1	1	0	1	0	0	2	1	0	0	0	0	6	0	
Investigations	2	10	18	6	7	4	7	1	20				75		
Violations	3	2	0	0	2	1	0	1	0				9		
Bd meetings	days	2	0	2	2	2	2	2	2	2			16		
Bd office	days	2	2	2	3	3	4	2	1	2			21		
Hearings	days				1								1		
Training	days				5								5		

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.

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Board meeting = number of days spent in Board Meeting.

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Inspector Anderson
Reporting Period
February 13 through March 12, 2011
March 21-22, 2011 Board Meeting

	A	B	C	D	E	F	G
1	Inspection Date	Credential Number	Name	County	Contact	Reason	Comments
2	20110222	CREM 000023	TWIN STATES CREMATION SERVICE	Washington	H Lee Hadley	Annual Inspection	In Compliance
3	20110222	FH 001129	HADLEY FUNERAL HOMES INC	Washington	H Lee Hadley	Annual Inspection	In Compliance
4	20110222	FH 001410	BRUBACH-WATTERS FUNERAL HOME	Noble	No one available	Annual Inspection	
5	20110223	CREM 000081	VALLEY CREM SVCS	Mahoning	No one available	Annual Inspection	
6	20110223	FH 000733	CLEMENTE FUNERAL HOME INC	Mahoning	Sam Clemente	Annual Inspection	In Compliance
7	20110223	FH 001626	KIRILA FUNERAL HOME INC	Mahoning	Anthony Quahliero Jr	Annual Inspection	In Compliance
8	20110223	FH 002273	HIGGINS-REARDON FUNERAL HOMES	Mahoning	No one available	Annual Inspection	
9	20110223	FH 002274	HIGGINS-REARDON FUNERAL HOMES	Mahoning	No one available	Annual Inspection	
10	20110223	FH 002842	FORTUNATO-REARDON FS	Mahoning	No one available	Annual Inspection	
11	20110223	FH 003016	ROSSI BROS & LELLIO FH	Mahoning	Frank Lellio	Annual Inspection	In Compliance
12	20110224	FH 000745	KINNICK FUNERAL HOME INC	Mahoning	Tom Kinnick	Annual Inspection	In Compliance
13	20110224	FH 000752	MCCAULEY FUNERAL HOME	Mahoning	Paul McCauley	Annual Inspection	In Compliance
14	20110224	FH 001985	SCHIAVONE FUNERAL HOME	Mahoning	No one available	Annual Inspection	
15	20110224	FH 002904	F D MASON MEM FH	Mahoning	Marshaun Mason	Annual Inspection	In Compliance
16	20110224	FH 002921	STERLING-MCCULLOUGH WILLIAMS FH	Mahoning	No one available	Annual Inspection	
17	20110302	FH 000077	WARREN FUNERAL HOME	Belmont	John Pogacich	Annual Inspection	In Compliance
18	20110302	FH 000805	HARPER FUNERAL HOME	Monroe	No one available	Annual Inspection	

Inspector Anderson
Reporting Period
February 13 through March 12, 2011
March 21-22, 2011 Board Meeting

	A	B	C	D	E	F	G
1	Inspection Date	Credential Number	Name	County	Contact	Reason	Comments
19	20110302	FH 002190	KELLY-KEMP-BRAIDO FUNERAL HOME	Belmont	No one available	Annual Inspection	
20	20110303	CREM 000042	E & J CREMATORY	Muskingum	James Booth	Annual Inspection	In Compliance
21	20110303	CREM 000113	SRS SERVICES	Muskingum	William Kelso Jr	Annual Inspection	In Compliance
22	20110303	FH 000858	VENSIL-ORR-CHUTE FH	Muskingum	Carl Vensil	Annual Inspection	In Compliance
23	20110303	FH 000859	VENSIL-ORR-CHUTE FH	Muskingum	Ray Orr	Annual Inspection	In Compliance
24	20110304	FH 001851	VINSON HOUSE OF MORTUARY INC	Jefferson	No one available	Annual Inspection	
25	20110304	FH 003029	WILLIAMS GREGORY & MARTIN FS	Jefferson	Karla Martin	Annual Inspection	In Compliance
26	20110309	FH 000991	BOOTH FUNERAL HOME	Stark	Carl Booth	Annual Inspection	In Compliance
27	20110309	FH 001293	FINEFROCK-GORDON FH	Stark	E Spencer Gordon	Annual Inspection	In Compliance
28	20110309	FH 002788	REED FUNERAL HOME	Stark	Craig Himes	Annual Inspection	In Compliance
29	20110309	FH 002889	DECKMAN-BARTLEY FH	Carroll	No one available	Annual Inspection	
30	20110310	FH 001812	MARTIN-MACLEAN-ALTMAYER FUNERAL HOME	Columbiana	No one available	Annual Inspection	
31	20110310	FH 002401	MARTIN-MACLEAN-ALTMAYER FUNERAL HOME	Columbiana	Mike Sigler	Annual Inspection	In Compliance
32	20110310	FH 002516	EELLS-LEGGETT-STAUFFER FUNERAL HOME	Columbiana	No one available	Annual Inspection	
33	20110310	FH 002517	WEBER FUNERAL HOME	Columbiana	No one available	Annual Inspection	

Time period start: 2/13/2011 end: 3/12/2011 Board Meeting 21-Mar-2011 FY 2011

Board Meeting	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Year total	
mileage	2,288	2,147	1,625	1,430	1,992	2,005	1,056	1,587	1,264				15,394	
apprentices	1	2	3	0	1	0	1	2	3				13	
Inspections - Annual													<i>completed</i>	<i>remaining</i>
Crem Fac	51	1	4	5	2	5	4	3	3	0			27	24
Emb Fac	2	1	0	0	0	0	0	0	0	0			1	1
FH	561	37	60	43	28	47	37	20	34	22			328	233
Total	614	39	64	48	30	52	41	23	37	22	0	0	356	258
Inspections - Follow-up													<i>completed</i>	
Crem Fac	0	0	0	0	0	0	0	0	0	0			0	
Emb Fac	0	0	0	0	0	0	0	0	0	0			0	
FH	0	0	1	0	0	0	2	2	0				5	
Total	0	0	1	0	0	0	2	2	0	0	0	0	5	
Inspections - New Facility													<i>completed</i>	
Crem Fac	1	0	1	2	0	0	0	0	0	0			4	
Emb Fac	0	0	0	0	0	0	0	0	0	0			0	
FH	0	1	0	0	0	0	0	1	0				2	
Total	1	1	1	2	0	0	0	1	0	0	0	0	6	
Investigations	6	11	18	7	13	5	10	13	89				172	
Violations	1	1	0	0	2	0	0	0	3				7	
Bd meetings	days	2	2	2	2	2	2	2	2				18	
Bd office	days	2	2	2	2	4	4	2	2	4			24	
Hearings	days	1	0	0	0	0	0	2	0	0			3	
Training	days	1	0	0	8	0	0	0	0				9	

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Violations - number of violations noted on inspection reports.

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Inspector Bruns
Reporting Period
2/13/11 through 3/12/11
March 21-22, 2011 Board Meeting

	A	B	C	D	E	F	G
1	Inspection Date	Credential Number	Name	County	Contact	Reason	Comments
2	20110217	FH 003039	MCLIN FH INC	Montgomery	No One Available	Investigation	Appointment made 9 days in advance
3	20110222	CREM 000052	NORTHFIELD CREMATION SERVICE	Clark	Linda Long	Annual Inspection	In Compliance
4	20110222	FH 000112	CONROY FUNERAL HOME INC	Clark	John Robert Webster	Annual Inspection	In Compliance
5	20110222	FH 000114	ROBERT C HENRY FUNERAL HOME	Clark	Robert Henry	Annual Inspection	In Compliance
6	20110222	FH 003026	PORTER-QUALLS FH	Clark	W. E. Hennesse	Annual Inspection	In Compliances
7	20110303	FH 001110	INGRAM FUNERAL HOME	Union	Laura E. Ingram	Annual Inspection	In Compliance
8	20110303	FH 001111	MANNASMITH FH	Union	Roger Mannasmith	Annual Inspection	In Compliance
9	20110303	FH 001838	UNDERWOOD FUNERAL HOME	Union	Krista Ebling	Annual Inspection	In Compliance
10	20110304	FH 001509	TROSTEL, CHAPMAN, DUNBAR & FRALEY FH	Clark	Larry Fraley	Annual Inspection	In Compliance
11	20110304	FH 002692	GILBERT-FELLERS FH INC	Montgomery	David Fellers	Annual Inspection	In Compliance
12	20110304	FH 003121	TOBIAS FH	Montgomery	Gail Kelly	Annual Inspection	In Compliance
13	20110304	FH 002589	ROBERT L CROOKS FUNERAL CENTER	Preble	Don Appenzeller	Annual Inspection	2 Violations
14	20110304	FH 001282	LINDLOFF-ZIMMERMAN FUNERAL HOME INC	Preble	Kathryn Lindloff	Annual Inspection	In Compliance
15	20110310	FH 002416	RODMAN FUNERAL SERVICE	Franklin	Linda Meredith	Annual Inspection	In Compliance
16	20110310	FH 002664	NOVAK FH	Franklin	Robert Novak	Annual Inspection	In Compliance
17	20110310	FH 000399	RUTHERFORD-CORBIN FUNERAL HOME INC	Franklin	Don Jones	Annual Inspection	In Compliance
18	20110310	FH 000403	SCHOEDINGER NORTHWEST CHAPEL	Franklin	Mark E. Garland	Annual Inspection	In Compliance

Inspector Bruns
Reporting Period
2/13/11 through 3/12/11
March 21-22, 2011 Board Meeting

	A	B	C	D	E	F	G
	Inspection Date	Credential Number	Name	County	Contact	Reason	Comments
19	20110310	FH 000408	SHAW DAVIS FUNERAL HOME INC	Franklin	No One Available	Annual Inspection	
20	20110310	FH 000416	TIDD FUNERAL HOME	Franklin	Dana Tidd	Annual Inspection	In Compliance
21	20110310	FH 000417	WEIR-AREND FUNERAL DIRECTORS INC	Franklin	Scott Smith	Annual Inspection	In Compliance
22	20110310	FH 001722	O R WOODYARD CO	Franklin	No One Available	Annual Inspection	
23	20110310	FH 001843	SCHOEDINGER WORTHINGTON CHAPEL	Franklin	Wendy Ellis	Annual Inspection	1 Violation
24	20110310	FH 003063	EGAN RYAN FH	Franklin	Ralph Kownacki	Annual Inspection	In Compliance