

Monday –January 23, 2012

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 1:12 P.M. Other Board members present were: Linda M. Betzer, Robert C. Carter and Pamela Williams-Briggs. Staff Members present were Cheryl Hawkinson, Assistant Attorney General; Eric E. Anderson, Inspector; Lisa A. Bruns, Inspector; Jennifer Baugess, Administrative Assistant; Linda Clark, Certification/License Examiner and Lena Wright, Administrative Assistant.

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On a motion by Ms. Betzer, seconded by Mrs. Williams-Briggs, the Board approved, as amended, the minutes of the meeting held on December 19-20, 2011. Ayes: 4. Nays: 0. Motion approved.

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On a motion by Ms. Betzer, seconded by Mrs. Williams-Briggs, the Board voted to accept the resignation of Executive Director, Malik Hubbard. Ayes: 4. Nays: 0. Motion approved.

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Person Before the Board

Anthony E. Barwick, former licensee, appeared before the Board to discuss reinstatement of his lapsed embalmer and funeral director licenses. On a motion by Ms. Betzer, seconded by Mrs. Williams-Briggs, the Board voted to approve Mr. Barwick to sit for the Ohio Laws examination. Ayes: 4. Nays: 0. Motion approved.

Upon successful passing of the exam, the Board is willing to allow Mr. Barwick to reinstate his licenses and enter into settlement agreement which will permit him to make monthly installments on his reinstatement fees over a twenty-four month period.

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Board Member Ty Marsh entered the meeting at 1:30 P.M.

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Person Before the Board

Steven J. Foltz, former licensee, appeared before the Board to discuss reinstatement of his lapsed funeral directors license. On a motion by Ms. Betzer, seconded by Mrs. Williams-Briggs, the Board voted to approve Mr. Foltz to sit for the Ohio Laws examination. Ayes: 4. Nays: 1. Motion approved.

Upon successful passing of the exam, the Board is willing to allow Mr. Foltz to reinstate his license and enter into settlement agreement which will permit him to make monthly installments on his reinstatement fees over a twenty-four month period.

Person Before the Board

Maureen E. Fox is a licensed embalmer and funeral director in the state of Maryland. She came before the Board seeking a reciprocal embalmer and funeral director's license. Ms. Fox indicated that she has no felony convictions and no prior discipline from the embalmers and funeral directors governing board in Maryland.

On a motion by Ms. Betzer, seconded by Mr. Carter, the Board voted to grant Ms. Fox the opportunity to seek an Ohio reciprocal Embalmer and Funeral Director's license. Ms. Fox must pass the Ohio Laws and Rules exam. Ayes: 5. Nays: 0. Motion approved.



Person Before the Board

Clifford A. Lyons is a licensed embalmer and funeral director in the state of New York. He came before the Board seeking a reciprocal embalmer and funeral director's license. Mr. Lyons indicated that he has no felony convictions and no prior discipline from the embalmers and funeral directors governing board in New York.

On a motion by Ms. Betzer, seconded by Mrs. Williams-Briggs, the Board voted to grant Mr. Lyons the opportunity to seek an Ohio reciprocal Embalmer and Funeral Director's license. Mr. Lyons must pass the Ohio Laws and Rules exam. Ayes: 5. Nays: 0. Motion approved.



On a motion by Mr. Carter, seconded by Mr. Marsh, the Board voted to grant an embalmer and/or funeral director license to the following qualified applicants. Ayes: 5. Nays: 0. Motion approved.

License#	Name	Location	Issue date
EMB-9468 A FD-9515	Slone, Charles D. (Approved in Dec. 2011, pending the passing of Ohio Laws/Rules exam.)	Lakewood	01/17/12
EMB-9469 A FD-9516	Amburgy, Lannie L.	Middletown	01/23/12
EMB-9470 A FD-9517	Davis, Danielle C.	Cuyahoga Falls	01/23/12
EMB-9471 R FD-9518	Merkle, Brian S.	Monroe Mi	01/23/12
EMB-9472 A	Morehouse, David L.	Mt Vernon	01/23/12
EMB-9473 A FD-9520	Pickens, Karen M.	Strongsville	01/23/12
EMB-9474 A FD-9521	Secor, Jocelyn K.	Willard	01/23/12
EMB-9475A FD-9522	Wilson, James J.	Independence Ky	01/23/12



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

Registration#	Name	City	Issue Date
FD-0633	Cotton, Linda C.	Kensington	12/01/11
EMB-0421	Denes, Nicholas	Liverpool NY	12/01/11
EMB-0422 FD-0634	Lowe, John C.	Grove City	12/06/11
FD-0635	Sonnenberg, Bruce	Toledo	12/06/11
FD-0636	Brucker, Jamie L.	Mt. Gilead	12/16/11
FD-0637	Moreland, Daniel	Columbus	12/16/11
EMB-0423 FD-0638	Barndt, Dannielle	Wayne	12/21/11
EMB-0424 FD-0639	Brown, Courtney	Hamilton	12/21/11
EMB-0425 FD-0640	Kirk, Jerry L.	Urbana	12/21/11
EMB-0426 FD-0641	Koehler, Joshua	Cincinnati	12/21/11
EMB-0427 FD-0642	Roberts, Kerri	Logan	12/21/11
EMB-0428 FD-0643	Penwell, Jacob M	Shelby	12/21/11
EMB-0429 FD-0644	Seeley, Kurt A.	Bellefontaine	12/21/11
FD-0645	Summers, Mendi L.	Washington Courthouse	12/21/11
EMB-0430 FD-0646	Carte, Jordan E.	Norwalk	12/28/11
FD-0647	Carr, Sandra L.	Mansfield	12/30/11
EMB-0431 FD-0648	Jenkins, Sarah E.	Waverly	12/30/11
FD-0649	Reed, Rebecca J.	Canton	12/30/11
EMB-0432 FD-0650	Wedertz, David D.	Marion	12/30/11
EMB-0433 FD-0651	Heldman, Whitney A.	Hamilton	12/30/11



The Board reviewed a list of Apprenticeships certified during the month of December 2011.

Certification#	Name	Funeral Home	City	Effective Date
EMB-0423 FD-0638	Barndt, Dannielle	Barndt FH	Wayne	12/21/11
EMB-0424 FD-0639	Brown, Courtney	Ivey FH	Hamilton	12/21/11
FD-0636	Brucker, Jamie	Synder FH	Mt Gilead	12/20/11
FD-0647	Carr, Sandra	Small FS	Mansfield	12/30/11
EMB-0426 FD-0641	Koehler Joshua	Paul R. Young FH	Cincinnati	12/21/11
FD-0637	Moreland, Dan	Moreland FH	Columbus	12/30/11
EMB-0428 FD-0643	Penwell, Jacob	Turner FH	Shelby	12/21/11
EMB-0427 FD-0642	Roberts, Kerri	Roberts FH	Logan	12/28/11
FD-0635	Sonnenberg, Bruce	Walker FH	Toledo	12/15/11
FD-0645	Summers, Mendi	Summer FH	Washington Courthouse	12/27/11

Mrs. Linda Clark's report stated that in the month of December there were 13 new embalmer and 19 new funeral director registrations. There were 5 embalmer and 10 funeral director certified apprentices. There were 71 Embalmer apprentice reports, 11 Embalmer master reports for apprentices and 3 Board member embalmer apprentice interviews. There were 139 Funeral Director Apprentice reports, 23 Funeral Director Master Reports and 6 Board member funeral director apprentice reports.



License Issue #1

On a motion by Ms. Betzer, seconded by Mr. Carter, the Board approved the following application for a crematory facility license for existing facilities because of change of location and/or change of ownership. Ayes: 5. Nays: 0. Motion approved.
License effective January 23, 2012.

<u>License no.</u>	<u>Crematory Facility</u>	<u>Location</u>	<u>Inspection</u>
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CREM.000151	Wooster Crem, LLC	Wooster	8-18-2011
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There were no applications for crematory facility pending receipt of the occupancy permit and final inspection.

At a previous Board meeting, the Board approved the issuance of a crematory facility license to the following after approval of the application, receipt of the occupancy permit, and the final inspection.

<u>License no.</u>	<u>Crematory Facility</u>	<u>Location</u>	<u>Inspection</u>
CREM.000150	Paquelet Crem.	Massillon	1-18-2012

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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.

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On a motion by Ms. Betzer, seconded by Mr. Marsh, the Board voted to approve the following applications for a funeral home license for the existing facility for the purpose of change in location and/or ownership. Ayes: 5. Nays: 0. Motion approved.
Licenses effective January 23, 2012.

<u>License no.</u>	<u>Firm Title</u>	<u>Location</u>	<u>Inspection</u>
FH.003205	Cox-Burkitt FH	Beaver	1-7-2011
FH.003206	Hoskinson FS	Kirkersville	9-15-2010
FH.003207	Hoskinson-Schoedinger FS	Millersport	9-29-2010
FH.003208	Hoskinson-Schoedinger FS	Thornville	1-12-2012
FH.003209	Hoskinson-Schoedinger FS	Hebron	9-8-2011
FH.003210	Lamiell FH	Canton	8-11-2010
FH.003211	McIntire, Bradham & Sleek FH	Wooster	8-18-2011
FH.003212	Roberts-Winegardner FH	New Lexington	9-28-2011
FH.003213	Schaefer-Busby-Doyle FH	Cincinnati	7-27-2011

On a motion by Mr. Carter, seconded by Mr. Marsh, the Board voted to approve the following application for a funeral home license for the existing facility for the purpose of change ownership. Ayes: 5. Nays: 0. Motion approved.
License effective date will be date of closing on purchase.

<u>License no.</u>	<u>Firm Title</u>	<u>Location</u>	<u>Inspection</u>
Tbd	Gwen Mooney FH, Eldon Good Chapel	Cincinnati	8-24-11

At a previous Board meeting, the Board approved the issuance of funeral home licenses to the following after approval of the application, receipt of the occupancy permit, and the final inspection.

<u>License no.</u>	<u>Crematory Facility</u>	<u>Location</u>	<u>Inspection</u>
FH.003202	Anderson-McDaniel FH	Racine	12-1-2011
FH.003203	Cremeens-King FH, LLC	Pomeroy	1-3-2012
FH.003204	Reis Legacy Center, Meyer-Boehmer Chapel	Centerville	1-11-2012



Compliance

Mrs. Baugess reported that there are thirteen pending complaints and twenty-two charged complaints pending hearings, settlements and Board orders.

The Board received a fine from the following:

\$500.00 – Sibley-Murray-Ferebee (complaint #1105129)

Mrs. Baugess reported that there are 7 hearings scheduled. There are three report and recommendations outstanding.



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 December.

Lic Number	Facility Name	Licensee by Last Name	Type	County
FH002426	Bauknecht-Altmeier FH	Glasser Hillary	MGR	Belmont
FH002739	Sam Ritondaro FS	DeJohn Robert	MGR	Geauga
FH002739	Sam Ritondaro FS	DeJohn Ross	AIC	Geauga
FH003119	Snyder FH	Snyder Wallace	MGR	Henry
FH002218	Maison-Dardenne-Walker FH	Diller Shawn	MGR	Lucas



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. Marsh, the Board voted to close three investigative complaints. Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Absent; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye. Motion Passed.



Compliance Motion No. 3

On a motion by Ms. Betzer, seconded by Mrs. Williams-Briggs, the Board voted to close one investigative complaint. Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Absent; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye. Motion Passed.



Compliance Motion No. 4*

On a motion by Mr. Carter, seconded by Ms. Betzer, the Board voted to issue a notice of Opportunity for Hearing to Brough-Getts-Staver (FH 003043) for a violation of R.C. 4717.14 (A)(4) for unprofessional conduct, specifically for the delay in ordering the headstone engraving for Mary Louise Cowden, the death occurred in March 2010 and the engraving was not ordered until August 2011. The Board ordered a forfeiture of \$500.00.

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



Compliance Motion No. 5

On a motion by Ms. Betzer, seconded by Mr. Carter, based upon the advice of counsel and additional information, the Board voted to withdraw the Notice of Opportunity issued to McLin Funeral Home and Scherrie McLin dated 4/8/11 relative to complaints 1104103 & 1105120. McLin Funeral Home and Scherrie McLin's licenses were permanently revoked by the Board during the January meeting.

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



Compliance Motion No. 6

On a motion by Ms. Betzer, seconded by Mr. Carter, based upon the advice of counsel and additional information, the Board voted to withdraw the Notice of Opportunity issued to D.B. Washington Funeral Home, Dean B. Washington and Rebecca Alli dated 8/16/11 relative to complaint 1104087. D.B. Washington Funeral Home is closing effective 2/1/12.

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



Compliance Motion No. 7

On a motion by Ms. Betzer, seconded by Mr. Marsh, based upon the advice of counsel and additional information, the Board voted to withdraw the Notice of Opportunity issued to Smith Mortuary dated 6/14/10 relative to complaint 1004074. Smith Mortuary closed as of 12/31/11.

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

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Compliance Motion No. 8

On a motion by Ms. Betzer, seconded by Mr. Carter, based upon the advice of counsel and additional information, the Board voted to withdraw the Notice of Opportunity issued to J. Martin Smith Mortuary dated 8/16/10 relative to complaint 1006096.

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

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Compliance Motion No. 9

On a motion by Ms. Betzer, seconded by Mr. Marsh, based upon the advice of counsel and additional information, the Board voted to withdraw the Notice of Opportunity issued to Deborah Weaver dated 9/29/11 relative to complaint 1104097. Unable to located key witness, funeral home no longer licensed.

Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Absent; Marsh, Aye; Wasko, Aye; Williams-Briggs, Nay. Motion Passed.

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Compliance Issue #1

The Board reviewed a written request from Dr. John Freeman to reconsider the imposition of the 30 day suspension which was originally ordered in August 2010 relative to complaint #0905144.

The original suspension was stayed due to an appeal being filed in the Court of Common Pleas of Clark Count (case no. 10CV1127). This appeal was dismissed by the court in September and the stay was vacated.

The suspension was to be served beginning on January 1, 2012 pursuant to the Board's letter dated November 29, 2011 and that the start of the suspension was held in abeyance upon the request for reconsideration.

On a motion by Mrs. Williams-Briggs, seconded by Mr. Carter, the Board voted to confirm a thirty (30) day suspension to be served by the Porter-Qualls and Dunlap Funeral Home, located at 823 Yellow Springs Street in Springfield, Ohio commencing on February 8, 2012.

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

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Compliance Issue #2

On a motion by Ms. Betzer, seconded by Mr. Marsh, the Board voted to issue a notice of Opportunity for Hearing to Thor W. Triplett (FD 009100) and Triplett Funeral Home (FH

003186) for a violation of R.C. 4717.14 (A)(4) for committing immoral or unprofessional conduct and a violation of R.C. 4717.14 (A)(10) by misleading the public by using false or deceptive advertising, specifically for failing to list the licensed name of Triplett Funeral Home in multiple obituaries.

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

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Compliance Issue #3

The Board discussed procedures for dealing with funeral homes which cease operation and do not notify the Board. Staff was instructed to make all reasonable efforts to contact the owner and if necessary to issue a press release to consumers regarding the situation.

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Compliance Mail #1

The Board reviewed a letter concerning change of firm title for the Dostal Funeral Services, Inc. in North Olmsted, Ohio. The Board accepted the firm title change of “Dostal Bokas Funeral Services, Inc.”. Mrs. Baugess will inform Mr. Bokas that all signage and advertisements must reflect the new firm title.

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Compliance Mail #2

The Board reviewed a letter concerning change of firm title for the Catavolos Funeral Home in Westlake, Ohio. The Board accepted the firm title change of “Craciun Funeral Home”. Mrs. Baugess will inform Mr. Carge that all signage and advertisements must reflect the new firm title.

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Fiscal

Ms. Wright reported on fiscal matters. The Board Members reviewed the revenue journal that reflected that the Board collected \$11,390.91 in December for a total of \$56,043.97 in FY12. The Board reviewed a list of 16 vouchers and encumbrances for December, and the Budget Overview chart of allotments and expenses.

Mr. Marsh suggested Ms. Wright contact the Board’s new assigned budge analyst.

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

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Board Updates

Mrs. Baugess reported the following:

- Master Training Seminar – in Columbus on Tuesday, January 31. Lisa Bruns and Jennifer Baugess to attend and present.
- Board office closed Monday, February 20 for President’s Day

- Mr. Carter will be attending the 108th Annual Convention of The International Conference of Funeral Service and Examining Boards in Little Rock, Arkansas February 27-March 2, 2012.
- “State Board 2012 Updates and Reminders” was sent to OFDA for their March magazine.
- OFDA Apprentice Seminar – Thursday, March 15, Jennifer Baugess and Robert Carter to attend and present.
- Annual Preneed Reports will be mailed to all licensed funeral homes during the month of February. Report format will remain the same as last year, as there have not been any new rules implemented based on the Attorney General’s formal opinion. All reports due no later than March 30, 2012.
- Next Board meeting February 27-28.

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The Board meeting recessed at 4:13 P.M.

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Tuesday – January 24, 2012

The Board reconvened at 9:04 A.M. in the Riffe Center in Columbus, Ohio. President Robert Wasko presided. Present were Linda M. Betzer, Robert C. Carter, Thomas T. Fleming, Ty Marsh, Pamela Williams-Briggs and staff members present were: Eric E. Anderson, Inspector; Lisa A. Bruns, Inspector; Jennifer Baugess, Administrative Assistant; and Lena Wright, Administrative Assistant.

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Continuing Education

The following motions involve the continuing education programs considered by the Board during the January 2012 meeting, and are posted on the Board’s website under Continuing Education.

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On a motion by Mr. Marsh, seconded by Ms. Betzer, the Board approved, and where indicated denied, the Prior Approval continuing education programs. Ayes: 6. Nays: 0. Motion approved.

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On a motion by Ms. Betzer, seconded by Mr. Fleming, the Board acknowledged, the Blanket with date continuing education programs that were previously approved. Ayes: 6 Nays: 0. Motion approved.

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On a motion by Mr. Marsh, seconded by Ms. Betzer, the Board approved, and where indicated denied, the Blanket Approval of continuing education programs. Ayes: 6. Nays: 0. Motion approved.

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On a motion by Mr. Fleming, seconded by Ms. Betzer, the Board approved, and where indicated denied, the individual continuing education programs. Ayes: 6. Nays: 0. Motion approved.



Ms. Betzer read a letter sent to the Criminal Division of the U.S. Attorney's office which reminded them of the importance of notifying Ohio licensing agencies upon indictment and/or conviction of an individual holding a professional license.



Mr. Wasko reminded Board members the annual ethics forms are due by April 16, 2012.



Mr. Fleming spoke about current OFDA legislative updates. Mrs. Baugess was instructed to contact John McGough and invite him and any other legislative committee members to the February Board meeting in order to begin discussions on how to strategically work together on legislative changes.



Compliance Motion No. 2

On a motion by Ms. Betzer, seconded by Mr. Marsh, the Board voted to close one investigative complaint. Roll Call Vote: Betzer, Aye; Carter, Recuse; Fleming, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye. Motion Passed. Although this complaint involved a Board member, the Board was not advised as to whether the Board member was the complainant or the respondent.



On a motion by Mrs. Williams-Briggs, seconded by Mr. Marsh the Board entered into executive session pursuant to Section 121.22(G)(1) of the Revised Code to discuss hiring of personnel at 9:30AM. Roll Call Vote: Betzer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye. Motion passed.

The President declared the Board out of Executive Session at 10:17 A.M.



On a motion by Mr. Carter, seconded by Ms. Betzer, the Board meeting adjourned at 10:20 A.M.

Robert J. Wasko, President

Attest: _____
Linda M. Betzer, Secretary-Treasurer