



State of Ohio Board of Embalmers and Funeral Directors

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MINUTES

77 South High Street, 31st Floor Boardroom

1:06 p.m. Monday, September 17, 2012

The Board of Embalmers and Funeral Directors met in regular session in the Riffe Center at 77 S. High Street in Columbus, Ohio. Ms. Pamela Williams Briggs, Board President called the meeting to order at 1:06 p.m. Other board members present were Ms. Linda Betzer, Mr. Gregory Boyer, Mr. Robert Carter, Mr. Thomas Fleming, and Mr. Ty Marsh. Mr. Robert Wasko was absent. Staff members present were Executive Director Vanessa Niekamp, Eric Anderson, Jennifer Baugess, Linda Clark, Sarah Day, Danny Finrock, and Assistant Attorney General James Patterson.

Ms. Niekamp introduced new employee Danny Finrock to the board. Mr. Finrock accepted the Administrative Staff position and will be handling all of the finances for the board members. Also, Ms. Niekamp told the board that Ms. Linda Clark will be handling all initial facility and individual licenses.

READING AND CONSIDERATION OF THE MINUTES

On a motion by Mr. Carter, seconded by Ms. Betzer the board approved the minutes of the meeting held on August 20-21, 2012. *Ayes: 6 Nays: 0. Motion Passed.*

PERSONS BEFORE THE BOARD

Jeffrey Kelley is a licensed embalmer and funeral director from the state of Michigan. He came before the board seeking a reciprocal embalmer and funeral director license. Mr. Kelley indicated that he does not have any felony convictions and no prior discipline from the state of Michigan embalmer and funeral director governing board. On a motion by Mr. Fleming and seconded by Mr. Boyer the board voted to grant Mr. Kelley the opportunity to seek an Ohio reciprocal Embalmer and Funeral Director's License. Mr. Kelley must pass the Ohio Laws and Rules Exam. *Ayes: 6 Nays: 0. Motion Passed.*

Sandra Reno is a licensed embalmer and funeral director from the state of Michigan. She came before the board seeking a reciprocal embalmer and funeral director license. Ms. Reno indicated that she does not have any felony convictions and no prior discipline from the state of Michigan embalmer and funeral director governing board. On a motion by Mr. Fleming and seconded by Mr. Boyer the board voted to grant Ms. Reno the opportunity to seek an Ohio reciprocal embalmer and funeral director License. Ms. Reno must pass the Ohio Laws and Rules Exam. *Ayes: 6 Nays: 0. Motion Passed.*

Eric Urbanski is a licensed embalmer and funeral director from the state of Michigan. He came before the board seeking a reciprocal embalmer and funeral director license. Mr. Urbanski indicated that he does not have any felony convictions and no prior discipline from the state of Michigan embalmer and funeral director governing board. On a motion by Mr. Fleming and seconded by Mr. Boyer the board voted to grant Mr. Urbanski the opportunity to seek an Ohio reciprocal Embalmer and Funeral Director's License. Mr. Urbanski must pass the Ohio Laws and Rules Exam. *Ayes: 6 Nays: 0. Motion Passed.*

COMPLIANCE

Ms. Baugess reported that there were seventeen pending complaints and ten charged complaints pending hearings, settlements, and board orders. Also, Ms. Baugess reported there were three hearings to be scheduled and no hearings were held during the past month. The board office received one report and recommendation and there are no outstanding report and recommendations.

Ms. Baugess also reported a forfeiture from H.H. Birkenkamp in the amount of \$5000.00.

**AMENDMENTS TO CHANGE MANAGER and/or AIC/UR
September 17-18, 2012 BOARD MEETING
Changed 8/1/12 to 8/31/12**

Lic Number	Facility Name	Licensee by Last Name	Type	County
FH002162	Seederly-Mong & Beck FH	Beck Mark	AIC	Columbiana
FH002162	Seederly-Mong & Beck FH	Beck Mark	MGR	Columbiana
FH002940	Ingling Williams & Lewis FH	Hamilton Rebecca	MGR	Greene
FH003133	Zevnik-Cosic FH	Zevnik Joseph	AIC	Lake
FH002177	Seederly-Mong & Beck FH	Beck Mark	AIC	Mahoning
FH002460	Newcomer FH	Lohnes Douglas	MGR	Montgomery

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.

MOTION 1:

On a motion by Mr. Fleming and seconded by Mr. Boyer the board voted to close nine investigative complaints. *Roll call vote: Betzer, Aye; Boyer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Wasko, absent; Williams-Briggs, Aye. Motion Passed.*

MOTION 2:

On three separate motions, the Board voted on the Hearing Officer's findings of facts, conclusion of law, and recommendations on the registration denial of Lemoyne, Nesbitt Jr.

Motion to approve the Hearing Officer's findings of facts.

Roll call vote: Betzer, Aye; Boyer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Wasko, Absent; Williams-Briggs, Aye. Motion passed.

Motion to approve the Hearing Officer's conclusion of law.

Roll call vote: Betzer, Aye; Boyer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Wasko, Absent; Williams-Briggs, Aye. Motion passed.

Motion to confirm and approve the Hearing Officer's recommendation.

Roll call vote: Betzer, Aye; Boyer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Wasko, Absent; Williams-Briggs, Aye. Motion passed.

Wherefore it is ordered:

The application of Lemoyne Nesbitt, Jr. for registration as a licensed funeral director is denied.

***MOTION 3:**

On a motion by Mr. Fleming and seconded by Ms. Betzer the board voted to issue a notice for opportunity for hearing to Hugh P. Gavin (FD 007877) and Magetti Gavin Funeral Home Inc. (FH 001704) for a violation of R.C. 4717.14 (A)(4) for unprofessional conduct; specifically, for failure to comply with the requirements of Section 4717.31 (formerly R.C. 1111.19), and 4717-8 (F) of the Administrative Code, by failing to submit the payment for a consumer's prepaid funeral arrangements with an insurance company or trust company within 30 days of receipt.

The board ordered a \$10,000 forfeiture. The Board also imposed the previously stayed \$1,500 fine from the February 2011 settlement agreement.

Roll call vote: Betzer, Aye; Boyer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Wasko, Absent; Williams-Briggs, Aye. Motion passed.

***MOTION 4**

On a motion by Ms. Betzer and seconded by Mr. Fleming the board voted to issue a notice for opportunity for hearing to Julian H. Renfro (FD 006005) and Renfro Funeral Home (FH 002802) for a violation of R.C. 4717.14(A)(4) for unprofessional conduct; specifically, for actions taken relating to a funeral service, including but not limited to, allowing an unlicensed person to make funeral arrangements and various miscommunications with the family.

The Board ordered a \$500 forfeiture.

Roll call vote: Betzer, Aye; Boyer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Wasko, Absent; Williams-Briggs, Nay. Motion passed.

FACILITY INSPECTIONS

A monthly inspector report was submitted by Mr. Eric Anderson for the month of August, 2012. See Attached.

LICENSURE OF FACILITIES

There was one application for a crematory facility and no applications for an embalming facility. On a motion by Ms. Betzer and seconded by Mr. Carter, the board voted to approve the following applications for funeral home license for the existing facility for the purpose of change in location and/or ownership. *Ayes: 6 Nays: 0. Motion Passed.*

new facility/new building – consideration & approval of paperwork

motion by Ms. Betzer, seconded by Mr. Carter, Board approved following applications for FH license pending receipt of occupancy permit and final inspection by Board Ayes: 6 Nays: 0

<u>Firm Title</u>	<u>Location</u>	<u>County</u>
Oberlin-Turnbull FH	West Unity	Williams

new facility/new building – consideration & approval of paperwork

On a motion by Mr. Carter, seconded by Mr. Fleming, the Board approved the following application for crematory facility license **pending** receipt of the occupancy permit and final inspection by the Board. Ayes: 6 Nays: 0. Motion approved.

<u>Crematory Facility</u>	<u>Location</u>	<u>County</u>
EVANS CREMATORY, LLC	NORWALK	HURON

NO MOTION

Previously, 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. The crematory license no was issued the date of the final inspection. *Issued date of Board Meeting (special case where you are approving the paperwork and the license number issued).

License no.	Crematory facility	Location	Inspection
CREM.000158	ALL OHIO CREMATORY	BROOKPARK	09/12/12

LICENSURE OF INDIVIDUALS

On a motion from Mr. Fleming and seconded by Ms. Betzer the board voted to approve initial licenses to the following individuals. *Ayes: 6 Nays: 0. Motion Passed.*

License #	Name	City	Effective
DUAL009504	GREEN MICHAEL	CUYAHOGA FALLS	September 17, 2012
FD009561	GREEN MICHAEL	CUYAHOGA FALLS	September 17, 2012
DUAL009505	OLDING KURT	CLEVES	September 17, 2012
FD009562	OLDING KURT	CLEVES	September 17, 2012
FD009563	REESE CHERI	YOUNGSTOWN	September 17, 2012
FD009564	ZERHUSEN DIANNA	TAYLOR MILL, KY	September 17, 2012

The board reviewed a list of individuals who were issued embalmer and/or funeral director registration numbers during the month of August 2012.

Registration Number	License Type	Name	City
REG00444	EMB	HARTMAN BRIAN	PARMA
REG00676	FD	HARTMAN BRIAN	PARMA
REG00677	FD	MYLOTT JAMES	LEROY TWP

The board reviewed a list of apprenticeships certified during the month of August 2012.

Certification Number	Category	Name	Funeral Home	City
CERT00669	FD2	GUERRIERO MICHELINE	GUERRIERO FUNERAL HOME	ASHTABULA
CERT000675	FD2	HEISS CHRISTOPHER	BAIRD FUNERAL HOME	TROY
CERT000443	EMB	MCELROY ERNEST	PRICE FUNERAL HOME	KENTON
CERT000674	FD1	MCELROY ERNEST	PRICE FUNERAL HOME	KENTON
CERT00442	EMB	SCHERER HAYLEY	WAPPNER FUNERAL DIRECTORS	MANSFIELD
CERT00673	FD1	SCHERER HAYLEY	WAPPNER FUNERAL DIRECTORS	MANSFIELD

Ms. Linda Clark reported in the month of August 2012 there were 2 new embalmer registrations and 3 new funeral director registrations, 2 embalmer certified apprentices and 4 funeral director certified apprentices.

Ms. Clark presented an outline of the facts surrounding apprentice Riccardo Capretta's failure to submit his funeral director quarterly reports. Mr. Boyer made a motion to terminate Mr. Capretta's apprenticeship, seconded by Mr. Fleming.

The board recessed at 3:30 p.m.

The Board of Embalmers and Funeral Directors met in regular session in the Riffe Center at 77 S. High Street in Columbus, Ohio. Ms. Pamela Williams-Briggs, Board President called the meeting to order at 9:10 a.m. Other board members present were Ms. Linda Betzer, Mr. Gregory Boyer, Mr. Robert Carter, Mr. Thomas Fleming, Mr. Ty Marsh, and Mr. Robert Wasko. Staff members present were Executive Director Vanessa Niekamp, Eric Anderson, Jennifer Baugess, Linda Clark, Sarah Day, Danny Finfrock, and Assistant Attorney General James Patterson.

Discussion resumed concerning Mr. Capretta's apprenticeship. On a motion by Mr. Marsh and seconded by Ms. Betzer the board voted to table Mr. Boyer's motion from September 17, 2012, pending further legal review.

EDUCATION COMMITTEE

Mr. Carter reported that the Education Committee met at 4:00 p.m., Monday, September 17, 2012 to review the month's applications. Minutes from the August 20, 2012 meeting were approved.

Mr. Carter also reported that he and Ms. Baugess attended and presented at the September 5, 2012 OFDA Master Training Seminar.

The following motions involve the continuing education programs considered by the Board during the September 2012 meeting, and are posted on the Board's website under continuing education.

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

On a motion by Mr. Wasko, seconded by Ms. Betzer, the Board approved, and where indicated denied, the Blanket with date continuing education programs that were previously approved. *Ayes: 6 Nays: 0. Motion Passed.*

On a motion by Ms. Betzer, seconded by Mr. Wasko, the Board approved individual continuing education programs for five individuals. *Ayes: 6 Nays: 0. Motion Passed.*

On a motion by Ms. Betzer and seconded by Mr. Marsh approved a fifty year continuing education exemption for Dianne Golubski Toronski and a waiver for Roderick D. Patterson. *Ayes: 6 Nays: 0. Motion Passed.*

EXECUTIVE DIRECTOR'S REPORT

Ms. Niekamp reported on fiscal matters. The board members reviewed the revenue journal that reflected the board collected \$2772.08 in revenue for the month of August. The board reviewed a list of vouchers and encumbrances for August 11 through September 11, 2012, and a budget overview chart by allotment accounts and expenses.

Ms. Niekamp also reported there has been no further discussion on HB481 and SB308. Ms. Betzer asked that the board notify the Funeral Consumers Alliance of Central Ohio of any upcoming hearing dates.

Ms. Niekamp reported she will be attending the FARB Conference in Atlantic City, Florida from October 4-7, 2012. Upon her return from the conference she will share with the board the materials presented.

It was noted that the board office will be closed to observe Columbus Day, October 8, 2012.

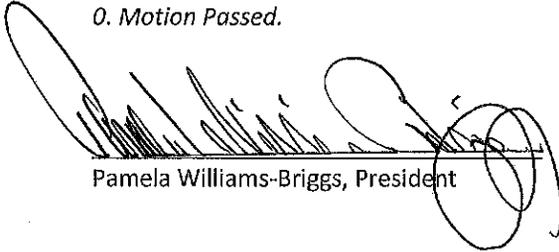
The next meeting is scheduled for October 15-16, 2012 in Columbus, Ohio.

The Crematory Review Board will meeting October 16, 2012 at 11:00am following the regularly scheduled board

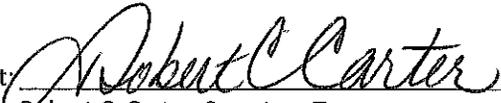
meeting.

To close the meeting, Ms. Niekamp reported to the board that she attended a meeting about Human Trafficking. Ohio is listed fourth in the country in human trafficking cases. During the informational meeting, the boards and commissions were asked to offer one hour of education credit to licensees who attend sessions concerning human trafficking. The idea is to get the word out to Ohioans to know the signs and who to contact if they think someone is a victim of human trafficking.

On a motion from Mr. Carter and seconded by Mr. Boyer the board meeting adjourned at 10:12 a.m. *Ayes: 7 Nays: 0. Motion Passed.*



Pamela Williams-Briggs, President

Attest: 
Robert C. Carter, Secretary-Treasurer

Time period start: 8/13/2012 end: 9/7/2012 Board Meeting 17-Sep-2012 FY 2013

Board Meeting	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Year total
mileage	3,104	2,605	2,523										8,232
apprentices	0	1	0										1
<i>Inspections - Annual</i>													<i>completed</i>
Crem Fac	1	1	4										6
Emb Fac	0	0	0										0
FH	32	34	35										101
Total	33	35	39										107
<i>Inspections - Follow-up</i>													<i>completed</i>
Crem Fac	0												0
Emb Fac	0												0
FH	1												1
Total	1	0	0										1
<i>Inspections - New Facility</i>													<i>completed</i>
Crem Fac	0												0
Emb Fac	0												0
FH	1												1
Total	1	0	0										1
Investigations	15	6	6										27
Violations	0	0	0										0
Bd meetings	2	2	2										6
Bd office	1	1	1										3
Hearings													0
Training													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/licensees, 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

Inspector Anderson
Reporting Period
August 13, 2012 through September 7, 2012
September 17-18, 2012 Board Meeting

Inspection Date	Credential Number	Name	County	Contact	Reason	Comments
20120814	FH 001833	BRUCKER & KISHLER FH INC	Licking	Leslea Brucker Calvert	Annual Inspection	In Compliance
20120814	FH 002392	CRISS-SCHOEDINGER FUNERAL HOME	Licking	Lynda M Wagner	Annual Inspection	In Compliance
20120814	FH 003002	HENDERSON-VAN ATTA STICKLE FH	Licking	Ethan McKee	Annual Inspection	In Compliance
20120814	FH 001656	REED-EGAN FUNERAL HOME	Licking	Richard Reed	Annual Inspection	In Compliance
20120815	FH 000184	BUTLER & SON	Cuyahoga	No One Available	Annual Inspection	
20120815	FH 002817	JOSEPH MISENICK FUNERAL HOME	Cuyahoga	No One Available	Annual Inspection	
20120815	FH 003021	MCGORRAY-HANNA FHS INC	Cuyahoga	Gregory Hayden	Annual Inspection	In Compliance
20120815	FH 002653	NICKELS & ANDRADE FH	Cuyahoga	Christopher Andrade	Annual Inspection	In Compliance
20120815	FH 003034	SAXTON FH	Cuyahoga	Gregory Hayden	Annual Inspection	In Compliance
20120815	FH 000293	SCERBA FUNERAL HOME INC	Cuyahoga	No One Available	Annual Inspection	
20120815	FH 000319	ZEIS-MCGREEVEY FH INC	Cuyahoga	John McGreevey	Annual Inspection	In Compliance
20120816	FH 000180	BRINKMAN-DRESS FUNERAL HOME INC	Cuyahoga	John C Brinkman	Annual Inspection	In Compliance
20120816	FH 001882	CORENO FUNERAL HOME	Cuyahoga	No One Available	Annual Inspection	
20120816	FH 002886	CORRIGAN-CRACIUN FH	Cuyahoga	Jonathan Craciun	Annual Inspection	In Compliance
20120816	FH 002885	CORRIGAN-CRACIUN FH	Cuyahoga	Jim Rasmussen	Annual Inspection	In Compliance
20120816	FH 002893	DONLON FH	Cuyahoga	Mary Donlon	Annual Inspection	In Compliance
20120816	CREM 000146	LAKEWOOD CREM	Cuyahoga	Aaron Espisito	Annual Inspection	In Compliance
20120816	FH 003170	MALLOY MEMORIAL	Cuyahoga	Evelyn Carr	Annual Inspection	In Compliance

Inspector Anderson
Reporting Period
August 13, 2012 through September 7, 2012
September 17-18, 2012 Board Meeting

Inspection Date	Credential Number	Name	County	Contact	Reason	Comments
20	20120816 FH 001458	MANDLEY-VETROVSKY INC FUNERAL HOME	Cuyahoga	Todd Vetrovsky	Annual Inspection	In Compliance
21	20120828 FH 003175	ARMSTRONG FH	Medina	Richard Armstrong	Annual Inspection	In Compliance
22	20120828 FH 001572	MATTESON FUNERAL HOME	Wayne	Michele Matteson	Annual Inspection	In Compliance
23	20120828 FH 002209	MURRAY FUNERAL HOME INC	Wayne	John Murray	Annual Inspection	In Compliance
24	20120829 FH 002728	BOLLINGER-BICAN FUNERAL HOME INC	Cuyahoga	Joseph Cambarare	Annual Inspection	In Compliance
25	20120829 FH 001980	BUSCH FUNERAL HOME	Cuyahoga	Robert Solich	Annual Inspection	In Compliance
26	20120829 FH 002888	CHAMBERS FHS INC	Cuyahoga	David Anthony	Annual Inspection	In Compliance
27	20120829 FH 001621	WALTER MARTENS & SONS	Cuyahoga	Victoria Shea	Annual Inspection	In Compliance
28	20120830 FH 002519	BODNAR-MAHONEY FUNERAL HOME	Cuyahoga	Patrick Mahoney	Annual Inspection	In Compliance
29	20120830 FH 000185	CAREY FUNERAL HOME	Cuyahoga	John Carey	Annual Inspection	In Compliance
30	20120830 FH 002888	CRACIUN BERRY FH	Cuyahoga	Myrium Molina	Annual Inspection	In Compliance
31	20120830 CREM 000119	CREMATION SVC INC	Cuyahoga	Diana Bias	Annual Inspection	In Compliance
32	20120830 FH 000253	DANIEL BERRY-DONALD MARTENS & SONS FH	Cuyahoga	No One Available	Annual Inspection	
33	20120830 FH 001671	DOMAGALSKI-KOMOROWSKI FUNERAL HOME	Cuyahoga	No One Available	Annual Inspection	
34	20120830 FH 002982	INMAN FS	Cuyahoga	Diana Bias	Annual Inspection	In Compliance
35	20120905 FH 002451	BLACKSTONE FUNERAL HOME INC	Trumbull	Kathleen Blackstone	Annual Inspection	In Compliance
36	20120906 FH 000737	DAVIDSON-BECKER	Mahoning	Alfred H Davis Jr	Annual Inspection	In Compliance
37	20120906 CREM 000047	LAKE PARK CREMATORY	Mahoning	Pat Gray	Annual Inspection	In Compliance

Inspector Anderson
 Reporting Period
 August 13, 2012 through September 7, 2012
 September 17-18, 2012 Board Meeting

	Inspection Date	Credential Number	Name	County	Contact	Reason	Comments
38	20120906	FH 003189	LANE FAMILY FHS, ANSTROM-VELKER CHAPEL	Mahoning	No One Available	Annual Inspection	
39	20120906	FH 002917	WASKO FH INC	Mahoning	James Shinilla	Annual Inspection	In Compliance
40	20120906	CREM 000144	WESTERN RESERVE CREM SVC	Mahoning	John E Smith	Annual Inspection	In Compliance