State of Ohio
Board of Embalmers and Funeral Directors
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MINUTES

77 South High Street, 31st Floor Boardroom

1:10 p.m. **Tuesday, November 13, 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. Linda Betzer, Board Vice-President called the meeting to order at 1:10 p.m. Other board members in attendance were 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, Mr. Troy Seehase, and Assistant Attorney General James Patterson.

READING AND CONSIDERATION OF THE MINUTES

On a motion by Mr. Wasko, seconded by Mr. Boyer the board approved the minutes of the meeting held on October 15-16, 2012. *Ayes: 6 Nays: 0. Motion Passed.*

Ms. Niekamp introduced new employee Troy Seehase to the board. Mr. Seehase accepted the Inspector position that was previously held by Lisa Bruns.

PERSONS BEFORE THE BOARD

Alan A. Morrison is a licensed embalmer and funeral director from the state of New York. He came before the board seeking a reciprocal embalmer and funeral director license. Mr. Morrison indicated that he has not had any preneed problems and no prior discipline from the state of New York embalmer and funeral director governing board. On a motion by Mr. Wasko and seconded by Mr. Boyer the board voted to grant Mr. Morrison the opportunity to seek an Ohio reciprocal Embalmer and Funeral Director's License. Mr. Morrison must pass the Ohio Laws and Rules Exam. *Ayes: 6 Nays: 0. Motion Passed.*

Amanda J. Zeitz is a licensed funeral director from the state of Michigan. She came before the board seeking a reciprocal funeral director license. Ms. Zeitz indicated that she has not had any preneed problems and no prior discipline from the state of Michigan embalmer and funeral director governing board. On a motion by Mr. Wasko and seconded by Mr. Fleming the board voted to grant Ms. Zeitz the opportunity to seek an Ohio reciprocal Funeral Director's License. Ms. Zeitz must pass the Ohio Laws and Rules Exam. *Ayes: 6 Nays: 0. Motion Passed.*

Note: Ms. Williams-Briggs arrived at 1:20 p.m.

John S. Merk was before the board to discuss a previous conviction. Mr. Merk wanted to explain to the board his criminal conviction prior to starting his apprenticeship. No action was required on behalf of the board, at this time.

COMPLIANCE

Ms. Baugess reported that there were thirteen pending complaints and thirteen charged complaints pending hearings, settlements, and board orders. Also, Ms. Baugess reported there were two hearings scheduled and three hearings to be scheduled if no settlement agreements are agreed upon. No hearings were held during the past month. There are no outstanding report and recommendations.

AMENDMENTS TO CHANGE MANAGER and/or AIC/UR
October 15-16, 2012 BOARD MEETING
Changed 9/1/12 to 9/30/12

Lic Number	Facility Name	Licensee by Last Name	Type	County
FH001957	John H Evans FH	Evans Charles	AIC	Clermont
FH003236	Greg Brown FH	Barford Daniel	MGR	Hamilton
FH002710	Vorhis & Ryan FH	Crowe Tracy	MGR	Hamilton
FH002152	Bridges-Stocker-Fraley FH	Fraley Heather	MGR	Miami
FH003118	Showalter Blackwell Cartee FH	Pierri Phillip	MGR	Preble
FH003118	Showalter Blackwell Cartee FH	Pierri Phillip	AIC	Preble
FH002361	Robert P Mcdermott MH Inc	Kinnick Thomas	MGR	Trumbull
FH002361	Robert P Mcdermott MH Inc	Kinnick Thomas	AIC	Trumbull

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:
Motion by Mr. Marsh, seconded by Ms. Betzer, the Board voted to CLOSE **Seven (7)** investigatory files. Complaint number(s) 1310030, 1309018, 1309028, 1309020, 1309026, 1309021, 1309025 were closed. *Roll call vote: Betzer; Boyer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Wasko, Williams-Briggs, Aye. Motion Passed.*

*MOTION 2:
On a motion by Mr. Wasko and seconded by Ms. Betzer the board voted to close complaint number 1309023.
Roll call vote: Betzer; Boyer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Wasko, Williams-Briggs, Aye. Motion Passed.

*MOTION 3:
On a motion by Ms. Betzer and seconded by Mr. Carter the board voted to issue a notice for opportunity for hearing to Robert A. Lewis (FD 006819) and Welch-Sekeres-Lewis Funeral Home (FH 001773) for a violation of R.C. 4717.14 (A)(4) for unprofessional conduct. Specifically, the proposed penalty is based upon the 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 $22,844.72 in payments with an insurance company or trust company within 30 days of receipt. *Roll call vote: Betzer, Aye; Boyer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye. Motion passed.*

*MOTION 4:
On a motion by Mr. Wasko and seconded by Ms. Betzer the board voted to issue a notice for opportunity for hearing to Robert P. McDermott (FD 007475) and the Robert P. McDermott Memorial Home, Inc. (FH 002361) for a violation of R.C. 4717.14 (A)(4) for unprofessional conduct as it incorporates Rule 4717-1-18 (F) of the Administrative Code for the following reason: failure to submit payments of $5400.00 to a trust or an insurance company within 30 days of receipt for Dorothy Holan's prepaid funeral arrangements. Payment was made to the funeral home in January 2005. *Roll call vote: Betzer, Aye; Boyer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye. Motion passed.*

*MOTION 5:
The board instructed Assistant Attorney General Patterson to pursue an injunction against an unlicensed individual to cease and desist his advertising and actions which imply he is a funeral director. *Roll call vote: Betzer, Aye; Boyer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye. Motion passed.*

*MOTION 6:

On a motion by Ms. Betzer and seconded by Mr. Fleming the board voted to accept the settlement agreement negotiated by Assistant Attorney General Showalter and Assistant Attorney General Patterson concerning Tarea Rhoden. *Roll call vote: Betzer, Aye; Boyer, Aye; Carter, Aye; Fleming, Aye; Marsh, Aye; Wasko, Aye; Williams-Briggs, Aye. Motion passed.*

FACILITY INSPECTIONS

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

LICENSURE OF FACILITIES

There was no application for a crematory facility and no applications for an embalming facility. On a motion by Mr. Carter and seconded by Mr. Boyer, 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: 5 Nays: 0. Motion Passed.*

Existing Funeral Homes** – change of location and/or ownership **effective Jan. 01, 2013.
On a motion by Ms. Betzer, seconded by Mr. Carter, the board approved following applications for funeral home license Ayes: 7 Nays:0

License #	Firm Title	Location	Inspection
003249	**Adams Funeral Home**	**Sidney**	**08/11/10-B**

Leasing** from an Existing Funeral Homes - **effective Nov. 13, 2012.
motion by Ms. Betzer, seconded by Mr. Wasko, the board approved following applications for funeral home license Ayes: 7, Nays: 0.

License #	Firm Title	Location	Inspection
003250	**Burke Funeral Home**	**Cincinnati**	**05/01/12-B**
003251	**Butler & Son FH**	**N Royalton**	**06/14/11-A**

***new facility/new building** – consideration & approval of paperwork*
motion by Mr. Carter, seconded by Mr. Fleming, the board approved following applications for FH license pending receipt of occupancy permit and final inspection by board Ayes: 7 Nays: 0

Firm Title	Location	County
Minnifield Funeral Home	**Canton**	**Stark**
Bollinger Funeral Goods & Srv's	**Brunswick**	**Medina**

NO MOTION
Previously, the Board approved the issuance of a funeral home license to the following **after** approval of the application, receipt of the occupancy permit, and the final inspection. The funeral home license no. was issued the date of the final inspection. *Issued date of Board meeting (special case where you are approving the paperwork and the licensed number).

License #	Funeral Home	Location	Issue date

existing crematory facility–change of location and/or ownership

effective Nov 13, 2012.

On a motion by Mr. Carter, seconded by Mr. Marsh, the Board approved the following application for crematory facility. Ayes: 7. Nays: 0. Motion approved

License no.	Crematory Facility	Location	Inspection
000159	**Gallipolis Vault Com, Inc**	**Gallipolis**	**07/03/12**

new facility/new building – consideration & approval of paperwork

On a motion by Ms. Betzer, seconded by Mr. Wasko, the Board approved the following application for crematory facility license **pending** receipt of the occupancy permit and final inspection by the Board. Ayes: 7. Nays 0. Motion approved.

Crematory Facility	Location	County
Liberty Cremation Service	**West Liberty**	**Logan**

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

Existing Embalming Facility –change of location and/or ownership

effective Nov. 13, 2012

On a motion by _____, seconded by _____, the Board approved the following application for EMBALMING facility. Ayes: ___. Nays: ___. Motion approved

License no.	Embalming Facility	Location	Inspection

new facility/new building – consideration & approval of paperwork

On a motion by _____, seconded by _____, the Board approved the following application for EMBALMING facility license pending receipt of the occupancy permit and final inspection by the Board. Ayes: ___. Nays ___. Motion approved.

Embalming Facility	Location	County

NO MOTION

Previously, the Board approved the issuance of an EMBALMING 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.

License no.	Embalming Facility	Location	Inspection
000009	**Newcomer Embalming Ctr**	**Cincinnati**	**10/24/12**

LICENSURE OF INDIVIDUALS

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).

On a motion from Ms. Betzer and seconded by Mr. Boyer the board voted to approve initial licenses to the following individuals. *Ayes: 7 Nays: 0. Motion Passed.*

License #	Name	City	Effective Date
DUAL009510	Livingood, Gail M	Sylvania	November 13, 2012

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

Registration Number	Name	City	Effective Date
EMB	ADAMS GERALD	NAPOLEON	October 24, 2012
FD	ADAMS GERALD	NAPOLEON	October 24, 2012
EMB	DUNN BRITTANY	BOWLING GREEN	October 12, 2012
FD	DUNN BRITTANY	BOWLING GREEN	October 12, 2012
EMB	SHARPE KAREN	CINCINNATI	October 12, 2012
FD	SHARPE KAREN	CINCINNATI	October 12, 2012
EMB	WALSH JERILYN	YOUNGSTOWN	October 2, 2012
FD	WALSH JERILYN	YOUNGSTOWN	October 2, 2012

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

Registration	Name	FH Name	City	Effective Date
CERT 00453	ADAMS GERALD	SNYDER-WESCHE FH	NAPOLEON	October 24, 2012
CERT 00688	ADAMS GERALD	SNYDER-WESCHE FH	NAPOLEON	October 24, 2012
CERT 00451	DUNN BRITTANY	DUNN FUNERAL HOME	BOWLING GREEN	October 22, 2012
CERT 00686	DUNN BRITTANY	DUNN FUNERAL HOME	BOWLING GREEN	October 22, 2012
CERT 00677	MYLOTT JAMES	MCMAHON-COYNE-VITANTONIO FH	WILLOUGHBY	October 1, 2012
CERT 00452	SHARPE KAREN	DALBERT WOODRUFF & ISENOGLE	CINCINNATI	October 12, 2012
CERT 00687	SHARPE KAREN	DALBERT WOODRUFF & ISENOGLE	CINCINNATI	October 12, 2012
CERT 00450	WALSH JERILYN	HIGGINS-REARDON FH	YOUNGSTOWN	October 5, 2012
CERT 00685	WALSH JERILYN	HIGGINS-REARDON FH	YOUNGSTOWN	October 5, 2012

Ms. Linda Clark reported in the month of October 2012 there were 4 new embalmer registrations and 4 new funeral director registrations, 4 embalmer certified apprentices and 5 funeral director certified apprentices.

EXECUTIVE DIRECTOR'S REPORT

Ms. Niekamp reported on fiscal matters. The board members reviewed the revenue journal that reflected the board collected $88,872.45 in revenue this fiscal year. The board reviewed a list of vouchers and encumbrances for October 12, 2012 thru November 7, 2012 and a budget overview chart by allotment accounts and expenses.

Ms. Niekamp also reported there has been no further discussion on SB308. However, there is a hearing on HB481 on Wednesday, November 14 at 3:30 p.m.

It was announced that Sarah Day's Intermittent Secretary position is ending November 30, 2012 and Jarrod Williams is joining the staff on December 3, 2012 to assist with document imaging, general office support, and taking the board minutes.

The bi-annual license renewals were mailed on October 23, 2012. As of the board meeting the office has received 749 renewals.

It was noted that the board office will be closed to observe Thanksgiving Day, November 22, 2012.

The next meeting is scheduled for December 17-18, 2012 in Columbus, Ohio.

To close the meeting, Ms. Niekamp reported the annual meeting of The Conference is scheduled for February 27-28, 2013 in Henderson, Nevada. Those attending the conference are Ms. Pamela Williams-Briggs, Mr. Robert Wasko, Mr. Robert Carter, Mr. Eric Anderson and Ms. Vanessa Niekamp.

The board recessed at 3:53 p.m.

9:10 a.m. **Wednesday, November 14, 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 9:10 a.m. Other board members were Ms. Linda Betzer, Mr. Gregory Boyer, Mr. Robert Carter, Mr. Thomas Fleming, Mr. Ty Marsh (absent), and Mr. Robert Wasko. Staff members present were Executive Director Vanessa Niekamp, Jennifer Baugess, Linda Clark, Danny Finfrock, and Assistant Attorney General James Patterson.

EDUCATION COMMITTEE

Mr. Carter reported that the Education Committee met at 4:20 p.m., Tuesday, November 13 at 4:15 p.m. to review the month's applications.

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

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

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

On a motion by Mr. Fleming, seconded by Mr. Boyer, the Board approved the Blanket continuing education programs. *Ayes: 6 Nays: 0 Motion Passed*

On a motion by Mr. Carter and seconded by Mr. Fleming approved fifty year continuing education exemptions for Gretchen L. Burmister. *Ayes: 6 Nays: 0. Motion Passed.*

On a motion by Mr. Carter and seconded by Mr. Fleming approved fifty year continuing education exemptions for William Rutherford. *Ayes: 6 Nays: 0. Motion Passed.*

On a motion from Mr. Boyer and seconded by Mr. Carter the board meeting adjourned at 9:28 a.m. *Ayes: 6 Nays: 0. Motion Passed.*

Pamela Williams-Briggs, President

Attest Robert C. Carter, Secretary-Treasurer