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STATE OF OHIO

BOARD OF EMBALMERS AND FUNERAL DIRECTORS

- - -

Minutes of Board Meeting

Tuesday-Wednesday, January 15-16, 2013

77 South High Street, 31st Floor Board Room

Columbus, Ohio 43215

- - -

Board Members:

- Pamela Williams-Briggs, President
- Linda M. Betzer
- Gregory Boyer
- Robert C. Carter
- Thomas T. Fleming
- Ty D. Marsh
- Robert J. Wasko

Staff Members:

- Vanessa Niekamp, Executive Director
- Linda Clark, Certification & Licensure
- Danny Finfrock, Fiscal Coordinator
- Jarrod Williams, Operations Coordinator
- Eric E. Anderson, Inspector
- Troy Seehase, Inspector

Legal Representative:

- Assistant Attorney General James Patterson

- - -

ARMSTRONG & OKEY, INC.
222 East Town Street, Second Floor
Columbus, Ohio 43215-5201
(614) 224-9481 - (800) 223-9481
Fax - (614) 224-5724

- - -

1 Tuesday Afternoon Session,
2 Meeting Convened at 1:09 p.m.
3 - - -

4 CONVENING OF THE BOARD

5 The Board of Embalmers and Funeral
6 Directors met in regular session. President
7 Williams-Briggs convened the meeting at 1:09.

8 Roll call was taken by Ms. Niekamp.

9 Board Members Present: Pamela Williams-Briggs,
10 President, Robert J. Wasko, Ty D. Marsh, Linda M.
11 Betzer, Robert C. Carter, Thomas T. Fleming, Gregory
12 Boyer.

13 - - -

14 PERSONS BEFORE THE BOARD

15 Thomas Heney appeared before the Board in
16 regards to Complaint No. 1311044. He brought forward
17 a complaint against the Magetti Gavin Funeral Home in Dayton for
18 monies he believed were owed to him by the funeral
19 home.

20 In regard to this matter, Mr. Heney was
21 awarded \$990 plus court fees by the Dayton civil
22 court. Mr. Heney claimed that the funeral home has
23 refused to pay him, plus he has experienced costs and
24 undue aggravation trying to collect. He asked the
25 Board to sanction the funeral home.

1 a new contractor with the Board. She will be working
2 on compliance matters.

3 - - -

4 READING AND CONSIDERATION OF MINUTES

5 President Williams-Briggs asked for
6 consideration of the minutes. Corrections were
7 discussed by the Board. Ms. Niekamp agreed to make
8 the changes.

9 There was Board discussion on the
10 continued use of a court reporter for the minutes.
11 Ms. Niekamp and Mr. Patterson noted this was at the
12 request of the section chief, Susan Walker, at the
13 Attorney General's Office. The purpose is to achieve
14 best practice by having more detail in the minutes.
15 It is on a three-month basis, after which Jarrod
16 Williams will prepare the minutes.

17 On a motion by Ms. Betzer, seconded by
18 Mr. Carter, the Board tabled approval of the minutes
19 until reviewed after corrections on January 16, 2013.
20 Seconded by Mr. Carter. Ayes 7, Nays 0; Motion
21 passes.

22 - - -

23 EXECUTIVE DIRECTOR'S REPORT

24 Ms. Niekamp delivered the Executive

1 Director's Report: The current budget was reviewed.
2 It is halfway through the 2013 fiscal year.

3 The increased revenue based on the
4 proposed fee increases was reviewed: 25% for
5 individual licenses, 50% for facility licenses;
6 cumulative impact on industry, 29.75% increase. If
7 approved, the additional revenue in 2014/2015 will
8 support hiring two new inspectors, including
9 necessary equipment. The inspector positions would
10 include one lead. The inspector positions would
11 include three Inspector 1's and one Inspector 2.

12 The Blue Book for the '14-'15 budget will
13 be published in February.

14 The disbursements from December 10, 2012
15 through January 10, 2013 were listed and reviewed.

16 Current Legislation: There has been no
17 movement on Senate Bill 308, which would require
18 insurance companies to provide information to funeral
19 directors. House Bill 481 is pending the Governor's
20 signature. It does not include language for alkaline
21 hydrolysis.

22 Items of Interest: The OPERS change for
23 minimum salary for health care of \$1,000 a month,
24 effective January 2014, will not impact health
25 insurance eligibility for active state employees.

1 Board members will continue to be eligible,
2 regardless of whether they make \$1,000 a month.

3 Upcoming events: Licensure cards will be
4 mailed out for this renewal period to individuals and
5 facilities by the end of the month.

6 The Board office will be closed Monday,
7 January 21, 2013, in observation of Martin Luther
8 King Day.

9 The next Board meeting will be in
10 Columbus on Tuesday-Wednesday, February 12-13, 2013.

11 - - -

12 LICENSURE OF FACILITIES

13 Ms. Clark gave the following report:

14 EXISTING FACILITY - CHANGE OF LOCATION

15 AND/OR OWNERSHIP, effective January 15, 2013. Five
16 facilities applied for licensure: Alspach-Gearhart FH, F.J. Corrigan FS,
17 Gearhart & Jurczyk FH, Jones FS, ad Shapiro FS.

18 On a motion by Mr. Carter, seconded by
19 Ms. Betzer, the Board approved the applications for
20 the five funeral homes. Ayes 7, Nays 0; Motion
21 passes 7-0.

22 - - -

23 There were no funeral home applications
24 for leasing from another facility.

25 - - -

26 NEW FACILITY NEW/BUILDING - CONSIDERATION

1 AND APPROVAL OF PAPERWORK: There were applications
2 for two facilities: Andras Crematory & FH, and St. John FH.

3 On a motion by Ms. Betzer, seconded by
4 Mr. Boyer, the Board approved the applications of the
5 two facilities. Ayes 7, Nays 0; Motion passes 7-0.

6 - - -

7 NAME CHANGES: There was one name change:
8 Hillis & Hardwick FH, to Hillis FH.

9 On a motion by Mr. Carter, seconded by
10 Mr. Wasko, the Board approved the name change for the
11 listed facility. Ayes 7, Nays 0; Motion passes 7-0.

12 - - -

13 NO MOTION REQUIRED

14 Ms. Clark gave the following report:
15 Thirteen facilities made changes in manager or
16 actually in charge (see Appendix A). The fourth and
17 fifth facilities, Hillis & Hardwick, are the same
18 funeral home. Two separate individuals were named as
19 a manager and two separate individuals as new
20 actually in charge.

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22 There are three funeral homes and two
23 crematories previously approved by the Board who have
24 now submitted an occupancy permit and had a final
25 inspection (see Appendix B).

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APPLICATIONS FOR INDIVIDUAL LICENSES

Ms. Clark reported four individuals eligible for embalmer and funeral director licenses with approval of the Board.

On a motion by Ms. Betzer, seconded by Mr. Wasko, it was moved that the Board approve the licenses of Lauren Baughman, Jeffrey A. Kelley, and John L. Turner. Ayes 7, Nays 0; Motion passes 7-0.

President William-Briggs indicated that Mr. Christopher J. Lowe was present to receive his license; therefore, it would be heard on a separate motion.

Discussion was held congratulating Mr. Lowe on achieving his license.

On a motion by Mr. Carter, seconded by Mr. Wasko, it was moved that the Board approve the license of Mr. Christopher J. Lowe. Ayes 7, Nays 0; Motion passes 7-0.

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NO MOTION ITEMS

Ms. Clark reported on a list of individuals that were registered during the month of December and a list of those who began an apprenticeship during the month of December (see

1 Appendix C).

2

3 Ms. Clark passed out information that
4 came from The Conference in regard to exams
5 administered for the Ohio Laws and Rules examination.
6 It has a number of statistics, including the number
7 of pass/fails and the percentages.

8

9 FACILITY INSPECTIONS

10 Mr. Anderson gave a report for the period
11 December 10, 2012 through January 4, 2012: Travel,
12 2,118 miles; 3 crematory facilities and 40 funeral
13 homes inspected; one new crematory facility
14 inspected; 21 investigative actions, two violations
15 (which have been corrected); in Columbus for two days
16 of Board meetings.

17

18 Mr. Seehase gave a report for the period
19 December 12, 2012, through January 4, 2012: Travel,
20 2,765 miles; two apprentices; three crematories and
21 54 funeral homes inspected; one new facility
22 inspection; three investigative actions; two
23 violations; in the Board office for two days.

24

25

1 COMPLIANCE*

2 COMPLIANCE MOTION 1: Seven issues were
3 recommended for closure (see Appendix D). The
4 executive director reviewed each alleged violation
5 and the investigative conclusions.

6 Item 6, Unprofessional Conduct, was
7 discussed by the Board. This is the same case as was
8 presented by Mr. Heney at the beginning of the
9 meeting. Some Board members felt that further action
10 should be taken since it was unprofessional not to
11 pay one's bills. There was also concern expressed as
12 to whether or not there were other violations
13 occurring at the funeral home. Other Board members
14 pointed out that this Board could not act in every
15 case of unpaid debt as bill collector.

16 The executive director explained that it
17 was recommended for closure since the entity had
18 already been charged with unprofessional conduct for
19 the service for this deceased individual. The second
20 charge would still be the same charge,
21 unprofessional conduct, for the exact same service.
22 The funeral home had already entered into a
23 settlement agreement in relation to this service and
24 had paid a fine.

25 President Williams-Briggs suggested when

1 Mr. Seehase is in the area of that funeral home, that
2 he check the preneed services and that the staff
3 check the preneed report when it comes in.

4 On a motion by Mr. Wasko, seconded by
5 Mr. Carter, it was moved that the Board approve
6 closure of all seven of the cases as recommended by
7 the committee.

8 A roll call vote was taken: Wasko, Aye;
9 Marsh, Aye; Betzer, Aye; Williams-Briggs, Aye;
10 Carter, Aye; Fleming, Aye; Boyer, Aye. Motion
11 passes, 7-0.

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13 COMPLIANCE MOTION 2 AND MOTION 3: (See
14 Appendix.) Compliance Motion 2, the executive
15 director corrected the number listed for Motion 2.
16 The correct number is #1311039. The executive
17 director stated that Motions 2 and 3 involved the
18 same issue.

19 Mr. Carter stated he knew the complainant
20 and had been called by him regarding this matter.
21 He, therefore, recused himself.

22 (Mr. Carter leaves the Board room.)

23 On November 8, 2012, the Board received a
24 complaint alleging the following: Gretchen Kell* (Respondant) was
25 running a funeral service company with her spouse,

1 who is an unlicensed individual who runs a transport
2 service. They were running the funeral service
3 company from their home, but it is not a licensed
4 funeral home. An advertisement ran in the local
5 paper for a direct cremation package.

6 In a statement to the Board, the
7 respondent stated that she and her husband ran an
8 advertisement for direct cremation services for two
9 or three times a week from approximately
10 September 2012 to November 9, 2012.

11 The unlicensed spouse received one call
12 for service from the advertisement; provided the
13 consumer a price for direct cremation service; and
14 deposited the payment for the cremation in the
15 transport service's bank account.

16 The respondent provided her license
17 information to the consumer (who is not the
18 complainant). It generated the death certificate;
19 obtained permission to cremate; and completed the
20 burial transit permit.

21 The consumer picked up the cremains at
22 the residence of the respondent and her spouse. The
23 respondent has removed the advertisement.

24 There are four possible violations that
25 can be considered by the Board: 4717.13(A)(3),

1 4717.13 (A) (5), 4717.13 (A) (6), 4717.14 (A) (5).

2 The executive director stated that the
3 law states you cannot do funeral directing anywhere
4 else other than a funeral home.

5 Discission was held by the Board as to
6 whether or not the licensee actually provided funeral
7 services or just did a direct cremation.

8 The executive director read the
9 advertisement: "Direct cremation \$900 complete. Why
10 pay more? John Doe Funeral Service, phone number
11 provided. John Doe, owner, funeral director and
12 embalmer, serving X County." They gave a website,
13 johndoefuneral services.com.

14 Some members question whether or not the
15 licensee needed to be employed by a licensed funeral
16 home since no service was held in this case.

17 The executive director stated that
18 funeral directing, under the ORC chapter, must be
19 "employed by or under contract to a licensed funeral
20 home to perform funeral directing services for that
21 funeral home in a manner consistent with the
22 advertisement, offering, or conveyance."

23 A discussion was held as to whether or
24 not selling a cremation is funeral directing. The
25 Board discussed whether or not since the licensee

1 advertised herself as a funeral director, she was,
2 therefore, selling the service. The Board noted that
3 since they could not agree among themselves, further
4 research would need to be done.

5 Discussion was held as to whether or not
6 having a hearing on the matter would answer some of
7 the legal questions Board members had. Mr. Patterson
8 told the Board for him to answer the questions, he
9 would need to research the issue and would need to
10 have it submitted in writing from the Board.

11 A discussion was held as to whether or
12 not the licensee knew what she was doing was a
13 violation, as opposed to whether she did or did not
14 know was irrelevant since ignorance of the law was
15 not exculpatory.

16 On a motion by Mr. Fleming, seconded by
17 Mr. Wasko, it was moved for Charge 1310039 that the
18 Board combine all four counts, using option 2, with a
19 \$500 forfeiture collectively.

20 A roll call vote was taken: Wasko, Aye;
21 Marsh, Aye; Betzer, Nay; Williams-Briggs, Aye;
22 Fleming, Aye; Boyer, Aye.

23 Motion passes, 5 Ayes, 1 Nay, 1
24 abstention (Mr. Carter).

25 On a motion by Ms. Betzer, seconded by

1 Mr. Wasko, it was moved for Charge 1311045 that the
2 Board close Compliance Motion 3.

3 A roll call vote was taken: Wasko, Aye;
4 Marsh, Aye; Betzer, Aye; Williams-Briggs, Aye;
5 Fleming, Aye; Boyer, Aye. Motion passes, 6 Ayes, 1
6 abstention (Mr. Carter).

7 - - -

8 There was further discussion by the Board
9 on obtaining a legal interpretation on the question:
10 Is selling a cremation considered funeral directing?
11 It was agreed that the Operations Committee would
12 address the issue.

13 - - -

14 COMPLIANCE MOTION 4: Compliance Motion
15 4, 24 licensees (see Appendix E*) have stated they will
16 not complete the required 18 hours of continuing
17 education within the compliance period ending
18 December 31, 2012, nor do they have a current
19 exemption or waiver.

20 On the renewal coupons submitted along
21 with payments for renewal, there are three questions:
22 One, will they or have they completed the 18 hours of
23 continuing education by the end of the renewal
24 period, December 31; two, whether they have a waiver
25 or exemption; and, three, the explanation for why the

1 continuing education was not met. These 24 are
2 outside the continuing education audit. The
3 information was disclosed on the renewal coupon.

4 4737.09(C) states specifically, "The
5 board shall not renew the license of a licensee who
6 fails to meet the continuing education requirements
7 of this section and who has not been granted a waiver
8 or exemption under division (D) or (E) of this
9 section."

10 The other item to consider is that under
11 4717.09(A), the Board also has the opportunity to
12 take an action regarding a violation of that section,
13 which is the continuing education requirement for
14 every two years.

15 Discussion was held that the Board under
16 the ORC could not renew the licenses without the
17 continuing education requirements.

18 On a motion by Ms. Betzer, seconded by
19 Mr. Fleming, it was moved that the Board not renew
20 the licenses of the 24 individuals who are listed in
21 the Compliance Motion

22 A roll call vote was taken: Wasko, Aye;
23 Marsh, Aye; Betzer, Aye; Williams-Briggs, Aye;
24 Carter, Aye; Fleming, Aye; Boyer, Aye. Motion
25 passes, 7-0.

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Discussion was held by the Board on whether or not to charge the 24 licensees under 4717.09(A). Mr. Patterson stated that unlike (C), where the statute is mandatory, (A) is entirely at the Board's discretion.

Further discussion was held on what amount the forfeiture could be, if it was possible to have less than \$500. Mr. Patterson stated the minimum under the statute is \$500, but if the licensee requests a hearing, he could, if the Board so desired, enter into a settlement agreement for a lesser sum. The settlement agreement would not be final until approved by the Board.

On a motion by Mr. Wasko, seconded by Mr. Marsh, it was moved that the Board charge the 26 licensees with violation of 4717.09(A) and to order the payment of a forfeiture in the amount of \$500.

A roll call vote was taken: Wasko, Aye; Marsh, Aye; Betzer, Nay; Williams-Briggs, Aye; Carter, Pass; Fleming, Aye; Boyer, Pass; Carter, Aye; Boyer, Aye. Motion passes, 6-1.

The executive director was asked for the names of the 24 licensees, at which time they were read for the Board (see Appendix E).

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COMPLIANCE MOTION NO. 5: Compliance

motion No. 5 recommends charging the J. W. Wills/House of Wills Funeral Home* and/or Patricia Wills*, Funeral Director with a violation of 4717.14 (A) (4) and 4717-8-01 (see Appendix).

On October 2, 2012, the Board received a written complaint from a consumer regarding the preneed of a family member. Between October 3, 2012, when the first letter was sent to the funeral home, and January 10, 2013, the funeral home and/or director has failed to respond to repeated attempts by the Board staff concerning this issue. This included letters, unanswered calls, voice mails, fax, and a visit by the inspector.

Discussion was held by the Board.

On a motion by Mr. Carter, seconded by Mr. Marsh, it was moved that the Board approve Option 2 to charge the licensee with a violation of 4717-12-019(A) (2) (a) with a forfeiture in the amount of \$5,000.

A roll call vote was taken: Wasko, Aye; Marsh, Aye; Betzer, Aye; Williams-Briggs, Aye; Carter, Aye; Fleming, Aye; Boyer, Aye. Motion passes, 7-0.

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1 Mr. Patterson gave the Board updates on
2 the following cases: Henderson, McDermott,
3 Engartner, and Lewis.

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5 PENDING COMPLAINTS: The list of pending
6 complaints were discussed. For
7 No. 1311046, Mr. Fleming questioned as to how a
8 complaint could be filed after 35 years. For
9 No. 13111040, Mr. Fleming stated the relationships
10 appeared confusing.

11 The executive director stated these were
12 just a summary of what the complainants said.

13 Mr. Fleming requested the list be printed
14 more clearly next month and Ms. Betzer requested a
15 larger font.

16 For No. 1201053, Mr. Wasko questioned why
17 no action had been taken in a year. The executive
18 director explained that the Attorney General's Bureau
19 of Criminal Investigation is conducting an
20 investigation for possible criminal charges. Any
21 action taken by the Board would potentially impede
22 their investigation.

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24 OTHER BUSINESS

25 President Williams-Briggs stated that

1 each Board member was handed a packet dropped off
2 right before the start of the meeting by Jennifer
3 Baugess, a former employee.

4 Mr. Wasko asked if it was public record.

5 President Williams-Briggs stated because
6 it was given to the Board at a public meeting, it is
7 public record.

8 Ms. Niekamp stated she spoke with Central
9 Services, who called an employment expert, who said
10 the packets could be distributed to the addressees.

11 President Williams-Briggs asked for a
12 motion to adjourn.

13 On a motion by Mr. Boyer, seconded by
14 Ms. Betzer, it was moved that the meeting adjourn.

15 Ayes 7, Nays 0; Motion passes 7-0.

16 (The meeting adjourned at 4:30 p.m.)

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1 Wednesday Morning Session,

2 January 15-16, 2013.

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4 President Williams-Briggs reconvened the
5 meeting of the Board of Embalmers and Funeral
6 Directors at 9:09 a.m.

7 Board Members Present: Pamela
8 Williams-Briggs, President, Robert J. Wasko, Ty D.
9 Marsh, Linda M. Betzer, Robert C. Carter, Thomas T.
10 Fleming, Gregory Boyer.

11 - - -

12 EDUCATION COMMITTEE REPORT

13 PRIOR APPROVAL GROUP: Mr. Carter stated
14 everything was in order with the Prior Approval
15 Group.

16 On a motion by Mr. Fleming, seconded by
17 Ms. Betzer, it was moved that the Board approve the
18 Prior Approval Group. Ayes 7, Nays 0; Motion passes
19 7-0.

20 - - -

21 BLANKET APPROVAL GROUP: Mr. Carter
22 stated that Nos. 82 through 101, Graystone Associates
23 and Central Ohio Lions Bank, are not open to the
24 public; therefore, the committee asked that the Board
25 deny Central Ohio Lions Bank and Graystone &

1 Associates.

2 Mr. Carter stated that Education Workers
3 Group, Nos. 16-37, did not fill out an application.
4 They only sent in prior compliance period
5 programming; therefore, the committee is requesting
6 denial.

7 Mr. Carter stated that the committee is
8 requesting approval for 6 through 15, 38 through 80,
9 and 102 through 134.

10 On a motion by Mr. Fleming, seconded by
11 Mr. Boyer, it was moved that the Board approve 6
12 through 15, 38 through 80, and 102 through 134 of the
13 Blanket Approval Group. Ayes 7, Nays 0; Motion
14 passes 7-0.

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16 BLANKET WITH DATE APPROVAL GROUP:

17 Mr. Carter stated that the committee requested
18 approval on the Blanket with Date Approval Group on
19 everything but the last three.

20 Stericycle and Ohio Vault Works did
21 programming without getting prior approval. The
22 program was approved, but they did not get a date.
23 The committee requested that they be approved since
24 denial would penalize the licensees. A letter would
25 be sent stating if this is done again without getting

1 prior approval of the date, the programming will not
2 be approved.

3 On a motion by Mr. Fleming, seconded by
4 Mr. Boyer, it was moved that the Board approve
5 Blanket with Date Approval Group. Ayes 7, Nays 0;
6 Motion passes 7-0.

7 - - -

8 INDIVIDUAL APPROVAL GROUP: Mr. Carter
9 stated on the Individual Approval Group, the
10 committee requested approval for Nos. 6, 7, 8, and 9.

11 On a motion by Mr. Marsh, seconded by
12 Mr. Fleming, it was moved that the Board approve Nos.
13 6, 7, 8, 9 of the Individual Approval Group. Ayes 7,
14 Nays 0; Motion passes 7-0.

15 Mr. Carter stated for Helene Zielinski
16 the committee requested approval of only eight hours
17 for continuing education. The reason for less than
18 the number requested, some of the programming has
19 already taken place, without approval, from January 8
20 through January 15. Approval of the eight hours is
21 for those going forward.

22 On a motion by Mr. Boyer, seconded by
23 Ms. Betzer, it was moved that the Board approve eight
24 hours for Helene Zielinski. Ayes 7, Nays 0; Motion
25 passes 7-0.

1 Applications for Exemption. Ayes 7, Nays 0; Motion
2 passes 7-0.

3 - - -

4 APPLICATIONS FOR WAIVER: (See Appendix.)

5 Mr. Carter stated the committee requested approval of
6 Nos. 1, 2, 4, and 5.

7 Mr. Carter stated regarding Michael
8 Fetty, his name should come off the list and that
9 will come before the Board next month. An exemption
10 is being sent to him, and it will be better explained
11 to the Board at the next meeting.

12 On a motion by Mr. Wasko, seconded by
13 Ms. Betzer, it was moved that the Board approve Nos.
14 1, 2, 4, and 5 of the Applications for Waiver. Ayes
15 7, Nays 0; Motion passes 7-0.

16 - - -

17 A discussion was held on how to remove
18 the names of Mr. Fetty and Mr. Knisley from the list
19 of 26 that were charged with a violation at the
20 January 15, 2013, meeting.

21 On a motion by Ms. Betzer, seconded by
22 Mr. Wasko, it was moved that the Board drop the
23 charges that were brought against Jered Knisley and
24 Michael Fetty at the January 15, 2013, meeting.

25 A roll call vote was taken: Wasko, Aye;

1 Marsh, Aye; Betzer, Aye; Williams-Briggs, Aye;
2 Carter, Aye; Fleming, Aye; Boyer, Aye. Motion
3 passes, 7-0.

4 - - -

5 On a motion by Ms. Betzer, seconded by
6 Mr. Wasko, it was moved that the Board approve the
7 renewal of the licenses of Mr. Jered Knisley and
8 Mr. Michael Fetty.

9 A roll call vote was taken: Wasko, Aye;
10 Marsh, Aye; Betzer, Aye; Williams-Briggs, Aye;
11 Carter, Aye; Fleming, Aye; Boyer, Aye. Motion
12 passes, 7-0.

13 - - -

14 READING AND CONSIDERATION OF MINUTES

15 President Williams-Briggs noted that the
16 corrected minutes had been distributed.

17 Mr. Marsh noted that in the past, the
18 minutes had contained an asterisk to indicate the
19 Board did not know the identity of the persons
20 charged at the time the action was taken.

21 President Williams-Briggs asked for
22 approval of the December Board meeting minutes.

23 On a motion by Mr. Carter, seconded by
24 Mr. Wasko, it was moved that the Board approve the
25 corrected minutes from the December 2012 Board

1 meeting. Ayes 7, Nays 0; Motion passes 7-0.

2 - - -

3 OTHER BUSINESS

4 Ms. Betzer noted that on January 31,
5 2013, at 9:00 p.m. on CNBC there would be a show
6 about the funeral industry called "Death, It's a
7 Living." It includes interviews with casket makers,
8 trade show vendors, funeral directors, cemetery
9 directors, and mortuary school students.

10 A discussion was held regarding direct
11 deposit of expenses and monies owed to Board members.
12 Some Board members were not receiving their direct
13 deposits. Mr. Wasko said that the Operations
14 Committee will look into it and set up a procedure so
15 Board members will know when a deposit has been made.

16 - - -

17 On a motion by Mr. Carter, seconded by
18 Ms. Betzer, it was moved that the Board meeting be
19 adjourned. Ayes 7, Nays 0; Motion passes 7-0.

20 (The meeting adjourned at 9:45 a.m.)

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1 Minutes respectfully submitted on this 6th day of

2 February, 2013.

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5 _____

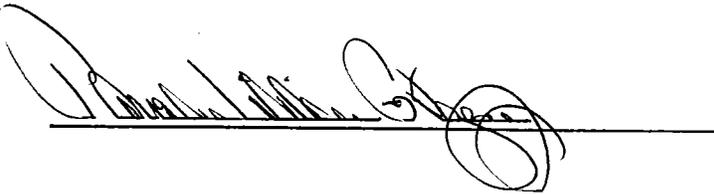
6 Rosemary F. Anderson
7 Registered Professional Reporter

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10 * 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.

ARMSTRONG & OKEY, INC., Columbus, Ohio (614) 224-9481



A handwritten signature in cursive script, appearing to read "Rosemary F. Anderson", written over a horizontal line.



A handwritten signature in cursive script, clearly legible as "Robert C. Carter", written over a horizontal line.

Appendix A:

Change the manager and/or AIC/UR:

License #	Facility Name	Licensee by Last Name	Type	County
FH 1753	Alexander Funeral Home	Alexander, James	MGR	Holmes
FH 1438	Beam-Fender FH	Fender Jr., Robert	M/A	Brown
FH 3088	Corrigan-Deighton FH	Eden, Christian	MGR	Cuyahoga
FH 0864	Hillis & Hardwick FH	Hillis, David E. and Combs, Timothy C.	M/A	Muskingum
FH 1943	Jakubs-Danaher FH	Waite, Stephen	MGR	Lake
		Jakubs, William	AIC	
FH 3198	Kelly-Kemp-Braido-Patron FH	Brown, Aaron	MGR	Belmont
FH 3199	Kelly-Kemp-Braido-Patron FH	Butler, Steve	MGR	Belmont
FH 2603	Oberlin-Turnbull FH	Zachrich, Stephanie	MGR	Defiance
FH 3120	Snyder-Weshce FH	Marsteller, Ernest	MGR	Henry
FH 1594	The House of Day	Day Sr., Michael	M/A	Lucas
FH 1712	Thompson-Geesey FH	Burkett, Lauren	MGR	Williams
FH 3201	Wellman Funeral Home	Wellman, Charles E.	MGR	Pickaway
FH 3128	Witzler-Shank FH	Hoover, Jada	MGR	Wood

Appendix B:

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
003255	Davis-Becker FH	Struthers	12/19/12
003280	Smith Mortuary	Columbus	01/01/13
003281	Oberlin-Turnbull	Bryan	01/01/13
000161	NW OH Cremation Service	Toledo	11/26/12
000162	Jardine Cremation	Strongsville	12/13/12

Appendix C:

The following individuals were issued registration numbers during the month of December 2012:

Registration #	Name	City	Effective Date
Emb 0455 Fd 0691	Duckworth, Melanie L.	Dayton	12/21/12
Emb 0456 Fd 0692	Heydinger, Samuel A.	New Loudon	12/21/12
Emb 0457 Fd 0693	Kennedy, Matthew R.	Marietta	12/21/12
Emb 0458 Fd 0694	Kinley, Jerry W.	Cincinnati	12/21/12
Emb 0459 Fd 0695	Schnipke, Dean J.	Ottawa	12/21/12
Fd 0696	Walters, David A.	Amherst	12/21/12

The following individuals certified an apprenticeship during the month of December 2012:

Registration #	Name	City	Effective Date
Emb 0419 Fd 0629	Bowser, Jessica L.	Warren	12/17/12
Emb 0455 Fd 0691	Duckworth, Melanie L.	Dayton	12/28/12
Emb 0458 Fd 0694	Kinley, Jerry W.	Cincinnati	12/21/12

Appendix D:

FILE NUMBER	DATE RECEIVED	ALLEGED VIOLATION	CONCLUSION	ACTION
1309015	9/26/2012	Unlicensed Funeral Director - Crematory is selling direct cremation to consumers, at need and PreNeed.	Documentation from crematory indicates they will help find a Funeral Home, but are not selling services.	Recommend for closure.
1309029	10/3/2012	Funeral bill dispute - Consumer provided two insurance policies and claims the funeral home owes her an overage based on the amount the insurance companies paid.	FH did not receive an overage. Complainant received check from financial company and is now satisfied.	Recommend for closure.
1311038	10/24/2012	Unprofessional Conduct - Employee of FH was driving FH vehicle and hit her vehicle, but refused to pay for damages.	FH settled claim with insurance company and claimant indicated she has been made whole.	Recommend for closure.
1311042	11/16/2012	Unprofessional Conduct - The complainant made arrangements to view the mother privately, and was upset when other family members were informed about the private visit.	FH denies any knowledge of communication regarding the private visit and sights family issues among four children. Complainant is not the consumer and consumer was not dissatisfied.	Recommend for closure.
1311043	11/26/2012	Unprofessional Conduct - Members of the group were contacted [not by the funeral home] and invited to attend the funeral of an elderly woman who had expressed a desire to have an animal welfare advocate attend her funeral. Several members of this group attended, but discovered that this was a filmmaking project, not a funeral.	FH was rented by a film crew and was unaware individuals were involved that were not hired for the movie. They have apologized to the complainant and the movie company has also made a donation to the organization.	Recommend for closure.
1311044	11/28/2012	Unprofessional Conduct - Municipal Court of Dayton, Ohio, Civil Division Case No. 11 CVF 3910 The funeral home has failed to repay the \$990.59 awarded on 9/13/2012. The funeral home has not responded to a "Letter of Demand" sent by complainant on 11/25/2012.	In September 2011 the Board charged the FH for these issues and then entered into a settlement agreement in February of 2012 with the FH for which the FH paid a fine.	Recommend for closure.
1310035	10/30/2012	PreNeed and Unprofessional Conduct - Complainant states PreNeed with another funeral home, but body taken to wrong funeral home due to funeral director disclosed private information to family about previous arrangements that were cancelled.	Complainant was not the consumer or next of kin who made and paid for arrangement with the respondent. The complainant voided all PreNeed arrangements that had been made with another funeral home and no payment was received in association to them.	Recommend for closure.

Appendix E:

Adkins, Michael L.
Bird, Jeffrey G.
Blower, James N.
Fisher, Bruce R.
Fox, James E.
Gillum, David D.
Gottfried, David A.
Gresser, Robert L.
Hottinger, Jack W.
Jones, Michael D.
Keller, Jeffrey A.
Kercheval, Ronald L.
Kirkpatrick, Don S.
Lucas, Paul T.
Minnich, Rachael A.
Moore, Malcolm W.
Rue, Robert E.
Schneider, Kevin
Spring, Russell H.
Thompson, G. William
Towning, J. Michael
Trott, Julie R.
Watters, Joy A.