



# State of Ohio Board of Embalmers and Funeral Directors

77 South High Street, 16th Floor, Columbus, OH 43215-6108 • Phone (614) 466-4252 • Fax (614) 728-6825  
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## MINUTES

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### *Convening of the Board*

The Board of Embalmers and Funeral Directors met in regular session on Tuesday, May 14, 2013, in the 31<sup>st</sup> Floor Boardroom of the Riffe Center located at 77 South High Street, Columbus, Ohio. Board President Ms. Pamela Williams-Briggs called the meeting to order at 1:04 p.m. Other Board members in attendance were Mr. Robert Wasko, Ms. Linda Betzer, Mr. Robert Carter, and Mr. Thomas Fleming. Board staff members present were Executive Director Ms. Vanessa Niekamp, Inspectors Mr. Eric Anderson and Mr. Troy Seehase, Office Personnel Ms. Linda Clark, Mr. Danny Finrock, and Mr. Jarrod Williams. Also attending was Board Counsel, Assistant Attorneys General Mr. James Patterson and Ms. Carla Dowling- Fitzpatrick.

### *Reading and Consideration of the Minutes*

Board President Ms. Williams-Briggs asked for reading and consideration of the April 2013 meeting of the Board Minutes.

Suggested corrections by Ms. Betzer included:

Page 1 and all, (spelling) Council to Counsel.

Page 1 and all, (spelling) Attorney General's to Attorneys General.

Page 9 and all, (tense) provide to provided.

Page 13 and all, (spelling) Executive Direct to Executive Director.

Page 14, (insert) reported.

**Note:** Board member Mr. Greg Boyer arrived to meeting at 1:08 p.m.

Ms. Clark asked for clarification from the Board concerning a change of name request from the Melcher-Sowers Funeral Home at the April 2013 meeting of the Board. The proposed Minutes do not state a decision.

A Board consensus confirmed the request was approved at that meeting. This decision is to be stated in the amended April 2013 meeting of the Board Minutes.

On a motion by Ms. Linda Betzer, and seconded by Mr. Greg Boyer, the Board voted to approve the April 2013 meeting of the Board Minutes with recommended corrections. Ayes: 6, Nays: 0, Motion passed.





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### *Persons before the Board*

Board President Ms. Williams-Briggs offered greetings and welcomed all in attendance. Ms. Williams-Briggs called those scheduled to appear before the Board, one at a time, and instructed each person to speak clearly and audibly so all may hear.

Ms. Andrea Armintrout appeared before the Board seeking a reciprocal license. Ms. Armintrout is a Funeral Director from the state of Indiana and has recently accepted employment with Lane Family Funeral Homes in Austintown, Ohio. She is a 2001 graduate of the Cincinnati College of Mortuary Science.

There was a questions and answers session between Ms. Armintrout and the Board.

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to approve the reciprocal licensure pending receipt of all applicable documentation to the Board office. *Ayes: 6, Nays: 0, Motion passed.*

Ms. Erin Maser appeared before the Board seeking a reciprocal license. Ms. Maser is a Funeral Director from the state of Pennsylvania and seeking employment in Ohio. She is a 2010 graduate of the Pittsburgh Institute of Mortuary Science and earned her Bachelor's degree from Slippery Rock University of Pennsylvania.

There was a questions and answers session between Ms. Maser and the Board.

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to approve the reciprocal licensure pending receipt of all applicable documentation to the Board office. *Ayes: 6, Nays: 0, Motion passed.*

Ms. Deanna Maurice appeared before the Board seeking a reciprocal license. Ms. Maurice is a Funeral Director from the state of Michigan with no plans to relocate to Ohio. Her employer operates nearby the Ohio and Michigan state line and wants to expand their ability to perform services for consumers in both states. She earned a Bachelor's degree from Wayne State University of Michigan in 1994.

There was a questions and answers session between Ms. Maurice and the Board.

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to approve the reciprocal licensure pending receipt of all applicable documentation to the Board office. *Ayes: 6, Nays: 0, Motion passed.*



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Mr. James Tilton appeared before the Board seeking a reciprocal license. Mr. Tilton is Funeral Director from the state of Indiana and will be relocating to Ohio for employment with Showalter-Blackwell Funeral Home of College Corner, Ohio. Mr. Tilton is a 1997 graduate of the Cincinnati College of Mortuary Science and earned his Bachelor's degree from Allegheny College of Pennsylvania.

There was a questions and answers session between Mr. Tilton and the Board.

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to approve the reciprocal licensure pending receipt of all applicable documentation to the Board office. *Ayes: 6, Nays: 0, Motion passed.*

Mr. J.P. Ducro IV appeared before the Board to discuss rules regarding name changes of funeral homes. Mr. Ducro was accompanied by Mr. Bud Williams (in attendance only) to the meeting.

**Note:** Board member Mr. Thomas Fleming disclosed a potential conflict of interest regarding this matter and abstained from participation of any discussion.

**Note:** Board member Mr. Ty Marsh arrived to meeting at 1:30 p.m.

Mr. Ducro offered history of his funeral home and its identity within the community it serves. The funeral home has served the local area for several decades and its distinguishable name is associated with a reputable business. The funeral home is expected to relocate a short distance from its current location. He believes the current rules governing funeral home name changes, because of relocation, are a disservice to business owners and communities that prize a discernible name that has provided service for generations. Mr. Ducro claimed this opportunity to relocate the funeral home to a historical building would signal an even stronger commitment to the community.

Mr. Ducro has asked the Board to reconsider the rule and allow for preservation of history regarding funeral home names.

There was a questions and answers session between Mr. Ducro and the Board.

The Board and Board Counsel Mr. Patterson discussed statute 4717.11 (A) of Ohio Revised Code.

Ms. Williams-Briggs affirmed only the Ohio Legislature can amend laws and statutes. She indicated amendments are being considered by this Board for future proposal, but the Board has no ability to change current rules.

Mr. Ducro was advised to share his concerns with others who would offer support and effort with future lobbying of Legislators to amend the laws and statutes.

### Recommendation to Close

On a motion by Mr. Thomas Fleming, and seconded by Mr. Robert Wasko, the Board voted to close the following (6) investigatory files:

Issue	DATE RECEIVED	ALLEGED VIOLATION	CONCLUSION
1303079	3/19/2013	Funeral Bill Dispute-Complainant claims she was charged twice for transport between two FH's. Upset that the first FH did not provide the transport when she understood this was arranged.	Initial letters mailed 3/27/2013. Response received from FH on 4/10/2013. Inspector Seehase followed up after reviewing the documents. He contacted the complainant to explain the billing. The inspector did not find any error or discrepancy with the billing.
1303080	3/20/2013	Advertisement-Complaint about a newspaper advertisement placed by a FH that compared prices at several local FH's. The price in the ad for this FH does not match its published price list. The complaint was filed by another local funeral home.	Initial letters were mailed 3/27/2013. The FH response was received on 4/11/2013. Inspector Seehase followed up. The FH that placed the ad published their discounted package price as listed in their published price list for services. No regulatory issue was found.

1303082	3/27/2013	Unprofessional Conduct- Complainant's father passed away in 2001, and his ashes were placed in his wife's plot. The wife passed away in 2012. At that time, when she was going to be buried in her plot, her son and this FH removed the ashes and had them delivered to the husband's daughter's home.	Initial letters were sent. The FH submitted a response that was received on 4/18/2013. Inspector Seehase followed up. There was no regulatory violation.
1303083	3/28/2013	Unprofessional conduct-The complainant stated that the FD was overly affectionate towards the female relatives of the deceased.	Initial letters were sent on 4/2/2013. Inspector Anderson followed up with the FD. A response was received 4/24/2013. The FD stated he was trying to console the relatives. He did not receive any complaints about his behavior at the time of the services. The inspector did not identify any regulatory violation
1303084	3/28/2013	Unprofessional Conduct, Rude Behavior- The FH has not provided a requested copy of the funeral bill that is needed for an unclaimed funds issue that must be addressed in probate court. An unidentified FH employee was rude. The complaint was filed by an attorney representing an individual who is a first cousin once removed of the deceased.	Initial letters 4/2/2013. Response received from the FH on 4/17/2013. Inspector Anderson followed up with the FH. They followed the proper confidentiality requirements in this situation. The person who paid the funeral bill is not a relative of the deceased. This is a probate court issue involving unclaimed funds.

1304085	4/4/2013	Unprofessional Conduct, Rude Behavior- Complainant alleges she and the family were treated rudely and that some of the services were poorly provided. Upset that there was not a published price list for goods and services	Initial letters 4/7/2013. Response received from FH 4/23/2013 and referred to T. Seehase to review. The contract for services form and the GPL used by this FH look very similar, which may have led to confusion on the part of the family. They were provided copies of both by the FH. Mr. Seehase tried to contact the complainant. She is too busy to talk to him before 6/1/2013. The bill is unpaid and is now part of a Chapter 13 Bankruptcy. The family has not filed with the VA for a \$1,000.00 benefit that would be available to the FH for partial payment. No regulatory violation can be identified.
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ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko	X			
Ty Marsh	X			
Linda Betzer	X			
Pamela Williams-Briggs	X			
Robert Carter	X			
Thomas Fleming	X			
Greg Boyer	X			

The motion *passed* with a vote of 7 to 0.



## Recommendation to Charge #1304088

On a motion by Mr. Robert Wasko, and seconded by Mr. Greg Boyer, the Board voted to close the compliance case of: *Cummings and Davis Funeral Home\**.

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

ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko	X			
Ty Marsh		X		
Linda Betzer		X		
Pamela Williams-Briggs	X			
Robert Carter	X			
Thomas Fleming	X			
Greg Boyer	X			

The motion *passed* with a vote of 5 to 2.

*Details:*

3/29/2013-Three individuals died in an automobile accident. They were all from one family.

4/8 or 9/2013- All three were buried in the same cemetery. The FH had not obtained the burial permits. They informed the cemetery that they had forgotten to bring them.

4/9/2013- There are a series of emails between the Department of Health (DOH) staff indicating that they had received conflicting information from the FH staff about the situation. The FH representative at first indicated they had applied for the permits, but the system went down and the Registrar removed the applications when the system came back up. The applications were not found in the system. The FH told the cemetery they had forgotten to print the permits and bring them. The date of interment is possibly incorrect on all three death certificates and so on.

4/10/2013- A complaint was filed by the DOH, Vital Statistics with the Ohio Board of Embalmers and Funeral Directors.

4/14/2013- A "Request Response" letter went out to the FH.

4/30/2013 The FH provided a written response. The response states that the FH attempted to apply for permits. The interments took place prior to the FH receiving the required permits. Later, the FH requested manual copies of the burial permits, but they had never been approved. The FH learned that the permits cannot be issued after a burial. The death certificates were issued with "none" in the place for the date of the burial permit.

5/3/2013- Inspector Anderson spoke with the FH staff member who was responsible. - "Spoke to the FD regarding not getting burial permits. They do not deny that no permits were issued. FD said that the coroner should have issued."

*Board Meeting notations:*

There was Board discussion with Inspector Mr. Anderson about the details of his investigation.

There was Board discussion on the Electronic Death Registration System (EDRS) and its history with difficulty of usage and errors experienced with the system.

## Recommendation to Charge #1305090

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to charge:  
*Neidecker-Leveck & Crosser Funeral Home\**.

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

*With a violation #1 of:* 4717.06 (B) (1): The board shall issue a license to operate a funeral home only for the address at which the funeral home is operated. The funeral home license and licenses of the embalmers and funeral directors employed by the funeral home shall be displayed in a conspicuous place within the funeral home. Specifically: Failure to display Funeral Director Manager license.

*And order:*

Motion: An order to Pay Forfeiture (1stOffense)

[licensee may request hearing instead]

(4717-12-01(A) (2) (a) \$500 min – \$5,000 max)

Amount of forfeiture imposed: \$500.00

*With a violation #2 of:* 4717.14 (A) (4): The applicant or licensee has committed immoral or unprofessional conduct. 4717.13-01 (C): Failure to comply with the board's request during an inspection or investigation may result in disciplinary action. Specifically: The FH has not provided written notification of the non-compliance correction by mail to the Board of Embalmers and Funeral Directors within thirty days of February 7, 2013.

*And order:*

Motion: An order to Pay Forfeiture (1stOffense)

[licensee may request hearing instead]

(4717-12-01(A) (3) (a) \$500 min – \$5,000 max)

Amount of forfeiture imposed: \$500.00

ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko	X			
Ty Marsh	X			
Linda Betzer	X			
Pamela Williams-Briggs	X			
Robert Carter		X		
Thomas Fleming	X			
Greg Boyer	X			

The motion *passed* with a vote of 6 to 1.

*Details:*

2/7/2013 - Inspector Seehase conducted a funeral home inspection and completed a "Facility Inspection Report" He noted that the Funeral Director Manager License was not on display and current as required. He circled the information at the bottom of the form that outlines the correction and reporting requirements and the 30 day timeframe. A FH employee signed and dated the form on the same day acknowledging receipt of the report.

5/6/2013- Inspector Seehase reported to the FUN Board Executive Director that the FH has not reported back to the office that the non-compliance has been corrected.

*Board Meeting notations:*

There was Board discussion with Inspector Mr. Seehase on details of his investigation.

## Recommendation to Charge #1305091

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to charge: *Foos Funeral Home\**.

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

*With a violation #1 of:* 4717.06 (B) (1): The board shall issue a license to operate a funeral home only for the address at which the funeral home is operated. The funeral home license and licenses of the embalmers and funeral directors employed by the funeral home shall be displayed in a conspicuous place within the funeral home. Specifically: Failure to display Funeral Director Manager license.

*And order:*

Motion: An order to Pay Forfeiture (1<sup>st</sup> Offense)

[licensee may request hearing instead]

(4717-12-01(A) (2) (a) \$500 min – \$5,000 max)

Amount of forfeiture imposed: \$500.00

*With a violation #2 of:* 4717.14 (A) (4)): The applicant or licensee has committed immoral or unprofessional conduct. 4717.13-01 (C): Failure to comply with the board's request during an inspection or investigation may result in disciplinary action. Specifically: The FH has not provided written notification of the non-compliance correction by mail to the Board of Embalmers and Funeral Directors within thirty days of February 7, 2013.

*And order:*

Motion: An order to Pay Forfeiture (1<sup>st</sup> Offense)

[licensee may request hearing instead]

(4717-12-01(A) (3) (a) \$500 min – \$5,000 max)

Amount of forfeiture imposed: \$500.00

ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko	X			
Ty Marsh	X			
Linda Betzer	X			
Pamela Williams-Briggs	X			
Robert Carter		X		
Thomas Fleming	X			
Greg Boyer	X			

The motion *passed* with a vote of 6 to 1.

*Details:*

2/7/2013 - Inspector Seehase conducted a funeral home inspection and completed a "Facility Inspection Report" He noted that the Funeral Director Manager License was not on display and current as required. He circled the information at the bottom of the form that outlines the correction and reporting requirements and the 30 day timeframe. A FH employee signed and dated the form on the same day acknowledging receipt of the report.

5/6/2013 - Inspector Seehase reported to the FUN Board Executive Director that the FH has not reported back to the office that the non-compliance has been corrected.

*Board Meeting notations:*

Board President Ms. Williams-Briggs directed Board Vice-President Ms. Betzer to preside the meeting in her absence.

**Note:** Ms. Williams-Briggs exited meeting.

Board Vice-President Ms. Betzer assumed direction of meeting.

**Note:** Ms. Williams-Briggs returned to meeting.

## Recommendation to Charge

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

On a motion by Ms. Linda Betzer, and seconded by Mr. Robert Carter, the Board voted to not renew the two (2) licenses per 4717.09 (C) *The board shall not renew the license of a licensee who fails to meet the continuing education requirements of this section and who has not been granted a waiver or exemption under division (D) or (E) of this section.*

ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko	X			
Ty Marsh	X			
Linda Betzer	X			
Pamela Williams-Briggs	X			
Robert Carter	X			
Thomas Fleming	X			
Greg Boyer	X			

The motion *passed* with a vote of 7 to 0.

On a motion by Ms. Linda Betzer, and seconded by Mr. Robert Carter, the Board voted to charge the two (2) licenses:

*With a violation of:* 4717.09 (A) Every two years, licensed embalmers and funeral directors shall attend between twelve and thirty hours of educational programs as a condition for renewal of their licenses. The board of embalmers and funeral directors shall adopt rules governing the administration and enforcement of the continuing education requirements of this section. The board may contract with a professional organization or association or other third party to assist it in performing functions necessary to administer and enforce the continuing education requirements of this section. A professional organization or association or other third party with whom the board so contracts may charge a reasonable fee for performing these functions to licensees or to the persons who provide continuing education programs.

*And order:*

Motion: An order to Pay Forfeiture  
[licensee may request hearing instead]  
(4717-12-01(A)(2)(a) \$500 min – \$5,000 max)  
Amount of forfeiture imposed: \$500.00

ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko	X			
Ty Marsh	X			
Linda Betzer	X			
Pamela Williams-Briggs	X			
Robert Carter	X			
Thomas Fleming	X			
Greg Boyer	X			

The motion *passed* with a vote of 7 to 0.

*Details:*

The following two (2) licensees stated that they will not or did not complete the required 18 hours of continuing education within the compliance period ending December 31, 2012; nor do they have a current Exemption or Waiver:

1. *Mr. Brian L. Allen\** (DUAL.009313)
2. *Mr. John F. Malloy\** (DUAL.006286)

*Board Meeting notations:*

Mr. Wasko questioned Mr. Finfrock if the charged licensees had fifty years of service, or possessed a valid waiver or exemption, or offered reasons for having not completed the required continuing education hours.

Ms. Linda Betzer began her motion with request to combine the two roll call votes together for one roll call vote pertaining to the recommendation to charge. The other Board members agreed and proceeded with one combined roll call vote to not renew the two licenses per 4717.09 (C) *and* charge each licensee with violation of 4717.09 (A) with order of five-hundred dollars forfeiture.



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### *Charge Case Status Update*

Executive Director Ms. Niekamp reviewed the status of compliance cases previously charged by the Board.

Board Counsel Mr. Patterson presented updated information on pending settlements with previous compliance cases.

There was Board discussion with Mr. Patterson on details of pending settlements and legal actions from the Ohio Attorney General's Office.

There was Board discussion with Ms. Niekamp on details of recent hearings with previously charged licensees.

### *Current Pending Cases*

Executive Director Ms. Niekamp stated there are three (3) current pending compliance cases.



## Charged Case #1310034

LICENSEE: ROBERT LEWIS AND THE WELCH-SEKERES-LEWIS FUNERAL HOME INC.

HEARING DATE: FRIDAY, FEBRUARY 8, 2013

ISSUE: UNPROFESSIONAL CONDUCT ASSOCIATED TO PRE-NEED MISAPPROPRIATION

The following motions were made pursuant to the report and recommendation of hearing officer, Marc E. Myers. No objections to the report and recommendation were received from the licensee or their counsel.

On a motion by Ms. Linda Betzer, and seconded by Mr. Thomas Fleming, the Board voted to *approve* the Hearing Officer's *finding of facts* (if modified or disapproved, specific reasons must be given by the Board).

ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko	X			
Ty Marsh	X			
Linda Betzer	X			
Pamela Williams-Briggs	X			
Robert Carter	X			
Thomas Fleming	X			
Greg Boyer	X			

The motion *passed* with a vote of 7 to 0.

On a motion by Ms. Linda Betzer, and seconded by Mr. Thomas Fleming, the Board voted to *approve* the Hearing Officer's *conclusions of law* (if modified or disapproved, specific reasons must be given by the Board).

ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko	X			
Ty Marsh	X			
Linda Betzer	X			
Pamela Williams-Briggs	X			
Robert Carter	X			
Thomas Fleming	X			
Greg Boyer	X			

The motion *passed* with a vote of 7 to 0.

On a motion by Mr. Thomas Fleming, and seconded by Ms. Linda Betzer, the Board voted to *approve* the Hearing Officer's *recommendation* (if modified or disapproved, specific reasons must be given by the Board).

ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko		X		
Ty Marsh	X			
Linda Betzer	X			
Pamela Williams-Briggs	X			
Robert Carter		X		
Thomas Fleming	X			
Greg Boyer		X		

The motion *passed* with a vote of 4 to 3.

ORDER OF THE BOARD

*Board Meeting notations:*

There was Board discussion on details from the Report and Recommendation submitted by Mr. Marc Myers.

There was discussion between the Board and Board Counsel Mr. Patterson on hearing deliberations.

Mr. Wasko asked Mr. Patterson if any consumer had been paid restitution. Mr. Patterson answered he was not aware of any monies paid back to the defrauded.

Mr. Wasko declared an opinion that this report and recommendation, like others before it, still does not protect the consumer.

Ms. Williams-Briggs asked Mr. Patterson if this Report and Recommendation will lead to settlements for the defrauded. Mr. Patterson replied, the R & R could lead to settlement discussions, but does not mandate it. Mr. Patterson said an R & R is designed to precede a Board Order.

Mr. Wasko suggested denying Mr. Myers' Report and Recommendation, and to propose a Board Order imposing an indefinite suspension.

Executive Director Ms. Niekamp explained to the Board Mr. Lewis' attempts to secure a funding source to pay restitution to consumers. To date, Mr. Lewis has not been successful.

There was discussion between Mr. Wasko and Ms. Betzer about methods of protecting consumers from fraud. Ideas shared were trusts, bonds, and insurances carried by the funeral director or funeral home to solely safeguard consumers from financial loss. A victim fund was also suggested.



## Applications for Individual Licenses

*Initial licenses to be granted May. 14, 2013:*

On a motion by Mr. Robert Carter, and seconded by Ms. Linda Betzer, the Board voted to approve the following applications for license: *Ayes: 7, Nays: 0, Motion passed.*

License #	Name	City	Effective Date
EMB009536 A FD009600	Carte, Jordan E.	Sandusky	05/14/13
EMB009537 A FD009601	Seeley, Kurt A	Lima	05/14/13
FD009602	Snider, Abby J.	Dayton	05/14/13
DUAL008030	Spring, Russell H.*	Blacklick	05/14/13
DUAL006183	Colbert, Annison J.*	Xenia	05/14/13
FD008146	Jones, Pernel Jr. *	Cleveland	05/14/13
DUAL009344	Lewis, Megan S. *	Willard	05/14/13

\* The Asterisk is to denote those who are renewing due to a lapsed license

## No Motion Items

*The following individuals were issued registration numbers during April 2013:*

Registration #	Name	City	Effective Date
EMB000476 FD000721	Kelly, Cheryl	Monroe	04/25/13
FD000719	Meehan, Jennifer	Toledo	04/12/13
EMB00477 FD00722	Morabith, Catherine	Parma	04/25/13
EMB00478 FD00723	Mosti, Jared	Steubenville	04/25/13
EMB00475 FD00720	Sauer, Jessica	Reynoldsburg	04/12/13

## No Motion Items

*The following individuals certified an apprenticeship during the month of April 2013:*

Regis #	Name	FH Name	City	Effective Date
FD00705	Cooper, Katie	Fares J. Radel FH	Cincinnati	04/09/13
FD00714	Geisman, Amy	Busch Funeral Home	Fairview Pk	04/08/13
EMB00477 FD00722	Morabith, Catherine	Malloy-Esposito Memorial	Cleveland	04/25/13
FD00719	Meehan, Jennifer	Sujkowski FH Northpointe	Toledo	04/23/13
EMB00438 FD00667	Wilson, Kathryn	Jardine Funeral Home	Strongsville	04/29/13

## Applications for Facility Licenses

### *Existing Facility – change of location and/or ownership effective May. 14, 2013:*

On a motion by Mr. Robert Carter, and seconded by Mr. Greg Boyer, the Board voted to approve the following applications for license: *Ayes: 6, Nays: 0, Motion passed. Mr. Marsh not present for vote.*

License #	Firm Title	Location	Inspection
003299	Swart & Wolfe FH	West Carrollton	

### *New facility/new building – consideration & approval of paperwork:*

On a motion by Mr. Robert Wasko, and seconded by Mr. Greg Boyer, the Board voted to deny the following applications for license per 4717.06 (B) (3): *Roll Call Vote; Ayes: 2, Nays: 0, Motion passed.*

Firm Title	Location	County
East Lawn Roberts FH& Cremation Ctr.	Marietta	Washington

### *Name changes:*

On a motion by Mr. Robert Carter, and seconded by Ms. Linda Betzer, the Board voted to approve the following name changes: *Ayes: 2, Nays: 0, Motion passed.*

License #	Current Name	New Name	County
003271	Mueller Parker FH Inc.	Mueller Funeral Home	Warren
000146	Lakewood Crematory	Malloy Memorial Crematory	Cuyahoga

## No Motion Items

### *Change the manager and/or AIC/UR:*

License #	Facility Name	Licensee by Last Name	Type	County
FH002426	Bauknecht-Altmeier FH	Schenk, Ronald A.	Mgr	Belmont
FH003113	Keller-Ochs-Koch-Mason FH	Chudzinski, Julie A.	Mgr	Sandusky
FH003120	Snyder-Wesche FH	Reno, Sandra	Mgr	Henry

*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
FH003298	Walker Funeral Home	Cincinnati	04/29/13

## Points of Clarification – Item #1

*Follow-Up to items discussed at April 2013 meeting of the Board:*

### **Apprentice for Fares J. Radel Funeral Home and Crematory**

Mr. Radel previously submitted a letter asking the board to allow an apprentice to work out of two facilities (at one facility for the funeral directing portion of the apprenticeship and a different location for the embalming portion).

The attached letter clarifies the location of the two facilities.

On a motion by Mr. Robert Wasko, and seconded by Mr. Thomas Fleming, the Board voted to approve the request for an apprentice to work under two Masters at two facilities:  
*Ayes: 6, Nays: 1 (Ms. Williams-Briggs), Motion passed.*

### *Board Meeting notations:*

There was Board discussion on Master to Apprentice ratios.

Ms. Williams-Briggs shared an opinion of disapproval for a Master to oversee more than one Apprentice at a time.

## Points of Clarification – Item #2

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

### **Apprenticeship Registration for *Mr. Unknown\****

*Mr. Unknown\** has previously submitted a registration for apprenticeship. In the background information submitted to the board there were numerous items of concern.

The attached letter from *Mr. Unknown\** is his response to our request for further information regarding the charges on his background check.

Should you choose to allow him to be registered, there is no action required by the board. However, if are going to deny his request for registration you will need to pass the following motion:

On a motion by Mr. Thomas Fleming, and seconded by Mr. Robert Carter, the Board voted to deny the request for apprenticeship registration per 4717.14 (A) (2) and 4717.14 (A) (4), and offered the opportunity for a hearing:

ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko	X			
Ty Marsh	X			
Linda Betzer	X			
Pamela Williams-Briggs	X			
Robert Carter	X			
Thomas Fleming	X			
Greg Boyer	X			

The motion *passed* with a vote of 7 to 0.

*Board Meeting notations:*

There was Board discussion on details of charges stated in submitted background check.

There was Board discussion with Board Counsel Mr. Patterson on Chapter 4717 statutes of Ohio Revised Code.

## Points of Clarification – Item #3

### Reinstatement of Dudley J. Murphy's Funeral Directors License (FD007685)

Mr. Murphy was found guilty of Gross Sexual Imposition (F4) on February 25, 2009, the court imposed a sentence of community control sanctions under the general control and supervision of the probation department for a period of four (4) years.

At the September 19-20, 2011, meeting of the Board the renewal application of Mr. Murphy's funeral directors license was denied. The Board order included a provision for Mr. Murphy to be able to make application for the 2013-2014 period when/if he had satisfied all conditions of his criminal sentence. The Board would then have the authority to review the facts and circumstances submitted, and then based on the Board's authority, Mr. Murphy's application may or may not be approved.

Mr. Murphy has provided documentation to support he has met all conditions of his criminal sentence, and has made application to the Board for reinstatement of his funeral directors license.

On a motion by Mr. Thomas Fleming, and seconded by Mr. Greg Boyer, the Board voted to deny the reinstatement of Dudley J. Murphy's (Lyndhurst, OH) funeral directors license per 4717.05 (A) (2):

ROLL CALL VOTE				
MEMBER	AYE/YES	NAY/NO	PRESENT	ABSTAINED
Robert Wasko	X			
Ty Marsh	X			
Linda Betzer	X			
Pamela Williams-Briggs	X			
Robert Carter	X			
Thomas Fleming	X			
Greg Boyer	X			

The motion *passed* with a vote of 7 to 0.

#### *Board Meeting notations:*

There was Board discussion on details of prior denial of licensure from the Board as a result of Court decision.

Mr. Marsh suggested a letter of explanation from the Board be offered to applicant.





State of Ohio  
Board of Embalmers and Funeral Directors

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### *Facility Inspections*

Board Inspectors Mr. Eric Anderson and Mr. Troy Seehase submitted reports for the month of April 2013.

Executive Director Ms. Niekamp requested each Board member and each Board staff to be available after today's meeting for a photograph. These photos will be used for a presentation during OFDA Convention. Those who wished to submit a photo instead, were welcomed to do so.

On a motion by Ms. Linda Betzer, and seconded by Mr. Greg Boyer, the Board voted to approve a recess of the May 2013 meeting of the Board: *Ayes: 7, Nays: 0, Motion passed.*

The Board recessed at 3:44 p.m.

The separate meetings of the Education Committee and the Operations Committee commenced immediately following the recession of the May 2013 meeting of the Board.





## State of Ohio Board of Embalmers and Funeral Directors

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### *Reconvening of the Board*

The Board of Embalmers and Funeral Directors reconvened in regular session on Wednesday, May 15, 2013, in the 31<sup>st</sup> Floor Boardroom of the Riffe Center located at 77 South High Street, Columbus, Ohio. Board President Ms. Pamela Williams-Briggs called the meeting to order at 9:04 a.m. Other Board members in attendance were Mr. Robert Wasko, Mr. Ty Marsh, Ms. Linda Betzer, Mr. Robert Carter, Mr. Thomas Fleming and Mr. Greg Boyer. Board staff members present were Executive Director Ms. Vanessa Niekamp, Inspectors Mr. Eric Anderson and Mr. Troy Seehase, Office Personnel Ms. Linda Clark, Mr. Danny Finrock, and Mr. Jarrod Williams. Also attending was Board Counsel, Assistant Attorneys General Mr. James Patterson and Ms. Carla Dowling- Fitzpatrick.

Executive Director Ms. Niekamp introduced new Board Office Staff Intern Ms. Allyson Stought. There was a questions and answers session between the Board and Ms. Stought.

### *Education Committee Report*

#### *Continuing Education*

Mr. Carter presented the listings of programs for continuing education.



State of Ohio Board of Embalmers and Funeral Directors  
 May 14-15, 2013 Board Meeting  
 Prior Approval Group

Program Date	Sponsor Name	Location	Course Name	Contact	Phone	Hours	Review Date
1/9/2013	CREMATION ASSOCIATION OF NORTH AMERICA	Birmingham, AL	Crematory Operators Certification Program	Nanette Haase	(312) 245-1077	6	5/15/2013
2/5/2013	CREMATION ASSOCIATION OF NORTH AMERICA	Las Vegas, NV	Crematory Operators Certification Program	Nanette Haase	(312) 245-1077	6	5/15/2013
4/29/2013	CUYAHOGA FUNERAL DIRECTORS ASSOCIATION	Cleveland, Ohio	Advanced Care Directives	Cuyahoga Funeral Directors Association	440-728-0003	3	5/15/2013
5/10/2013	CREMATION ASSOCIATION OF NORTH AMERICA	Charleston, SC	Crematory Operators Certification Program	Nanette Haase	(312) 245-1077	6	5/15/2013
5/15/2013	BAXTER BURIAL VAULT SERVICE	Cincinnati, Ohio	Innovations in Burial Vaults	Jane Minges	513-641-1010	2	5/15/2013
5/15/2013	REGULATORY SUPPORT SERVICES, INC	Cincinnati, Ohio	Annual OSHA Training: Singing the Regulatory Tune	Twila Dickerson	804-784-7347	3	5/15/2013
5/29/2013	AURORA CASKET COMPANY	Saint Joseph, MI	Lifetimes - A Balanced Funeral Arrangement	Aurora Casket Company	812-926-5662	6	5/15/2013
5/29/2013	REGULATORY SUPPORT SERVICES, INC	Ravenswood, WV	Annual OSHA Training: Singing the Regulatory Tune	Twila Dickerson	804-784-7347	3	5/15/2013
5/30/2013	AURORA CASKET COMPANY	Saint Joseph, MI	Lifetimes - A Balanced Funeral Arrangement	Aurora Casket Company	812-926-5662	6	5/15/2013
6/6/2013	Ohio Funeral Directors Association #15	Niles, Ohio	Use of Professional Service Venues	Tom Rossi	330-720-2518	2	5/15/2013
6/7/2013	CINCINNATI COLLEGE OF MORTUARY SCIENCE	Cincinnati, Ohio	Funeral Services Co-op, CCMS 5th Quarter	Cincinnati College of Mortuary Science	513-618-1928	4	5/15/2013
6/11/2013	OHIO FUNERAL DIRECTORS ASSOC DISTRICT #7	Findlay, Ohio	OFDA District 7 Educational Conference	Ohio Funeral Directors Assoc Dist #7	419-306-6040	10	5/15/2013
6/11/2013	TRI-COUNTY FUNERAL DIRECTORS ASSOC - DISTRICT 19	Mentor, Ohio	County Coroner's Office Update	Tri-County Funeral Directors Assoc - District 19	440-942-1122	2	5/15/2013
6/12/2013	TRI-COUNTY FUNERAL DIRECTORS ASSOCIATION	Washington CH, Ohio	Hardy Monument	Susan Littleton Kempner	937-584-2431	2	5/15/2013
6/13/2013	OHIO FUNERAL DIRECTORS ASSOCIATION #11	Goshen, Ohio	Servicing Families and Enhancing Revenue	Tim King	513-722-2430 x2	2	5/15/2013
6/18/2013	WESTERN PENNSYLVANIA FUNERAL DIRECTORS ASSOCIATION	Erie, PA	Bio Cremation	Western Pennsylvania Funeral Directors Association	814-755-3511	2	5/15/2013
6/18/2013	WESTERN PENNSYLVANIA FUNERAL DIRECTORS ASSOCIATION	Erie, PA	Customization, Unlimited Choices for Families	Western Pennsylvania Funeral Directors Association	814-755-3511	1	5/15/2013
6/18/2013	WESTERN PENNSYLVANIA FUNERAL DIRECTORS ASSOCIATION	Erie, PA	Technology and Social Media	Western Pennsylvania Funeral Directors Association	814-755-3511	2	5/15/2013
6/19/2013	WESTERN PENNSYLVANIA FUNERAL DIRECTORS ASSOCIATION	Erie, PA	Cremation Liability	Western Pennsylvania Funeral Directors Association	814-755-3511	1	5/15/2013
6/19/2013	WESTERN PENNSYLVANIA FUNERAL DIRECTORS ASSOCIATION	Erie, PA	Can the Best Embalmers, Still Learn Something	Western Pennsylvania Funeral Directors Association	814-755-3511	2	5/15/2013

State of Ohio Board of Embalmers and Funeral Directors  
 May 14-15, 2013 Board Meeting  
 Prior Approval Group

Program Date	Sponsor Name	Location	Course Name	Contact	Phone	Hours	Review Date
6/20/2013	NATIONAL FUNERAL DIRECTORS ASSOCIATION	Online	Business Management Part 2: Improving Your Profitability	Kathleen Walczak	262-228-6332	1	5/15/2013
10/19/2013	CREMATION ASSOCIATION OF NORTH AMERICA	Austin, TX	Crematory Operators Certification Program	Nanette Haase	(312) 245-1077	6	5/15/2013
12/2/2013	KATES-BOYLSTON PUBLICATIONS	New Orleans, LA	3rd Annual Cremation Strategies Conference	Kates-Boylston Publications	732-730-2586	6	5/15/2013
12/3/2013	KATES-BOYLSTON PUBLICATIONS	New Orleans, LA	8th Annual Funeral Service Business Plan Conference	Kates-Boylston Publications	732-730-2586	12	5/15/2013

On a motion by Mr. Greg Boyer, and seconded by Mr. Thomas Fleming, the Board voted to approve the following Prior Approval Group. Ayes: Z. Nays: 0. Motion passed.

	A	B	C	D	E	F	G
1	STATE OF OHIO BOARD OF EMBALMERS AND FUNERAL DIRECTORS						
2	May 14-15, 2013 BOARD MEETING						
3	INDIVIDUAL APPROVAL GROUP						
4							
5	<b>Name</b>	<b>Location</b>	<b>Course Number</b>	<b>Course Name</b>	<b>Hours</b>	<b>Program Date</b>	<b>Review Date</b>
6	Hogenkamp, Chad R	Winter Park, FL	130424gräv	2013 FCCFA Maintenance Expo	6	4/24/2013	5/15/2013
7							
8							
9							
10	On a motion by <u>Mr. Greg Boyer</u> , seconded by <u>Ms. Linda Betzer</u> , the Board voted to approve the following individual Approval Group. Ayes: <u>Z. Noys: 0. Motion passed.</u>						
11							



State of Ohio Board of Embalmers and Funeral Directors  
**Continuing Education**  
**May 2013**

## Applications for Exemption for 50 Years of Licensure

On a motion by Mr. Greg Boyer, and seconded by Ms. Linda Betzer, the Board voted to approve the following license a Fifty Years Exemption from continuing education requirements:

Licensee	License Number(s)	First Issued
Anison J Colbert	<b>006183</b>	11/24/1959

The motion *passed* with a vote of 7 to 0.





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## *Operations Committee Report*

Ms. Williams-Briggs presented topics of discussion during the Operations Committee held Tuesday, May 14, 2013 immediately following the regular May 2013 meeting of the Board.

Those topics included:

There was the announcement of Executive Director Ms. Vanessa Niekamp's intention to run a campaign seeking a seat to Pickerington School Board.

There was discussion on a possible reconfiguration of the Board office workstations.

There was discussion on Apprentice Interview scheduling. A committee of Board members will review and revise scheduling concerns.

There was discussion on migrating from paper materials to electronic materials used during Board Meetings. There was committee consensus on the idea that a paperless working environment is appealing and worthy of consideration by the Board.

There was Board discussion on the migration to usage of electronic devices for this Board.

Ms. Niekamp advised on electronic devices. The costs attributed to electronic devices could be balanced by the elimination of costs associated to producing, printing, copying, distributing, and retaining documents. The Board instructed Ms. Niekamp to proceed with purchasing tablets to be used at meeting of the board.

There was discussion on a victims fund for preneed fraud.

## *Executive Director's Report*

Executive Director Ms. Niekamp presented the Executive Report for the month of April 2013.

There was discussion between the Board and Executive Director Ms. Niekamp on her testimony provided to the Ohio Senate, April 23, 2013. Ms. Niekamp answered Board questions about the proposed language regarding the one-thousand dollar limit for reinstatement of lapsed licensure.

There was discussion between the Board and Ms. Niekamp on the remaining funds of State Fiscal Year 2013 Budget. The Board expressed concern with not using the payroll funds remaining from the position that has been vacant since December 2012. The Board instructed Ms. Niekamp to purchase workstations from the Ohio Prison Industries with the remaining funds.



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Executive Director Ms. Niekamp asked for a Board member volunteer to represent the Board at the Master Training Seminar presented by OFDA, scheduled for Tuesday, May 28, 2013. Mr. Carter accepted the responsibility to represent the Board and speak at the seminar.

### *Executive Session*

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to go into Executive Session to consider the compensation of a public employee. *Roll Call Vote: Ayes: 7, Nays: 0, Motion passed.*

The Board entered Executive Session at 9:42 a.m.

**Note:** *All attendees in the Boardroom of the 31<sup>st</sup> Floor, who were not Board members, were instructed to exit the meeting room. No minutes of the Executive Session were recorded. A member of the Board was responsible to notify attendees to return upon completion of Executive Session.*

The Board ended Executive Session and reconvened the May 2013 meeting of the Board at 10:36 a.m.

On a motion by Mr. Robert Wasko, and seconded by Mr. Greg Boyer, the Board voted to adjourn the May 2013 meeting of the Board: *Ayes: 7, Nays: 0, Motion passed.*

The May 2013 meeting of the Board adjourned at 10:37 a.m.