



State of Ohio  
**Board of Embalmers and Funeral Directors**

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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 Monday, August 19, 2013, in the 31<sup>st</sup> Floor Boardroom of the Riffe Center located at 77 South High Street, Columbus, Ohio. Board President Robert Carter called the meeting to order at 1:05 p.m. Other board members in attendance were Mr. Robert Wasko, Mr. Ty Marsh, Ms. Linda Betzer, Mrs. Pamela Williams-Briggs, and Mr. Thomas Fleming. Board staff members present were Executive Director Vanessa Niekamp, Inspectors Eric Anderson and Troy Seehase, Office personnel Linda Clark, Danny Finrock, and Jarrod Williams. Also attending was Assistant Attorney General Carla Dowling-Fitzpatrick, board counsel.

### *Reading and Consideration of the Minutes*

President Robert Carter asked for reading and consideration of the July 2013 meeting of the Board Minutes.

*Note: Mr. Ty Marsh exited the meeting.*

Ms. Linda Betzer, Mrs. Pamela Williams-Briggs, and Mrs. Linda Clark recommended corrections to the minutes.

On a motion by Ms. Linda Betzer, and seconded by Mrs. Pamela Williams-Briggs, the Board voted to approve the July 2013 meeting of the Board Minutes with recommended corrections. *Ayes: 5, Nays: 0; Motion passed.*

## *Persons before the Board*

President Robert Carter offered greetings and welcomed all in attendance. Mr. Carter 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.

Mr. Rusty B. Garrett appeared before the Board seeking a reciprocal license. Mr. Garrett currently holds credentials from the state of Oklahoma. He is a graduate of the Cincinnati College of Mortuary Science. Mr. Garrett earned his bachelor's degree, and will soon complete studies to receive a MBA degree, from the University of Central Oklahoma.

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

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to approve reciprocal licensure pending receipt of all applicable documentation to the Board office.

*Ayes: 5, Nays: 0; Motion passed.*

*Note: Mr. Ty Marsh returned to meeting.*

Mr. Duane A. Romanski appeared before the Board seeking a reciprocal license. Mr. Romanski currently holds credentials from the state of Michigan. He is employed as a manager with Newcomer Funeral Home of Toledo.

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

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to approve reciprocal licensure pending receipt of all applicable documentation to the Board office.

*Ayes: 6, Nays: 0; Motion passed.*

Mr. Scott H. Willison appeared before the Board seeking a reciprocal license. Mr. Willison currently holds credentials from the state of Indiana. He is employed with Columbus Trade and Livery as an embalmer. He is a graduate of the Cincinnati College of Mortuary Science.

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

On a motion by Mrs. Pamela Williams-Briggs, and seconded by Mr. Thomas Fleming, the Board voted to approve reciprocal licensure pending receipt of all applicable documentation to the Board office.

*Ayes: 6, Nays: 0; Motion passed.*

*Licensure of Facilities*

## Applications for Facility Licenses

***Existing Facility – change of location and/or ownership effective Aug. 19, 2013:***

On a motion by Mr. Ty Marsh, and seconded by Mrs. Pamela Williams-Briggs, the Board voted to approve the following applications for license: *Ayes: 6, Nays: 0; Motion passed.*

License #	Firm Title	Location	Inspection
FH-003311	Frederick Funeral Home	Cincinnati	10/25/12

***New facility/new building (Crematory) – consideration & approval of paperwork:***

Mr. Robert Wasko raised question regarding Groff (second on list below) having “Funeral Homes” in their title. Following discussion by the board, all were in agreement to the following:

- ***If a licensed funeral home wanted to add a crematory to an existing licensed facility, they could license the crematory with “Funeral Home” in their title. However, a funeral home that does not have a crematory at the existing facility, may not list “Crematory” in the title of the funeral home.***

On a motion by Mrs. Pamela Williams-Briggs, and seconded by Mr. Thomas Fleming, the Board voted to approve the following applications for license: *Ayes: 6, Nays: 0; Motion passed.*

Firm Title	Location	County
Bogner Crematory	N Ridgeville	Lorain
Groff Funeral Homes & Crematory	Sandusky	Erie
Northern Ohio Cremation Svcs.	Vermillion	Erie
Patron Cremation Service	Morristown	Belmont

***Name changes:***

On a motion by Ms. Linda Betzer, and seconded by Mrs. Pamela Williams-Briggs, the Board voted to approve the following name change: *Ayes: 6, Nays: 0; Motion passed.*

License #	Current Name	New Name	County
003278	Wellman-Kinzer FH	Wellman-Kinzer & Godorhazy FH	Pickaway

The board discussed the use of the term “Memorial Center”.

On a motion by Ms. Linda Betzer, and seconded by Mrs. Pamela Williams-Briggs, the Board voted to approve the following name change: *Ayes: 4, Nays: 2 (Betzer, Marsh); Motion passed.*

License #	Current Name	New Name	County
003239	Rodman-Snyder FS	Rodman-Snyder Memorial Center	Franklin

## No Motion Items

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

License #	Facility Name	Licensee by Last Name	Type	County
FH-003191	Brubach-Watters FH	Watters, Bruce	Mgr.	Noble
FH-007375	Hadley Funeral Home	Hadley, Barbara L.	Aic	Washington
FH-001822	Hall-Jordan & Pretty FH	Jordan Jr., Donald	Mgr/Aic	Butler
FH-002662	Jack Monreal-Coyne FH	Coyne, Michael	Mgr/Aic	Lake
FH-003112	Kauber Sammons FH	Craig, Jeffrey	Mgr	Licking
FH-002460	Newcomer Funeral Home	Bruns, Lisa	Mgr	Montgomery
FH-002603	Oberlin-Turnbull FH	Turnbull, Thomas	Mgr	DeFiance
FH-003281	Oberlin-Turnbull FH	Turnbull, Thomas	Mgr/Aic	Williams
FH-003035	Sibley-Murray LLC	Williams, Eric J.	Mgr/Aic	Trumbull
FH-002912	Smith Rose & Brown FH	Jackson, James	Mgr	Montgomery
FH-003124	Tobias Funeral Home	Vanderhorst, Andrew	Mgr.	Greene

*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
003310	McCall Funeral Home	Cincinnati	07/22/13

## Applications for Individual Licenses

*Initial licenses to be granted Aug. 19, 2013:*

On a motion by Mrs. Pamela Williams-Briggs, and seconded by Mr. Ty Marsh, the Board voted to approve the following applications for license: *Ayes: 6, Nays: 0; Motion passed.*

License #	Name	City	Effective Date
Fd-009611	Cook, Jill V.	Elyria	08/19/13
Emb-009545 R Fd-009612	Frank, Kendall	Rockford	08/19/13
Emb-009546 A Fd-009613	Mason, Allyson R.	Toledo	08/19/13
Emb-009547 A Fd-009614	Vinnedge II, John W.	Hamilton	08/19/13

## No Motion Items

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

Registration #	Name	City	Effective Date
Emb-0497 Fd-0746	Fichter, Carli J.	Shelby	07/24/13
Emb-0488 Fd-0736	Harrison, Paula F.	Kettering	07/12/13
Fd-0737	Hazelbaker, Tammy L.	Otway	07/12/13
Emb-0496 Fd-0745	Kennard, Kirk A.	Worthington	07/24/13
Fd-0747	Lopresti, Christina M.	Aurora	07/30/13
Emb-0489 Fd-0738	O'Brien, Tyler J.	Sylvania	07/12/13
Emb-0490 Fd-0739	Paver, Cody M.	Kimbolton	07/12/13
Emb-0491 Fd-0740	Pierre, Nickolas D.	Amelia	07/12/13
Emb-0492 Fd-0741	Precht, Michael J.	Toledo	07/12/13
Emb-0495 Fd-0744	Snapp, Lucas E.	DeGraff	07/24/13
Emb-0493 Fd-0742	Speth, Christian A.	Cleveland	07/12/13
Emb-0494 Fd-0743	Tassey, Rachel I.	Niles	07/12/13

## No Motion Items

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

Regis #	Name	FH Name	City	Effective Date
Emb-0485 Fd-0733	Bressert, Heather C.	Brater-Winter FH	Harrison	07/01/13
Emb-0488 Fd-0736	Harrison, Paula F.	Routsong Funeral Home	Kettering	07/12/13
Emb-0487 Fd-0735	Janes, Kristin R.	Given-Dawson FH	Coshocton	07/01/13
Emb-0496 Fd-0745	Kennard, Kirk A.	Schoedinger FH	Worthington	07/29/13
Emb-0489 Fd-0738	O'Brien, Tyler J.	Reeb Funeral Home	Sylvania	07/12/13
Emb-0491 Fd-0740	Pierre, Nickolas D.	EC Nurre Funeral Home	Amelia	07/22/13
Emb-0492 Fd-0741	Precht, Michael J.	Urbanski Funeral Home	Toledo	07/12/13
Emb-0493 Fd-0742	Speth, Christian A.	Chambers Funeral Home	Cleveland	07/23/13

## Inspectors Reports

Time period	start:	7/14/2013		end:	8/10/2013		Board Meeting	19-Aug-2013		FY2014				
<i>Board Meeting</i>		JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Year total
mileage		2,773	2,891											5,664
apprentices		0	6											6
Not Available		2												2
<i>Inspections - Annual</i>														
Crem Fac	60	1	3											completed 4 remaining 56
Emb Fac	2	0	0											0 2
FH	620	37	29											66 554
<b>Total</b>	<b>682</b>													<b>0 682</b>
<i>Inspections - Follow-up</i>														
Crem Fac		0	0	0	0	0	0	0	0	0	0	0	0	completed 0
Emb Fac		0	0	0	0	0	0	0	0	0	0	0	0	0
FH		0	0	0	0	0	0	0	0	0	0	0	0	0
<b>Total</b>			0	0	0	0	0	0	0	0	0	0	0	<b>0</b>
<i>Inspections - New Facility</i>														
Crem Fac		0	0	0		0	0		0	0				completed 0
Emb Fac		0	0	0	0	0	0	0	0	0	0	0	0	0
FH		1	0	0	0	0			0	0			0	1
<b>Total</b>		<b>1</b>	0	0	0	0	0	0	0	0	0	0	0	<b>1</b>
Investigations		14	32											46
Violations		1	0	0	0	0			0				0	1
Bd meetings	days	2	1											3
Bd office	days	1	1											1
Hearings	days													0
Training	days													0
There are twenty-six pay periods each Fiscal Year.														
Inspectors submit one travel expense report every pay period [two weeks.]														
This Inspector's report covers two 2-week expense report periods prior to Board Meeting.														
Twice each Fiscal Year, the report covers three 2-week expense report periods.														
Apprentices = number of apprentices the inspector talked with during a facility inspection.														
Inspections - number of facilities inspected, number may include times when facility is not opened or no one is present.														
Investigations = number of tasks; interviews with consumers/licensees, procurement of court records/death certificates, meeting with other state/law enforcement agencies, etc.														
Violations - number of violations noted on inspection reports.														
Board meeting = number of days spent in Board Meeting.														
Board Office = number of days spent in Board Office for AAG/Inspectors meetings, review of complaints, hearings, etc.														
Training = number of days spent in class/training														

**FUN - Inspector Monthly Report**

**Report Parameters**  
**Board = FUN**  
**FUN - Inspector = ANDERSON**  
**From 07/10/2013 to 08/13/2013**

**Report generated on 8/13/2013 at 8:29:59 AM**

Inspection Date	Credential Number	Name	County	Contact	Reason	Comments
20130710	FH 002780	LANE FAMILY FHS, ROBERTS-CLARK CHAPEL	Trumbull	Barry Lamer	Annual Inspection	In Compliance
20130729	FH 001771	DEAN S FUNERAL HOME	Mahoning	Richard Dean	Annual Inspection/Complaint Investigation	In Compliance
20130729	FH 003220	GEDNETZ-RUZEK FH	Mahoning	Christopher Brown	Annual Inspection	Monitored Apprentice Christine Brown In Compliance
20130730	FH 002591	REED FUNERAL HOME INC	Stark	Elizabeth Reed	Annual Inspection	Monitored Apprentices Rebecca Reed and Brandi Smith In Compliance
20130730	FH 002938	ATKINSON-FEUCHT-HARE FHS	Stark	Michael Bachtel	Annual Inspection	Monitored Apprentice Michael Bachtel In Compliance
20130730	FH 003055	DON WILLIAMS FH	Stark	Don Williams	Annual Inspection	In Compliance
20130731	FH 002157	GUERRIERO FUNERAL HOME INC	Ashtabula	Terry Guerriero	Annual Inspection	Monitored Apprentice Micheline Guerriero In Compliance
20130731	FH 000033	MARCY FUNERAL HOME INC	Ashtabula	Robert Marcy	Annual Inspection	In Compliance
20130731	FH 001810	RAISIAN FUNERAL HOME	Ashtabula	Joe Raisian	Annual Inspection	In Compliance
20130731	FH 002838	FLEMING & BILLMAN F DIRECTORS INC	Ashtabula	Robert Billman	Annual Inspection	In Compliance
20130731	FH 002850	CZUP FH	Ashtabula	Robert Billman	Annual Inspection	In Compliance
20130731	FH 003217	CHILDS-WILLIAMS FH	Ashtabula	No one available	Annual Inspection	
20130731	FH 003241	THOMPSON-SMITH-NESBITT FH	Ashtabula	Stephanie Nesbitt	Annual Inspection	In Compliance
20130801	FH 001689	POTTI LAKESIDE CHAPEL	Ashtabula	Ruth Potti	Annual Inspection	In Compliance
20130801	FH 001998	C A WALKER FH INC	Ashtabula	Cora Walker	Annual Inspection	In Compliance
20130801	FH 002557	ZABACK-WILLIAMS-DUCRO FH	Ashtabula	JP Ducro IV	Annual Inspection	In Compliance
20130801	CREM 000043	FAMILY CARE GROUP CREMATION CENTER	Ashtabula	Kay Ann Brabender	Annual Inspection	In Compliance
20130801	FH 000028	DUCRO FUNERAL SERVICES	Ashtabula	JP Ducro IV	Annual Inspection	In Compliance
20130801	FH 002839	FLEMING & BILLMAN F DIRECTORS INC	Ashtabula	unlocked/walk ed thru	Annual Inspection	In Compliance
20130801	FH 002837	FLEMING & BILLMAN F DIRECTORS INC	Ashtabula	Kay Ann Brabender	Annual Inspection	In Compliance
20130801	FH 003162	THE BEHM FAMILY FHS INC	Ashtabula	Trevor Behm	Annual Inspection	Remode of Holding room will email photos to inspector when completed
20130801	CREM 000148	ASHTABULA COUNTY CREM SVC	Ashtabula	JP Ducro IV	Annual Inspection	In Compliance
20130806	FH 002468	SCHLABACH FUNERAL HOME	Wayne	Sheldon Schlabach	Annual Inspection	In Compliance
20130806	FH 001753	ALEXANDER FUNERAL HOME	Holmes	Jamie Alexander	Annual Inspection	In Compliance
20130806	FH 003018	SMITH-VARNS FH	Tuscarawas	Cindy Varnes	Annual Inspection	In Compliance
20130807	FH 001075	JAMES FUNERAL HOME INC	Trumbull	Ryan James	Annual Inspection	In Compliance

20130806	FH 001753	ALEXANDER FUNERAL HOME	Holmes	Jamie Alexander	Annual Inspection	In Compliance
20130806	FH 003018	SMITH-VARNS FH	Tuscarawas	Cindy Varnes	Annual Inspection	In Compliance
20130807	FH 001075	JAMES FUNERAL HOME INC	Trumbull	Ryan James	Annual Inspection	In Compliance
20130807	FH 002575	BERNARD P BOROWSKI MEMORIAL HOME	Trumbull	No one available	Annual Inspection	
20130807	FH 002915	STATON-BOROWSKI FH	Trumbull	No one available	Annual Inspection	
20130807	FH 002922	STERLING-MCCULLOUGH WILLIAMS FH	Trumbull	Arch Blair	Annual Inspection	In Compliance
20130807	FH 003035	SIBLEY-MURRAY-FEREBEE FH	Trumbull	No one available	Annual Inspection	
20130808	FH 001626	KIRILA FUNERAL HOME INC	Mahoning	Anthony Quahliero Jr	Annual Inspection	In Compliance
20130808	FH 000737	DAVIDSON-BECKER	Mahoning	Courtney Tamulonis	Annual Inspection	In Compliance Monitored apprentice Courtney Tamulonis
20130808	CREM 000144	WESTERN RESERVE CREM SVC	Mahoning	Courtney Tamulonis	Annual Inspection	In Compliance

Time period	start:	7/12/2013		end:	8/9/2013		Board Meeting						19-Aug-2013		FY 2014
Board Meeting	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Year total		
mileage	2,158	3,057											5,215		
apprentices	3	1											4		
not available		2													
<i>Inspections - Annual</i>													<i>completed</i>	<i>remaining</i>	
Crem Fac	60	7	7										14	46	
Emb Fac	2												0	2	
FH	547	51	38										89	458	
Total	609	58	45	0	0	0	0	0	0	0	0	0	103	506	
<i>Inspections - Follow-up</i>													<i>completed</i>		
Crem Fac	0												0		
Emb Fac	0												0		
FH	0												0		
Total	0	0	0	0	0	0	0	0	0	0	0	0	0	0	
<i>Inspections - New Facility</i>													<i>completed</i>		
Crem Fac	0												0		
Emb Fac	0												0		
FH	0	1											1		
Total	0	1	0	0	0	0	0	0	0	0	0	0	1		
Investigations	5	8											0	13	
Violations	2	3												5	
Bd meetings	days	2	1											3	
Bd office	days	1	1											2	
Hearings	days													0	
Training	days													0	

There are twenty-six pay periods each Fiscal Year.

Inspectors submit one travel expense report every pay period [two weeks.]

This Inspector's report covers two 2-week expense report periods prior to Board Meeting.

Twice each Fiscal Year, the report covers three 2-week expense report periods.

Apprentices = number of apprentices the inspector talked with during a facility inspection.

Inspections - number of facilities inspected, number may include times when facility is not opened or no one is present.

Investigations = number of tasks; interviews with consumers/licensees, procurement of court records/death certificates, meeting with other state/law enforcement agencies, etc.

Violations - number of violations noted on inspection reports.

Board meeting = number of days spent in Board Meeting.

Board Office = number of days spent in Board Office for AAG/Inspectors meetings, review of complaints, hearings, etc.

Training = number of days spent in class/training

**FUN - Inspector Monthly Report**

**Report Parameters**

Board = FUN  
 FUN - Inspector = Seehase  
 From 07/12/2013 to 08/09/2013

Inspection Date	Credential Number	Name	County	Contact	Reason	Comments
20130712	CREM 000096	MIAMI VALLEY CREMATORY	Montgomery	Brett Robinson	Annual Inspection	In Compliance
20130712	FH 001807	LORITTS-NEILSON FUNERAL HOME	Montgomery	Ernest Neilson III	Annual Inspection	In Compliance
20130712	FH 002638	JAMES K THOMAS CORP DBA THOMAS FH	Montgomery	Charlene Stevens	Annual Inspection	In Compliance
20130712	FH 002656	BAKER-HAZEL & SNIDER FH	Montgomery	Lucinda M. Fraley	Annual Inspection	In Compliance
20130722	FH 003310	MCCALL FH	Hamilton	Ed McCall, Jr.	Initial Inspection	In Compliance
20130722	FH 000940	HILL FUNERAL HOME	Ross	Dale E. Hill	Annual Inspection	In Compliance
20130722	FH 002465	HALLER FUNERAL HOME LLC	Ross	Benny L. Haller	Annual Inspection	In Compliance
20130723	CREM 000093	OHIO CREMATORY	Franklin	Mark Pfeifer	Annual Inspection	In Compliance
20130723	CREM 000122	NEWCOMER CR	Franklin	Eric C. Bonified	Annual Inspection	In Compliance
20130723	FH 002308	DWAYNE R SPENCE FUNERAL HOME	Franklin	Jeff Seaman	Annual Inspection	In Compliance
20130723	FH 002398	COTNER FUNERAL HOME	Franklin	Funeral in Progress	Annual Inspection	
20130723	FH 002563	CALIMAN FUNERAL SERVICES	Franklin	J. Richard Caliman	Annual Inspection	In Compliance
20130723	FH 002744	NEWCOMER FUNERAL HOME	Franklin	Eric C Bonified	Annual Inspection	In Compliance
20130723	FH 002825	PFEIFER FUNERAL HOME	Franklin	Mark Pfeifer	Annual Inspection	In Compliance
20130726	FH 003151	BOWMAN & YOUNG FH	Montgomery	K A. Young	Annual Inspection	In Compliance
20130729	CREM 000035	CENTRAL OHIO CREMATION SERVICE	Franklin	Don Jones	Annual Inspection	In Compliance
20130729	FH 000399	RUTHERFORD-CORBIN FUNERAL HOME INC	Franklin	Don Jones	Annual Inspection	In Compliance
20130729	FH 000401	RUTHERFORD FUNERAL HOME INC	Franklin	Scott E. Zinn	Annual Inspection	In Compliance
20130729	FH 000417	WEIR-AREND FUNERAL DIRECTORS INC	Franklin	G. Scott Smith	Annual Inspection	In Compliance
20130729	FH 001843	SCHOEDINGER WORTHINGTON CHAPEL	Franklin	Eldon J. Sheffer	Annual Inspection	In Compliance
20130729	FH 003239	RODMAN-SNYDER FS	Franklin	Cindy Elliott	Annual Inspection	2 Violations--Manager License and Name
20130730	FH 001305	WYLIE-THOMPSON FUNERAL HOME	Highland	No One Available	Annual Inspection	
20130730	FH 002450	BOYER FUNERAL HOME INC	Pike	Gregory D. Boyer	Annual Inspection	In Compliance
20130730	FH 002732	HOWE WHEELER BOYER HORNBACK	Pike	Jeremy D. Kent	Annual Inspection	In Compliance
20130730	FH 000942	WARE FUNERAL HOME LLC	Ross	Greg May	Annual Inspection	In Compliance
20130730	FH 001706	FAWCETT-OLIVER-GLASS & PALMER FH	Ross	Terry L. Palmer	Annual Inspection	In Compliance
20130801	CREM 000112	WOODLAND CEMETERY & ARBORETUM CREM	Montgomery	Rufus Slade	Annual Inspection	In Compliance
20130801	FH 002094	KINDRED FUNERAL HOME	Montgomery	Scott Rolfes	Annual Inspection	In Compliance
20130801	FH 002734	MARKER & HELLER FUNERAL HOMES INC	Montgomery	No One Available	Annual Inspection	

20130801	CREM 000112	WOODLAND CEMETERY & ARBORETUM CREM	Montgomery	Rufus Slade	Annual Inspection	In Compliance
20130801	FH 002094	KINDRED FUNERAL HOME	Montgomery	Scott Rolfes	Annual Inspection	In Compliance
20130801	FH 002734	MARKER & HELLER FUNERAL HOMES INC	Montgomery	No One Available	Annual Inspection	
20130801	FH 002987	HARRIS FH	Montgomery	J. Harris	Annual Inspection	In Compliance
20130801	FH 003121	TOBIAS FH	Montgomery	Fred Huelsman	Annual Inspection	In Compliance
20130802	FH 000161	MARK A SCHNEIDER FUNERAL HOME	Crawford	Jackie Smith	Annual Inspection	In Compliance
20130802	FH 001240	MARK A SCHNEIDER FUNERAL HOME	Crawford	Al Sisson	Annual Inspection	In Compliance
20130806	FH 000400	RUTHERFORD-SHROYER FUNERAL HOME INC FRANKLINTO	Franklin	Nathaniel C. Shane, IV	Annual Inspection	In Compliance
20130806	FH 000419	DIEHL-WHITTAKER FUNERAL SERVICE INC	Franklin	Arlene J. Lawrence	Annual Inspection	In Compliance
20130806	FH 001722	O R WOODYARD CO	Franklin	Kaleb Swinehart	Annual Inspection	In Compliance
20130806	FH 001723	O R WOODYARD CO	Franklin	Michael Lyme	Annual Inspection	In Compliance
20130806	FH 002753	WOODYARD EAST CHAPEL	Franklin	Kaleb Swinehart	Annual Inspection	1 Violation--Emergency Light
20130806	FH 002827	MYERS WOODYARD FUNERAL HOME	Franklin	Kaleb Swinehart	Annual Inspection	In Compliance
20130808	CREM 000136	TIDD CREM	Franklin	Dana Tidd	Annual Inspection	In Compliance
20130808	FH 000416	TIDD FUNERAL HOME	Franklin	Dana Tidd	Annual Inspection	In Compliance
20130808	FH 002373	FRANK E HILL FUNERAL HOME INC	Franklin	Frank Hill, Jr.	Annual Inspection	In Compliance
20130808	FH 002607	MORELAND FH	Franklin	Timothy W. Moreland	Annual Inspection	In Compliance
20130809	CREM 000083	NEWCOMER CR	Montgomery	Laura Wilder	Annual Inspection	In Compliance
20130809	FH 002418	NEWCOMER FH	Montgomery	Laura Wilder	Annual Inspection	In Compliance Monitored Apprentice Aaron Cook
20130809	FH 003122	TOBIAS FH	Montgomery	Dan K. Tobias	Annual Inspection	In Compliance

*Compliance*

**Recommendation to Close**

**COMPLIANCE MOTION # 1**

On a motion by Mr. Ty Marsh, and seconded by Mrs. Pamela Williams-Briggs, the Board voted to close the following investigatory files:

Issue	DATE RECEIVED	ALLEGED VIOLATION	CONCLUSION	ACTION
1306096	6/18/2013	<p>FH Bill, Unprofessional Conduct, Cremation</p> <p>Complaint: Dispute over the billing and payment towards the bill. Did not understand the paperwork presented by the FH. Did not understand embalming was being authorized. Wanted an indigent burial. FH staff members were rude and unprofessional.</p>	<p>Initial letters were issued on 6/19/2013. The FH response was received 7/12/2013, from the FH attorney after V. Niekamp extended the deadline. With the response were copies of the authorization for embalming and the statement of goods and services and other documents. Inspector Seehase made contact with the FH. There is a signed copy of the cremation authorization. There was some delay in the death certificate being filed. The DOD was 5/6/2013, and the death certificate is dated 6/10/2013. This was explained by a change being required due to the decision to cremate and waiting for the physician to sign. The consumer did meet, at one point, with an unlicensed person at the FH, but there was an FD also involved. The Inspector determined, however, that the consumer was not negatively impacted.</p>	Recommend Closure
1306097	6/26/2013	<p>Cremation Authorization- Complainant alleges FH allowed the mother of the deceased to make arrangements for cremation when there are two adult children who had legal authority. The complaint was filed by the father of the two adult children.</p>	<p>Initial letters went out 6/30/2013. The FH's response was due 7/14/2013. The response was received on 7/23/2013. Inspector E. Anderson contacted the FD. The FD was not aware of the adult children until the complaint was filed. All of the paperwork he had, including a Vital Statistics sheet, stated the mother of the deceased was the next of kin. A portion of the cost of the cremation was paid by the local city and the rest by the mother of the deceased. The inspector contacted the mother of the deceased who reported</p>	Recommend Closure

			that she was happy with the services provided. The complainant has not responded to phone messages left by E. Anderson. No violation was identified.	
1400001	7/9/2013	Statement of Goods and Services, Funeral Bill, Death Certificate The complaint stated that the FH staff was impatient. They were unwilling to provide detailed explanations about all items in the complaint.	Initial letters were mailed on 7/29/2013. The FH response was due on 8/12/2013, and was received 8/9/2013. Inspector Seehase spoke with the complainant on 8/1/2013. She had received a copy of the death certificate and the funeral bill the day before. She indicated that she was satisfied with this resolution. No violation identified.	Recommend Closure

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 (ABSENT)				

The motion passed with a vote of 6 to 0.

# Compliance

## Charged Case Status Update

CASE	DATE CHARGED	RESPONDENT	CHARGED VIOLATION	LAW/RULE	Next Step	Status
1303086	4/15/2013	Gerald Polk	An unlicensed individual is in violation of 4717.13(A)(1)		This is connected to 1301081. Board motion 4/15/2013 to request the Ohio Attorney General's Office to seek an injunction against an unlicensed individual for a violation of 4717.13(A)(1) 5/6/2013-still pending AG decision 6/3/2013-still pending. 8/5/2013 MIT meeting review - The AAG originally working on this should get something to AAG Carla Dowling-Fitzpatrick this week.	Injunction Pending
1204075	4/16/2012	ALAN ORR	UNPROFESSIONAL/CLOSED FH	4717.14(A)(4)	3/4/13- AAG working on settlement to be completed next week. Will surrender license. 6/27/2013- not yet signed. 8/5/2013-Settlement has been signed. Close once Board signatures are completed.	Settlement Pending
1309027	9/26/2012	CALHOUN FS LLC	UNPROFESSIONAL IMMORAL OR UNPROFESSIONAL CONDUCT-THE FD AND FH STAFF WERE AWARE THAT THE PERSON SIGNING THE AUTHORIZATION FORM FOR CREMATION AND MAKING THE ARRANGEMENTS WAS NOT THE CLOSEST RELATIVE. THE AUTHORIZATION FORM WAS FILLED OUT INCORRECTLY.	4717.14(A)(4), 4717.24(A)(17)	Compliance Motion #22 Voted on 2/12/2013 to charge with Option #1-An opportunity for hearing. Request for hearing received 03/13/13. Hearing scheduled for 10:00 a.m. Friday, April 19, 2013.4/9/2013- Attorney for Mr. Calhoun is requesting a short continuance. The hearing has been rescheduled for May 10, 2013. Discussion at MIT meeting about the possibility of a settlement if Mr. Calhoun will admit guilt. 5/6/2013- AAG stated the parties are still far apart on a settlement. Hearing rescheduled for July 8, 2013. Settlement completed 7/17/2013. \$5,000.00 fine by FH, and no fine to be paid by Mr. Calhoun. Due by 8/16/2013 or FH license suspension. 8/5/2013-Agreement signed. Close once payment is received.	Settlement Agreement
1304087	4/15/2013	Roger Littleton (FD)	This individual purchased the funeral home from a family member and has failed to apply for a new license.	4717.13(A)(5), 717-12-01(A)(6)	Compliance motion 4/15/2013-Order to pay forfeiture of \$2,500.00. Charge order 4/15/2013. Forfeiture due 5/17/2013.Hearing request on 4/23/2013. Hearing scheduled for 7/9/2013. 6/3/2013 review-AAG will contact FD. 8/5/2013-Pending Board signatures. \$2,500.00 due within 30 days after that.	Settlement Pending
1307008	Forfeiture or hearing request due back 1/24/2013	Jack Monreal- Laumer FH	Firm-Title Compliance		Hearing scheduled for 7/9/2013. The hearing has been cancelled as a settlement is pending 06/27/13. 8/5/2013-Settlement amount paid. Close once Board signatures obtained on settlement agreement.	Settlement Pending
1306099	5/14/2013	Dudley Murphy	Refuse to reinstate	4717.05 (A), 4717.14(A)(2)(4)	Denied reinstatement based on less than 5 years elapsed, and background information provided. Hearing scheduled for 12:30 a.m. 07/31/13. Submitted documentation by email. Hearing held. He did not attend.	R and R Pending
1302054	4/15/2013	Charles E. Watson and FH	Complainant states that her mother made periodic payments totaling \$3,100.00 to this funeral home as part of a preneed arrangement. When the mother passed away, arrangements were handled by another funeral home. The funeral home has not responded to a number of attempts by the family to contact it. The family is requesting a refund of the money.	4717.14(A)(4), 717-8-01 and 4717.14(A)(4), 4717-8-01-failed to return funds to the family as requested	Compliance motion 4/15/2013 to offer an opportunity for a hearing. Charge order. Hearing request due 5/17/2013.Investigation Report to be prepared for Goldman Hearing-6/3/2013 MIT Meeting Report of investigation completed 6/17/2013. Hearing scheduled for 07/31/13. As of 8/5/2013-\$3,000.00 settlement agreement being drafted. Did not file notice of appeal.	Settlement Pending

1305091	5/14/2013	Foos FH	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.	4717.06(B)(1), 4717.14(A)(4)- 4717.13-01 (C)	Compliance motion 5/14/2013- two violations with a \$300.00 forfeiture on each. Charge letter prepared. Objection and request for hearing received 6/13/2013-Report of investigation to be prepared and hearing scheduled. 7/5/2013-Report of investigation completed and provided to AAG on 7/1/2013. As of 7/5/2013 status changed to "Settlement Pending" status per VN. 7/26/2013- Forfeiture paid. Agreement not yet returned. AAG following up. 8/5/2013-Settlement has returned-close once Board signatures are complete.	Settlement Pending
1303081	4/15/2013	Timothy Werner	Location of body unknown. Investigation being conducted by Board personnel. T Werner is not operating out of a licensed FH that he is associated with, but using their names for the obituary and death cert.	4717.13(A)(5),4 717.04(A)(9)(d), 4717.14(A)(8),4 717.14(A)(4)- 4717-8-01 abandonment of a body,	Compliance motion 4/15/2013- Clear and convincing evidence that continued practice presents a danger of immediate and serious harm to the public. Charge order. Hearing request due 5/17/2013The PD and EMB licenses immediately suspended. 5/6/2013-AAG reported Mr. Werner is in South Dakota. Wants a hearing. AAG will coordinate document exchange and submission to Hearing Officer for decision. Mr. Werner has recently had a disorderly conduct. On 5/10/2013, a hearing was scheduled for 7/8/2013. 7/1/2013 MIT Meeting-hearing will be a paper hearing. Additional information submitted by several people and uploaded to e-license within past few days-to be sent on to Hearing Officer-7/22/2013. 8/5/2013-R and R not back. Will not be time to allow notice and objection period before August Board meeting.	Pending R & R September meeting
1311097	11/7/2012	JERRY SPEARS-FH AND FD	IMMORAL OR UNPROFESSIONAL CONDUCT-THE FUNERAL HOME DELAYED FUNERAL SERVICES DUE TO NEGLIGENCE IN ORDERING THE VAULT	4717.14(A)(4)	Compliance Motion #24-Voted 2/12/2013 to charge Option #2-An order to Pay Forfeiture of \$7,500.00. Hearing scheduled for 11:00 a.m. Friday, April 19, 2013.Hearing held. R and R to be prepared.5/6/2013-Spears wants to settle and pay forfeiture. Will consider settlement including hearing related expenses. Board order adopting R& R mailed 7/22/2013. Forfeiture due 8/23/2013.	Board Order
1310091	1/15/2013	PATRICIA WILLS, J.W. WILL CO/House of WILLS	Unprofessional - failure to respond to investigation.	4717.14(a)(4) 4717-8-01(G)	Funeral home response due 10/18/2012, but never received. Board charged and issued a forfeiture of \$5,000 at JAN2013 meeting. Forfeiture is due back on 02/18/13. Response dated 2/19/2013, requesting extension of time to pay fine to at least 60 days. 3/4/13- Discussion at MIT meeting- AAG in conversation with FH atty- will try to consolidate both charges into one hearing. Reference to "Goldman Hearing"-Office has no authority to grant an extension. Goldman Hearing Scheduled for 9:00 a.m. Friday, April 19, 2013. R and R received and mailed at FH on 06/28/13. Objections due back 07/10/13. Board order adopting R and R mailed 7/22/2013.	Board Order

	10/3/2013		IMMORAL OR UNPROFESSIONAL CONDUCT-THE FUNERAL DIRECTOR AND FUNERAL HOME HAVE FAILED TO RESPOND TO CONSUMER	4717.14(A)(4)	Compliance Motion #23- Voted 2/12/2013 to Charge Option #2- An Order to Pay Forfeiture of \$10,000.00 each- FH and FD for a total of \$20,000.00. Response to order dated 2/19/2013- request for extension of time to pay the original forfeiture of \$5000.00. No response to this charge., 3/4/13- AAG will try to consolidate both charges into one hearing. In conversation with Attorney for FH. Goldman Hearing Scheduled for 9:00 a.m. Friday, April 19, 2013. R and R received and mailed at FH on 06/28/13. Objections due back 07/10/13.	
1310034	11/13/2012	ROBERT A LEWIS	UNPROFESSIONAL/PRENEED	4717.14(A)(4)	Hearing set for 02/08/2013. Had hearing waiting on R&R R and R issued 3/12/13. Copies sent out certified mail 3/25/13. Will be considered at April Board meeting. 4/8/2013- no objections received. 5/6/2013-No objection-May agenda The Board voted on May 14, 2013 to approve the R&R. Letter issued- 17 days to appeal. Review 6/4/2013-has until 6/15/2013 to pay forfeiture. License subject to suspension if not paid. 7/1/2013-MIT Meeting-payment not yet received. VN will contact Mr. Lewis' attorney-suspension of license on 7/8 if no payment by 7/5. Lewis FH and Robert Lewis licenses suspended for 6 months as of 7/15/2013. Board order on 7/15/2013 to suspend new license fo Lewis FH.	Suspended
1201050	10/15/2012		UNPROFESSIONAL	4717.14(A)(4)	Hearing set for 02/08/2013. Continued at McDermott's request.	Hearing scheduled for 1:00 p.m. to 3:00 p.m. on Friday, April 19, 2013. 4/8/2013-AAG will try to meet with Mr. McDermott's attorney to see what can be stipulated prior to the hearings. We still need an R&R for the Board. Hearing held. R and R to be prepared. 5/6/2013- Transcript has been completed. 6/3/2013 review R and R to permanently revoke licenses of FH and staff. Board item for June meeting. The Board voted on 6/17/2013 to affirm the R and R. Board order prepared and issued. 7/1/2013-MIT Meeting. VN has been notified that a Notice of Appeal will be filed in Trumbull County. Mr. McDermott is trying to sell FH. 7/23/2013- Received copy of appeal to be filed in court. Notice from Trumbull County Common Pleas Court- Hearing 8/9/2013. 8/5/2013- MIT review-next step is for VN and AAG to attend hearing -"appearance contra to stay".
1205082	10/15/2012		UNPROFESSIONAL/PRENEED	4717.14(A)(4)	Hearing set for 02/08/2013. Continued at McDermott's request.	
1311036	11/13/2012		UNPROFESSIONAL/PRENEED	4717.14(A)(4)	Hearing set for 02/08/2013. Continued at McDermott's request.	
1104091	6/20/2011		UNPROFESSIONAL/PRENEED	4717.14(A)(4)	FD license suspension began 8/18/12. AAG working on settlement	
1208008	11/14/2011					
1209021						
1302073	2/13/2013	IMMORAL OR UNPROFESSIONAL CONDUCT- MISAPPROPRIATION BY A FUNERAL DIRECTOR FD'S LEGAL COUNSEL PROVIDED A LIST OF 58 INDIVIDUALS FOR A TOTAL OF \$195,112.64.	4717.14(A)(4)	Compliance Motion #26- Voted 2/13/2013 to charge with Option #1- An opportunity for hearing The FD's license is already indefinitely suspended. There are five pending Administrative Hearings.		
1301051	3/18/2013	ROBERT P. McDERMOTT, FD AND FH	Misappropriation of preneed funds and failure to report on 2012 preneed report	4717.14(A)(4)(F), 4717.10(A)	Board voted 3/18/2013 to charge with an opportunity for a hearing on both charges. See 1302073	

1302053	7/15/2013	Joseph Nero	4717.13(A)(5) Operate a funeral home without a license to operate the funeral home issued by the board under this chapter. Specifically, the Blessing Cremation Center is licensed as a crematory only.	4717.13(A)(5)	Board voted 7/15/2013 to charge with a \$1,000.00 forfeiture. Board charge order mailed 7/22/2013. Forfeiture due 8/23/2013. 8/5/2013 MIT review- Has contacted AAG and may contest.	Board Order
1305093	7/15/2013	Calhoun FS and William Byron Calhoun	4717.14 (A)(5) Knowingly permitting an unlicensed person, other than a person serving an apprenticeship, to engage in the profession or business of embalming or funeral directing under the licensee's supervision.	4717.14(A)(5)	Board voted 7/15/2013 to charge with a forfeiture of \$2,500.00. Charge order mailed 7/22/2013. Forfeiture due 8/23/2013	Board Order

	DATE RECEIVED	ALLEGED VIOLATION	COMMENTS	Next Step
1201053	1/18/2012	PreNeed	PreNeed misappropriation.	June 3, 2013 - Inspector Anderson will contact the local prosecutor to try to get BCI actively involved. Reviewed at MIT meeting. E. Anderson to continue to pursue. He and V. Niekamp may go to FH together if BCI will not go. 7/1/2013-MIT Meeting update-E. Anderson and V. Niekamp will travel to the FH 7/10/2013 to begin on-site investigation. Reviewed at MIT meeting on 8/5/2013. Investigation ongoing.
1400002	7/25/2013	Unprofessional Conduct related to Statement of Goods and Services and Cremation Authorization, pacemaker removal and urn selection. Also issue with cremation delay.	FH staff impatient and unwilling to provide detailed explanations about all items in the complaint.	Initial letters 7/29/2013. Response due 8/12/2013. Response received 8/9/2013. To be reviewed for followup by Inspector and discussed at next MIT meeting on 9/9/2013.
1400003	7/24/2013	Preneed	Insurance is less than contracted amount for goods and services. FD state he pre-purchased caskets with the balance.	Initial letters 7/30/2013. Response due 8/13/2013. 8/5/2013 MIT meeting-initial letters not yet mailed pending receipt of a formal complaint. Formal complaint received 8/5/2013. Letters mailed. Response due 8/19/2013.

*Continuing Education Audit*

*\*On motions denoted with an asterisk (\*), the names and identifying information were 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 Mrs. Pamela Williams-Briggs, and seconded by Ms. Linda Betzer, the Board voted to *suspend* the following one (1) licensee\*; per ORC 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 (ABSENT)				

The motion passed with a vote of 6 to 0.

***Details: 4717-9-01 (K) - 4717-9-01 (M) (2)***

The licensee (1) lives in another state and also holds a license in another state and only completed the other states continuing education requirements and wants the other states continuing education credits to be applied to Ohio’s continuing education audit for the compliance period ending December 31, 2012. Licensee (1) did not complete an Ohio continuing education application for the continuing education credits in question.

1. **8831\*** *Deane A. Senn*

*Board meeting notations:*

President Carter requested a recess of the meeting for fifteen minutes.

***The August 2013 meeting of the Board recessed at 3:00 p.m.***

***The August 2013 meeting of the Board reconvened at 3:13 p.m.***

On a motion by Mr. Robert Wasko, and seconded by Mrs. Pamela Williams-Briggs, the Board voted to *suspend* the following one (1) licensee\*; per ORC 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 (ABSENT)				
Linda Betzer	X			
Pamela Williams-Briggs	X			
Robert Carter	X			
Thomas Fleming	X			
Greg Boyer (ABSENT)				

The motion passed with a vote of 5 to 0.

***Details: 4717-9-01 (H) - 4717-9-01 (M) (2)***

The licensee (1) completed over half of the required continuing education hours online for the continuing education audit for the compliance period ending December 31, 2012. This is more than allowed, which then shortened the amount of CE hours for the period to less than the requirement.

1. **9203\*** *Joy D. Mooney*

*Note: Mr. Ty Marsh exited meeting.*

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to charge the following seven (7) licensees\*;

*With a violation of:* ORC 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 (1stOffense)  
 [licensee may request hearing instead]  
 (4717-12-01(A) (2) (a) \$500 min – \$5,000 max)

Amount of forfeiture imposed: \$1,500.00

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

The motion passed with a vote of 5 to 0.

*Details:*

The following seven (7) licensees did not complete the entire required eighteen (18) credit hours by the dead line, December 31, 2012. The following seven (7) licensees did make up the hours after the dead line for the continuing education audit for the compliance period ending December 31, 2012.

1. **7959\*** *Ryton M. Wanton*
2. **8060\*** *Troy D. Christman*
3. **8520\*** *Jonathan C. Leavitt*
4. **9006\*** *Jeffrey A. Hay*
5. **9112\*** *Karen E. Eckerle*
6. **8649\*** *Samuel T. Kelsch*
7. **8345\*** *Brian J. Sheridan*

*Board meeting notations:*

President Robert Carter disagreed with imposed fine of \$1,500.00.

Note: Mr. Ty Marsh returned to meeting.

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to *suspend* the following four (4) licensees\*; per ORC 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 (ABSENT)				

The motion passed with a vote of 6 to 0.

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to charge the following four (4) licensees\*;

*With a violation of:* ORC 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 (1stOffense)  
 [licensee may request hearing instead]  
 (4717-12-01(A) (2) (a) \$500 min – \$5,000 max)

Amount of forfeiture imposed: \$2,000.00

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 (ABSENT)				

The motion passed with a vote of 6 to 0.

*Details:*

The following four (4) licensees did not complete the entire required eighteen (18) credit hours by the dead line, December 31, 2012, for the continuing education audit for the compliance period ending December 31, 2012. There has been no documentation provided to indicate they have made up any of these hours.

1. **8165\*** *Ronald D. Waybright*
2. **7610\*** *Jeffrey W. Heitger*
3. **6431\*** *Robert L. Breitenbach*
4. **7774\*** *Carleen A. Carlson*

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to *suspend* the following three (3) licensees\*; per ORC 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 (ABSENT)				

The motion passed with a vote of 6 to 0.

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to charge the following three (3) licensees\*;

*With a violation of:* ORC 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 (1stOffense)  
 [licensee may request hearing instead]  
 (4717-12-01(A) (2) (a) \$500 min – \$5,000 max)

Amount of forfeiture imposed: \$2,000.00

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 (ABSENT)				

The motion passed with a vote of 6 to 0.

***Details: 4717-9-01 (M) (1) (2)***

The following three (3) licensees misplaced their certificates of completion for the continuing education audit for the compliance period ending December 31, 2012.

1. **9029\*** *Richard A. Kaufhold*
2. **6774\*** *Donald F. McDonald*
3. **9266\*** *Matthew S. Milia*

***Board meeting notations;***

President Robert Carter questioned why licensees would declare they had completed the hours but could not support their claim with documents when licensees are aware of annual continuing education audit.

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to *suspend* the following two (2) licensees\*; per ORC 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 (ABSENT)				

The motion passed with a vote of 6 to 0.

On a motion by Mr. Robert Wasko, and seconded by Mrs. Pamela Williams-Briggs, the Board voted to charge the following two (2) licensees\*;

*With a violation of:* ORC 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 (1stOffense)  
 [licensee may request hearing instead]  
 (4717-12-01(A) (2) (a) \$500 min – \$5,000 max)

Amount of forfeiture imposed: \$2,500.00

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 (ABSENT)				

The motion passed with a vote of 6 to 0.

***Details: 4717-9-01 (M) (1) (2)***

The following two (2) licensees submitted expired certificates of completion, for the continuing education audit for the compliance period ending December 31, 2012. (Certificates submitted were from a previous compliance period)

1. **9233\*** *Jay J. Foster*
2. **8382\*** *David R. Deal*

On a motion by Mr. Robert Wasko, and seconded by Mr. Thomas Fleming, the Board voted to charge the following three (3) licensees\*;

*With a violation of:* ORC 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 (1stOffense)  
 [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 (ABSENT)				

The motion passed with a vote of 5 to 1 (Betzer).

*Details:*

The following three (3) licensees failed to respond to the request of the board, but they do have a current exemption or waiver. They are still required to submit a completed CE Audit Record form even if they do have a waiver or exemption. One of the questions on the form is “Are you on a waiver, exemption or 50-year exemption?” The form and rule does explain that they are required to respond.

1. **5422\*** *Danferd C. Avis*
2. **6657\*** *Christopher M. Holick*
3. **6990\*** *Michael J. Towning*

On a motion by Mr. Robert Wasko, and seconded by Mrs. Pamela Williams-Briggs, the Board voted to *suspend* the following six (6) licensees\*; per ORC 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 (ABSENT)				

The motion passed with a vote of 6 to 0.

On a motion by Mr. Robert Wasko, and seconded by Mrs. Pamela Williams-Briggs, the Board voted to charge the following six (6) licensees\*;

*With a violation of:* ORC 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 opportunity for Hearing

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: \$5,000.00

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 (ABSENT)			
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The motion passed with a vote of 6 to 0.

*Details:*

The following six (6) licensees failed to respond to the request of the board, and did not submit any of the required documents for the continuing education audit for the compliance period ending December 31, 2012; nor do they have a current exemption or waiver:

1. **9419\*** *Jennifer I. Span*
2. **7936\*** *Charles A. Davis*
3. **6682\*** *Robert J. Moreland*
4. **8835\*** *Walter Queen, Jr.*
5. **8682\*** *James H. Anderson*
6. **8380\*** *Patrick S. Morrow*

*Board meeting notations;*

Mr. Robert Wasko stated that a licensee's failure to respond displays a total disregard of the continuing education requirement.

Mr. Ty Marsh suggested the Board use the opportunity of speaking engagements to remind licensees of the requirement and annual audit.

*Preneed Audit*

**\*On motions denoted with an asterisk (\*), the names and identifying information were 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 Mr. Robert Wasko, and seconded by Mrs. Pamela Williams-Briggs, the Board voted to charge the following sixteen (16) funeral homes\*;

**With a violation of:** ORC 4717.14 (A)(4) The applicant or licensee has committed immoral or unprofessional conduct; specifically the licensee failed to respond to the annual preneed audit per ORC 4717.31 (I) Except as provided in division (K) of this section, a seller of a preneed funeral contract that is funded by insurance or otherwise annually shall submit to the board the reports the board requires pursuant to division (J) of this section. OAC 4717-10-01 (A) Unless exempt from compliance under section [4717.38](#) of the Revised Code or otherwise not required to file an annual report with the board pursuant to division (K) of section [4717.31](#) of the Revised Code, each year no later than the thirtieth day of March, a seller of preneed funeral contracts who is subject to sections [4717.31](#) to [4717.38](#) of the Revised Code shall file an annual report relating to all existing funded preneed contracts as of December thirty-first of the prior calendar year. The report shall be submitted on a form provided by the board and shall include, but not be limited to the following: (1) The name of the beneficiary of each trust account or insurance policy as of the thirty-first day of December; (2) An account or policy number for each trust account or insurance policy as of the thirty-first day of December; (3) The account balance of each trust account as of the thirty-first day of December; (4) Any activity on each trust account in the calendar year immediately preceding the thirty-first day of December; (5) Information indicating whether the trust funds in each trust account were invested in accordance with Chapter 1111. of the Revised Code in the calendar year immediately preceding the thirty-first day of December; (6) In the event that the trustee of the account is a natural person, evidence of the existence and amount of any corporate surety bond for each account as of the thirty-first day of December. (B) An affidavit certifying items in paragraphs (A)(1) to (A)(6) of this rule signed by the funeral director actually in charge of and ultimately responsible for the funeral home.

**And order:** Motion: An opportunity for 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 (ABSENT)				

The motion passed with a vote of 6 to 0.

*Details:*

The following sixteen (16) funeral homes failed to respond to the request of the board, and did not submit any of the required documents for the preneed audit for the compliance period ending December 31, 2012 as required per OAC 4717-10-01 unless subject to ORC 4717.31 (K) or ORC 4717.38 Construction of RC 4717.31 to 4717.38. Sections [4717.31](#) to 4717.38 of the Revised Code shall be construed as a limitation on the manner in which a person is permitted to accept funds in prepayment for funeral services to be performed in the future, or funeral goods to be used in connection with the funeral or final disposition of human remains, to the end that at all times members of the public may have an opportunity to arrange and pay for a funeral for themselves and their families in advance of need while at the same time providing all possible safeguards to ensure that prepaid funds cannot be dissipated, whether intentionally or not, but remain available for payment for funeral goods and funeral services in connection with the funeral or final disposition of dead human bodies. Sections [4717.31](#) to 4717.38 of the Revised Code do not apply to a seller if that seller is an established and legally cognizable church or denomination that is exempt from federal income taxation under section 501(c)(3) of the "Internal Revenue Code of 1986," 100 Stat. 2085, 26 U.S.C. 501, as amended, and the preneed funeral contract pertains to a cemetery owned and operated entirely and exclusively by the church or denomination, on the condition that the church or denomination adopts, on a voluntary basis, rules and other measures to safeguard and secure all funds received under any preneed funeral contract. Any money, insurance policies, annuities, or other items delivered in payment of a preneed funeral contract, and any funds held in trust pursuant to section [4717.36](#) of the Revised Code, are exempt from levy, attachment, or sale to satisfy a judgment or order.

1. FH001278\* *Bersticker-Scott Funeral Home*
2. FH003135\* *Catchen Family Funeral Home*
3. FH002850\* *Czup Funeral Home*
4. FH002287\* *Garland-Misencik Funeral Home*
5. FH002476\* *Howard-Rhoden Memorial Home*
6. FH002248\* *J.E. Humphrey Funeral Home*
7. FH002126\* *Jackman-Kercheval-Meyers Funeral Home*
8. FH003078\* *Kevin M. Coyne Funeral Service*
9. FH003025\* *Kirby Funeral Service*
10. FH002237\* *Moore Funeral Home*
11. FH002236\* *Moore Funeral Home*
12. FH002664\* *Novak Funeral Home*
13. FH002506\* *Schneider-Griffin Funeral Home*
14. FH002644\* *Schwartz, Spence, Boyer, & Cool Home for Funerals*
15. FH002639\* *Vensil-Chute Funeral Home*
16. FH003029\* *Williams, Gregory & Martin Funeral Service*

*Board meeting notations:*

President Robert Carter requested a motion to recess the August 2013 meeting of the Board.

On a motion by Mr. Thomas Fleming, seconded by Ms. Linda Betzer, the Board voted to recess the August 2013 meeting of the Board; Ayes: 6, Nays: 0; *Motion passed.*

The August 2013 meeting of the Board recessed at 4:17 p.m.



## 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  
E-Mail: [oh.emb.bd@funeral.ohio.gov](mailto:oh.emb.bd@funeral.ohio.gov) • Website: [www.funeral.ohio.gov](http://www.funeral.ohio.gov)

### *Reconvening of the Board*

The Board of Embalmers and Funeral Directors reconvened in regular session on Tuesday, August 20, 2013, in the 31<sup>st</sup> Floor Boardroom of the Riffe Center located at 77 South High Street, Columbus, Ohio. Board President Robert Carter called the meeting to order at 9:09 a.m. Other Board members in attendance were Mr. Robert Wasko, Mr. Ty Marsh, Ms. Linda Betzer, Mrs. Pamela Williams-Briggs, and Mr. Thomas Fleming. Board staff members present were Executive Director Vanessa Niekamp, Inspector Troy Seehase, Office personnel Danny Finrock, and Jarrod Williams. Also attending was Assistant Attorney General, James Patterson.

### *Operations Committee Report*

Executive Director Vanessa Niekamp presented the Operations Committee report.

The operations committee met Monday, August 19, 2013 and discussed the following topics:

1. Board staff cross-training of job responsibilities.
2. Intern Katherine Shipllett continuation of research of preneed related regulatory practices in other U.S. states and Canada.
3. E-Licensing system migration is behind schedule due to software development.
4. The board office anticipation of switching to the new VoIP telephone system in late September 2013.
5. Board website additions.
6. Communications with Ohio Department of Health; Office of Vital Statistics, on EDRS system.
7. The board office offering examinations as alternative to the Conference.
8. OFDA Masters Training scheduled September 18, 2013 at CCMS.  
-Mr. Thomas Fleming will be present on behalf of Board of Embalmers and Funeral Directors.
9. Update of Robert P. McDermott and the McDermott Memorial Home suspensions.

*Executive Director's Report*

*Budget/Fiscal Overview*

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SFY13 has ended. We will continue to receive invoices for SFY13 to be paid on the prior year encumbrances. This is the current overview of the SFY13 budget as of August 16, 2013:

SFY13	Budget	Expense	Encumbrance	Available Budget
510	\$29,155.00	\$24,330.63	\$3,677.50	\$1,146.87
520	\$158,299.54	\$151,521.32	\$4,209.40	\$1,504.51
530	\$85,394.71	\$44,546.94	\$40,847.35	\$0.42
595	\$1,090.00	\$1,090.00	\$0.00	\$0.00
500 - QTR1	\$121,929.46	\$121,929.46	\$0.00	\$0.00
500 - QTR2	\$111,100.55	\$111,100.55	\$0.00	\$0.00
500 - QTR3	\$121,264.74	\$121,264.74	\$0.00	\$0.00
500 - QTR4	\$108,531.00	\$105,567.00	\$0.00	\$2,964.00
<b>Budget</b>	<b>\$736,765.00</b>	<b>\$681,350.64</b>	<b>\$48,734.25</b>	<b>\$5,615.80</b>

We are currently in the first quarter of SFY14. The budget amounts do not include additional appropriation for the fee increases. This is the current overview of the SFY14 budget as of August 16, 2013:

SFY14	Budget	Expense	Encumbrance	Available Budget
510	\$45,000.00	\$1,065.00	\$36,335.00	\$7,600.00
520	\$172,000.00	\$9,702.91	\$86,531.27	\$75,765.82
530	\$5,000.00	\$371.50	\$0.00	\$4,628.50
595	\$1,000.00	\$0.00	\$0.00	\$1,000.00
500 - QTR1	\$138,000.00	\$59,194.81	\$0.00	\$78,805.19
500 - QTR2	\$119,000.00	\$0.00	\$0.00	\$119,000.00
500 - QTR3	\$138,000.00	\$0.00	\$0.00	\$138,000.00
500 - QTR4	\$119,000.00	\$0.00	\$0.00	\$119,000.00
<b>Budget</b>	<b>\$737,000.00</b>	<b>\$70,334.22</b>	<b>\$122,866.27</b>	<b>\$543,799.51</b>

Our disbursements from July 10, 2013, through August 16, 2013, are as follows:

Voucher ID	Vendor ID	Vendor Name	Accounting Date	Account	Budget YEAR	Voucher Distrib Amount
00001956	0000176739	STAPLES ADVANTAGE	07/30/2013	531101	2014	\$1,020.23
00001960	0000135786	MT BUSINESS TECHNOLOGIES INC	07/11/2013	526121	2014	\$95.00
00001961	0000043438	GREENE INC	07/11/2013	526105	2013	\$25.00
00001962	DAS01	DEPARTMENT OF ADMINISTRATIVE SERVICES	07/12/2013	529208	2013	\$309.58
00001963	DAS01	DEPARTMENT OF ADMINISTRATIVE SERVICES	07/12/2013	529208	2013	\$199.07
00001964	DAS01	DEPARTMENT OF ADMINISTRATIVE SERVICES	07/12/2013	529201	2013	\$1,217.65
00001965	DAS01	DEPARTMENT OF ADMINISTRATIVE SERVICES	07/12/2013	529201	2013	\$135.59
00001966	DAS01	DEPARTMENT OF ADMINISTRATIVE SERVICES	07/12/2013	529201	2013	\$125.75
00001967	0000135450	VERIZON WIRELESS	07/15/2013	524204	2013	\$302.32
00001968	0000207148	BARBARA A STAFFORD	07/29/2013	515503	2014	\$615.00
00001969	0000059468	BLAUGRUND HERBERT KESSLER MILLER MYERS	07/29/2013	515505	2013	\$817.00
00001970	0000059468	BLAUGRUND HERBERT KESSLER MILLER MYERS	07/29/2013	515505	2013	\$684.00
00001971	0000085744	INSIGHT PUBLIC SECTOR INC	07/29/2013	537400	2013	\$4,749.43
00001972	CSR01	CAPITOL SQUARE REVIEW &	07/29/2013	529201	2014	\$570.00
00001973	AUD01	AUDITOR OF STATE	07/29/2013	529201	2013	\$191.07
00001974	DAS01	DEPARTMENT OF ADMINISTRATIVE SERVICES	07/29/2013	529201	2014	\$5,703.12
00001975	DAS01	DEPARTMENT OF ADMINISTRATIVE SERVICES	07/29/2013	529201	2013	\$2.65
00001976	DAS01	DEPARTMENT OF ADMINISTRATIVE SERVICES	07/29/2013	529201	2013	\$2.34
00001977	DAS01	DEPARTMENT OF ADMINISTRATIVE SERVICES	07/29/2013	529201	2013	\$917.27
00001978	DAS01	DEPARTMENT OF ADMINISTRATIVE SERVICES	07/29/2013	529207	2013	\$17.91
00001979	DAS01	DEPARTMENT OF ADMINISTRATIVE SERVICES	07/29/2013	529207	2013	\$679.58
00001980	DAS01	DEPARTMENT OF ADMINISTRATIVE SERVICES	07/29/2013	529208	2013	\$306.07
00001981	DAS01	DEPARTMENT OF ADMINISTRATIVE SERVICES	07/29/2013	529208	2013	\$199.07
00001982	DAS01	DEPARTMENT OF ADMINISTRATIVE SERVICES	07/29/2013	529208	2013	\$612.00
00001983	0000126802	VANESSA A NIEKAMP	07/29/2013	521105	2014	\$21.34
00001984	0000043438	GREENE INC	07/29/2013	526105	2013	\$25.00
00001985	DAS01	DEPARTMENT OF ADMINISTRATIVE SERVICES	07/29/2013	529201	2013	\$8.96
00001987	OBM01	OFFICE OF BUDGET & MANAGEMENT	08/06/2013	529201	2013	\$551.25
00001988	0000135450	VERIZON WIRELESS	08/06/2013	524204	2013	\$198.92
	0000135450	VERIZON WIRELESS	08/06/2013	524204	2014	\$103.89
00001989	0000207148	BARBARA A STAFFORD	08/06/2013	515503	2014	\$450.00
00001990	DAS01	DEPARTMENT OF ADMINISTRATIVE SERVICES	08/07/2013	529208	2013	\$612.00
<b>Summary</b>						<b>\$21,468.06</b>

We currently have one individual on payment plan. This person is compliant with the approved payment schedule. All others are paid in full at this time.

### *Items of Interest*

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Robert McDermott filed for a stay of the revocation of his funeral directors license and his funeral home license with the Trumbull County Court. The Assistant Attorney General and I appeared before Judge Kontos during the hearing held on Friday, August 9, 2013. We are currently awaiting the judges' ruling.

The board office will be transitioning to a new Voice of IP phone system over the next couple of months. We may experience temporary interruptions to our phone service during this time.

### *Upcoming Events*

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Our next meeting will be in Columbus, Ohio, on Monday, September 16<sup>th</sup> and Tuesday, September 17<sup>th</sup>.

The 110<sup>th</sup> Annual Meeting of The Conference is scheduled for Tuesday, February 25 – 27, 2014, in Orlando, Florida. The first day of the convention is a New Board Member Training session. Registration is now open for this event.

#### *Board meeting notations:*

Executive Director Vanessa Niekamp presented the Executive Director's report.

There was discussion among the Board on the Annual Conference.

Director Niekamp presented copies of a letter from the Sibley-Murray-Wellington Funeral Home of Alliance, Ohio requesting a board member to present a lecture during a one day workshop hosted by the funeral home. *-It was decided Mrs. Pamela Williams-Briggs and Mr. Robert Wasko would attend.*

Director Niekamp presented copies of a letter from Attorney Scott Gilligan on screening consumer complaints. *–The Board agreed to review the letter and discuss at a later time.*

Director Niekamp presented copies of a letter from Mr. Kyle Sherwood on requesting permission to serve the embalming portion of apprenticeship under his father, Michael Sherwood, who is self-employed as a trade embalmer with masters training. *– On a motion by Mr. Robert Carter, and seconded by Ms. Linda Betzer, the Board voted to approve Kyle Sherwood's request; Ayes: 6, Nays: 0; Motion passed.*

### *Continuing Education*

Mr. Danny Finfrock presented the continuing education programs.

## Applications for Continuing Education

*Continuing Education Programs August 19, 2013:*

On a motion by Mrs. Williams-Briggs, and seconded by Mr. Thomas Fleming, the Board voted to approve the following applications for continuing education: Ayes: 6; Nays: 0; Motion passed.

Program Date	Sponsor Name	Hours	Location	Course Name	Contact	Phone
8/22/2013	Regulatory Support Services, Inc	3	Ripley, Wv	Annual OSHA Training "Singing the Regulatory Tune <b>"NOT APPROVED"</b>	Twila Dickerson	804-784-7347
8/19/2013	HOSPICE FOUNDATION OF AMERICA	3	Dayton, Ohio	Improving Care For Veterans Facing Illness and Death - Tobias	Kristen Nanjundaram	202-457-5811 x1005
8/20/2013	FUNERALCONTINUINGEDUCATION.COM	2	Online	Working with the Cemetery	Funeralcontinuingeducation.com	718-701-0385
8/20/2013	FUNERALCONTINUINGEDUCATION.COM	3	Online	Funeral Ethics and Best Practices	Funeralcontinuingeducation.com	718-701-0385
8/20/2013	NATIONAL FUNERAL DIRECTORS ASSOCIATION	4	Online	Online - Complying with OSHA's Most Cited Standards in Funeral Homes	Kathleen Walczak	262-228-6332
8/20/2013	NATIONAL FUNERAL DIRECTORS ASSOCIATION	2	Online	Online - Gaining Market Share through Exceptional Cremation Services	Kathleen Walczak	262-228-6332
8/20/2013	NATIONAL FUNERAL DIRECTORS ASSOCIATION	2	Online	Online - Minimize Your Funeral Home's Wage & Hour Liability Risk	Kathleen Walczak	262-228-6332
8/22/2013	FORESIGHT FAMILY FUNERAL HOMES	2	North Olmsted, Ohio	Communication: "Building and Sharing Your Numbers Dashboard	Donald B. Ferfolia, Jr	216-244-5680
8/28/2013	OFDA #2	2	Mansfield, Ohio	The Med Central Hospice Connection / Linking Directors	Ohio Funeral Directors Assoc Dist #2	419-522-5211
9/5/2013	OHIO FUNERAL DIRECTORS ASSOCIATION #15	2	Youngstown, Ohio	Veterans Burial Benefits & Family Assistance	OFDA #15	330-652-3511
9/9/2013	FUNERALDIRECTORCEUS.COM	18	Cleveland, Ohio	Funeral Bootcamp: Supercharging Your Website & Web Presence	Robin Heppell	250-744-3586
9/10/2013	OHIO FUNERAL DIRECTORS ASSOC DIST #12	3	Wheeling, WV	End of Life Decisions - Ethics	Randy A. Borkoski	740-942-3449
9/10/2013	OHIO FUNERAL DIRECTORS ASSOCIATION	2	Geneva, Ohio	OFDA Funeral Services Updates	Diana O'Neal	614-486-5339
9/10/2013	TRI-COUNTY FUNERAL DIRECTORS ASSOC. - DISTRICT 19	2	Geneva, Ohio	OFDA Officers Updates & Climbake	Mitchell W. Babcock	440-942-1122
9/11/2013	TRI-COUNTY FUNERAL DIRECTORS ASSOC	2	New Philadelphia, Ohio	Dr. Hubert, Tuscarawas County Coroner Updates	Robert L. Smith	330-852-2141
9/11/2013	TRI-COUNTY FUNERAL DIRECTORS ASSOCIATION	2	Washington Court House, Ohio	Funeral Customs from 1820 - 1930	Susan Littleton Kempner	937-584-2431
9/12/2013	BELL VAULT & MONUMENT INC.	2	Miamisburg, Ohio	Innovations in Burial Vaults	Bell Vault & Monument Inc.	937-866-2444

State of Ohio  
Board of Embalmers and Funeral Directors

Continuing Education

9/16/2013	FUNERAL DIRECTORS ASSOCIATION OF NW OHIO INC	2	Toledo, Ohio	"Moisture Considerations" and "British Funeral Customs and Burial Sites"	Carrie Neff	419-243-6281
9/17/2013	CORNERSTONE OF HOPE - COLUMBUS	1	Columbus, Ohio	Compassion Fatigue	Kristen Santiel	614-824-4285
9/17/2013	OHIO FUNERAL DIRECTORS ASSOCIATION	2	Goshen, Ohio	OFDA Funeral Service Updates; Legal Issues Updates	Diana O'Neal	614-486-5339
9/18/2013	OHIO FUNERAL DIRECTORS ASSOCIATION	6	Cincinnati, Ohio	Masters Training Seminar	Diana O'Neal	614-486-5339
9/19/2013	OHIO FUNERAL DIRECTORS ASSOC #16	2	Canton, Ohio	Opstate Taskforce of Stark County	Daniel T. Skivocicke	330-823-2159
9/20/2013	BAXTER BURIAL VAULT SERVICE	2	Cincinnati, Ohio	Innovations in Burial Vaults	Jane Minges	513-641-1010
9/21/2013	MKJ MARKETING	10	Las Vegas, NV	Preferred Funeral Directors International Fall 2013 Convention	MKJ Marketing	727-524-8100
9/24/2013	OHIO FUNERAL DIRECTORS ASSOCIATION	2	Plain City, Ohio	OFDA Funeral Service Updates; Legal Issues Update	Diana O'Neal	614-486-5339
9/25/2013	OFDA #2	2	Ashland, Ohio	Hospice of North Central Ohio / Care Home	Ohio Funeral Directors Assoc Dist #2	419-522-5211
9/25/2013	OHIO FUNERAL DIRECTORS ASSOCIATION	2	Lima, Ohio	OFDA Funeral Service Updates; Legal Issues Update	Diana O'Neal	614-486-5339
9/26/2013	NATIONAL FUNERAL DIRECTORS ASSOCIATION	1	Tele	Cremation Due Diligence is in Your Hands: Implementing Best Practices	Kathleen Walczak	265-228-6332
10/1/2013	AURORA CASKET COMPANY	6	Aurora, In	Lifelimes - A Balanced Funeral Arrangement	Aurora Casket Company	812-926-5662
10/2/2013	AURORA CASKET COMPANY	1	Aurora, In	The Aurora Casket Plant Tour	Aurora Casket Company	812-926-5662
10/2/2013	AURORA CASKET COMPANY	3	Aurora, In	Marketing Today 7 Tomorrow	Aurora Casket Company	812-926-5662
10/2/2013	OHIO FUNERAL DIRECTORS ASSOCIATION	2	Hamilton, Ohio	OFDA Funeral Service Updates: Legal Issues Update	Diana O'Neal	614-486-5339
10/6/2013	CINCINNATI EQUITABLE LIFE INS CO.	2	Cincinnati, Ohio	Cemeteries & Funeral Homes in England / The John Hunter Story	Cincinnati Equitable Life	800-621-1826
10/6/2013	CINCINNATI EQUITABLE LIFE INS CO.	2	Cincinnati, Ohio	Disaster Response - Joplin, Haiti and Sandy	Cincinnati Equitable Life	800-621-1826
10/6/2013	CINCINNATI EQUITABLE LIFE INS CO.	2	Cincinnati, Ohio	Effective Funeral Home Contact Tracking	Cincinnati Equitable Life	800-621-1826
10/6/2013	MINNICK SERVICES	4	Fort Wayne, IN	Meaningful Graveside Options For Your Families	Lynn Sroufe	260-432-5031
10/9/2013	INTERNATIONAL CEMETERY, CREMATION AND FUNERAL	10	Dana Point, Ca	ICCFA Fall Management Conference	Daniel Osorio	703-391-8400
10/10/2013	BELL VAULT & MONUMENT INC.	2	Miamisburg, Ohio	Innovations in Burial Vaults	Bell Vault & Monument Inc.	937-866-2444
10/15/2013	TRI-COUNTY FUNERAL DIRECTORS ASSOC - DISTRICT 19	2	Geneva, Ohio	Transitional Funeral Service	Mitchell W. Babcock	440-942-1122
10/17/2013	BAXTER BURIAL VAULT SERVICE	2	Cincinnati, Ohio	Innovations in Burial Vaults	Jane Minges	513-641-1010

State of Ohio  
Board of Embalmers and Funeral Directors

Continuing Education

10/17/2013	EMBALMERS ASSOCIATION OF CLEVELAND	3	Parma, Ohio	Pathology in the Prep Room & Autopsy Suite	Embalmers Association of Cleveland	440-842-0875
10/19/2013	INTERNATIONAL ORDER OF THE GOLDEN RULE	7	Austin, TX	2013 Fall Forum: Smart Choices Financial Success	Jessica A. Smith	800-637-8030 X.11C
10/22/2013	CORNERSTONE OF HOPE - COLUMBUS	1	Columbus, Ohio	Expressive Arts for Clinical Interventions	Kristen Santel	614-824-4285
10/28/2013	SIBLEY-MURRAY-WELLINGTON FUNERAL HOME	8	Youngstown, Ohio	One Day Continuing Education Workshop	Sibley-Murray-Wellington Funeral Home	(330) 821-5650
10/29/2013	CATHOLIC CEMETERIES ASSOCIATION	3	Cleveland, Ohio	Serving Families Together	Bonnie M. Bossela	216-885-5391
10/30/2013	OHIO FUNERAL DIRECTORS ASSOCIATION	2	Bellville, Ohio	OFDA Funeral Service Updates; Legal Issues Updates	Diana O'Neal	614-486-5339
11/14/2013	THE DODGE INSTITUTE	6	Las Vegas, NV	Embalming ~ The Challenges & The Rewards - Day 1	Debbie Dodge	800-443-6343
11/15/2013	THE DODGE INSTITUTE	3	Las Vegas, NV	Embalming ~ The Challenges & The Rewards - Day 1	Debbie Dodge	800-443-6343
11/18/2013	OHIO FUNERAL DIRECTORS ASSOCIATION	2	Toledo, Ohio	OFDA Funeral Services; Legal Issues Updates	Diana O'Neal	614-486-5339
11/19/2013	BELL VAULT & MONUMENT INC.	2	Miamisburg, Ohio	Innovations in Burial Vaults	Bell Vault & Monument Inc.	937-866-2444
11/19/2013	CORNERSTONE OF HOPE - COLUMBUS	1	Columbus, Ohio	School Crisis Response	Kristen Santel	614-824-4285
11/21/2013	OHIO FUNERAL DIRECTORS ASSOCIATION	2	Canton, Ohio	OFDA Funeral Services; Legal Issues Updates	Diana O'Neal	614-486-5339
12/3/2013	OHIO FUNERAL DIRECTORS ASSOCIATION	2	Kenwood, Ohio	OFDA Funeral Services; Legal Issues Updates	Diana O'Neal	614-486-5339
12/5/2013	BAXTER BURIAL VAULT SERVICE	2	Cincinnati, Ohio	Innovations in Burial Vaults	Jane Minges	513-541-1010

## Applications for Individual License Requesting Continuing Education

### *Continuing Education Programs August 19, 2013:*

On a motion by Mr. Thomas Fleming, and seconded by Mrs. Pamela Williams-Briggs, the Board voted to approve the following applications for continuing education: Ayes: 6, Nays: 0, Motion passes.

Name	Location	Course Name	Hours	Program Date
Strabler, James	Monroe, MI	Michigan EDRS Training	5	7/24/2013
Edwards, William Clair	Bowling Green, Ohio	Mass Fatalities Planning and Response for Rural Communities	8	8/9/2013
Heitger, Jeffrey W.	Myrtle Beach, South Carolina	* 2013 Sdales Leaders Convention "NOT APPROVED"	3	07/16-7/17/2013
Heitger, Catherine M.	Myrtle Beach, South Carolina	* 2013 Sdales Leaders Convention "NOT APPROVED"	3	07/16-7/17/2013

\* Not open to all Ohio licensees

*Board meeting notations:*

*Note: Mr. Ty Marsh exited meeting.*

Ms. Linda Betzer questioned Assistant Attorney General James Patterson on the status of the injunction case of Mr. Michael Henderson.

Mr. Patterson answered that he would need to defer to Assistant Attorney General Carla Dowling-Fitzpatrick for a response as she is proceeding with this case.

Mr. Robert Wasko stated that he will be contacting Susan Walker of the Ohio Attorney General's Office to address his concerns with the latest transition of counsel assignment to the Board of Embalmers and Funeral Directors if the injunctions are not resolved quickly.

Ms. Betzer questioned Mr. Patterson on the status of the injunction case of Mr. Gerald Polk.

Mr. Patterson replied that the case is still pending.

President Robert Carter asked Executive Director Niekamp if there were any additional items on the agenda to be presented and Mrs. Niekamp replied that there were none.

President Robert Carter requested a motion to adjourn the August 2013 meeting of the Board.

On a motion by Mr. Thomas Fleming, and seconded by Mrs. Pamela Williams-Briggs, the Board voted to adjourn the August 2013 meeting of the Board; *Ayes: 5, Nays: 0; Motion passed.*

The August 2013 meeting of the Board adjourned at 10:22 a.m.