



State of Ohio Board of Embalmers and Funeral Directors

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MINUTES

Convening of the Board

The Board of Embalmers and Funeral Directors met in regular session on Monday, November 18, 2013, in the 31st Floor Boardroom of the Riffe Center located at 77 South High Street, Columbus, Ohio. Board President Robert Carter called the meeting to order at 1:06 p.m. Other board members in attendance were Mr. Robert Wasko, Mr. Ty Marsh, Ms. Linda Betzer, and Mr. Thomas Fleming. Board staff members present were Executive Director Vanessa Niekamp, Inspector 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 October 2013 meeting of the Board Minutes.

Ms. Linda Betzer suggested numbering the document pages. Executive Director Niekamp replied that the missing numbers may have occurred between the changes from word document format to pdf format. Mrs. Niekamp stated a solution will be investigated.

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to approve the October 2013 meeting of the Board Minutes. *Ayes: 5, Nays: 0; Motion passed.*

Persons before the Board

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. Shane A.S. Ritchie appeared before the board seeking a reciprocal license. Mr. Ritchie currently maintains credentials from the state of West Virginia. He is employed as a manager with Beard Mortuary of West Virginia located nearby the Ohio River. He stated his interest to seek a reciprocal license is to assist consumers in nearby towns across the river on the Ohio side. Mr. Ritchie is a graduate of the Pittsburgh Institute of Mortuary Science.

There was a questions and answers session between the board and Mr. Shane Ritchie.

On a motion by Mr. Ty Marsh, 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: 5, Nays: 0; Motion passed.

Mr. T. Scott Gilligan was in attendance of the meeting and requested permission to speak before the Board. His unanticipated appearance before the Board was granted as a courtesy.

Mr. T. Scott Gilligan is an attorney with Gilligan Law Offices in Cincinnati, Ohio. Mr. Gilligan appeared before the board to address the pending application for a funeral home license for Walter W. Piper, Jr. Funeral Directors. Mr. Gilligan represented The Heritage Group, owner of Walter W. Piper, Jr. Funeral Directors.

Mr. Gilligan recounted a timeline of events concerning the application. To this date, the board has offered no response, he remarked. He reminded the board that his client properly submitted a completed application, supporting documentation, and payment as required, for consideration of approval at the July 2013 meeting of the Board. In closing, Mr. Gilligan stated that there was no reasonable excuse why the board has not decided over the past four months to approve or deny the application. He demanded the board provide a decision soon or face litigation.

Licensure

Applications for Facility Licenses

Existing Facility – change of location and/or ownership effective Nov. 18, 2013:

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to approve the following applications for license: Ayes: 5, Nays: 0; Motion passed.

License #	Firm Title	Location	Inspection
FH.003318	Donald Martens & Sons FH	West Lake	01/02/13
FH.003319	Donald Martens & Sons FH	Cleveland	08/30/12
FH.003322	Schindewolf Stout Crates FH	Kenton	12/06/12
FH.003323	Reichlin Roberts FH	Elyria	10/30/13
FH.003324	Wilson-Geesey FH	Montpelier	06/07/13

Existing Facility – change of location and/or ownership effective Nov. 18, 2013:

On a motion by Mr. Robert Wasko, and seconded by Mr. Thomas Fleming, the Board voted to approve the following application for license: Ayes: 5, Nays: 0; Motion passed.

License #	Firm Title	Location	Inspection
FH.003320	Farus Funeral Home	New Concord	06/11/12

Existing Facility – change of location and/or ownership effective Nov. 18, 2013:

On a motion by Mr. Robert Wasko, and seconded by Mr. Thomas Fleming, the Board voted to defer consideration of the following application for license: Ayes: 5, Nays: 0; Motion passed.

License #	Firm Title	Location	Inspection
FH.003321	Novak Funeral Home	Columbus	08/13/13

Leasing from an Existing Funeral Homes – effective Nov. 18, 2013:

On a motion by Mr. Ty Marsh, and seconded by Mr. Robert Wasko, the Board voted to approve the following application for license: Ayes: 5, Nays: 0; Motion passed.

License #	Firm Title	Location	Inspection
FH-003325	Eric J. Williams FH	Cleveland	03/15/11

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

On a motion by Ms. Linda Betzer, and seconded by Mr. Ty Marsh, the Board voted to approve the following application for license: Ayes: 5, Nays: 0; Motion passed.

Firm Title	Location	County
Grunn Funeral Home	Dayton	Montgomery

No Motion Items

Change the manager and/or AIC/UR:

License #	Facility Name	Licensee by Last Name	Type	County
FH.002880	Carter Funeral Home	Carter, Dennis W.	Mgr	Lorain
FH.003080	Corrigan-Deighton FH	Taylor Jr., Charles	Mgr/AIC	Cuyahoga
FH.003125	Walker Mortuary	Carson, Martha S.	Mgr	Henry

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

License #	Crematory	Location	Issue date
CREM.000172	Denbow-Gasche Crematory	Ashland	11/05/13

Applications for Individual Licenses

Initial licenses to be granted Nov. 18, 2013:

On a motion by Mr. Ty Marsh, and seconded by Mr. Thomas Fleming, the Board voted to approve the following applications for license: Ayes: 5, Nays: 0; Motion passed.

License #	Name	City	Effective Date
EMB.009551 R FD.009621	Baker, Kimberly B.	Salem	11/18/13
EMB.009552 R FD.009622	Garrett, Rusty	Columbus	11/18/13
EMB.009553 A FD.009623	Hart, Jordan D.	Wadsworth	11/18/13
FD.009624	Johnson, Melinda M.	Barnesville	11/18/13
EMB.009554 R FD.009625	Kreinik, Charles A.	Cleveland Hts	11/18/13
EMB.009555 A FD.009626	Raber, Roy J.	Stow	11/18/13
EMB 009556 A FD.009627	Scherer, Hayley M.	Bellville	11/18/13
EMB 009557 A FD.009628	Snyder, Hannah E.	Mansfield	11/18/13
EMB.009558 R FD.009629	Willison, Scott H.	Ashville	11/18/13

No Motion Items

The following individuals were issued registration numbers during Oct. 2013:

Registration #	Name	City	Effective Date
EMB.0507 FD.0763	Buckingham, Ashley C.	Wooster	10/18/13
EMB.0504 FD.0758	Dodds, Holly R.	Amsterdam	10/04/13
FD.0760	Karapandzic Milisa	Lakewood	10/09/13
EMB.0506 FD.0762	O'Conner, Elizabeth J.	Lebanon	10/17/13
EMB.0505 FD.0761	Werner, Joshua R.	Ashland	10/09/13

No Motion Items

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

Regis #	Name	FH Name	City	Effective Date
EMB.0501 FD.0754	Boone, Brian	Schafer & Busby Doyle FH	Cincinnati	10/09/13
EMB.00507 FD.00763	Buckingham, Ashley	Roberts Funeral Home	Wooster	10/18/13
EMB.00506 FD.00762	O'Conner, Elizabeth	Hoskins Funeral Home	Lebanon	10/17/13

Master of Apprentice Request

Mark L. Hall, of the Carl W. Hall Funeral Home in Warren, Ohio, respectfully requests board approval to have two apprentices beginning January 2014.

Mr. Hall makes this request because he is currently the master of his nephew, Mark Andrew Hall which started serving his apprenticeship in June of 2013. He would like to also be the master for a second apprentice (not yet identified), due to the difficulties finding a licensed funeral director to help keep up with the day to day operations for his high volume of clients.

On a motion by Mr. Ty Marsh, and seconded by Ms. Linda Betzer, the Board voted to deny Mark L. Hall to have two apprentices under his supervision.

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

The motion passed with a vote of 4 to 0.

Board meeting notations:

President Robert Carter discussed examples of previous requests before the board to allow more than one apprentice under one master. He stated that the objective of an apprenticeship is to provide the practical educational opportunity to teach the apprentice all aspects of the funeral profession in a supervised setting. Supervising multiple apprentices diminishes the one on one relationship.

There was discussion among the board on the request from Mr. Hall.

The board reached a consensus that this request did not meet the extenuating circumstances qualification for approval. Additionally, the request was vague: the second apprentice was not identified and a timeline for the use of such approval was not provided.

Request to be a Master

Allen Siverls, of the Calhoun Funeral Home, respectfully requests board approval to become a Master.

Mr. Siverls makes this request because he does not meet the requirement that one must be licensed as a funeral director and embalmer for five years in the State of Ohio. Mr. Siverls points out he is licensed in three states and has had a license since 2006. He goes on to include he has been training funeral directors for over ten years through national and local seminars, as well as being an instructor at the Pittsburgh Institute of Mortuary Science and a Certified Funeral Service Practitioner.

Mr. Siverls is registered to take the Masters course on November 22, 2013.

On a motion by Mr. Thomas Fleming, and seconded by Ms. Linda Betzer, the Board voted to deny Allen Siverls to have become a master without the required five years of licensure per the Ohio Revised Code.

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

The motion passed with a vote of 4 to 1.

Board meeting notations:

Ohio Administrative Code 4717-5-02 details Master embalmer and master funeral director requirements. The board cannot approve the request.

Notification of Judgement

Brian P. Eger previously appeared before the Board to inform them of his impending criminal case. Mr. Eger has provided the attached Judgment in the Criminal Case and a letter from the Judge for consideration as previously promised.

Mr. Eger pleaded guilty to one count of 18 U.S.C. 371, Conspiracy to Commit Bank Fraud and to Make False Statements or Reports to Influence a Bank to Make a Loan, and was sentenced to probation for a term of 5 years, and to pay the total criminal monetary penalties of \$450,470.77 in Restitution Ordered.

On a motion by Ms. Linda Betzer, and seconded by Mr. Ty Marsh, the Board voted to revoke the funeral director license of Mr. Brian P. Eger.

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

The motion passed with a vote of 5 to 0.

Board meeting notations:

There was discussion among the board on previous felony cases before the board for comparison.

Ms. Linda Betzer reminded the board of Mr. Eger's actions that led to the court judgment. She stated the "investment opportunity" Mr. Eger participated in, was in fact, a crime of opportunity for himself. Mr. Eger accepted risk by knowingly providing false statements to obtain many fraudulent mortgage loans to benefit him and others. Ms. Betzer suggested revoking Mr. Eger's license.

Executive Director Niekamp reminded the board they would deny Mr. Eger's future (2014-2016) biennial renewal application for funeral director's license based on past practice and his expected response to the question regarding if the applicant has pleaded guilty to, had been found by a judge or jury to be guilty of, or has had a judicial finding... at least five years has elapsed since the applicant was released from ...per ORC 4717.05 (A) (2) License qualifications.

There was discussion among the board on the letter written by Judge Adams requesting leniency.

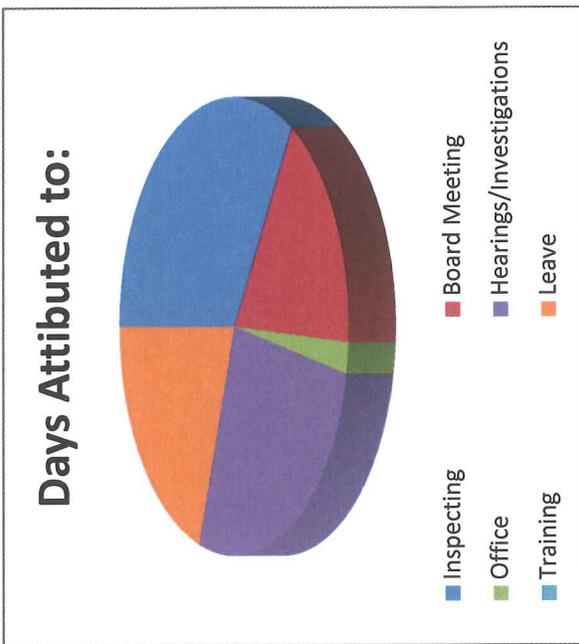
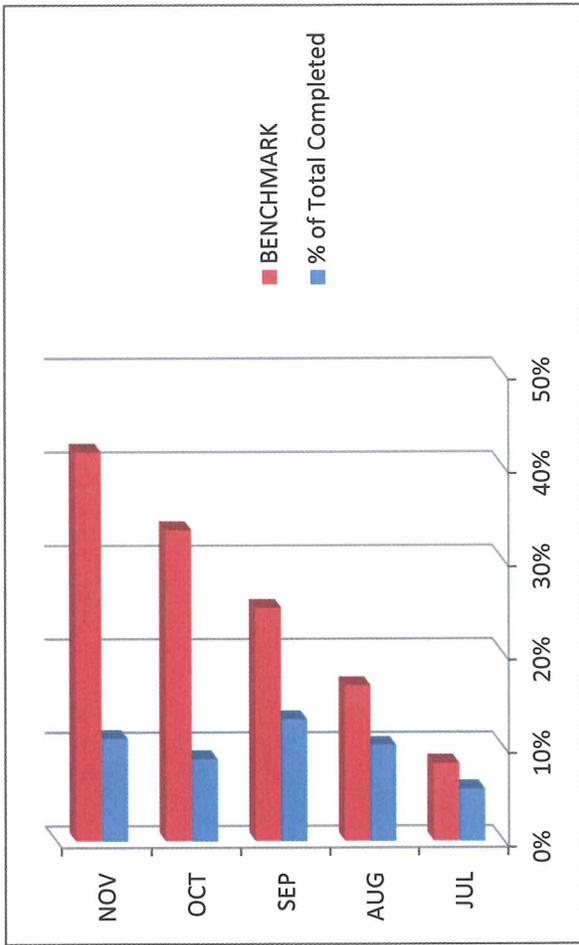
President Robert Carter requested a brief recess of the meeting. The November 2013 meeting of the Board recessed at 2:30 p.m.

The November 2013 meeting of the Board reconvened at 2:45 p.m.

Time period start: 10/6/2013 end: 11/16/2013 Board Meeting 18-Nov-2013 FY2014

Board Meeting	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Year total
Mileage	2,773	2,891	2,644	1,639	3,742								13,689
Apprentices													
Interviewed	0	6	2	0	1								9
Not Available	2	0	1	0	0								2
Inspections - Annual													complete
Crem Fac	1	3	1	0	5								10
Emb Fac	0	0	0	0	0								0
FH	37	29	18	9	42								135
Total	38	32	19	9	47								145
% of Total Completed	6%	10%	13%	9%	11%								21%
BENCHMARK	8%	17%	25%	33%	42%	50%	58%	67%	75%	83%	92%	100%	100%
Difference	-3%	-6%	-12%	-25%	-31%								-79%
Violations Identified	1	0	0	0	0								1
Inspections - Follow-up													complete
Crem Fac	0	0	0	0	0								0
Emb Fac	0	0	0	0	0								0
FH	0	0	0	0	0								0
Total	0	0	0	0	0								0
Inspections - New Facility													complete
Crem Fac	0	0	0	0	1								1
Emb Fac	0	0	0	0	0								0
FH	1	0	1	0	0								2
Total	1	0	1	0	1								3

<i>Investigations Working</i>	14	32	60	23	41	170
Days Attributed to:						
Inspecting			1	6	9	15
Board Meeting	2	1	0	2	2	8
Office	1	1	0	1	2	1
Hearings/Investigations	0	0	0	4	8	12
Training	0	0	0	0	0	0
Leave	0	0	0	7	2	9
Total Days Included	3	2	1	20	23	49



FUN - Inspector Monthly Report

Report Parameters

Board = FUN
 FUN - Inspector = ANDERSON
 From 10/06/2013 to 11/13/2013

Report generated on 11/13/2013 at 6:40:05 PM

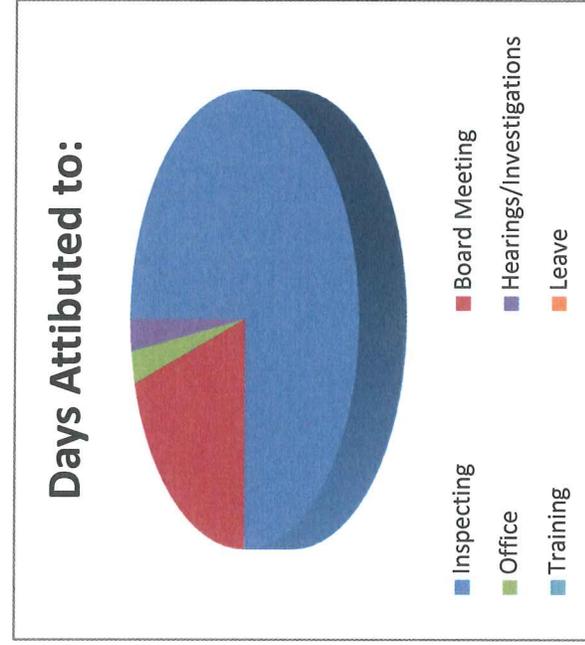
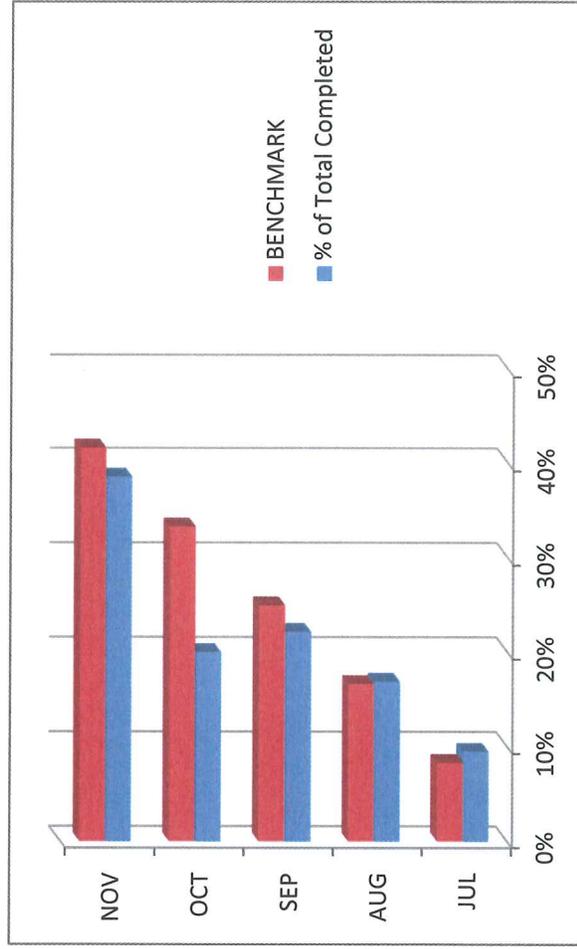
Inspection Date	Credential Number	Name			Reason	Comments
20131010	FH 002567	WHITE-SCHWARZEL FUNERAL HOME	Athens	Mike Putnam	Annual Inspection	In Compliance
20131010	FH 002568	HUGHES-MOQUIN FUNERAL HOME	Athens	Danielle Andrews	Annual Inspection	In Compliance
20131010	FH 000046	BIGONY-JORDAN FUNERAL HOME	Athens	No one available	Annual Inspection	
20131010	FH 000049	JAGERS & SONS FUNERAL HOME	Athens	Tim Jagers	Annual Inspection	In Compliance
20131017	FH 002039	SOUERS-CARDARAS FUNERAL HOME	Athens	Ted Morrison	Annual Inspection	In Compliance
20131017	FH 000578	BROWN FUNERAL HOME	Hocking	obtained key/walked thru	Annual Inspection	In Compliance
20131017	FH 001557	CARDARAS FUNERAL HOME	Athens	obtained key/walked thru	Annual Inspection	In Compliance
20131017	FH 001974	WARREN-BROWN FUNERAL HOME	Athens	Greg Brown	Annual Inspection	In Compliance
20131021	FH 000574	HEINLEIN-BROWN FUNERAL HOME	Hocking	Greg Brown	Annual Inspection	In Compliance
20131021	FH 000575	CARDARAS FUNERAL HOME	Hocking	Paula Hammon	Annual Inspection	In Compliance
20131021	FH 000576	ROBERTS FUNERAL HOME	Hocking	Bobbie Hoy	Annual Inspection	In Compliance
20131022	FH 002705	SPIKER-FOSTER-SHRIVER FH	Stark	Dena James	Annual Inspection	In Compliance
20131023	FH 002185	WACKERLY FUNERAL HOME	Stark	Trey Wackerly	Annual Inspection	In Compliance
20131029	FH 002639	VENSIL & CHUTE FH INC	Licking	Bradley Chute	Annual Inspection	In Compliance
20131029	FH 002933	MCPEEK-HOEKSTRA FH	Licking	Mary Hoekstra	Annual Inspection	In Compliance
20131029	FH 003001	HENDERSON-VAN ATTA-STICKLE FH	Licking	Vivian Dernberger	Annual Inspection	In Compliance
20131029	CREM 000121	LICKING CO CREM SVC	Licking	Vivian Dernberger	Annual Inspection	In Compliance

20131030	FH 000678	DICKEN FUNERAL HOME INC	Lorain	Richard Dakters	Annual Inspection	In Compliance
20131030	FH 001681	BUSCH FUNERAL HOME	Lorain	Mary Ann Jawoski	Annual Inspection	In Compliance
20131030	FH 002649	WYERS FC	Lorain	Steve Wyers	Annual Inspection	In Compliance
20131030	CREM 000039	CROMCO SERVICES INC	Lorain	No one available	Annual Inspection	
20131030	FH 001179	REICHLIN ROBERTS FUNERAL HOME	Lorain		Annual Inspection	Expressed sympathy to family on the death of Ron Roberts. Funeral was
20131030	FH 001513	LAUBENTHAL-MERCADO FH	Lorain	Philip Marcado	Annual Inspection	In Compliance
20131030	FH 002876	BLACKBURN-DUKE FH INC	Lorain	David A Blackburn	Annual Inspection	In Compliance
20131030	FH 002879	CARTER FHS INC	Lorain	Trikia Haynes	Annual Inspection	In Compliance
20131031	FH 000682	WALTER A FREY FUNERAL HOME INC	Lorain	No one available	Annual Inspection	
20131031	FH 002138	REICHLIN-COOLEY FUNERAL HOME	Lorain	Kenneth Reichlin	Annual Inspection	In Compliance
20131031	FH 002208	GLUVNA-SHIMO-HROMADA FUNERAL CHAPEL	Lorain	Jerome Hromada	Annual Inspection	In Compliance
20131031	FH 001447	RICHARD J REIDY FUNERAL HOME INC	Lorain	No one available	Annual Inspection	
20131031	FH 002644	SCHWARTZ, SPENCE, BOYER & COOL HOME FOR	Lorain	Robert Cool	Annual Inspection	In Compliance
20131031	FH 002651	BROWN-ROBINSON FH	Lorain	Ray Robinson Jr	Annual Inspection	In Compliance
20131031	CREM 000001	A F F S CO	Lorain	Charles McPherran	Annual Inspection	In Compliance
20131031	FH 001886	DOVIN FUNERAL HOME	Lorain	Margaret Bubash	Annual Inspection	In Compliance
20131031	FH 002880	CARTER FHS INC	Lorain	Dennis Carter	Annual Inspection	In Compliance
20131031	FH 002988	REIDY-SCANLAN-GIOVANNAZZO FH	Lorain	Vincent Giovannazzo	Annual Inspection	In Compliance
20131031	FH 003066	DOMBROWSKI-RIDDLE FH	Lorain	No one available	Annual Inspection	
20131031	FH 003294	ANDRAS CREMATORY & FUNERAL HOME	Lorain	No one available	Annual Inspection	
20131031	CREM 000165	ANDRAS CREMATORY & FH ALTERNATIVES	Lorain	No one available	Annual Inspection	
20131101	FH 000675	COWLING FUNERAL HOME INC	Lorain	unlocked/ walked thru	Annual Inspection	In Compliance
20131101	FH 002287	GARLAND-MISENICK FUNERAL HOME	Lorain	no one available	Annual Inspection	
20131101	FH 000685	HEMPEL FUNERAL HOME	Lorain	Cheryl Guzman	Annual Inspection	In Compliance
20131101	FH 003083	DOVIN & REBER JONES FH	Lorain	Tina M Dovin	Annual Inspection	In Compliance
20131105	FH 001572	MATTESON FUNERAL HOME	Wayne	Michele Matteson	Annual Inspection	In Compliance
20131106	FH 001132	CAWLEY & PEOPLES FUNERAL HOMES	Washington	obtained key/walked thru	Annual Inspection	In Compliance
20131106	FH 001788	MCCURDY FUNERAL HOME	Washington	Shaun McCurdy	Annual Inspection	Monitored apprentice Shaun McCurdy In Compliance
20131112	FH 001129	HADLEY FUNERAL HOMES INC	Washington	H. Lee Hadley	Annual Inspection	In Compliance
20131112	CREM 000023	TWIN STATES CREMATION SERVICE	Washington	H Lee Hadley	Annual Inspection	In Compliance
20131105	CREM 172	Denbow-Gashe Crematory	Ashland	Seth Gashe	Initial Inspection	In Compliance

Time period start: 10/6/2013 end: 11/14/2013 Board Meeting 18-Nov-2013 FY2014

Board Meeting	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Year total
Mileage	2,158	3,057	3,190	3,027	3,245								14,677
Apprentices													
Interviewed	3	1	0	3	3								10
Not Available	0	2	0	0	0								2
Inspections - Annual													complete
Crem Fac	7	7	2	3	3								22
Emb Fac	0	0	1	0	0								1
FH	51	38	29	42	52								212
Total	58	45	32	45	55								235
% of Total Completed	10%	17%	22%	20%	39%								39%
BENCHMARK	8%	17%	25%	33%	42%	50%	58%	67%	75%	83%	92%	100%	100%
Difference	1%	0%	-3%	-13%	-3%								-61%
Violations Identified													
	2	3	0	1	3								9
Inspections - Follow-up													complete
Crem Fac	0	0	0	0	0								0
Emb Fac	0	0	0	0	0								0
FH	0	0	0	0	2								0
Total	0	0	0	0	2								2
Inspections - New Facility													complete
Crem Fac	0	0	0	3	0								3
Emb Fac	0	0	0	0	0								0
FH	0	1	0	0	0								1
Total	0	1	0	3	0								4

<i>Investigations Working</i>	5	8	7	10	12							42
Days Attributed to:												
Inspecting				17	16							33
Board Meeting	2	1	2	2	2							9
Office	1	1	0	1	2							1
Hearings/Investigations	0	0	0	0	1							1
Training	0	0	0	0	0							0
Leave	0	0	0	0	0							0
Total Days Included	3	2	2	20	21	0	0	0	0	0	0	48



FUN - Inspector Monthly Report

Report Parameters

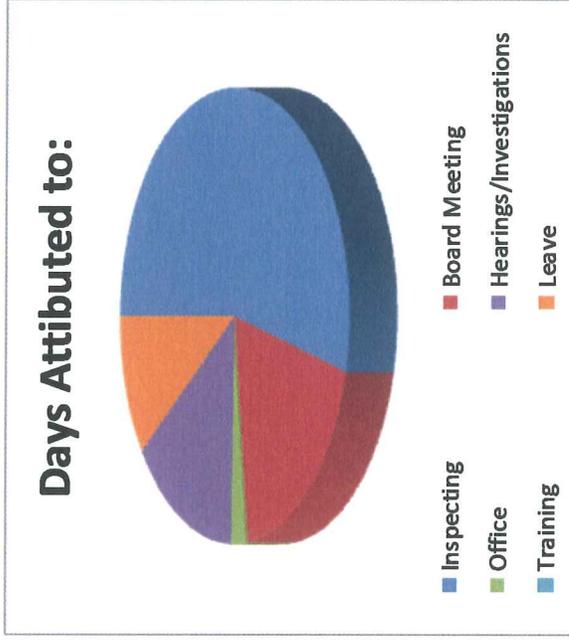
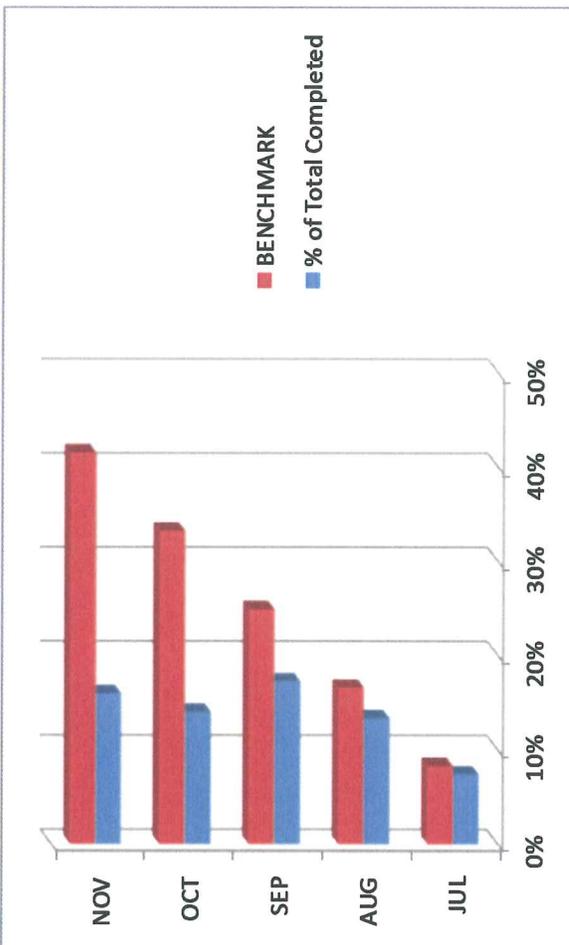
Board = FUN
 FUN - Inspector = Seehase
 From 10/06/2013 to 11/14/2013

Inspection Date	Credential Number	Name	County	Contact	Reason	Comments
20131008	FH 000405	SCHOEDINGER GROVE CITY CHAPEL	Franklin	Holly R. Dunmore	Annual Inspection	In Compliance
20131008	FH 002347	SCHOEDINGER-MARGARUM	Franklin	Cressa Chalmers	Annual Inspection	In Compliance
20131008	FH 002707	SPENCE-MILLER FH	Franklin	No One Available	Annual Inspection	
20131008	FH 003288	DAY-MANOFSKY FS	Franklin	Richard Day	Annual Inspection	In Compliance
20131010	FH 000360	RANSOM FUNERAL HOME	Erie	Robert L. Ransom	Annual Inspection	1 Violation--Funeral Home License
20131010	FH 002429	GROFF FUNERAL HOME	Erie	No One Available	Annual Inspection	
20131010	FH 002332	AUXTER FUNERAL HOME	Huron	Daniel Auxter	Annual Inspection	In Compliance
20131010	FH 002494	PFEIL FUNERAL HOME	Huron	No One Available	Annual Inspection	
20131011	FH 002716	OLIVER-FLOYD FUNERAL HOME, LLC	Darke	David Gillum	Annual Inspection	In Compliance
20131011	FH 003105	BAILEY-ZECHAR FH	Darke	David Nixon	Annual Inspection	In Compliance
20131011	FH 003131	ZECHAR-BAILEY FH	Darke	Kent A. Zechar	Annual Inspection	In Compliance
20131017	FH 002642	KREITZER FH INC	Darke	Ward W. Colson	Annual Inspection	In Compliance
20131017	FH 003045	BRAUND-POPE FH	Darke	J. Eric Fee	Annual Inspection	In Compliance
20131021	FH 001984	URBANSKI FUNERAL HOME LTD	Lucas	Wayne J. Escott	Annual Inspection	In Compliance
20131021	FH 003036	URBANSKI FH LTD	Lucas	Michael Precht	Annual Inspection	In Compliance Monitored Apprentice Michael Precht
20131021	FH 003054	TATE FS	Lucas	Robert Tate, Jr.	Annual Inspection	In Compliance
20131022	CREM 000123	RIVERVIEW CR	Sandusky	Gwendolyn M. Coffee	Annual Inspection	In Compliance
20131022	FH 001900	WONDERLY-HORVATH-HANES FH	Sandusky	Gwendolyn M. Coffee	Annual Inspection	In Compliance
20131022	FH 002637	HERMAN-KINN-VEH FH & CREMATION SVCS	Sandusky	Michael H. Socciarelli	Annual Inspection	In Compliance
20131022	FH 002699	MARSH FH	Sandusky	No One Available	Annual Inspection	
20131022	FH 003113	KELLER-OCHS-KOCH-MASON FH	Sandusky	Julie A. Chudzinski	Annual Inspection	1 Violation--Emergency Light
20131024	FH 003006	TREDWAY-POLLITT-STAVER FH	Hamilton	Jeffrey Staver	Annual Inspection	Cleanliness of prep room questionable
20131024	FH 003237	GRUNN FH	Hamilton	Robert L. Grunn	Annual Inspection	In Compliance Monitored Apprentice W. Eric Lusain

20131024	FH 003006	TREDWAY-POLLITT-STAVER FH	Hamilton	Jeffrey Staver	Annual Inspection	Cleanliness of prep room questionable
20131024	FH 003237	GRUNN FH	Hamilton	Robert L. Grunn	Annual Inspection	In Compliance Monitored Apprentice W. Eric Lusain
20131025	FH 002087	SALM-MCGILL & TANGEMAN	Shelby	Don Tangeman	Annual Inspection	In Compliance
20131028	FH 001278	BERSTICKER-SCOTT FUNERAL HOME	Lucas	Charles Scott	Annual Inspection	In Compliance
20131028	FH 002218	MAISON-DARDENNE-WALKER FUNERAL HOME	Lucas	Tracy Gaines	Annual Inspection	In Compliance
20131028	FH 003146	R A SCOTT	Lucas	Charles Scott	Annual Inspection	In Compliance
20131028	FH 003150	NEWCOMER FH	Lucas	James Raczkowski	Annual Inspection	In Compliance
20131029	CREM 000120	NORTHCOAST CR LTD	Ottawa	Mitchell E. Hoyles	Annual Inspection	In Compliance
20131029	FH 002905	ROBINSON-WALKER FH	Ottawa	Mitchell E. Hoyles	Annual Inspection	In Compliance
20131029	FH 003025	KIRBY FS	Ottawa	Teresa D. Lewis	Annual Inspection	In Compliance
20131029	FH 002636	HERMAN-KINN-KARLOVETZ FH AND CREMATION	Sandusky	Rebecca Frederick	Annual Inspection	In Compliance Monitored Apprentice Rebecca Frederick
20131029	FH 002699	MARSH FH	Sandusky	David Marsh	Annual Inspection	In Compliance
20131029	FH 003097	HORVATH HANES FH INC	Sandusky	No One Available	Annual Inspection	
20131031	FH 001221	RODENBERGER FUNERAL HOME	Henry	Jerrie L. Rodenberger	Annual Inspection	1 Violation-Manager License
20131031	FH 002860	ZACHRICH FH	Henry	No One Available	Annual Inspection	
20131031	FH 002907	RODENBERGER FH INC	Henry	Door Unlocked-Walked Through	Annual Inspection	In Compliance
20131031	FH 003125	WALKER MORT	Henry	Sandra S. Reno	Annual Inspection	In Compliance
20131101	FH 001349	SCHINDEWOLF-STEVENS-STOUT INC	Hardin	J. Theron Stout	Annual Inspection	In Compliance
20131101	FH 002179	PRICE FUNERAL HOME LTD	Hardin	Krista Holcomb	Annual Inspection	In Compliance
20131101	FH 002180	PRICE FUNERAL HOME	Hardin	No One Available	Annual Inspection	
20131105	FH 002962	DEYO-DAVIS FH INC	Franklin	Jeffrey Davis	Annual Inspection	In Compliance
20131105	FH 003063	EGAN RYAN FH	Franklin	No One Available	Annual Inspection	
20131105	FH 003069	SMOOT FS LLC	Franklin	M. L. Smoot	Annual Inspection	In Compliance
20131105	FH 003185	EDWARDS FS	Franklin	Jeff Edwards	Annual Inspection	In Compliance
20131105	FH 001884	JOHNSON-MELICK-MORELAND	Knox	Robert J. Moreland	Annual Inspection	In Compliance
20131107	CREM 000133	S & S CREMATORY	Henry	Darlene J. Snyder	Annual Inspection	In Compliance

20131105	FH 001884	JOHNSON-MELICK-MORELAND	Knox	Robert J. Moreland	Annual Inspection	In Compliance
20131107	CREM 000133	S & S CREMATORY	Henry	Darlene J. Snyder	Annual Inspection	In Compliance
20131107	FH 002417	RODENBERGER FUNERAL HOME INC	Henry	Brooke Gray	Annual Inspection	In Compliance
20131107	FH 003119	SNYDER FH	Henry	Wallace L. Snyder	Annual Inspection	In Compliance
20131107	FH 003120	SNYDER-WESCHE FH	Henry	Sandra S. Reno	Annual Inspection	In Compliance
20131108	FH 000543	CRATES FUNERAL HOME	Hancock	No One Available	Annual Inspection	
20131108	FH 002286	HARTLEY FUNERAL HOME	Hancock	No One Available	Annual Inspection	
20131108	FH 002865	HALSEY-LEE FH LLC	Hancock	No One Available	Annual Inspection	
20131114	FH 000721	WM K SUJKOWSKI & SON FUNERAL HOME	Lucas	Eric Weaver	Annual Inspection	In Compliance
20131114	FH 001315	WALTER MORTUARY COMPANY	Lucas	P. Eric Mathewson	Annual Inspection	In Compliance

Board Meeting	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Year completed
Inspections - Annual													
Crem Fac	8	10	3	3	8								32
Erb Fac	0	0	1	0	0								1
FH	88	67	47	51	94								347
Total	96	77	51	54	102								380
% of Total Completed	7%	13%	17%	14%	16%								29%
BENCHMARK	8%	17%	25%	33%	42%	50%	58%	67%	75%	83%	92%	100%	100%
Difference	-1%	-3%	-8%	-19%	-26%								-71%
Average No. Days Attributed to:													
Inspecting	2	1	1.5	11.5	12.5								24
Board Meeting	1	1	0	2	2								8.5
Office	0	0	0	2	4.5								1
Hearings/Investigations	0	0	0	0	0								6.5
Training	0	0	0	3.5	1								0
Leave	3	2	1.5	20	22								4.5
Total Days Included	3	2	1.5	20	22	0	48.5						



Board of Embalmers and Funeral Directors

**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.*

Recommendation to Charge #1400061

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

*Joseph R. Garr Funeral Services, Inc. (FH.001796) and *Mr. Joseph R. Garr (DUAL.006588)

With a violation of: 4717.14 (A) (4) The applicant or licensee has committed immoral or unprofessional conduct. 4717-8-01 Unprofessional Conduct – Specifically, the funeral home failed to have the cremains available at the funeral and failed to communicate this information to the family.

And order: Motion: An order to Pay Forfeiture (1st Offense)
 [licensee may request hearing instead]
 4717-12-01(A)(3)(a) \$500.00 min -\$5,000.00 max
 Amount of forfeiture imposed: \$1,000.00 to the funeral home
and \$1,000.00 to the funeral director; for a total forfeiture of \$2,000.00.

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

The motion passed with a vote of 5 to 0.

Details:

Complaint Summary- The daughter of the deceased who was responsible for the arrangements never received any paperwork. She assisted her mother, the next of kin, with the arrangements. The remains from the cremation were not at the service which took place almost three weeks after death. An employee at the funeral home, later, was very rude and provided conflicting information about the cremation and the whereabouts of the cremains. The complainant questions whether the family has received the cremains of their family member. The individual died on 7/6/2013. The family understood that all paperwork was in order for the cremation to take place as of 7/16/2013.

7/24/2013- Date of cremation

7/27/2013 -The family was not aware that the cremains were not at the service until it was over and they discovered that an empty container was on display.

8/19/2013 - Complainant states she contacted the funeral home and was informed that the cremains were not yet ready. When she pressed the issue, the staff member informed her that the ashes were actually there and she could come pick them up.

10/9/2013- Date of the response from the funeral home. The response states that the funeral home tried repeatedly, by phone, from 7/30/2013 on to contact the next of kin to pick up the cremains, but received no response.

11/1/2013- Inspector T. Seehase spoke with the complainant and the next of kin. They have received a copy of the Statement of Goods and Services. The complainant, who is not the next of kin, stated she was never contacted by the funeral home to pick up the cremains.

11/1/2013 - Inspector Seehase also spoke with the Funeral Director. The cremains were not present at the funeral home during the service on 7/27/2013. The cremation took place on 7/24/2013. He had no idea why they were still at the crematory on the day of the service. The cremains were picked up by the funeral home on 7/30/2013.

The Funeral Director is certain that the cremains are those of this individual. They were picked up by a male family member on October 24th or 25th.

The funeral home staff engaged in Unprofessional Conduct by failing to communicate with the family that the cremains were not present at the services on 7/27/2013.

Board meeting notations:

There was discussion between the board and Inspector Seehase on his investigation.

Recommendation to Close

On a motion by Mr. Thomas Fleming, and seconded by Ms. Linda Betzer, the Board closed the following cases: Ayes: 5 Nays: 0 Motion passed by roll call vote.

Complaint #	Date Received	Alleged Violation	Conclusion
1400054	9/20/2013	Unprofessional Conduct-Complaint about headstone never being installed.	Inspector E. Anderson did not find a violation. He noted on 10/23/2013, that the person who filed the complaint did not make the arrangements and could read the will where it has been filed.
1400055	9/20/2013	Unprofessional Conduct- Insurance Proceeds	Inspector E. Anderson did not find a violation. He reviewed the information he was able to ascertain about the value of the John Hancock Policy, the cost of the funeral and the distribution the excess amount. All the figures indicate the proceeds were accounted for.
1400059	9/24/2013	Delay in delivering death certificate	Inspector T. Seahase contacted the complainant at the end of October. The complainant had received the death certificates and was satisfied.
1400060	9/27/2013	Preneed, Advertising, Unlicensed Funeral Directing, Unprofessional Conduct	The investigation did not identify an unlicensed situation. Another part of the complaint has been addressed in another complaint. The ad in question will be dropped. This is a situation in which one FD is complaining about another FD.
1400069	11/1/2013	Preneed	Inspector Anderson confirmed that funds are properly vested with Forethought Life Co. He will inform complainant of location of funds and current location of files and options when he receives a return phone call.

Current Pending Cases

	DATE RECEIVED	ALLEGED VIOLATION	COMMENTS	Next Step
1400065	10/23/2013	Funeral charges dispute, Unprofessional Conduct	Payor and complainant is the mother of deceased. There is an issue with unauthorized additional charges on a credit card and now repeated demands for payment.	Initial letters 10/30/2013-Response due 11/13/2013.
1400066	11/1/2013	Unprofessional Conduct, Rude FD behavior, Condition of the Corpse	The body was in poor condition, the FD's were not very responsive to the concerns of the family and rushed the services after they were late arriving, dirty casket.	Initial letters 11/04/2013. Response due 11/19/2013 Media has been contacted by the family. The FH has refunded the money to the family. Investigation launched. Possible civil action.
1400067	10/30/2013	Preneed, Advertising, Unprofessional Conduct	It has been 10 months since the funeral. The FH with the preneed has not responded to attempts to get the preneed funds released to the FH that conducted the services.	Initial letters 11/4/2013. Response due 11/19/2013

Charged Case Status Update

	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. 9/9/2013-AAG reported she is still waiting on the local prosecutor to provide information. 10/7/2013- Still pending information from local prosecutor. As of 11/4/2013 MIT meeting-AAG drafting request for permission to gain motion for injunction from the Attorney General.	Injunction 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), 4717-8-01 and 4717.14(A)(4), 4717-8-01- failed to return funds to the family as requested	As of 8/5/2013-\$3,000.00 settlement agreement being drafted. Did not file notice of appeal. 10/02/13 - AAG plans to have settlement before board at OCT meeting. 10/7/2013-AAG still working on settlement. As of the 11/4/2013 MIT meeting, the agreement has not returned. AAG to follow up.	Settlement Pending
1201050 1205082 1311036 1104091 1206008 1209021 1302073 1301051		Robert P. McDermott FD and FH				Trumbull County Court- still in process- stay denied. Briefs submission schedule has been set up by the Court.
1302060	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. As of 8/23/2013, there is a proposed settlement in process for a forfeiture of \$500.00 and an agreement to license the facility as a funeral home. As of 11/4/2013 MIT meeting, the settlement agreement went out last week. The crematory will be licensed as a funeral home.	Settlement Pending
1400007	8/19/2013	Troy Christman- DUAL-008060	CE Audit- Did not complete the 18 hours by 12/31/2012, but has since completed required hours.	ORC 4717.09(A)	Board voted 8/19/2013 to charge with a \$1,500.00 forfeiture. Forfeiture due 9/30/2013. Settlement faxed on 09/30/13. Forfeiture reduced to \$500.00.	Settlement Pending 11/7/2013 status update-No settlement or payment. Settlement mailed
1400008	8/19/2013	Jonathan Leavitt- DUAL 008520	CE Audit- Did not complete the 18 hours by 12/31/2012, but has since completed required hours.	ORC 4717.09(A)	Board voted 8/19/2013 to charge with a \$1,500.00 forfeiture. Settlement faxed on 09/30/13. Forfeiture reduced to \$500.00.	Settlement Pending 11/7/2013 status update-No settlement or payment. Settlement mailed 8/3/2013.
1400018	8/19/2013	Donald McDonald-006774	CE Audit-Misplaced certificates of completion for the audit period ending 12/31/2012	ORC 4717.09(C), ORC 4717.09(A)- 4717-9- 01(M)(1)(2)	Board voted 8/19/2013 to suspend license and to charge with a \$2,000.00 forfeiture. Charge order 8/30/2013. Objection period ends 9/29/2013. 9/9/2013-Contact with AAG-possible settlement.	Settlement Pending 10/6/2013- \$600.00 payment received. 11/7/2013-status update-no signed settlement
1400022	8/19/2013	Danferd Avis- 05422	CE Audit-Failed to respond to the request of the Board, but has a current exemption or waiver.	ORC 4717.09(A)	Board voted 8/19/2013 to charge with a \$500.00 forfeiture. Charge order 8/30/2013. Objection period ends 9/29/2013. Settlement of case with submission of audit document.	Settlement Pending-As of 11/7/2013-CE Audit form had been mailed to attorney, but there is no settlement.
1400023	8/19/2013	Christopher Holick-006657	CE Audit-Failed to respond to the request of the Board, but has a current exemption or waiver.	ORC 4717.09(A)	Board voted 8/19/2013 to charge with a \$500.00 forfeiture. Charge order 9/5/2013.	Objection period ends 10/6/2013. As of 10/6/2013-no response. 11/7/2013 status update-certified charge order sent-no response.

Charged Case Status Update

	DATE CHARGED	RESPONDENT	CHARGED VIOLATION	LAW/RULE	NEXT STEP	STATUS
1400024	8/19/2013	J. Micheal Towning-006990	CE Audit-Failed to respond to the request of the Board, but has a current exemption or waiver.	ORC 4717.09(A)	Board voted 8/19/2013 to charge with a \$500.00 forfeiture. Charge order 9/5/2013.	Objection period ends 10/6/2013. As of 10/9/2013-no response.11/7/2013 status update-certified charge order sent-no response.
1400026	8/19/2013	Charles Davis-007936	CE Audit- Failed to respond to the request of the Board and did not submit any of the required documentation by 12/31/2012.	ORC 4717.09(C),ORC 4717.09(A)	Board voted 8/19/2013 to suspend license and charge with a forfeiture of \$5,000.00. Charge order 9/5/2013.	Forfeiture due 10/6/2013. As of 10/9/2013- no response. 11/7/2013 status update-certified charge order sent-no response.
1400016	8/19/2013	Carleen Carlson-FD 007774	CE Audit-Did not complete the entire 18 hours by 12/31/2012, and there is no documentation that any of the hours have been made up.	ORC 4717.09(C), ORC 4717.09(A)	Board voted 8/19/2013, to suspend license and to charge with a \$2,000.00 forfeiture.	Sent in request for hearing 9/27/2013.11/8/2013 status update-Payment, but no settlement-settlement mailed 10/9/2013.
1400031	8/19/2013	Berstickler-Scott FH-FH001278	Preneed Annual Report	4717.14 (A)(4)-4717.31(I)	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond(9/25/2013). Hearing request deadline 9/25/2013. 9/9/2013- AAG reported contact and possible settlement. As of 9/24/2013, a hearing request was received from Attorney Douglas King. Preneed report received 9/16/2013. As of 11/4/2013 MIT meeting, the settlement has not yet returned.	Settlement Pending
1400032	8/19/2013	Catchen Family FH-FH003135	Preneed Annual Report	4717.14(A)(4)-4717.31(I)	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). Hearing request deadline 9/25/2013. 9/9/2013- AAG reported contact and possible settlement. Request for hearing dated 9/12/2013. Letter states 2012 report was submitted 2/2012. Preneed report received 9/16/2013. As of 11/4/2013 MIT meeting-close once the settlement agreement is signed by the Board. \$1,000.00 paid.	Settlement Pending
1400033	8/19/2013	Czap FH-FH002850	Preneed Annual Report	4717.14(A)(4)-4717.31(I)	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). Hearing request deadline 9/25/2013. 9/9/2013- AAG reported contact and possible settlement. 9/12/2013 Request for Hearing received 9/14/2013. Notice states the report was submitted 3/29/2013 and he will waive hearing if the copy being submitted with the hearing request is sufficient. Copy of hearing request received 9/17/2013. Preneed report received 9/16/2013. As of 11/4/2013 MIT meeting, prepare investigative Summary for December hearing.	Settlement Pending
1400034	8/19/2013	Garland-Miscenik-FH002287	Preneed Annual Report	4717.14(A)(4)-4717.31(I)	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). Hearing request deadline 9/25/2013. 9/9/2013- AAG reported contact and possible settlement.Hearing request submitted. The request was dated 9/4/2013. Preneed report received 8/19/2013.	Settlement Pending Forfeiture received 10/17/2013. Still need signed settlement agreement. Close once Board signatures are finalized- MIT meeting update on 11/4/2013
1400035	8/19/2013	Howard-Rhoden MH-FH002476	Preneed Annual Report	4717.14(A)(4)-4717.31(I)	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013).	Hearing request deadline 9/30/2013. As of 9/27/2013-No hearing request has been submitted. Preneed report not filed. 10/7/2013- Goldman hearing to be scheduled 11/14/2013. As of 10/30/2013, the hearing date is being rescheduled. Update at 11/4/2013 MIT meeting- Hearing to be set in mid-December. FH may be closed.

Charged Case Status Update

	DATE CHARGED	RESPONDENT	CHARGED VIOLATION	LAW/RULE	NEXT STEP	STATUS
1400036	8/19/2013	J.E. Humphrey FH-FH002248	Preneed Annual Report	4717.14(A)(4)-4717.31(I)	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). Hearing request deadline 9/25/2013. Hearing request received 9/17/2013. Preneed report filed 9/6/2013.	Settlement Pending- As of 11/4/2013 MIT meeting, the settlement is not back.
1400037	8/19/2013	Jackson-Kercheval-Meyers FH-FH002126	Preneed Annual Report	4717.14(A)(4)-4717.31(I)	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013).	Hearing request deadline 9/25/2013. 9/9/2013- AAG reported contact and possible settlement. Hearing request if no settlement letter received 9/10/2013. Preneed report received 9/9/2013. As of 10/7/2013, AAG sent VN Settlement Agreement to approve. As of 11/4/2013 MIT meeting, Settlement back (\$1,000.00), but payment not yet made.
1400038	8/19/2013	Kevin M. Coyne FS-FH003078	Preneed Annual Report	4717.14(A)(4)-4717.31(I)	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013).	Hearing request deadline 9/25/2013. As of 9/24/2013, no request for hearing has been received. Information received that mail is being returned as "Unclaimed". Linda Clark is researching. No report filed and is emailing a request for a hearing as of 9/27/2013. Request for hearing received 9/27/2013. Preneed report received 10/4/2013. 10/7/2013- settlement pending. As of 11/4/2013 MIT meeting, the signed settlement is back. Must be signed by Board at next meeting and \$1,000.00 will be due within 30 days.
1400039	8/19/2013	Kirby FS-FH003025	Preneed Annual Report	4717.14(A)(4)-4717.31(I)	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). Hearing request deadline 9/25/2013. Hearing request received 8/30/2013. Preneed report received on 8/30/2013.	Settlement Pending As of 11/4/2013 MIT meeting-no update.
1400040	8/19/2013	Moore FH-FH002237	Preneed Annual Report	4717.14(A)(4)-4717.31(I)	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013).	Hearing request deadline 9/25/2013. 9/9/2013- AAG reported contact and possible settlement. Dementia situation. Request for hearing submitted with reports. 9/10/2013. Report received 9/9/2013. As of 10/7/2013, AAG sent VN Settlement Agreement to approve. As of 11/4/2013 MIT meeting- No additional update.

Charged Case Status Update

	DATE CHARGED	RESPONDENT	CHARGED VIOLATION	LAW/RULE	NEXT STEP	STATUS
1400041	8/19/2013	Moore FH-FH002236	Preneed Annual Report	4717.14(A)(4)-4717.31(I)	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013).	Hearing request deadline 8/25/2013. 8/10/2013 request for hearing submitted with reports. Report marked as received 8/9/2013. Forfeiture of \$1,500.00 paid. As of 10/7/2013, AAG sent VN Settlement Agreement to approve. As of 11/4/2013 MIT meeting, no update.
1400042	8/19/2013	Novak FH-FH002664	Preneed Annual Report	4717.14(A)(4)-4717.31(I)	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013).	Hearing request deadline 8/30/2013. As of 8/27/2013, no request for hearing has been received. The Preneed report has not been filed. Goldman hearing to be scheduled 11/14/2013. As of 11/4/2013 MIT meeting, Goldman to be scheduled 12/11 or 12/12.
1400043	8/19/2013	Schneider-Griffin FH-FH002506	Preneed Annual Report	4717.14(A)(4)-4717.31(I)	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013).	Hearing request deadline 8/30/2013. As of 8/27/2013, no request for hearing has been received. The Preneed report has not been filed. As of 10/7/2013, AAG sent VN settlement agreement to approve. Preneed
1400044	8/19/2013	Schwartz, Spence, Boyer and Cool Home for Funerals-FH002644	Preneed Annual Report	4717.14(A)(4)-4717.31(I)	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013).	Hearing request deadline 8/25/2013. Hearing request received 8/28/2013. It was submitted by Robert Cool, Jr. The Preneed report was filed 8/27/2013. As of 10/7/2013, AAG sent VN settlement agreement for approval. As of 11/4/2013 MIT meeting, no additional update.
1400045	8/19/2013	Vensil and Chute FH, Inc.-FH002639	Preneed Annual Report	4717.14(A)(4)-4717.31(I)	Charge order-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013).	Hearing request deadline 8/30/2013. 8/8/2013 AAG reported contact and possible settlement. 8/25/2013- received copy of hearing request dated 8/4/2013. It arrived in the office on 8/6/2013. As of 8/27/2013, no Preneed report filed. As of 10/7/2013, AAG sent VN Settlement Agreement to approve. Preneed received 8/30/2013. As of 11/4/2013 MIT meeting, payment has been received, but the settlement agreement is not yet back.

Charged Case Status Update

	DATE CHARGED	RESPONDENT	CHARGED VIOLATION	LAW/RULE	NEXT STEP	STATUS
1400046	8/19/2013	Williams, Gregory and Martin FS-FH003029	Preneed Annual Report	4717.14(A)(4)-4717.31(I)	Charge order-Opportunity for hearing- 8/26/2013-30 days to respond (9/25/2013).	Hearing request deadline 9/30/2013. As of 9/27/2013, no request for hearing has been received. No Preneed report filed. 11/14/2013-Goldman hearing to be scheduled. As of 11/4/2013 MIT meeting, Goldman to be scheduled 12/11 or 12/12.
1400003	7/24/2013	Robert A. Lewis	Misappropriation	4717.14 (A)(4)-4717-8-01 Unprofessional Conduct (F)	Board order- opportunity for hearing-September Board meeting.- Charge order issued.	Request for hearing due 10/16/2013.As of 11/4/2013 MIT meeting, Goldman to be scheduled.
1201053001-1201053053	9/3/2013	McClurkin FH	Misappropriation, Preneed Annual Report	4717.14(A)(4)-4717-8-01 Unprofessional Conduct (F),4717.10(A)	Board order September Board meeting-suspension without hearing. Orders issued. Summary suspension- 9/17/2013 Board Order. Green-card received 09/21/13. As of 11/4/2013 MIT meeting, there is a formal hearing request-hearing to be scheduled.	Request for hearing due 10/16/2013.AAG reported 10/7/2013 contact with an attorney representing Patrick.
1400063	10/7/2013	Timothy Werner	Board	4717.14(A)(2), 4717.14(A)(2), 4717-8-01(E)	Convicted of a felony involving moral turpitude- a felony of the fourth degree, convicted of a crime involving moral turpitude-abuse of a corpse and Unprofessional Conduct- misrepresented himself to the Dept. Of Health by submitting false documents to gain access to EDRS.	Opportunity for hearing. Request due 11/20/2013. As of 11/4/2013 MIT meeting-sentencing date has been set.
1400002	7/25/2013	Stine-Kilburn Th	Dotzie Hamilton	4717.14(A)(4)	UC-rude FD behavior	\$500.00 forfeiture due 11/20/2013
1400049	8/23/2013	Wood-Kortright-Borkoski FH, Franklin Gray-FD and Aaron Borkoski-FD and AIC	Board	4717.13(A)(5), 4717-8-01(E)	FH and Borkoski-opportunity for hearing for operating a FH without a license. \$172,500.00 forfeiture each for two FD's for misrepresenting the facility on death certificates in order to operate from an unlicensed FH	Hearing requests and forfeitures due 11/20/2013. Requests for hearings -10/30/2013 from Gray and Borkoski
1400057	9/24/2013	Grunn FH, Eric Lusain-apprentice, and Robert Grunn FD/AIC	Board	4717.13(A)(3), 4717.13(A)(5)	Advertisement and operating a FH without a license.	Hearing request due 11/20/2013

Executive Director's Report

Budget/Fiscal Overview

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 November 14, 2013:

SFY13	Budget	Expense	Encumbrance	Available Budget
510	\$29,155.00	\$24,330.63	\$3,677.50	\$1,146.87
520	\$158,299.54	\$155,636.22	\$94.50	\$1,504.51
530	\$85,394.71	\$49,890.94	\$35,503.35	\$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
Budget	\$736,765.00	\$690,809.54	\$39,275.35	\$5,615.80

This is the current overview of the SFY14 budget as of November 14, 2013:

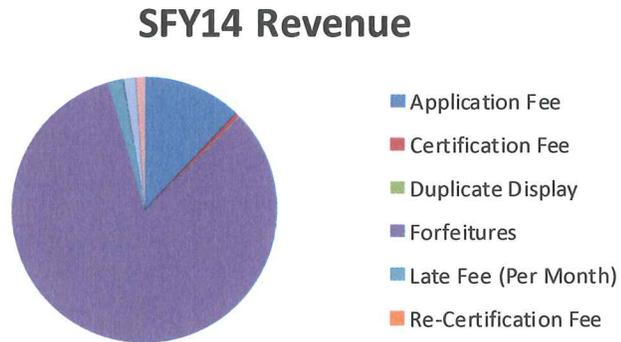
SFY14	Budget	Expense	Encumbrance	Available Budget
510	\$45,000.00	\$4,227.00	\$33,473.00	\$7,300.00
520	\$172,000.00	\$49,273.41	\$79,284.67	\$43,441.92
530	\$5,000.00	\$371.50	\$0.00	\$4,628.50
595	\$1,000.00	\$530.00	\$0.00	\$470.00
500 - QTR1	\$138,000.00	\$135,735.07	\$0.00	\$2,264.93
500 - QTR2	\$119,000.00	\$53,781.89	\$0.00	\$65,218.11
500 - QTR3	\$138,000.00	\$0.00	\$0.00	\$138,000.00
500 - QTR4	\$119,000.00	\$0.00	\$0.00	\$119,000.00
Budget	\$737,000.00	\$243,918.87	\$112,757.67	\$380,323.46

Our disbursements from October 12, 2013, through November 14, 2013, are as follows:

Voucher ID	Vendor Name	Accounting Date	Budget Year	Payment Amount
00002018	BARBARA A STAFFORD	10/17/2013	2014	\$450.00
00002019	VERIZON WIRELESS	10/17/2013	2014	\$301.84
00002020	MT BUSINESS TECHNOLOGIES INC	10/17/2013	2014	\$114.31
00002021	UNITED PARCEL SERVICE	10/17/2013	2014	\$29.72
00002022	UNITED PARCEL SERVICE	10/17/2013	2014	\$6.96
00002023	UNITED PARCEL SERVICE	10/17/2013	2014	\$1.78
00002024	DEPARTMENT OF ADMINISTRATIVE SERVICES	10/17/2013	2014	\$311.50
00002025	DEPARTMENT OF ADMINISTRATIVE SERVICES	10/17/2013	2014	\$199.07
00002026	DEPARTMENT OF ADMINISTRATIVE SERVICES	10/17/2013	2014	\$612.00
00002027	DEPARTMENT OF ADMINISTRATIVE SERVICES	10/17/2013	2014	\$3,691.77
00002028	DEPARTMENT OF ADMINISTRATIVE SERVICES	10/17/2013	2014	\$1,456.36
00002029	DEPARTMENT OF ADMINISTRATIVE SERVICES	10/17/2013	2014	\$126.74
00002030	CAPITOL SQUARE REVIEW &	10/17/2013	2014	\$570.00
00002031	AUDITOR OF STATE	10/17/2013	2013	\$413.99
00002032	ATTORNEY GENERALS OFFICE	10/17/2013	2014	\$90.72
00002033	GREENE INC	10/17/2013	2014	\$44.60
00002034	STAPLES ADVANTAGE	10/29/2013	2014	\$193.06
00002035	MT BUSINESS TECHNOLOGIES INC	11/07/2013	2014	\$6,000.00
00002036	MT BUSINESS TECHNOLOGIES INC	11/07/2013	2014	\$5,940.00
00002037	MT BUSINESS TECHNOLOGIES INC	11/07/2013	2014	\$278.26
00002040	DEPARTMENT OF REHABILITATION	11/07/2013	2013	\$3,360.00
00002041	DEPARTMENT OF REHABILITATION	11/07/2013	2013	\$3,238.67
00002042	VERIZON WIRELESS	11/07/2013	2014	\$302.20
00002043	UNITED PARCEL SERVICE	11/08/2013	2014	\$37.79
00002044	ERIC E ANDERSON	11/08/2013	2014	\$17.15
00002048	OFFICE OF BUDGET & MANAGEMENT	11/08/2013	2014	\$453.25
00002049	AUDITOR OF STATE	11/08/2013	2013	\$477.68
00002050	DEPARTMENT OF ADMINISTRATIVE SERVICES	11/08/2013	2014	\$692.70
00002051	DEPARTMENT OF ADMINISTRATIVE SERVICES	11/08/2013	2014	\$14.35
00002052	DEPARTMENT OF ADMINISTRATIVE SERVICES	11/08/2013	2014	\$728.81
00002053	DEPARTMENT OF ADMINISTRATIVE SERVICES	11/08/2013	2014	\$131.07
00002054	STAPLES ADVANTAGE	11/13/2013	2014	\$20.89
00002055	STAPLES ADVANTAGE	11/13/2013	2014	\$17.62
00002056	STAPLES ADVANTAGE	11/13/2013	2014	\$17.44
00002057	CINCINNATI BELL TECHNOLOGY SOLUTIONS INC	11/13/2013	2013	\$808.00
00002058	CINCINNATI BELL TECHNOLOGY SOLUTIONS INC	11/13/2013	2013	\$819.00
Summary				\$31,969.30

This is the current overview of the SFY14 revenue as of November 14, 2013:

Fee Type	Amount
Application Fee	\$ 12,360.00
Certification Fee	\$ 510.00
Duplicate Display	\$ 130.00
Forfeitures	\$ 84,718.32
Late Fee (Per Month)	\$ 1,900.00
Re-Certification Fee	\$ 20.00
Registration Fee	\$ 1,525.00
Renewal Fee	\$ 1,160.00
SFY14 Revenue to Date	\$ 102,323.32



We currently have one individual on payment plan. This person is compliant with the approved payment schedule.

Items of Interest

Robert Wasco represented the Board at a workshop held by Sibley-Murray-Wellington Funeral Home of Alliance, Ohio, on Saturday, October 26, 2013. Prior Board Member Pamela Williams-Briggs also provided information at the workshop.

Upcoming Events

An updated Meeting Dates document including apprentice interview schedules has been added to the Board’s website and your binders. Apprentice Interview will be conducted by Thomas Fleming and Linda Betzer this month.

OFDA has scheduled a Master’s Training Seminar for 8:00 a.m. on Friday, November 22, 2013, to be held at the OFDA Headquarters. Ty Marsh will present on behalf of the Board.

Our next meeting will be in Columbus, Ohio, on Monday, December 16th and Tuesday, December 17th. We will be in Riffe Center 31st Floor Board Room. Apprentice Interview for December will be conducted by Robert Carter and Linda Betzer.

The 38th Annual Federation of Associations of Regulatory Boards (FARB) Forum is scheduled for Thursday, January 23, 2014, through Sunday, January 26, 2014, in Austin, Texas. Board Vice President, Linda Betzer and Executive Director, Vanessa Niekamp will attend to represent Ohio.

The 110th Annual Meeting of The Conference is scheduled for Tuesday, February 25, 2014, through Thursday, February 27, 2014, in Orlando, Florida. Board President, Robert Carter and Executive Director, Vanessa Niekamp will attend to represent Ohio.

OFDA has announced the 134th Annual Conference and Exhibition will be held at the Hilton at Easton, in Columbus, Ohio, from May 14th through the 16th, 2014. Please reserve your rooms at the Hilton, before the block of rooms is no longer available.

Policy for Consideration

The attached proposed FUN IPP006: Executive Director and Staff Time policy was originally presented to the board in July 2013. The minutes from that meeting reflect the following:

“Mrs. Niekamp summarized the policies and procedures documents.

On a motion by Mr. Robert Wasko, and seconded by Mr. Thomas Fleming, the Board voted to adopt the document IPP006.

Mr. Marsh interrupted the motion and requested a deferral of consideration of document IPP006. He asked for time to review the duties of Secretary-Treasurer of the Board; his newly elected position. Adoption of this document requires the Secretary- Treasurer to authorize and police new procedures.

Mr. Wasko respectfully rescinded his motion to adopt document IPP006.”

On September 23, 2013, the Auditor of State recommended the Board finalize, formally approve, and implement written policies and procedures related to the processing of payroll transactions which:

- Promote the accomplishment of the Board’s statutory and professional requirements as identified in the Ohio Revised Code;
- Specifically identify the authorization level for payroll transactions processed and provide assurance to management that control activities are applied uniformly and consistently to all payroll transactions processed;
- Specifically identify employees responsibilities within the payroll transaction cycle and provide for an adequate level of segregation of duties among employees job functions; and
- Define the role of CSA in processing of payroll transactions.

On a motion by Mr. Ty Marsh, and seconded by Ms. Linda Betzer, the Board voted to approve the adoption of document FUN IPP006.

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

The motion passed with a vote of 5 to 0.

Board meeting notations:

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

Mr. Thomas Fleming questioned Executive Director Niekamp on the availability of the recently revised apprentice interview form. Mrs. Niekamp replied that it was ready for use.

Board President Robert Carter spoke on the recent appointments to the International Conference of Funeral Service Examining Boards.

Mr. Robert Wasko questioned the other board members on availability of their individual schedules to accommodate a holiday luncheon. Mr. Ty Marsh replied that he would inquire about securing a location.

On a motion by Mr. Robert Carter, and seconded by Mr. Thomas Fleming, the Board voted to recess the November 2013 meeting of the Board. *Ayes: 5, Nays: 0; Motion passed.*

The November 2013 meeting of the Board recessed at 3:31 p.m.



State of Ohio Board of Embalmers and Funeral Directors

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E-Mail: oh.emb.bd@funeral.ohio.gov • Website: www.funeral.ohio.gov

Reconvening of the Board

The Board of Embalmers and Funeral Directors reconvened in regular session on Tuesday, November 19, 2013, in the 31st Floor Boardroom of the Riffe Center located at 77 South High Street, Columbus, Ohio. Board President Robert Carter called the meeting to order at 9:07 a.m. Other board members in attendance were Mr. Robert Wasko, Mr. Ty Marsh, Ms. Linda Betzer, Mr. Thomas Fleming and Mr. Greg Boyer. Board staff members present were Executive Director Vanessa Niekamp, Office personnel Danny Finfrock and Jarrod Williams. Also attending was Assistant Attorney General Carla Dowling-Fitzpatrick, board counsel.

Continuing Education

Mr. Thomas Fleming presented the applications for continuing education programs.

Applications for Individual License Requesting Continuing Education

Continuing Education Programs November 19, 2013:

On a motion by Mr. Robert Waske, and seconded by Mr. Greg Boyer, the Board voted to approve the following application for continuing education: Ayes: 6, Nays: 0: Motion passed.

Name	Location	Course Name	Hours	Program Date
Galyon, Ronald Hamison Jr.	Dayton, Ohio	CAP Lab Cadaver - Anatomy & Procedure	6	12/03/2013

Applications for Continuing Education

Continuing Education Programs November 19, 2013:

On a motion by Mr. Robert Wasko, and seconded by Mr. Greg Boyer, the Board voted to approve the following applications for continuing education: Ayes: 6; Nays: 0; Motion passed.

Sponsor Name	Program Date	Hours	Location	Course Name	Contact	Phone
BALIN AND ASSOCIATES	1/21/2014	6	Xenia, Ohio	AA: The Story and The Steps	Marcella Balin	937-766-2645
BALIN AND ASSOCIATES	1/29/2014	6	Xenia, Ohio	AA: The Story and The Steps	Marcella Balin	937-766-2645
BATESVILLE CASKET COMPANY	11/19/2013	2	Worthington, Ohio	Acting on Cremation Challenges Together	Deb St Pierre	812-934-7557
CINCINNATI EQUITABLE LIFE INS CO.	12/4/2013	2	Lima, Ohio	Disaster Response - Joplin, Haiti and Sandy	Michael Gedert	800-621-1826
CUYAHOGA FUNERAL DIRECTORS ASSOCIATION	11/25/2013	3	Willowick, Ohio	Cincinnati College of Mortuary Science	Tina Giroud	440-728-0003
FIRELANDS FUNERAL DIRECTORS ASSOCIATION	11/21/2013	2	Norwalk, Ohio	The Empty Holidays (losing a love one)	David F Koch	419-626-1070
GREATER LORAIN FUNERAL DIRECTORS ASSOCIATION	11/26/2013	3	Lorain, Ohio	Electronic Vault Presentation	Charles Duke	440-926-2048
INTERNATIONAL CEMETERY, CREMATION AND FUNERAL ASSO	11/13 - 11/15/2014	13	Las Vegas, NV	Certified Celebrant Training	Daniel Osorio	703-391-8400
INTERNATIONAL ORDER OF THE GOLDEN RULE	11/21/2013	1	Teleconference	Innovative Technology in Funeral Homes: Challenges and Victories	Jessica A. Smith	800-637-8030 X 110
OHIO FUNERAL DIRECTORS ASSOC #16	1/16/2014	2	Canton, Ohio	Burial Vaults, Cremation and Your Business	Daniel T. Skivlocke	330-823-2159
OHIO FUNERAL DIRECTORS ASSOC #16	2/20/2014	2	Canton, Ohio	Active Shooter	Daniel T. Skivlocke	330-823-2159
OHIO FUNERAL DIRECTORS ASSOC DIST #1	11/20/2013	2	Archbold, Ohio	Practical Applications in Using Airbrush	Gary M. Burr	419-320-8913
OHIO FUNERAL DIRECTORS ASSOC DIST #10	11/26/2013	2	Portsmouth, Ohio	Identity Theft for the Funeral Director	Dawn Scott Little	740-353-4161
OHIO FUNERAL DIRECTORS ASSOC DIST #10	11/26/2013	1	Portsmouth, Ohio	Area Agency on Aging District #7	Dawn Scott Little	740-353-4161
OHIO FUNERAL DIRECTORS ASSOC DIST #10	11/26/2013	1	Portsmouth, Ohio	The Ohio University Willied Body Program	Dawn Scott Little	740-353-4161
OHIO FUNERAL DIRECTORS ASSOCIATION #15	12/5/2013	2	Vienna, Ohio	Technology in Funeral Service	Tom Rossi	330-652-3511
OHIO FUNERAL DIRECTORS ASSOCIATION #3	11/21/2013	2	Lima, Ohio	Ohio Department of Vital Statistics	Jon M. Neepser	419-229-2300
OHIO FUNERAL DIRECTORS ASSOCIATION #3	11/21/2013	2	Lima, Ohio	Ohio Patriot Guard Riders	Jon M. Neepser	419-229-2300

OHIO FUNERAL DIRECTORS ASSOCIATION #3	11/21/2013	2	Lima, Ohio	VA and Dayton National Cemetery	Jon M. Neeper	419-229-2300
OHIO FUNERAL DIRECTORS ASSOCIATION #3	11/21/2013	2	Lima, Ohio	Funeral Home Technology - Whats This Going to Cost Me?	Jon M. Neeper	419-229-2300
OHIO FUNERAL DIRECTORS ASSOCIATION #3	11/21/2013	2	Lima, Ohio	Update On State And Local Issues Affecting Funeral Service	Jon M. Neeper	419-229-2300
REGULATORY SUPPORT SERVICES, INC	11/21/2013	3	Ironton, Ohio	Annual OSHA Training: Singing the Regulatory Tune	Twila Dickerson	804-784-7347
ST LOUIS UNIVERSITY SCHOOL OF MEDICINE	1/27/2014	18	St. Louis	Medicolegal Death Investigator Training Course	Jennie Shanburn	314-977-7830
ST LOUIS UNIVERSITY SCHOOL OF MEDICINE	3/31/2014	18	St. Louis	Medicolegal Death Investigator Training Course	Jennie Shanburn	314-977-7830
ST LOUIS UNIVERSITY SCHOOL OF MEDICINE	8/18/2014	18	St. Louis	Medicolegal Death Investigator Training Course	Jennie Shanburn	314-977-7830
TRI-COUNTY FUNERAL DIRECTORS ASSOC. -DISTRICT 19	1/14/2014	2	Chesterland, Ohio	Grief & Older Adults	Mitchell W. Babcock	440- 942-1122

Pre Need Presentation

Ms. Katherine Shiplett presented a power point presentation on her research of laws, regulations, and rules pertaining to preneed. Ms. Shiplett conducted research of each state in the U.S., along with the District of Columbia and four Canadian provenances, to determine major differences between those and Ohio's regulations regarding prepaid funeral contracts. The presentation also included information on differences of licensing, consumer protection funding, penalties for misappropriation of funds, and inspections. The research was compiled over several months utilizing website information and telephone interviews of agencies that oversee preneed law, and by creating a website survey canvassing others to compare and contrast their area's rules and regulations with Ohio's.

Board meeting notations:

There was discussion among the board on the presentation.

There were questions and answers sessions between the board and Ms. Shiplett concurrent with her presentation.

There was a discussion among the board on funding a "Preneed Recovery Fund" for Ohioans.

The board expressed interest in learning more about preneed cases in other states and suggested further research by Ms. Shiplett.

Board of Embalmers and Funeral Directors

Note: Board member Mr. Robert Wasko acknowledged a conflict of interest and declared that he must recuse himself from any participation in discussion and vote of this compliance motion. **Mr. Wasko exited the meeting.**

**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.*

Recommendation to Charge #1400068

*On a motion by Mr. Ty Marsh, and seconded by Mr. Thomas Fleming, the Board voted to charge *McVean, Hughes, & McClurkin Funeral Home (FH.002630) and * Mr. Christopher J. Engartner (DUAL.008332)

With a violation of: 4717.14 (A)(10) The applicant or licensee misled the public by using false or deceptive advertising.

And order: Motion: An opportunity for hearing.

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

The motion passed with a vote of 5 to 0.

*On a motion by Mr. Ty Marsh, and seconded by Mr. Thomas Fleming, the Board voted to charge *McVean, Hughes, & McClurkin Funeral Home (FH.002630) and * Mr. Christopher J. Engartner (DUAL.008332)

With a violation of: 4717.13 (A)(6) Practice the business or profession of funeral directing from any place except from a funeral home that a person is licensed to operate under this chapter.

And order: Motion: An opportunity for hearing.

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

The motion passed with a vote of 5 to 0.

*On a motion by Mr. Ty Marsh, and seconded by Mr. Thomas Fleming, the Board voted to charge
 *McVean, Hughes, & McClurkin Funeral Home (FH.002630) and * Mr. Christopher J. Engartner
 (DUAL.008332)

With a violation of: 4717.13(A)(5) Operate a funeral home without a license to operate the funeral home issued by the board under this chapter.

And order: Motion: An opportunity for hearing.

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

The motion passed with a vote of 5 to 0.

*On a motion by Mr. Ty Marsh, and seconded by Mr. Thomas Fleming, the Board voted to charge *McVean, Hughes, & McClurkin Funeral Home (FH.002630) and * Mr. Christopher J. Engartner (DUAL.008332)

With a violation of: 4717.13(A)(3) Advertise or otherwise offer to provide or convey the impression that the person provides funeral directing services unless the person is licensed as a funeral director under this chapter and is employed by or under contract to a licensed funeral home and performs funeral directing services for that funeral home in a manner consistent with the advertisement, offering or conveyance.

And order: Motion: An opportunity for hearing.

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

The motion passed with a vote of 4 to 1 (Betzer).

Details:

9/16/2013-The Board ordered a summary suspension of a funeral home. The issue was preneed irregularities.

9/17/2013-present – The suspended facility is still in use for calling hours and funeral services. Inspector E. Anderson has received a number of copies of obituaries published in local area newspapers that document this situation. The arrangements are noted as being “by” the funeral home which is the subject of this investigation, but are taking place at the suspended facility. Both facilities are owned by the same individual currently summarily suspended in relationship to the preneed irregularities.

The recommended charges are against the licensed funeral home and the AIC.

Mr. Robert Wasko was invited to return to meeting after vote of recommendation to charge #1400068.

Operations Committee Report

President Robert Carter presented the Operation Committee report. The committee met Monday, November 18, 2013 after the November 2013 meeting of the Board recessed. The following topics of discussion were presented:

1. MAPS seminar training for board office staff. The one day seminars are conducted at the John Glenn School of Public Affairs/OSU. Ms. Linda Clark completed a session in November. Mr. Jarrod Williams is scheduled for a session in December. Mr. Danny Finrock is scheduled for a session in March 2014.
2. The installation of workstations at the board office. Installation is continuing and expected to be completed by the end of calendar year 2013.
3. A proposal was introduced to begin an exploratory review of adding an independent auditor position to board inspector staff for preneed audits.

There was discussion among the board on expected duties of the auditor position.

4. Announcement of a Holiday luncheon date. The Board members will host a luncheon for members and board staff and guests to dine before the December 2013 meeting of the Board scheduled for December 16.

Assistant Attorney General Carla Dowling-Fitzpatrick presented additional information on the pending cases discussed during Monday session of the December 2013 meeting of the Board.

1. Mrs. Dowling-Fitzpatrick opened with the pending Walter W. Piper, Jr. Funeral Directors application. She suggested to the board to approve the application, but requested the topic be deferred for later discussion.
2. Mrs. Dowling-Fitzpatrick shared her opinion on deliberations during open meetings. She also expressed the pros and cons on executive sessions during open meetings.
3. Mrs. Dowling-Fitzpatrick provided a timeline of anticipated events with regards to the legal proceedings associated to the McDermott Memorial Home and Mr. Robert P. McDermott.
4. Mrs. Dowling-Fitzpatrick discussed the number of settlement agreements and hearings from July 2013 to the present. She noted the board's success of negotiated cases in the preneed and continuing education audits.
5. Mrs. Dowling-Fitzpatrick offered an update on the injunction against Mr. Gerald Polk. She stated that communications are ongoing between the AAG office and Richmond County prosecutors. Mrs. Dowling-Fitzpatrick, board counsel, acknowledged the board's request for

an injunction however, it is believed there is not enough evidence to secure the injunction. She will continue to press the courts for the injunction on behalf of the board.

6. Mrs. Dowling-Fitzpatrick returned to the topic of the Walter W. Piper, Jr. Funeral Directors application. She reminded the board that an injunction is enforce for Mr. Michael Henderson. He is prohibited from being a participant in the conducting of funeral services. She went on to detail a timeline of events regarding the application by her recollection of telephone conversations with Mr. Henderson. Mrs. Dowling-Fitzpatrick stated that communications ended when it was announced that investigative interviews with Heritage Family Group employees were being sought.

Mr. Robert Wasko interjected by stating, based on advice of board counsel, the board members agreed in July 2013 to vote to defer the application until the AAG office had an opportunity to investigate the Heritage Family Group. He lamented that the investigation never happened.

President Robert Carter asked Executive Director Niekamp if the board could vote on the application without it listed on the agenda. Director Niekamp and AAG Dowling-Fitzpatrick simultaneously answered yes.

The board agreed to reconsider the application for a funeral home license by Walter W. Piper, Jr. Funeral Directors.

Licensure

Applications for Facility License

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

On a motion by Ms. Linda Betzer, and seconded by Mr. Thomas Fleming, the Board voted to approve the following application for license:

Firm Title	Location	County
Walter W. Piper, Jr. Funeral Directors	Hamilton	Butler

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

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

Board meeting notations:

Assistant Attorney General Carla Dowling-Fitzpatrick addressed the board on the pending funeral home application of Walter W. Piper, Jr. Funeral Directors. She advised the board to decide to approve or deny the application. At this time, there is no conclusive evidence to corroborate that Mr. Michael Henderson applied for this funeral home license, she claimed. Mrs. Dowling-Fitzpatrick also stated that Mr. T. Scott Gilligan, attorney for Walter W. Piper, Jr., recently provided an affidavit from Mr. Piper, Jr. attesting his position as the actual in charge of and ultimately responsible for the funeral home.

Executive Director Vanessa Niekamp reminded the board of their discussions and actions during the July 2013 meeting of the Board by reading those minutes aloud.

There was discussion among the board on their deferral of the Walter W. Piper, Jr. Funeral Directors application from the July 2013 meeting of the Board.

There was discussion between the board and Assistant Attorney General Carla Dowling-Fitzpatrick on the external investigation of the funeral home ownership.

Mr. Robert Wasko, Ms. Linda Betzer, and Mr. Greg Boyer stated, for the record, they would only support a motion to approve the Walter W. Piper, Jr. Funeral Directors application based on advice provided from the Board's legal counsel. Mrs. Carla Dowling-Fitzpatrick, board counsel, affirmed her advisement to approve the application.

President Robert Carter requested a motion to adjourn the meeting.

On a motion by Mr. Greg Boyer, and seconded by Mr. Robert Carter, the Board voted to adjourn the November 2013 meeting of the Board. *Ayes: 6, Nays: 0; Motion passed.*

The November 2013 meeting of the Board adjourned at 11:23 a.m.