



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, March 17, 2014, 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 1:03 p.m. Other board members in attendance were Ms. Linda Betzer, Mr. Thomas Fleming and Mr. Greg Boyer. Board staff members present were Executive Director Vanessa Niekamp, Inspectors Eric Anderson and Troy Seehase, Office personnel Linda Clark, Danny Finrock, and Jarrod Williams.

Mr. Robert Wasko was absent.

Reading and Consideration of the Minutes

President Robert Carter asked for reading and consideration of the February 2014 meeting of the Board Minutes.

On a motion by Mr. Thomas Fleming, and seconded by Mr. Robert Carter, the Board voted to approve the February 2014 meeting of the Board Minutes. *Ayes: 4, Nays: 0; Motion passed.*

Licensure

Executive Director Vanessa Niekamp introduced a new format of the agenda topic titled "Licensure of Facilities and Individuals." The new format will include new categories such as: "Applications Recommended for Licensure, Applications Recommended for Denial, and No Motion Items, Information only." The change in format will allow the applications to be considered with one motion and one vote by the board.

There was discussion and acceptance among the board on the new format change.

Applications Recommended for Licensure

On a motion by Mr. Greg Boyer, and seconded by Ms. Linda Betzer, the Board voted to approve the following applications for licensure:

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

The motion passed with a vote of 4 to 0.

Existing Facility – change of location and/or ownership effective Mar. 17, 2014:

License #	Firm Title	Location	Inspection
FH.003343	Daring & Sanford Funeral Home	DeGraff	02/19/13

Leasing from an Existing Funeral Homes – effective Mar. 17, 2014:

License #	Firm Title	Location	Inspection
FH.003344	Bowser Funeral Home	Niles	07/26/12

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

Firm Title	Location	County
Family Care Cremation Services	Columbiana	Columbiana

Name changes:

License #	Current Name	New Name	County
FH.003173	Sweeney-Dodds Funeral Home	Dodds Funeral Home	Jefferson
FH.000106	Sweeney-Dodds Funeral Home	Dodds Funeral Home	Carroll
FH.002360	Thompson Funeral Home	Thompson-Filicky FH	Mahoning

Initial licenses to be granted Mar. 17, 2014:

License #	Name	City	Effective Date
EMB.009570 A FD.009642	Brown, Samantha M.	Cincinnati	03/17/14
EMB.009571 A	Fraley, Joshua B.	Columbus	03/17/14
EMB.009572 R	Johnson, Raymond D.	New Concord	03/17/14

FD.009643			
EMB.008902 A *FD.008754	Milton II, Alfred	Monroe	02/28/14
EMB.009573 R FD.009644	Moser, Erin E.	Bloomington	03/17/14
EMB.009574 R FD.009645	Ritchie, Shane AS	Ashland Ky	03/17/14
EMB.009575 A FD.009646	Smith, Brandi A.	Canton	03/17/14
EMB.009576 A FD.009647	Thirey, Alison D.	Martinsville	03/17/14

Applications Recommended for Denial

On a motion by Mr. Thomas Fleming, and seconded by Mr. Robert Carter, the Board voted to deny the following application for licensure:

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

The motion passed with a vote of 4 to 0.

New facility/new building (Funeral Home) – consideration & approval of paperwork:

This application is a result of a Board action. The settlement agreement requires this facility to be licensed as both a crematory (as it currently is) and a funeral home.

The application was first submitted with the name Blessing and the term Cremation in the title of the funeral home.

Niekamp and Clark contacted the owner of this facility via speaker phone to make sure he was aware the funeral home could not carry the name Blessing due to there not being a licensed individual at the location with that name, nor could the funeral home have "Cremation" in the title.

It was recommended by Niekamp and Clark to name the facility something similar to Nero Funeral Home, Blessing Memorial Center. However this revised application was submitted over the weekend on March 15, 2014, still including Blessing and Cremation in the name of the funeral home.

Firm Title	Location	County
Blessing – Nero Funeral Home and Cremation Center	Mentor	Lake

No Motion Items, Information Only

Change the manager and/or AIC/UR:

License #	Facility Name	Licensee by Last Name	Type	County
FH.003185	Edwards Funeral Service	Buxton, Shirley	Mgr/Aic	Franklin
FH.003150	Newcomer Funeral Home	Raczkowski, James	Mgr	Lucas
FH.003341	Walter W. Piper Jr. Funeral Directors (included in compliance item)	Mitchell, Claude T.	Mgr/Aic	Hamilton

*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
FH.003340	Day & Manofsky Funeral Service	Canal Winchester	02/11/14
FH.003342	St John Funeral Home	Bainbridge Township	02/27/14
FH.003341	Walter W. Piper Jr. Funeral Directors	Hamilton	02/14/14

The following individuals were issued registration numbers during Feb. 2014:

Name	City	Effective Date
Cole, Shaniqua	Cleveland	02/11/14
Ivins, Dana	Mansfield	02/19/14
Leuck, Joshua	Newburg Hts	02/13/14
Roberts, Hal	Dayton	02/19/14
Sparks, Mandy	Bellville	02/26/14
Metzger, Mark J.	Huron	02/06/14
Watson-Smart, Cory	Cleveland	02/11/14

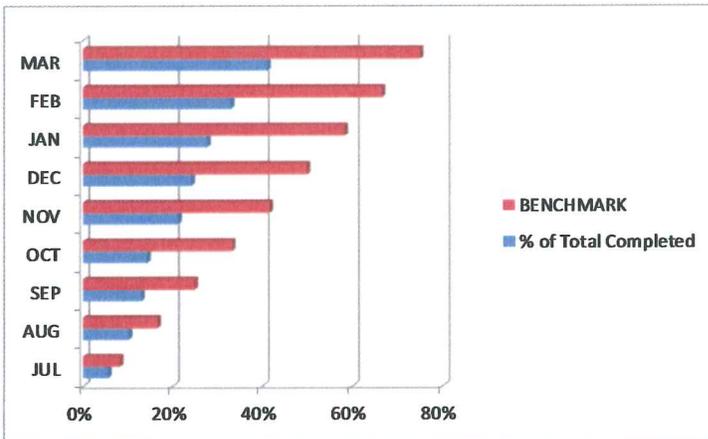
The following individuals certified an apprenticeship during the month of Feb 2014:

Name	Dual/ FD	FH Name	City	Effective Date
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Cole, Shaniqua	Dual	Thomas G. Smith FH	Cleveland	02/17/14
Cook, Rachel	Dual	Tufts-Schildmeyer FH	Loveland	02/03/14
Ivins, Dana	Dual	Wappner Funeral Directors	Mansfield	02/25/14
Maham, Sarah	Dual	Witzler-Shank Funeral Home	Perrysburg	02/10/14
Roberts, Hal	FD	HH Roberts Mortuary	Dayton	02/24/14

Time period start: end: Board Meeting 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	2,273	2,446	2,513	3,704				24,625
Apprentices													
Interviewed	0	6	2	0	1	0	1	1	2				13
Not Available	2	0	1	0	0	1	2	0	0				2
Inspections - Annual													completed
Crem Fac	60	1	3	1	0	5	2	4	2	5			23
Emb Fac	2	0	0	0	0	0	0	0	0	0			0
FH	620	37	29	18	9	42	18	20	33	50			256
Total	682	38	32	19	9	47	20	24	36	55			280
% of Total Completed	6%	10%	13%	14%	21%	24%	28%	33%	41%				41%
BENCHMARK	8%	17%	25%	33%	42%	50%	58%	67%	75%	83%	92%	100%	100%
Difference	-3%	-6%	-12%	-19%	-20%	-26%	-31%	-34%	-34%				-59%
Violations Identified	1	0	0	0	0	6	0	1	0				8
Inspections - Follow-up													completed
Crem Fac	0	0	0	0	0	0	0	0	0				0
Emb Fac	0	0	0	0	0	0	0	0	0				0
FH	0	0	0	0	0	0	0	0	1				0
Total	0	0	0	0	0	0	0	0	1	0	0	0	1
Inspections - New Facility													completed
Crem Fac	0	0	0	0	1	0	0	0	0				1
Emb Fac	0	0	0	0	0	0	0	0	0				0
FH	1	0	1	0	0	1	0	1	1				5
Total	1	0	1	0	1	1	0	1	1	0	0	0	6
Investigations Working	14	32	60	23	41	30	26	20	25				271
Days Attributed to:													
Inspecting				6	9	5	6	11	15				52
Board Meeting	2	1	1	2	2	0	2	2	2				14
Office	1	1	0	1	2	2	1	1	1				1
Hearings/Investigations	0	0	0	4	8	6	5	0	5				28
Training	0	0	0	0	0	0	0	0	0				0
Leave	0	0	0	7	2	4	0	2	1				16
Total Days Included	3	2	1	20	23	17	14	16	24	0	0	0	120



FUN - Inspector Monthly Report

Report Parameters
Board = FUN
FUN - Inspector = ANDERSON
From 02/07/2014 to 03/13/2014

Report generated on 3/13/2014 at 2:21:52 PM

Inspection Date	Credential Number	Name	County	Contact	Reason	Comments
20140211	FH 003340	DAY & MANOFSKY FS	Fairfield	Rebekah Manofsky	Follow-Up	In Compliance
20140212	FH 002628	OLIVER-LINSLEY FH	Columbiana	Terri Ward	Annual Inspection	In Compliance
20140212	FH 001834	MAPLE-COTTON FH & AMBULANCE	Columbiana	Mary Lou Cotton	Annual Inspection	In Compliance
20140212	FH 002853	KERR-PASTORE FH	Columbiana	Jean Pastore	Annual Inspection	In Compliance
20140212	FH 002984	VAN DYKE-SWANEY-RETTIG FH	Columbiana	No one available	Annual Inspection	
20140213	FH 002426	BAUKNECHT-ALTMAYER FH	Belmont	Chris Davis	Folow Up	In Compliance
20140213	FH 000076	TOOTHMAN FUNERAL HOME	Belmont	Jeffrey Toothman	Annual Inspection	In Compliance
20140213	FH 000805	HARPER FUNERAL HOME	Monroe	No one available	Annual Inspection	
20140219	CREM 000075	NORTH COAST CREM CO	Medina	Donald McKelvy	Annual Inspection	In Compliance
20140219	FH 000782	WAITE & SON MEMORIAL HOME	Medina	Frank Kichurchak Jr	Annual Inspection	In Compliance

20140219	FH 001566	BAUER FUNERAL HOME INC	Medina	no one available	Annual Inspection	
20140219	FH 001869	WAITE & SON FUNERAL HOMES	Medina	Donald McKelvy	Annual Inspection	In Compliance
20140219	FH 001916	CARLSON FUNERAL HOME	Medina	M Kempson	Annual Inspection	In Compliance
20140219	FH 003253	BOLLINGER FUNERAL GOODS & SVC'S	Medina	Mark Bollinger	Annual Inspection	In Compliance
20140221	FH 002626	LANE FAMILY FHS, MADASZ CHAPEL	Trumbull	Rob Dillon	Annual Inspection	In Compliance
20140221	CREM 000129	BROOK PARK CREM CTR	Trumbull	Rob Dillon	Annual Inspection	In Compliance
20140221	FH 003216	BRICELAND FS INC	Trumbull	No one available	Annual Inspection	
20140224	FH 000888	GOEBEL FUNERAL HOME INC	Perry	Dorothy Goebel	Annual Inspection	In Compliance
20140224	FH 001607	BOPE-THOMAS FUNERAL HOME	Perry	Jane Bope	Annual Inspection	In Compliance
20140224	FH 002990	SNOUFFER FH	Perry	No one available	Annual Inspection	
20140225	FH 002014	SHERIDAN FUNERAL HOME INC	Fairfield	Danielle Holbert	Annual Inspection	In Compliance
20140225	FH 002108	HALTEMAN-FETT & DYER FH	Fairfield	Scott Kaminski	Annual Inspection	In Compliance

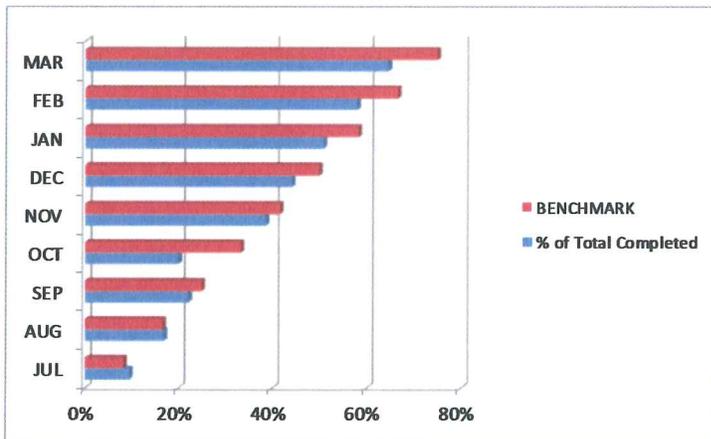
20140225	FH 002750	FRANK E SMITH FUNERAL HOME INC	Fairfield	Cody Minch	Annual Inspection	Monitored Apprentice Cody Minch In Compliance
20140225	CREM 000018	RIVER VALLEY CARING CREMATORY	Fairfield	Cody Minch	Annual Inspection	In Compliance
20140225	FH 002983	TAYLOR FH	Fairfield	No one available	Annual Inspection	
20140225	FH 003004	MORGAN FH	Fairfield	Mark Morgan	Annual Inspection	In Compliance
20140226	FH 001382	SZABO AND SONS	Mahoning	David Szabo	Annual Inspection	In Compliance
20140226	FH 001674	JAMES E WASHINGTON FUNERAL SERVICES INC	Mahoning	James Washington	Annual Inspection	In Compliance
20140226	FH 002630	MCVEAN,HUGHES & MCCLURKIN FH	Mahoning	no one available	Annual Inspection	
20140226	FH 000734	CLEMENTE FUNERAL HOME INC	Mahoning	obtained key/walked thru	Annual inspection	In Compliance
20140226	FH 000752	MCCAULEY FUNERAL HOME	Mahoning	No one available	Annual Inspection	
20140226	FH 000760	SHRIVER-ALLISON-COURTLEY-WELLER-KIN	Mahoning	No one available	Annual Inspection	
20140226	FH 002926	L E BLACK, PHILLIPS & HOLDEN FH	Mahoning	Henry Holden Jr	Annual Inspection	In Compliance
20140304	FH 002679	BLACK-EPPERSON FH	Guernsey	No one available	Annual Inspection	

20140305	FH 002058	WANTON-HORNE CHAPEL OF PEACE FH	Cuyahoga	George Home	Annual Inspection	In Compliance
20140305	FH 002084	DAVID MELBOURNE CHAPMAN-MURPHY FUNERAL HO	Cuyahoga	No one available	Annual Inspection	
20140305	FH 002085	NICOL-WELLS-KLOSS-MURPHY FH	Cuyahoga	No one available	Annual Inspection	
20140305	FH 002167	JOS C SCHULTE & MAHON-MURPHY FUNERAL HO	Cuyahoga	No one available	Annual Inspection	
20140305	FH 002283	BERKOWITZ-KUMIN-BOOKATZ MEMORIAL CHAPEL	Cuyahoga	Jay Goldfarb	Annual Inspection	In Compliance
20140305	FH 002354	MILLER-DEUTSCH-BOOKATZ MEMORIAL CHAPEL	Cuyahoga	Jay Goldfarb	Annual Inspection	In Compliance
20140305	FH 000256	H M MARTIN FUNERAL SERVICE INC	Cuyahoga	Gyta Martin	Annual Inspection	In Compliance
20140305	FH 002903	MAHER-MELBOURNE FH	Cuyahoga	Kevin Maher	Annual Inspection	In Compliance
20140305	FH 002890	DEJOHN-FLYNN-MYLOTT FH	Cuyahoga	William White	Annual Inspection	In Compliance
20140305	FH 003320	FARUS FUNERAL HOME	Muskingum	Matt Farus	Annual Inspection	In Compliance
20140306	FH 001051	JOHNSON-ROMITO FUNERAL HOMES	Summit	Kathleen Romito	Annual Inspection	In Compliance
20140306	FH 001839	FERFOLIA FUNERAL HOMES INC	Summit	Donald B Ferfolia	Annual Inspection	Monitored Apprentice Kyle Sherwood In Compliance

20140306	CREM 000131	OHIO VAULT WORKS INC	Cuyahoga	Mike Early	Annual Inspection	In Compliance
20140310	FH 002307	DWAYNE R SPENCE FUNERAL HOME	Fairfield	Craig Stires	Annual inspection	In Compliance
20140310	FH 002747	JOHNSON-SMITH FUNERAL HOME	Fairfield	Unlocked/Walked Thru	Annual Inspection	In Compliance
20140310	CREM 000058	DWAYNE R SPENCE FUNERAL HOME	Fairfield	Craig Stires	Annual Inspection	In Compliance
20140310	FH 001486	LAW-BAKER FUNERAL HOME	Licking	Dave Baker	Annual Inspection	In Compliance
20140312	FH 000255	MULLANEY BARTH FUNERAL SERVICE	Cuyahoga	No one available	Annual Inspection	
20140312	FH 001882	CORENO FUNERAL HOME	Cuyahoga	Nancy Coreno	Annual Inspection	In Compliance
20140312	FH 001910	RYBICKI & SON FUNERAL HOME	Cuyahoga	No one available	Annual Inspection	

Time period start: **2/7/2014** end: **3/13/2013** Board Meeting **17-Mar-2014** 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	2,527	2,484	2,662	3,489				25,839
Apprentices													
Interviewed	3	1	0	3	3	0	0	3	1				14
Not Available	0	2	0	0	0	2	0	1	2				2
Inspections - Annual													completed
Crem Fac	60	7	7	2	3	3	4	2	4	5			37
Emb Fac	2	0	0	1	0	0	1	0	0	0			2
FH	547	51	38	29	42	52	29	39	39	35			354
Total	609	58	45	32	45	55	34	41	43	40			393
% of Total Completed	10%	17%	22%	20%	39%	44%	51%	58%	65%				65%
BENCHMARK	8%	17%	25%	33%	42%	50%	58%	67%	75%	83%	92%	100%	100%
Difference	1%	0%	-3%	-13%	-3%	-6%	-7%	-9%	-10%				-35%
Violations Identified	2	3	0	1	3	1	3	0	2				15
Inspections - Follow-up													completed
Crem Fac	0	0	0	0	0	0	0	0	2				2
Emb Fac	0	0	0	0	0	0	0	0	0				0
FH	0	0	0	0	2	6	0	0	2				0
Total	0	0	0	0	2	6	0	0	4	0	0	0	12
Inspections - New Facility													completed
Crem Fac	0	0	0	3	0	0	0	1	0				4
Emb Fac	0	0	0	0	0	0	0	0	0				0
FH	0	1	0	0	0	2	0	1	1				5
Total	0	1	0	3	0	2	0	2	1	0	0	0	9
Investigations Working	5	8	7	10	12	2	5	4	12				65
Days Attributed to:													
Inspecting				17	16	12	15	13	12				85
Board Meeting	2	1	2	2	2	1	2	2	2				16
Office	1	1	0	1	2	1	1	1	1				1
Hearings/Investigations	0	0	0	0	1	0	0	0	4				5
Training	0	0	0	0	0	0	0	0	0				0
Leave	0	0	0	0	0	1	0	0	0				1
Total Days Included	3	2	2	20	21	15	18	16	19	0	0	0	116



FUN - Inspector Monthly Report

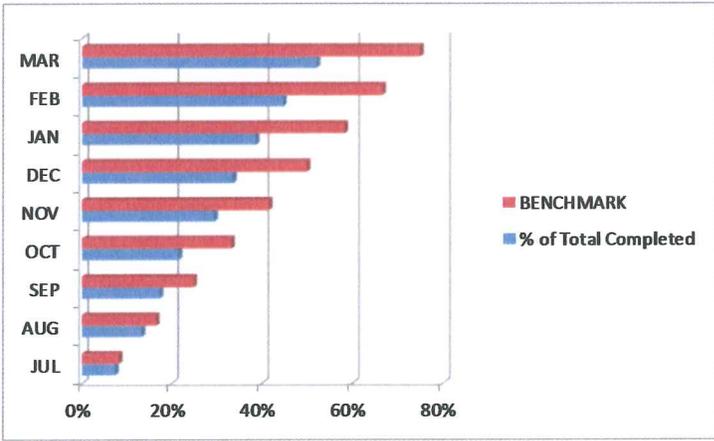
Report Parameters
 Board = FUN
 FUN - Inspector = Seehase
 From 02/07/2014 to 03/13/2014

Inspection Date	Credential Number	Name	County	Contact	Reason	Comments
20140207	FH 001357	DEN HERDER FUNERAL HOME INC	Paulding	John Den Herder	Annual Inspection	In Compliance
20140207	FH 002993	DOOLEY FH	Paulding	No One Available	Annual Inspection	
20140213	FH 002603	OBERLIN-TURNBULL FH	Defiance	Tom Turnbull	Annual Inspection	In Compliance
20140213	FH 002542	KETCHAM-RIPLEY FUNERAL HOME INC	Mercer	Marcia Ripley	Annual Inspection	In Compliance
20140213	CREM 000077	NORTHWEST OHIO CREM SVC	Williams	Thomas L. Turnbull	Annual Inspection	In Compliance
20140213	FH 002604	OBERLIN-TURNBULL FH	Williams	Tom Turnbull	Annual Inspection	In Compliance
20140213	FH 003281	OBERLIN-TURNBULL FH	Williams	Tom Turnbull	Annual Inspection	In Compliance
20140214	FH 001822	HALL-JORDAN & PRETTY MEMORIAL CHAPEL	Butler	Alfred Milton	Annual Inspection	In Compliance
20140214	FH 003341	WALTER W. PIPER, JR. FUNERAL DIRECTORS	Butler	Walter W. Piper, Jr.	Initial Inspection	In Compliance
20140218	FH 002981	FOOS AND FOOS FS	Sandusky	Brian Foos	Annual Inspection	In Compliance
20140218	FH 003231	FOOS FH	Sandusky	Brian Foos	Annual Inspection	In Compliance
20140218	FH 003114	LINDSEY-FOOS-KOCHER FS	Seneca	Permission Given by Jeff Kocher	Annual Inspection	In Compliance
20140221	FH 001796	JOSEPH R GARR FUNERAL SERVICES INC	Hamilton	No One Available	Annual Inspection	
20140221	FH 002068	J C BATTLE & SONS INC	Hamilton	Judith Anthony	Annual Inspection	In Compliance
20140221	FH 003099	HOUSE OF GLOVER FS	Hamilton	Judith Anthony	Annual Inspection	In Compliance
20140221	FH 003213	SCHAEFER-BUSBY-DOYLE FH	Hamilton	Lee T. Doyle	Annual Inspection	In Compliance
20140224	CREM 000067	WOODSIDE CEMETERY & ARBORETUM	Butler	Lisa Taylor	Annual Inspection	In Compliance
20140224	FH 002132	HERR-RIGGS FUNERAL HOME INC	Butler	Lois Arnold	Annual Inspection	In Compliance
20140224	FH 002304	BAKER-STEVENS-PARRAMORE FH	Butler	Bradley Bryant	Annual Inspection	In Compliance
20140224	CREM 000160	OAKWOOD CREMATORY INC	Darke	No One Available	Annual Inspection	
20140224	FH 003297	STOCKER-FRALEY FUNERAL HOME, INC	Darke	No One Available	Annual Inspection	

20140225	FH 001778	LAWSON-ROESSNER FUNERAL HOME	Defiance	M.W. Roessner	Annual Inspection	In Compliance
20140225	FH 002390	SCHAFFER FUNERAL HOME	Defiance	Bryan Ebinger	Annual Inspection	In Compliance
20140225	FH 002650	SMITH & BROWN FUNERAL HOME	Defiance	Karen S. Smith	Annual Inspection	In Compliance
20140227	CREM 000140	TOLEDO MEMORIAL PARK	Lucas	Joe Rodgers	Annual Inspection	In Compliance
20140227	CREM 000161	NORTHWEST OHIO CREM	Lucas	Robert A. Scott	Annual Inspection	In Compliance
20140227	FH 002454	NEWCOMER FH	Lucas	S. Waltermeyer	Annual Inspection	In Compliance
20140227	FH 002599	FRECK FUNERAL CHAPEL	Lucas	Michelle LaRue-Williamson	Annual Inspection	In Compliance
20140227	FH 003082	DAVID R JASIN-HOENING FH	Lucas	Michael Pirolli	Annual Inspection	In Compliance
20140228	FH 003111	HOEFLINGER-BOLANDER FH	Lucas	James Bolander	Annual Inspection	In Compliance
20140228	FH 002372	EGGLESTON MEINERT PAVLEY FH	Wood	Janice Hamilton	Annual Inspection	In Compliance
20140228	FH 002434	SUJKOWSKI FUNERAL HOME	Wood	Brian Sujkowski	Annual Inspection	In Compliance Monitored Apprentice Ashley Sujkowski
20140228	FH 003127	WITZLER-SHANK FH	Wood	Ed Merz, Jr.	Annual Inspection	In Compliance
20140304	CREM 000094	GREATER CINCINNATI CREMATORY	Hamilton	Matt Taylor	Annual Inspection	In Compliance
20140304	FH 000513	RADEL FUNERAL SERVICE CO	Hamilton	Matt Hollandsworth	Annual Inspection	In Compliance
20140304	FH 002191	GILLIGAN-SIEFKE-GRUETER FH	Hamilton	Peter J. Gilligan	Annual Inspection	In Compliance
20140304	FH 002532	VITT, STERMER & ANDERSON	Hamilton	David Anderson	Annual Inspection	In Compliance
20140304	FH 002572	DALBERT, WOODRUFF & ISENOGLE FH	Hamilton	Robert Clayton Isenogle	Annual Inspection	In Compliance
20140304	FH 002826	PIORKOWSKI FUNERAL HOME	Hamilton	Matt Taylor	Annual Inspection	In Compliance
20140306	FH 003341	WALTER W. PIPER, JR. FUNERAL DIRECTORS	Butler	Michael Henderson	Follow-up Inspection	No Licensed Manager and AIC Photographs Taken
20140310	FH 002623	SKILLMAN, MCDONALD & VERNON FH	Champaign	Jessica L. Stebbins	Annual Inspection	In Compliance
20140310	FH 002726	VERNON FUNERAL HOME	Champaign	David P. Vernon	Annual Inspection	In Compliance
20140313	CREM 000046	KNOLLCREST CEMETERY ASSOCIATION INC	Hancock	Charles M. Crates	Annual Inspection	In Compliance
20140313	FH 000542	COLDREN CRATES FUNERAL HOME	Hancock	Charles M. Crates	Annual Inspection	In Compliance Apprentice Cortney Cornell out of office
20140313	FH 003134	CRATES FUNERAL CHOICES LLC	Hancock	Terry Huffman	Annual Inspection	In Compliance

Time period start: **2/7/2014** end: **3/13/2014** Board Meeting **17-Mar-2014** FY2014

Board Meeting	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Year
Inspections - Annual													<i>completed</i>
Crem Fac	120	8	10	3	3	8	6	6	10				60
Emb Fac	4	0	0	1	0	0	1	0	0				2
FH	1167	88	67	47	51	94	47	59	72	85			610
Total	1291	96	77	51	54	102	54	65	78	95			672
% of Total Completed	7%	13%	17%	22%	29%	34%	39%	45%	52%				52%
BENCHMARK	8%	17%	25%	33%	42%	50%	58%	67%	75%	83%	92%	100%	100%
Difference	-1%	-3%	-8%	-12%	-12%	-16%	-20%	-22%	-23%				-48%
Average No. Days Attributed to:													
Inspecting				11.5	12.5	12	10.5	12	15				73.5
Board Meeting	2	1	1.5	2	2	0.5	2	2	2				15
Office	1	1	0	1	2	1.5	1	1	1				1
Hearings/Investigations	0	0	0	2	4.5	3	4.5	0	5				19
Training	0	0	0	0	0	0	0	0	0				0
Leave	0	0	0	3.5	1	2.5	0	1	1				9
Total Days Included	3	2	1.5	20	22	19.5	18	16	24	0	0	0	126



Executive Director's Report

Items of Interest

As of March 10, 2014, we have received 38% of the Annual Preneed Reports that are required to be filed by March 30, 2014. Since we have 62%, or 731 reports remaining to be filed, it is predicted there will be a large number of issues on the April agenda regarding failure to timely file the report.

On March 10, 2014, I received notice from Assistant Attorney General, James Patterson, that the Attorney General's Office has closed their case against Gerald Polk, stating:

"when the injunction issue first came up, our office can file litigation only after determining that there is sufficient evidence in hand to proceed with the cause of action (in this case, a preliminary and permanent injunction). As you may recall, this matter was on hold for some time (most of last year) while we waited for a statement from the prosecutor to the effect that any injunction action would not impede her prosecution efforts. It was very late in 2013 when she made that representation. I understand that your office conducted an investigation before this matter was first brought up to the Board, but what I indicated at that time (and thereafter, while we waited for the prosecutor) was that we would need evidence of current on-going violations in order to pursue any injunction action. If your office identifies evidence of current violations through an investigation, we could certainly re-open the injunction issue."

The Ohio Department of Health, Office of Vital Statistics has granted the Executive Director and Inspectors access to the Electronic Death Registration System (EDRS). We will now be able to view Ohio death records on behalf of the Board.

The Executive Director and Inspector, Anderson will be appearing before the Criminal Division of the Common Pleas Court in both Montgomery County (Michelle Gavin case) and Trumbull County (Robert McDermott case) the beginning of June, 2014.

Board President, Robert Carter and Executive Director, Vanessa Niekamp attended the 110th Annual Meeting of The Conference on Tuesday, February 25, 2014, through Thursday, February 27, 2014, in Orlando, Florida. During the Annual Meeting, Mr. Carter was elected Secretary Treasurer of the Board of Directors, and Ms. Niekamp was elected Secretary of the Association of Executives of Funeral Service Boards.

The following is an article written by Scott Gilligan regarding the recent court actions in Pennsylvania:

***PENNSYLVANIA CASE MAY IMPACT OHIO LAW
ON FUNERAL HOME NAMES***

By

T. Scott Gilligan

OFDA General Counsel

Nearly five years ago, a group of Pennsylvania funeral homes and cemeteries launched a federal court challenge to a dozen key provisions of Pennsylvania's funeral licensing law. They were initially successful when a federal district court invalidated 11 of the 12 provisions as unconstitutional. However, that victory was short-lived as the United States Third Circuit Court of Appeals issued an opinion on February 19, 2014 that reversed nearly all of the district court's ruling. As a result, most of Pennsylvania funeral licensing law will be reinstated.

Although the Third Circuit reversed most of the district court's original holdings, it did uphold one ruling from the trial court. It agreed with the district court that Pennsylvania's prohibition against funeral homes utilizing trade names violates the right of free speech provided by the First Amendment.

While the ruling from the Third Circuit Court of Appeals (which covers the states of Pennsylvania, New Jersey and Delaware) would not be binding on Ohio, the decision would carry substantial weight if a similar constitutional challenge is brought against Sections 4717.06(B)(3) and 4717.11(B) of the Ohio Revised Code which governs the names of Ohio funeral homes. Ohio, like Pennsylvania and eight other states, requires that the funeral home only be operated under the name of the funeral director actually in charge and ultimately responsible for the funeral home. In addition, Section 4717.11(B) of the Revised Code allows a funeral home to retain the name of former licensees who have died or who are no longer associated with the funeral home as long as the name of the current licensee is added to the funeral home name within a two-year period.

In the Pennsylvania challenge, the state defended its funeral home name law by arguing that it protects consumers against deception and being misled as to who owns the funeral home. By restricting the name of the funeral home to the funeral director actually in charge, Pennsylvania argued that the consumer knows with whom he or she is dealing with and who is accountable.

The Third Circuit, in its analysis of the Pennsylvania's funeral licensing law, first recited the standard by which it would review this limitation on the freedom of speech. For the Pennsylvania law to survive constitutional challenge, the State had to demonstrate that the law alleviated the cited harm to a material degree.

The Third Circuit found Pennsylvania's claim that the law was necessary so that consumers knew with whom they were dealing to be undercut by the provision in Pennsylvania law which allowed predecessors' names to be used in the funeral home name. By permitting the retention of a predecessor's name in the funeral home name, the consumer would be unaware of with whom he or she is dealing. The Court also questioned why the use of trade names in the funeral industry would mislead or deceive consumers. It concluded that Pennsylvania's

rationale for the law was insufficient and that the law constituted an unconstitutional infringement on the freedom of speech.

While, as noted above, the Third Circuit’s ruling is not binding in Ohio, it is a persuasive argument that will carry weight if a constitutional challenge is brought against Sections 4717.06 and 4717.11 of the Ohio Revised Code. Since Ohio, like Pennsylvania, allows a former licensee’s name to appear in the name of the funeral home, Ohio would be hard pressed to defend the law by arguing that Ohio consumers need to know with whom they are dealing.

The Third Circuit’s opinion will certainly be studied by the Ohio Board of Embalmers and Funeral Directors. Whether the Board seeks a change in Sections 4717.06(B)(2) and 4717.11(B) based on the ruling remains to be seen. Likewise, whether the Board will be able to enforce Ohio’s funeral home name requirements against a funeral home owner that wants to use a trade name is an open question. OFDA will continue to monitor the situation and keep members updated.

Budget/Fiscal Overview

This is the current overview of the SFY14 budget as of March 10, 2014:

SFY14	Budget	Expense	Encumbrance	Available Budget
510	\$45,000.00	\$20,512.52	\$16,008.50	\$8,478.98
520	\$183,601.95	\$81,640.79	\$65,049.53	\$36,911.63
530	\$7,264.93	\$4,118.50	\$0.00	\$3,146.43
595	\$1,000.00	\$530.00	\$0.00	\$470.00
500 - QTR1	\$135,735.07	\$135,735.07	\$0.00	\$0.00
500 - QTR2	\$107,398.05	\$107,398.05	\$0.00	\$0.00
500 - QTR3	\$138,000.00	\$94,221.34	\$0.00	\$43,778.66
500 - QTR4	\$119,000.00	\$0.00	\$0.00	\$119,000.00
Budget	\$737,000.00	\$444,156.27	\$81,058.03	\$211,785.70

Our disbursements from February 7, 2014, through March 10, 2014, are as follows:

Voucher ID	Vendor Name	Accounting Date	Payment Amount
00002115	KENLEY KONNECTION INC	02/11/2014	\$151.33
00002116	BARBARA A STAFFORD	02/11/2014	\$247.50
00002117	MT BUSINESS TECHNOLOGIES INC	02/11/2014	\$145.68
00002118	OFFICE OF BUDGET & MANAGEMENT	02/11/2014	\$416.50
00002119	DEPARTMENT OF ADMINISTRATIVE SERVICES	02/11/2014	\$3.02
00002120	DEPARTMENT OF ADMINISTRATIVE SERVICES	02/11/2014	\$9.93
00002121	DEPARTMENT OF ADMINISTRATIVE SERVICES	02/11/2014	\$315.14
00002122	DEPARTMENT OF ADMINISTRATIVE SERVICES	02/11/2014	\$199.07
00002123	DEPARTMENT OF ADMINISTRATIVE SERVICES	02/11/2014	\$496.00
00002124	DEPARTMENT OF ADMINISTRATIVE SERVICES	02/11/2014	\$293.25
00002125	CINCINNATI BELL ANY DISTANCE INC	02/24/2014	\$74.37
00002126	BARBARA A STAFFORD	02/24/2014	\$480.00
00002127	FEDERAL EXPRESS CORPORATION	02/24/2014	\$33.52
00002128	GREENE INC	02/24/2014	\$25.00
00002129	DEPARTMENT OF ADMINISTRATIVE SERVICES	02/24/2014	\$594.87
00002130	DEPARTMENT OF ADMINISTRATIVE SERVICES	02/24/2014	\$335.82
00002131	DEPARTMENT OF ADMINISTRATIVE SERVICES	02/24/2014	\$779.90
00002132	BROWN ENTERPRISE SOLUTIONS	02/24/2014	\$3,747.00
00002133	KENLEY KONNECTION INC	02/28/2014	\$747.13
00002134	GONGWER NEWS SERVICE INC	03/05/2014	\$750.00
00002135	MT BUSINESS TECHNOLOGIES INC	03/05/2014	\$104.50
00002136	BARBARA A STAFFORD	03/05/2014	\$75.00
00002137	VERIZON WIRELESS	03/05/2014	\$304.91
Summary			\$10,329.44

Upcoming Events

Apprentice Interviews will be conducted by Thomas Fleming and Robert Carter this month.

Our next meeting will be in Columbus, Ohio, on Tuesday, April 15th and Wednesday, April 16th. We will be in Riffe Center 19th Floor, Room 1918. Apprentice Interviews for April will be conducted by Robert Carter and Linda Betzer.

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. Rooms at the Hilton are no longer available.

OFDA will be holding a Masters Training the day before the Conference on May 13th and Thomas Fleming will present on behalf of the board.

The Buckeye State Funeral Directors and Embalmers Association has invited us as an exhibitor at their 77th Annual Convention to be held on Thursday, June 19th and Friday, June 20th, 2014, at the Deer Creek State Lodge and Resort, in Mt. Sterling, Ohio. This will be the Thursday and Friday before our June board meeting. The board will pay for two overnight stays, Thursday and Friday nights. Greg Boyer and Thomas Fleming have volunteered to attend. Board President, Robert Carter will also be attending and making a presentation at the event.

We have purchased a new software package called BoardDocs, which will allow us to fully utilize the iPads and go paperless for meetings. We will receive training from BoardDocs in May. I have included the training schedule below. We will then use BoardDocs for the first time in June. May will be the last meeting we produce binders. You can learn all about BoardDocs at the following website: www.boarddocs.com.

Monday, May 19th

1:00 p.m. to 4:00 p.m. Regular session of the board, no training by BoardDocs

Tuesday, May 20th

9:00 a.m. to 10:00 a.m. Regular session of the board, no training by BoardDocs

10:00 a.m. to 11:00 a.m. Board member training session

Includes: Robert Carter (voting member)
Robert Wasko (voting member)
Linda Betzer (voting member)
Greg Boyer (voting member)
Thomas Fleming (voting member)
Vanessa Niekamp
Eric Anderson
Troy Seehase
Linda Clark
Jarrod Williams
Danny Finrock
Carla Dowling–Fitzpatrick
Barbara Stafford

11:30 a.m. to 4:00 p.m. Document publisher training

Includes: Vanessa Niekamp
Jarrod Williams

Wednesday, May 21st

9:00 a.m. to 1:30 p.m. Document publisher training continues

Includes: Vanessa Niekamp
Jarrod Williams

1:30 p.m. to 2:30 p.m. Administration training session

Includes: Vanessa Niekamp
Eric Anderson
Troy Seehase
Linda Clark
Jarrod Williams
Danny Finrock
Barbara Stafford

Board meeting notations:

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

Director Niekamp further discussed the closure of the Attorney General's Office case against Gerald Polk. Ms. Niekamp shared thoughts on why the efforts to secure the injunction were unsuccessful. A few examples cited were; the injunction was not prioritized- notably absent from AG monthly reports, insufficient contact with Bambi Couch Page, Richland County Assistant Prosecutor, and an investigation by an external agency- as recommended by Assistant Attorney General James Patterson, never occurred.

There was discussion among the board on the article written by T. Scott Gilligan about recent court actions in the State of Pennsylvania on funeral licensing law.

Mr. Thomas Fleming questioned disbursements. Director Niekamp answered with explanation of the expenditures.

On a motion by Mr. Robert Carter, and seconded by Mr. Greg Boyer, the Board voted to recess the meeting. *Ayes: 4, Nays: 0; Motion passed.*

The March 2014 meeting of the Board recessed at 2:04 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, March 18, 2014, 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 9:01 a.m. Other board members in attendance were Mr. Robert Wasko, Ms. Linda Betzer, Mr. Thomas Fleming, and Mr. Greg Boyer. Board staff members present were Inspectors Eric Anderson and Troy Seehase, Office personnel Linda Clark, Danny Finfrock, and Jarrod Williams.

Executive Director Vanessa Niekamp precluded the presentation of continuing education programs with discussion about the annual continuing education audit. Ms. Niekamp asked the board if they would support an increase in the percentage of licensees polled in the annual random continuing education audit. She cited concern that many licensees were not meeting the continuing education requirement. And the current sample of ten percent is not enough to identify offenders. Ms. Niekamp suggested the benefit of a greater poll would provide a better indicator of licensees abiding state requirements.

There was discussion among the board to increase the count of licensees involved in the random audit.

Ms. Linda Betzer suggested a study of the process of the audit. She requested the study identify an acceptable ratio between the amount of work involved in auditing each licensee and the total number of licensees included in the count.

Ms. Vanessa Niekamp offered another proposal. It was recommended that when a licensee is charged with a violation by the board, the board require proof of hours completed for the two year compliance period. These inquiries may aid the annual random audit by providing an additional auditing mechanism throughout the year.

There was discussion among the board and a consensus was reached to begin requiring a licensee to provide evidence of continuing education hours when charged with a violation by the board.

Continuing Education

Mr. Greg Boyer presented the applications for continuing education programs.

Applications for Waiver

On a motion by Mr. Robert Carter, and seconded by Ms. Linda Betzer, the Board voted to approve the following application:

Licensee	License Number(s)	Note
Shank, Clara J.	FD 005771	

The motion passed with a vote of 5 to 0.

Applications for Continuing Education

Continuing Education Programs March 18, 2014:

On a motion by Ms. Linda Betzer, and seconded by Mr. Thomas Fleming, the Board approved the following applications for continuing education: Ayes: 5, Nays: 0; *Motion passed.*

Sponsor Name	Program Date	Hours	Location	Course Name	Contact	Phone
BALIN AND ASSOCIATES	4/2/2014	6	Independence, Ohio	Shame and Guilt	Marcella Balin	937-766-2645
BALIN AND ASSOCIATES	4/7/2014	6	Beavercreek, Ohio	Shame and Guilt	Marcella Balin	937-766-2645
BATESVILLE CASKET COMPANY	4/24/2014	2	Batesville, IN	Customer Service Strategies for Creating an Outstanding Customer Experience	Deb St Pierre	812-934-7557
BATESVILLE CASKET COMPANY	4/28/2014	2	Saint Clairsville, Ohio	Acting on Cremation Challenges Together	Deb St Pierre	812-934-7557
Busch Funeral and Crematory Service	5/16/2014	6	Cleveland, Ohio	The Dark Triad	Mark Busch	216-749-7450
Busch Funeral and Crematory Service	5/17/2014	6	Cleveland, Ohio	The Dark Triad	Mark Busch	216-749-7450
CENTRAL INSTITUTE FOR EDUCATIONAL ADVANCEMENT	3/25/2014	3	Dayton	Stress Reduction for Funeral Directors	Joel L. Getts	937-572-8636
COMMUNITY HOSPICE OF TUSCARAWAS, STARK & CARROLL	4/23/2014	2	New Philadelphia	The Grand Oxymoron: Children & Death	Brian Flood	(330) 343-7605
COMMUNITY HOSPICE OF TUSCARAWAS, STARK & CARROLL	4/24/2014	2	New Philadelphia	The Grand Oxymoron: Children & Death	Brian Flood	(330) 343-7605
CORNERSTONE OF HOPE	4/3/2014	1	Independence	Men's Grief	Julia Ellifritt	216-524-3787
CORNERSTONE OF HOPE	4/8/2014	2	Independence	From Stress to Success	Julia Ellifritt	216-524-3787
CORNERSTONE OF HOPE	5/1/2014	1	Independence	Children's Grief	Julia Ellifritt	216-524-3787
CORNERSTONE OF HOPE	5/2/2014	1	Powell, Ohio	Grief, Loss and the Spiritual Journey	Julia Ellifritt	216-524-3787
CORNERSTONE OF HOPE	5/2/2014	1	Powell, Ohio	The Impact of Cancer on the Grief Experience	Julia Ellifritt	216-524-3787
CORNERSTONE OF HOPE	5/2/2014	1	Powell, Ohio	Group Interventions for Traumatic Loss	Julia Ellifritt	216-524-3787
CORNERSTONE OF HOPE	5/2/2014	1	Powell, Ohio	Healing Trauma with Spirituality	Julia Ellifritt	216-524-3787
CORNERSTONE OF HOPE	5/2/2014	1	Powell, Ohio	Frozen In Time: Treatment of Complicated Grief through Sand Play Therapy	Julia Ellifritt	216-524-3787
CORNERSTONE OF HOPE	5/2/2014	1	Powell, Ohio	Walking with a Pet Family Through Grief and Loss	Julia Ellifritt	216-524-3787

CORNERSTONE OF HOPE	5/2/2014	1	Powell, Ohio	Creative Memorialization	Julia Ellifritt	216-524-3787
CORNERSTONE OF HOPE	5/2/2014	1	Powell, Ohio	Traumatic Loss Response Team	Julia Ellifritt	216-524-3787
CORNERSTONE OF HOPE	5/2/2014	1	Powell, Ohio	Trauma - Laced Grief: Crisis Leadership Following Violence	Julia Ellifritt	216-524-3787
CORNERSTONE OF HOPE	5/2/2014	1	Powell, Ohio	EIMDR Principles and Applications	Julia Ellifritt	216-524-3787
CORNERSTONE OF HOPE	5/2/2014	1	Powell, Ohio	Navigating Life's Rough Waters: Fostering Self Care and Resilience	Julia Ellifritt	216-524-3787
CORNERSTONE OF HOPE	5/2/2014	1	Powell, Ohio	Ritual and Remembering Tools for Healing	Julia Ellifritt	216-524-3787
CORNERSTONE OF HOPE	5/2/2014	2	Powell, Ohio	Why People Die by Suicide	Julia Ellifritt	216-524-3787
CORNERSTONE OF HOPE	6/5/2014	1	Independence	Spirituality Following Grief	Julia Ellifritt	216-524-3787
FEDERATED FUNERAL DIRECTORS OF AMERICA (FFDA)	8/19/2014	1	Indianapolis, IN	How Many Cremations Do I Have to Perform to Justify Installing a Crematory?	Sean Wonder	812-201-7210
FEDERATED FUNERAL DIRECTORS OF AMERICA (FFDA)	8/19/2014	1	Indianapolis, IN	Creating Funeral Packages That Work	Sean Wonder	812-201-7210
FEDERATED FUNERAL DIRECTORS OF AMERICA (FFDA)	8/19/2014	2	Indianapolis, IN	The Unsteady March of Time - The Funeral Profession Past, Present & Future	Sean Wonder	812-201-7210
FEDERATED FUNERAL DIRECTORS OF AMERICA (FFDA)	8/19/2014	1	Indianapolis, IN	Acting on Cremation Challenges Together	Sean Wonder	812-201-7210
FEDERATED FUNERAL DIRECTORS OF AMERICA (FFDA)	8/19/2014	2	Indianapolis, IN	Crematory Investment 101	Sean Wonder	812-201-7210
FUNERAL DIRECTORS ASSOCIATION OF KENTUCKY	4/8/2014	3	Gilbertsville, Ky	The 4P's to Avoid Cremation	Kim House	502-223-0622
FUNERAL DIRECTORS ASSOCIATION OF KENTUCKY	4/8/2014	2	Gilbertsville, Ky	Marketing Cremation for Profitability	Kim House	502-223-0622
FUNERAL DIRECTORS ASSOCIATION OF KENTUCKY	4/9/2014	3	Owensboro, Ky	The 4P's to Avoid Cremation Litigation	Kim House	502-223-0622
FUNERAL DIRECTORS ASSOCIATION OF KENTUCKY	4/9/2014	2	Owensboro, Ky	Marketing Cremation for Profitability	Kim House	502-223-0622
FUNERAL DIRECTORS ASSOCIATION OF KENTUCKY	4/10/2014	3	Elizabethtown, Ky	The 4P's to Avoid Cremation Litigation	Kim House	502-223-0622
FUNERAL DIRECTORS ASSOCIATION OF KENTUCKY	4/10/2014	2	Elizabethtown, Ky	Marketing Cremation for Profitability	Kim House	502-223-0622
FUNERAL DIRECTORS ASSOCIATION OF KENTUCKY	4/14/2014	3	Morehead, Ky	The 4P's to Avoid Cremation Litigation	Kim House	502-223-0622
FUNERAL DIRECTORS ASSOCIATION OF KENTUCKY	4/14/2014	2	Morehead, Ky	Marketing Cremation for Profitability	Kim House	502-223-0622

FUNERAL DIRECTORS ASSOCIATION OF KENTUCKY	4/15/2014	3	London, Ky	The 4P's to Avoid Cremation Litigation	Kim House	502-223-0622
FUNERAL DIRECTORS ASSOCIATION OF KENTUCKY	4/15/2014	2	London, Ky	Marketing Cremation for Profitability	Kim House	502-223-0622
FUNERAL DIRECTORS ASSOCIATION OF KENTUCKY	4/16/2014	3	Erlanger, Ky	The 4P's to Avoid Cremation Litigation	Kim House	502-223-0622
FUNERAL DIRECTORS ASSOCIATION OF KENTUCKY	4/16/2014	2	Erlanger, Ky	Marketing Cremation for Profitability	Kim House	502-223-0622
FUNERAL DIRECTORS ASSOCIATION OF NW OHIO INC	4/21/2014	2	Toledo	Military Funeral Honors Program	Carter Neff	419-243-6281
INTERNATIONAL CEMETERY, CREMATION AND FUNERAL ASSO	4/8/2014	18	Las Vegas, NV	2014 ICCFA Annual Convention and Exposition	Daniel Osorio	703-391-8400
INTERNATIONAL ORDER OF THE GOLDEN RULE	4/24/2014	1	Online	Grow, Engage, and Convert your Audience on Facebook	Jessica A. Smith	800-637-8030 X 110
INTERNATIONAL ORDER OF THE GOLDEN RULE	6/26/2014	1	Online	Financial Forecast: Where's Your Business Headed	Jessica A. Smith	800-637-8030 X 110
INTERNATIONAL ORDER OF THE GOLDEN RULE	8/28/2014	1	Online	Health Fair for Death Care: Reaching your Community One Event at a Time	Jessica A. Smith	800-637-8030 X 110
NATIONAL FUNERAL DIRECTORS AND MORTICIANS ASSOC.	4/26/2014	2	Jacksonville, FL	Let's Get Lifted: A Civil Rights Experience	Cornell Robinson-Carroll	770-969-0064
NATIONAL FUNERAL DIRECTORS AND MORTICIANS ASSOC.	4/27/2014	1	Jacksonville, FL	Where Are We Going?	Cornell Robinson-Carroll	770-969-0064
NATIONAL FUNERAL DIRECTORS AND MORTICIANS ASSOC.	4/27/2014	1	Jacksonville, FL	Creativity in Business	Cornell Robinson-Carroll	770-969-0064
NATIONAL FUNERAL DIRECTORS AND MORTICIANS ASSOC.	4/28/2014	2	Jacksonville, FL	OSHA & FTC: Get the Facts	Cornell Robinson-Carroll	770-969-0064
NATIONAL FUNERAL DIRECTORS AND MORTICIANS ASSOC.	4/29/2014	2	Jacksonville, FL	What Would You Do: An Embalming Symposium	Cornell Robinson-Carroll	770-969-0064
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	4/10/2014	1	Online	Redesigning Customer Service for Outstanding Results	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	4/24/2014	1	Online	Keep an Open Mind on the Greening of Funerals and Your Firm	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	4/26/2014	1	Online	Four P's of Cremation	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	4/26/2014	1	Online	ABC's of Building Loyalty	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	4/26/2014	2	Online	Conversation Cafe	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	4/26/2014	2	Online	Transitions Changes, Challenges and Choices	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	4/27/2014	2	Online	Taking Control of Your Financial Future	Kathleen Walczak	800-228-6332

NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	4/27/2014	2	Online	Ship and Decomposition Transformation and Closure	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	5/6/2014	2	Online	Annual All-Staff Funeral Rule Training with FTC Funeral Rule Coordinator	Kathleen Walczak	800-228-6332
NATIONAL FUNERAL DIRECTORS ASSOCIATION 2014	8/21-22/2014	8	Ashland, Va	Certified Preplanning Consultant (CPC) program	Kathleen Walczak	800-228-6332
OFDA #2	4/9/2014	2	Ashland, Ohio	Ohio Patriot Guard Riders	Ohio Funeral Directors Assoc Dist #2	419-522-5211
OHIO FUNERAL DIRECTORS ASSOCIATION	5/13/2014	6	Columbus	Master's Training Seminar	Diana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	5/14/2014	1	Columbus	NFDA Update / OFDA Executive Directors Message	Diana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	5/14/2014	2	Columbus	Board of Directors Meeting	Diana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	5/15/2014	1	Columbus	Credit Hour for Viewing Exhibits	Diana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	5/15/2014	1	Columbus	Living with Passion	Diana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	5/15/2014	1	Columbus	Funeral Service in the Age of the "Me's" and the "None's"	Diana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	5/15/2014	1	Columbus	Funeral Arrangements to Die for	Diana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	5/15/2014	1	Columbus	What Women Want - Effective Marketing	Diana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	5/15/2014	1	Columbus	Closing the Profitability Gap w/ Cremation "The	Diana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	5/15/2014	1	Columbus	Microbes and Morticians	Diana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	5/15/2014	1	Columbus	Engagement Matters: 3key Strategies to Exceed Expectations & Create	Diana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	5/16/2014	1	Columbus	Credit Hour for Viewing Exhibits	Diana O'Neal	614-486-5339
OHIO FUNERAL DIRECTORS ASSOCIATION	5/16/2014	2	Columbus	The Legal Eagles	Diana O'Neal	614-486-5339
Ohio Funeral Directors Association #4	3/26/2014	2	Hamilton, Ohio	Veteran's Benefits Program	Molly Zor Reholz	513-895-5412
Ohio Funeral Directors Assoc Dist #16	4/17/2014	2	Canton, Ohio	Technology, The Effects of Education and the Funeral Service Profession	Daniel T. Skivockie	330-823-2159
Ohio Funeral Directors Assoc Dist #15	4/3/2014	2	Warren, Ohio	What You Should do in the Prep Room to Keep Yourself out of the Courtroom?	Tom Rossi	330-720-2518
PRACTICUM STRATEGIES	4/2/2014	3	Boardman, Ohio	Funeral Values	Richard Santore	800-731-4714

PRACTICUM STRATEGIES	4/4/2014	3	Hebron, Ky	Ethics	Richard Santoro	800-731-4714
SELECTED INDEPENDENT FUNERAL HOMES	4/30/2014	8	Saint Charles, MO	2014 Spring Management Summit	Amy Hunt	847-236-9401
STUART BURIAL VAULTS CO., INC	4/3/2014	1	Grove City, Ohio	Merchandising Concrete Burial Vaults	John Boone	740-569-4158
STUART BURIAL VAULTS CO., INC	6/4/2014	1	Grove City, Ohio	The History and Manufacturing Process of Burial Vaults	John Boone	740-569-4158
STUART BURIAL VAULTS CO., INC	9/11/2014	1	Bremen, Ohio	Concrete Burial Vault- Plant Tour	John Boone	740-569-4158
SUMMIT COUNTY FUNERAL DIRECTORS DISTRICT 8	4/18/2014	5	Akron, Ohio	Beginning the Conversation About End of Life Wishes	Scott Mason	330-620-1916
TERRADISE COMPUTER SYSTEMS, INC	4/8/2014	2	Wyoming, Ohio	Leveraging Your Funeral Home Software Investment	Terradise Computer Systems, Inc	513-484-9729
THE CLEVELAND AFRICAN AMERICAN FD & EMB ASSOC	3/31/2014	3	Warrensville Hts, Ohio	Compassion Fatigue	Tara Simpson	216-410-5269
TRI-COUNTY FUNERAL DIRECTORS ASSOC	3/19/2014	2	New Philadelphia	Blood Borne Pathogen Update	Robert L Smith	330-852-2141
TRI-COUNTY FUNERAL DIRECTORS ASSOC - DISTRICT 19	4/8/2014	2	Burton, Ohio	Cleveland Eye Bank Update	Mitchell W. Babcock	440- 942-1122
TRI-COUNTY FUNERAL DIRECTORS ASSOCIATION	3/19/2014	2	Washington CH, Ohio	Blood Borne Pathogens, Health Issues	Susan Littleton Kempner	937-584-2431
WEST VIRGINIA FUNERAL DIRECT TRIST FIRE ACADEMY	4/8/2014	3	Huntington, WV	9th Annual All Hazards Management Symposium	West Virginia Funeral Direct Tri St Fire Academy	304-525-8121
WEST VIRGINIA FUNERAL DIRECT TRIST FIRE ACADEMY	4/9/2014	8	Huntington, WV	All Hazards Management Symposium	West Virginia Funeral Direct Tri St Fire Academy	304-525-8121
WEST VIRGINIA FUNERAL DIRECT TRIST FIRE ACADEMY	4/10/2014	8	Huntington, WV	All Hazards Management Symposium	West Virginia Funeral Direct Tri St Fire Academy	304-525-8121

Compliance

**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 #1400089

*On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to charge *Jack Monreal-Coyne Funeral Home (FH.002662)

With violation #1: R.C. 4717.14(A)(4) The applicant or licensee has committed immoral or unprofessional conduct. 4717-8-01 Unprofessional Conduct (G)-“Failure to comply with any Board request during an inspection or investigation, or finding, or order.”

And order: Motion: An order to Pay Forfeiture (2nd Offense)
[licensee may request hearing instead]
(4717-12-01(A)(3)(b) \$7,500.00 min -\$10,000.00 max)
Amount of forfeiture imposed: \$10,000.00, without opportunity for settlement

With violation #2: R.C. 4717.04(A)(9)(g) Misleading the public using false or deceptive advertising.

And order: Motion: An order to Pay Forfeiture (2nd Offense)
[licensee may request hearing instead]
(4717-12-01(A)(7)(b) \$7,500.00 min -\$10,000.00 max)
Amount of forfeiture imposed: \$10,000.00, without opportunity for settlement

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

The motion passed with a vote of 5 to 0.

Details:

This funeral home is owned by an unlicensed individual. The AIC has changed since prior issues before the board.

September 2011 - Board authorized a name change for the funeral home and then notified the funeral home in writing that all signage and advertising must contain the new name.

June 2012 - Board received a complaint stating the signage for the funeral home had not been changed and did not reflect the prior approved name change.

July 2012 - Board notified the funeral home in writing that they must change their signage to reflect the new name as previously instructed by the Board in September 2011.

August 2012 - Board office communicated with the funeral home via email providing specifics regarding which signs must be changed and how it must be worded to meet the advertising requirements.

December 2012 – Photographic evidence had been provided and a Board inspector witnessed in person that the signage had not been changed as instructed. The Board then charges the funeral home and AIC (who has since left employment with this unlicensed owner).

August 2013 – Settlement agreement is reached that includes agreement to change all signage and advertising.

October 2013 – The funeral home license is suspended per the settlement agreement for failure to change the signage. The signage is then changed within 24 hours.

January 17, 2014 - The Ohio Board of Embalmers and Funeral Directors received a complaint about this funeral home alleging violations involving advertising. The complaint detailed website and internet issues.

January 28, 2014 – The initial “Request For Response” letter (with a copy of the complaint) was issued to the funeral home. A response was due on February 11, 2014.

March 4, 2014 – This funeral home files a complaint with the board against the funeral home who has been initiating the complaints about the advertising, but does not respond to the board’s request for response.

March 12, 2014 - As of this date no response has been received from the funeral home.

Prior Issues:

December 17, 2012, the Board charged the Funeral Home and AIC with a violation of R.C. 4717.04(A)(9)(g) for misleading the public using false or deceptive advertising, and violations of A.C. 4717-8-01-G for unprofessional conduct, failure to comply. The Board issued an order to Pay Forfeiture of \$5,500.00. The case was settled for \$3,000.00 and agreement that “all signage and advertising of the Funeral Home must contain the new name” [PARAGRAPH 6].

**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 #1400077

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

*Selby-Cole Funeral Home (FH.002629)

With a violation of: R.C. 4717.06 (B)(3) The holder of the funeral home license shall be a funeral director licensed under this chapter who is actually in charge of and ultimately responsible for the funeral home. 4717-7-02 Requirements for funeral home licensure (C)(3) - The holder of a funeral home license shall submit to the board written notification, within **ten days** of any termination of a manager or the funeral director actually in charge of and ultimately responsible for the funeral home. Except in extenuating circumstances, and with approval of the board, no funeral home is to operate without a full-time manager or a funeral director actually in charge of and ultimately responsible for the funeral home for more than third days after the written notification is filed with the board, however, a change of manager does not require a new license. The holder of the funeral home license shall submit an amendment naming a new manager or funeral director actually in charge within thirty days of filing the written notification with the board. Any funeral home that fails to comply with this rule shall cease operations. *Specifically, the funeral home failed to provide written notification within ten days of June 30, 2013; and continued operation without a manager and AIC from June 30, 2013, to December 16, 2013.*

And order: Motion: An order to Pay Forfeiture
[licensee may request hearing instead]

Offense Number	Potential Forfeiture	Forfeiture Imposed
1	4717-12-01(A)(2)(a) \$500.00 min -\$5,000.00 max	\$500.00
2	4717-12-01(A)(2)(b) \$7,500.00 min -\$10,000.00 max	\$7,500.00
3	4717-12-01(A)(2)(b) \$7,500.00 min -\$10,000.00 max	\$7,500.00
4	4717-12-01(A)(2)(b) \$7,500.00 min -\$10,000.00 max	\$7,500.00
5	4717-12-01(A)(2)(b) \$7,500.00 min -\$10,000.00 max	\$7,500.00
6	4717-12-01(A)(2)(b) \$7,500.00 min -\$10,000.00 max	\$7,500.00
7	4717-12-01(A)(2)(b) \$7,500.00 min -\$10,000.00 max	\$7,500.00
8	4717-12-01(A)(2)(b) \$7,500.00 min -\$10,000.00 max	\$7,500.00
9	4717-12-01(A)(2)(b) \$7,500.00 min -\$10,000.00 max	\$7,500.00
10	4717-12-01(A)(2)(b) \$7,500.00 min -\$10,000.00 max	\$7,500.00
11	4717-12-01(A)(2)(b) \$7,500.00 min -\$10,000.00 max	\$7,500.00
12	4717-12-01(A)(2)(b) \$7,500.00 min -\$10,000.00 max	\$7,500.00
13	4717-12-01(A)(2)(b) \$7,500.00 min -\$10,000.00 max	\$7,500.00
14	4717-12-01(A)(2)(b) \$7,500.00 min -\$10,000.00 max	\$7,500.00
TOTAL FORFEITURE IMPOSED:		\$98,000.00

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

The motion passed with a vote of 5 to 0.

Details:

December 13, 2013 - The former manager and AIC for this funeral home informed the Board that he left the funeral home as of June, 30, 2013, and was wondering if the manager and AIC had been changed.

Subsequently, Inspector Eric Anderson pulled death certificates from the Ohio Department of Health (DOH) for the period in question. Documentation from DOH confirmed the funeral home continued to operate from June 30, 2013, until the December 16, 2013, without an AIC.

The funeral home hired local funeral director to continue holding services. We cannot substantiate any of the funeral directors had knowledge the funeral home had failed to notify the board in the change of AIC. The funeral home filed 14 death certificates in total.

Board meeting notations:

Ms. Linda Betzer questioned Board Inspector Eric Anderson about the ownership status of the funeral home. Mr. Anderson replied that the ownership has been stable for many years.

**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 #1400086

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

*Charles Taylor Funeral Services (FH.003174) and *Charles W. Taylor, Jr. (DUAL.007341)

With three (3) violations of: RC 4717.27 (D)(1) Except as provided in division (D)(2) of this section, no person shall do either of the following: (a) Dispose of the cremated remains of a dead human body or body parts in such a manner or in such a location that the cremated remains are commingled with those of another decedent or body parts removed from another decedent or living person. *Specifically, the funeral home and funeral director disposed cremated remains of three (3) dead human bodies in such a manner and location that the cremated remains would be commingled with those of another decedent.*

And order: Motion: An opportunity for hearing

With three (3) violations of: RC 4717.14 (A)(4) The applicant or licensee has committed immoral or unprofessional conduct. *Specifically, the funeral director displayed a lack of knowledge of the laws regarding the proper disposition of cremated remains; lack judgment in the provision of professional services by customarily storing cremated remains off premises; and exhibited conduct that harms the integrity of the profession.*

And order: Motion: An opportunity for hearing

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

The motion passed with a vote of 5 to 0.

Details:

November 2013 – The cremated remains of three (3) individuals were found in a dumpster along with funeral flags and State issued wall license for this Funeral Director. The Funeral Director stated in a news broadcast he was renting a space at a storage unit and lost the space. He goes on to state, “there are no rules for handling unclaimed remains, so I store them.”

January 17, 2014 - Complaint filed by the widow of one (1) of the three (3) deceased individuals claiming unprofessional conduct as the cremains were to be interred in a national cemetery, but were found in a dumpster three years later. She learned of the situation through local media reports.

January 27, 2014 - A “Request Response” letter was issued to the funeral home.

February 12, 2014 - The funeral director provided a response stating he first became aware of the situation on November 17, 2013, through a contact from local media about items found in a dumpster that were from his funeral home. He previously had a dispute with the owner of the storage unit about the amount of rent that was due, he understood he had been locked out of the storage unit, but was not aware that the unit had been emptied. He stated in his response that the delay in interment originally occurred because he was waiting for instructions from the son of the deceased.

March 4, 2014 - Inspector Eric Anderson followed up on the complaint by contacting the funeral director, the cemetery director and the owner of the storage units. The Inspector determined a visitation and funeral were held followed by cremation in March 2010. The deceased was to be interred in Western Reserve National Cemetery in Rittman, Ohio. The funeral director was waiting on information from the son to complete paperwork and inform the cemetery where he wanted his dad interred and to provide name plate instructions. The funeral director never received the instructions he was waiting on. In 2011, the location of the funeral home changed. The funeral director rented a storage space to store equipment from the funeral home and cremated remains. When the funeral director learned of the dumpster incident he took the cremains to Western Reserve Cemetery. Inspector Anderson spoke to the director of the cemetery and he stated that he made several attempts to speak to the complainant, but she never called him back. He finally reached a son and told him he was going to do the entombment. This was done on November 27, 2013. The Inspector was not able to determine whether the funeral director had advance notice that the storage space would be emptied as the owner of the storage units would not provide any information.

Conclusion:

By statement of the Funeral Director, it was a customary practice of his to store cremated remains off premise, he knew there was a financial dispute with the owner of the storage facility and that he was locked out of the facility.

The Funeral Home holding the unclaimed cremated remains may dispose of them in a grave, crypt, or niche. The law does not allow for them to be stored in such a location, as a rented storage unit and then ultimately a dumpster, where the cremated remains would be commingled with those of another decedent in a landfill.

RC 4717.27 (C)(1) If the cremation authorization form does not contain instructions for the final disposition of the cremated remains of the decedent or body parts, if no arrangements for the final disposition of the cremated remains are made within sixty days after the completion of the cremation, and if the cremated remains have not been picked up by the person designated on the authorization form to receive them or, in the absence of such a designated person, by the authorizing agent, the operator of the crematory facility or the funeral home holding the unclaimed cremated remains may dispose of the cremated remains in a grave, crypt, or niche at any time after the end of that sixty-day period.

Board meeting notations:

Mr. Robert Wasko requested discussion on rules regarding holding remains and cremains by funeral homes.

After lengthy discussion, the board agreed to continue with more dialog of rules during their next meeting. And add discussion of rules concerning disposal.

Recommendation to Charge #1400096

Background, Investigative Summary, and Conclusions are attached.

REGARDING: WALTER W. PIPER FUNERAL DIRECTORS (FH.003341)

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to charge **Walter W. Piper Funeral Directors (FH.003341)**:

With a violation of: 4717.06 Application for licensing funeral home or embalming or crematory facility.

(B) (3) Except as provided in division (B) of section 4717.11 of the Revised Code, a funeral home shall be established and **operated only under the name of a holder of a funeral director's license issued by the board who is actually in charge of and ultimately responsible for the funeral home**, and a funeral home license shall not include directional or geographical references in the name of the funeral home. The holder of the funeral home license shall be a funeral director licensed under this chapter who is actually in charge of and ultimately responsible for the funeral home. Nothing in division (B)(3) of this section prohibits the holder of a funeral home license from including directional or geographical references in promotional or advertising materials identifying the location of the funeral home.

4717-7-02 Requirements for funeral home licensure.

(C) A license shall not be issued to a funeral home until the following management requirements are met:

(1) A funeral director manager and a funeral director actually in charge of and ultimately responsible for the funeral home is identified.

Specifically, the management requirements to be licensed as a funeral home are not met, because Walter W. Piper, Jr. listed as AIC has a waiver and is not licensed to be an AIC. By law a license shall not be issued in the name of Walter W. Piper Jr.

And order: Motion: An opportunity for hearing

With a violation of: 4717.06 Application for licensing funeral home or embalming or crematory facility.

(B) (4) Each funeral home shall be directly supervised by a funeral director licensed under this chapter, who may supervise more than one funeral home.

Specifically, Walter W. Piper, Jr. listed as AIC has a waiver and is not licensed to be an AIC or supervise a funeral home.

And order: Motion: An opportunity for hearing

With a violation of: 4717.14 Disciplinary actions.

(A) The board of embalmers and funeral directors may refuse to grant or renew, or may suspend or revoke, any license issued under this chapter or may require the holder of a license to take corrective action courses for any of the following reasons:

(1) The license was obtained by fraud or misrepresentation either in the application or in passing the examination.

Specifically, Walter W. Piper, Jr., certified he is not on a waiver in three (3) locations of the funeral home application, which is a misrepresentation.

And order: Motion: An opportunity for hearing

With a violation of: 4717.14 Disciplinary actions.

(A) The board of embalmers and funeral directors may refuse to grant or renew, or may suspend or revoke, any license issued under this chapter or may require the holder of a license to take corrective action courses for any of the following reasons:

(10) The applicant or licensee misled the public by using false or deceptive advertising.

Specifically, the funeral home license application lists the name as Walter W. Piper, Jr. Funeral Directors, advertising the business as Michael M. Henderson Tributes & Walter W. Piper, Jr. Funeral Directors is misleading the public and using false and deceptive advertising.

And order: Motion: An opportunity for hearing

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

The motion passed with a vote of 5 to 0.

REGARDING: *Walter W. Piper (DUAL.008105)*

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to charge **Walter W. Piper (DUAL.008105)**:

With a violation of: 4717.14 Disciplinary actions.

(A) The board of embalmers and funeral directors may refuse to grant or renew, or may suspend or revoke, any license issued under this chapter or may require the holder of a license to take corrective action courses for any of the following reasons:

- (1) The license was obtained by fraud or misrepresentation either in the application or in passing the examination.

Specifically, Walter W. Piper, Jr., certified he is not on a waiver in three (3) locations of the funeral home application, which is a misrepresentation.

With a violation of: 4717.14 Disciplinary actions.

(A) The board of embalmers and funeral directors may refuse to grant or renew, or may suspend or revoke, any license issued under this chapter or may require the holder of a license to take corrective action courses for any of the following reasons:

- (4) The applicant or licensee has committed immoral or unprofessional conduct.

4717-8-01. Unprofessional conduct

- (H) Falsification or misrepresentation on any application or document submitted to the board.

Specifically, Walter W. Piper, Jr., certified he is not on a waiver in three (3) locations of the funeral home application, which is a misrepresentation.

With a violation of: 4717.14 Disciplinary actions.

(A) The board of embalmers and funeral directors may refuse to grant or renew, or may suspend or revoke, any license issued under this chapter or may require the holder of a license to take corrective action courses for any of the following reasons:

- (5) The applicant or licensee knowingly permitted an unlicensed person, other than a person serving an apprenticeship, to engage in the profession or business of embalming or funeral directing under the applicant's or licensee's supervision.

Specifically, Walter W. Piper, Jr., knowingly permitted Michael Henderson, Unlicensed, to engage in the profession or business of funeral directing with the family of Cephus Cardwell.

With a violation of: 4717.14 Disciplinary actions.

(A) The board of embalmers and funeral directors may refuse to grant or renew, or may suspend or revoke, any license issued under this chapter or may require the holder of a license to take corrective action courses for any of the following reasons:

(10) The applicant or licensee misled the public by using false or deceptive advertising.

Specifically, the funeral home license application lists the name as Walter W. Piper, Jr. Funeral Directors, advertising the business as Michael M. Henderson Tributes & Walter W. Piper, Jr. Funeral Directors is misleading the public and using false and deceptive advertising.

And order: Summary Suspension

After reviewing the written allegations prepared by the executive director, the board of embalmers and funeral directors determines that there is clear and convincing evidence that circumstances described in divisions (A)(1) to (10) of section 4717.14 of the Ohio Revised Code apply to the holder of a license issued under this chapter and that the licensee's continued practice presents a danger of immediate and serious harm to the public due to lack of continuing education since 2007, in addition to the above mentioned violations.

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to suspend the Funeral Director and/or Embalmer license(s) of Walter W. Piper Jr. (DUAL.008105) without a prior adjudicatory hearing.

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

The motion passed with a vote of 5 to 0.

REGARDING: Michael Henderson (unlicensed w/court ordered injunction)

On a motion by Mr. Robert Wasko, and seconded by Mr. Thomas Fleming, the Board requested the Ohio Attorney General's Office seek a contempt of the court ordered injunction against **Michael Henderson**:

For violating: 4717.13 Prohibited conduct.

(A) No person shall do any of the following:

(1) Engage in the business or profession of funeral directing unless the person is licensed as a funeral director under this chapter, is certified as an apprentice funeral director in accordance with rules adopted under section 4717.04 of the Revised Code and is assisting a funeral director licensed under this chapter, or is a student in a college of mortuary sciences approved by the board and is under the direct supervision of a funeral director licensed by the board.

Specifically, Michael Henderson, Unlicensed, engaged in the profession or business of funeral directing with the family of Cephus Cardwell.

For violating: 4717.13 Prohibited conduct.

(A) No person shall do any of the following:

(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.

Specifically, the funeral home license application lists the name as Walter W. Piper, Jr. Funeral Directors, advertising the business as Michael M. Henderson Tributes & Walter W. Piper, Jr. Funeral Directors is misleading the public and using false and deceptive advertising.

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

The motion passed with a vote of 5 to 0.

REGARDING: JAMES D. CATCHEN II (DUAL.008308)

On a motion by Mr. Robert Wasko, and seconded by Ms. Linda Betzer, the Board voted to charge **James D. Catchen II (DUAL.008308)**:

With a violation of: 4717.14 Disciplinary actions.

(A) The board of embalmers and funeral directors may refuse to grant or renew, or may suspend or revoke, any license issued under this chapter or may require the holder of a license to take corrective action courses for any of the following reasons:

(8) The licensee loaned the licensee's own license, or the applicant or licensee borrowed or used the license of another person, or knowingly aided or abetted the granting of an improper license.

Specifically, James D. Catchen II knowingly aided the granting of an improper license by completing the burial permit and death certificate of Cephus Cardwell for Walter Piper and Michael Henderson.

And order: Motion: An order to Pay Forfeiture
[licensee may request hearing instead]

Offense Number	Potential Forfeiture	Forfeiture Imposed
1	4717-12-01(A)(2)(a) \$500.00 min -\$5,000.00 max	\$5,000.00

With a violation of: 4717.14 Disciplinary actions.

(A) The board of embalmers and funeral directors may refuse to grant or renew, or may suspend or revoke any license issued under this chapter or may require the holder of a license to take corrective action courses for any of the following reasons:

(4) The applicant or licensee has committed immoral or unprofessional conduct.

4717-8-01. Unprofessional conduct

(E) Violations of state or federal laws involving dishonesty, falsification, misrepresentation, deceit or deception.

Specifically, James D. Catchen II violated state law involving dishonesty, falsification, misrepresentation, deceit and deception by completing the burial permit and death certificate of Cephus Cardwell for Walter Piper and Michael Henderson.

And order: Motion: An order to Pay Forfeiture
[licensee may request hearing instead]

Offense Number	Potential Forfeiture	Forfeiture Imposed
2	4717-12-01(A)(3)(a) \$500.00 min -\$5,000.00 max	\$5,000.00

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

The motion passed with a vote of 5 to 0.

Compliance – Recommendations for Closure

On a motion by Mr. Greg Boyer, and a seconded by Mr. Thomas Fleming, the Board voted to close the following nine (9) cases:

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

The motion passed with a vote of 5 to 0.

Complaint #	Date Received	Alleged Violation	Conclusion
1400073	11/29/2013	Unprofessional Conduct and Funeral Bill Dispute - Body released to the wrong FH by hospital; FH refused to release body; Altercation and an assault; and FH charging \$1,000.00 for embalming.	Inspector determined that the body was released by the FH per the family's request. There is no charge or evidence of assault. The funeral home is charging for transportation and embalming. Possible family dispute between sisters over who should authorize arrangements. No violation identified.
1400082	1/10/2014	Unprofessional Conduct and Funeral Bill Dispute - The family did not have money to pay for a funeral and initially discussed having each family member contribute a portion and then requesting contributions at the visitation. The FD openly discussed the situation with visitors and refused to bury the deceased until sufficient funds were raised. Behavior was rude and unprofessional.	Inspector contacted the minister who attended the visitation. He stated the family was informed about the need to make payment in advance of the burial. The minister did not feel that the FH staff exhibited rude behavior, although family members were verbally expressive about their negative feelings. The person who filed the complaint was not the person who signed the contract for services. No violation identified.

1400087	1/24/2014	Unprofessional Conduct - Delay in placing obituary; Delay in obtaining the death certificate; Delay in ordering the urn.	Inspector determined there was never a discussion about a specific date for the obituary to be published. The death certificate was delayed because incorrect information was provided by the hospital about the certifying physician. No violation identified.
1400088	1/24/2014	Unprofessional Conduct- Failure to remove the rings of the deceased before burial as requested.	Inspector determined the complainant did discuss this shortly after the burial with the FD; she was advised of the process to retrieve them and decided not to pursue it. This complaint was made ten months after the funeral. The same complainant recently used the FH again for another family member. No violation identified.
1400090	1/27/2014	Unprofessional Conduct- Failed to provide the complainant with a copy of the death certificate; and Complainant did not feel the obituary was detailed enough and that the death certificate was improperly prepared.	Inspector determined the complainant signed the authorization for the cremation, but did not commit to any responsibility for the payment for services, make or contract for the arrangements, nor order a copy of the death certificate. She granted authority for decisions to a sister. No violation identified.
1400092	2/3/2014	Failure to provide statement of goods and services and Unprofessional Conduct - Never received paperwork and does not remember what was agreed to; states she was informed that she had signed over life insurance and had no right to any decisions about arrangements	Inspector determined the consumer received what she contracted for and consumer now states she is satisfied. No violation identified.
1400093	2/3/2014	Rude Funeral Director Behavior- Treated rudely because he did only have \$150.00 to pay for his mother's funeral up front and wanted to make payment arrangements; FH would not release the cremains to him without additional payment.	Inspector determined the cremains were picked up; consumer still owes money, but is now satisfied. No violation identified.
1400084001 1400084002	3/31/2013	Continuing to practice while suspended.	Dates of funeral services were prior to notice of suspension. No violation identified.

COMPLIANCE - Current Pending Cases

CASE NUMBER	DATE RECEIVED	ALLEGED VIOLATION	COMMENTS	NEXT STEP
1400070	11/14/2013	4717.14(A)(4)- Unprofessional Conduct	Failure to respond to the family and delay in the installation of a veterans marker.	Presented to the Board as Compliance Motion #1 on 1/13/2014. Tabled until June 2014 meeting. VN to send letter to FH advising for them to get it completed by the end of May. 2/3/2014- VN issued letter and has had discussion with Funeral Director.
1400079	1/6/2014	Operating a funeral home without a license	Ongoing investigation	No letters issued to date.
1400089	1/17/2014	Advertisement, Website/Internet	Website (ibegin ad lists) name as wrong name for funeral home.	Initial letters 1/28/2014, Response due 2/11/2014 No response- Compliance Motion for failure to comply on March Board agenda.
1400085	1/23/2014	Preneed	Inspector at Funeral Home on Thursday, January 23, 2014 doing an inspection; during the course of the inspection, part of the process was a random review of preneed.	Response received 2/21/2014. Reviewed at MIT meeting on 3/3/2014. T Seehase is following up to ensure money is properly vested.
1400091	2/3/2014	Operating a funeral home without a license	Ongoing investigation	No letters issued to date.
1400094	2/21/2014	Preneed, Unprofessional Conduct	The complaining couple made preneed arrangements through this FH. They do not believe that they received an accurate explanation of what they were contracting for and have had difficulty getting an explanation. Contract values and payments they made do not reconcile.	Initial letters to be mailed 3/3/2014-response due 3/17/2014
1400095	2/24/2014	Unprofessional Conduct, Rude FD Behavior	Complainant alleges behavior she believes was rude and unprofessional related to the delivery of her son's remains to her at her home.	Initial letters to be mailed 3/3/2014-response due 3/17/2014
1400097	3/4/2014	Advertising	Irregularities in website and phone book advertising are alleged.	Initial letters to go out 3/13/2014
1400098	3/10/2014	Rude FD Behavior, Refusal to Release Cremains	FD refuses to release cremains of the complainant's mother. There is still a balance due on the bill. Complainant believes this is a violation of Ohio law.	Initial letters 3/17/2014. Response due 3/31/2014.

CASE NUMBER	DATE CHARGED	RESPONDENT	CHARGED VIOLATION	NEXT STEP	STATUS
1201053001-1201053053	9/3/2013	McClurkin FH	Misappropriation, Preneed Annual Report	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. Request for hearing received. 12/9/2013-Wait for criminal action to be completed.	AAG - Hearing Pending
1400067	12/16/2013	Smith Mortuary	4717.14(A)(4)-Unprofessional Conduct-4717-9-01(G) Failure to comply with any Board request during an inspection or investigation, or finding, or order. 2/10/2014-two additional charges with an Opportunity for Hearing-4717.14(A)(4)-4717-9-01 - Unprofessional Conduct-Misappropriation and 4717.10(A)- Failure to file Preneed Annual Report	Response was due regarding complaint on 11/19/2013. 12/3/2013- T. Seehase advised staff of needed response and complaint during an inspection. Staff agreed to respond. 12/12/2013- V. Niekamp contacted FH and advised that issue would be presented to Board on 12/16/2013 if no response received. 1/21/2014-Hearing requested and Report of Investigation prepared and sent to AAG. Additional recommendations to charge may be forthcoming. A second charge issued by the Board on 2/10/2014-mailed 2/20/2014-30 days to request hearing ends 3/22/2014.	AAG - Hearing Pending scheduling.
1400002	7/25/2013	Stine-Kilburn Fh	Dottie Hamilton	UC-rude FD behavior, \$500.00 forfeiture due 11/20/2013. Hearing requested and notice of continuance issued. 12/9/2013-Investigative Summary completed and hearing date scheduled. AAG - Hearing scheduled for 1/22/2014 at 11:00. 1/13/2014-Hearing to be cancelled and rescheduled per AAG. 1/29/14 - Hearing scheduled for 10:00 a.m. on 02/20/14.	AAG - Pending R and R
1400063	10/7/2013	Timothy Werner	Board	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. 12/9/2013-Hearing to be scheduled and Investigative Summary completed. 01/29/14 - Hearing will be handled via written case by both parties.	AAG - Hearing via Writing
1304086	4/15/2013	Gerald Polk	An unlicensed individual is in violation of 4717.13(A)(1)	This is connected to 1301061. 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. 01/29/14 - AAG Patterson scheduling deposition of Polk, Niekamp may assist when scheduled.	AAG - Injunction Pending
1400057	9/24/2013	Grunn FH, Eric Lusain-apprentice, and Robert Grunn FD/AIC	Board	Advertisement and operating a FH without a license. Hearing request. 12/9/2013-Hearing date scheduled and Investigative Summary completed. AAG - Hearing scheduled for 1/28/2014 at 11:00. 1/13/2014-Hearing to be cancelled and rescheduled per AAG. Settlement for \$2,500.00 total pending. 2/21/2014- received notice that AAG will prepare settlement for \$1,500.00	AAG - Settlement Pending
1400078		Patricia Wills and J.W. Wills Co/House of Wills	4717.14(A)(4)-Unprofessional Conduct-4717-9-01(F)- Misappropriation and 4717.10(A)-Preneed Annual Report	Board charged violations of 4717.14(A)(4)-Unprofessional Conduct 4717-9-01(F)-misappropriation and offered an Opportunity for Hearing. Also charged with a violation of 4717.10(A)-6 offenses-forfeiture totaling \$36,000.00.	Hearing request period ends 3/22/2014.

COMPLIANCE - Charged Case Status Update

1400031	8/19/2013	Bersticker-Scott FH-FH001278	Preneed Annual Report	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. Settlement sent via AAG to respondent on 10/09/13. As of 11/4/2013 MIT meeting, the settlement has not yet returned. 12/9/2013-AAG will follow up. 1/22/2013-V.Niekamp sent proposed settlement agreement for \$1,000.00 within 30 days of final signatures. 2/3/2014- Settlement not yet returned. Settlement still pending as of	Settlement Pending Board Signature
1400044	8/19/2013	Schwartz,Spence,Boyer and Cool Home for Funerals-FH002644	Preneed Annual Report	Charge orde v.n. emailed a copy of ther-Opportunity for Hearing- 8/26/2013-30 days to respond (9/25/2013). The Preneed report was filed 9/27/2013.As of 10/7/2013, AAG sent VN settlement agreement for approval. 12/05/2013-\$1,000.00 paid. 12/06/13 AAG to send signed settlement to VAN. 12/9/2013- AAG will put together a proposed settlement. 1/13/2014- Board assigned V Niekamp to finalize settlement. 1/17/2014- proposed settlement emailed. Settlement not back as of 3/3/2014-VN will follow up.	Settlement Pending Board Signature

Operations Committee Report

Executive Director Vanessa Niekamp presented the Operations Committee Report from the meeting held Monday, March 17, 2014. Topics of discussion included the following:

1. The 2014 Annual Ohio Funeral Directors Association Conference. Director Niekamp stated that the board plans to create a literature pamphlet for distribution. The flyer will promote the board and also list important dates (deadlines) related to board functions.
2. Online capability for upcoming 2015-2016 License Renewal Applications. New this year will be the availability to renew and pay online. Details will be available soon.
All current licenses will expire December 31, 2014. The board office plans to begin distribution of notices for license renewals the last week of August 2014. Mailings should reach licensees well in advance of expiration-providing ample opportunity to renew their licensure(s). The board office plans to support notification of license renewal with reminders through the board's website, email, industry publication, and assistance from OFDA.
3. Federation of Associations of Regulatory Boards (FARB). The board may be interested in attending or requesting a speaking engagement by Dale Atkinson, Executive Director of FARB. If a decision to host Mr. Atkinson is supported, the board may invite other interested boards to attend so as to help defray costs.

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

The March 2014 meeting of the Board adjourned at 10:45 a.m.