

June 28, 2017 Board Meeting Minutes

Members present:

Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Thomas Taneff was absent. Mr. Jon Rettig announced for the record that Mr. Taneff's absence was known well in advance of the meeting and is excused.

Meeting called to order at 1:10 p.m.

1. Convening of the Board – President

1.01 Calling of the Roll

A quorum of the board consists of four members, of whom at least three shall be members who are embalmers and funeral directors. The concurrence of at least four members is necessary for the board to take any action.

1.02 Pledge of Allegiance

“I pledge allegiance to the flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.”

1.03 Recognize Apprentices

During apprenticeship, apprentices are required to complete assignments published to their corresponding apprenticeship task list. One of the tasks cataloged, as an additional training requirement, is to attend one state board monthly meeting. This new task was established by the board July 26, 2016 for one-year apprentices that started their apprenticeship February 1, 2016 or beyond; and for two-year apprentices that started their apprenticeship February 1, 2015 or beyond.

The board would like the opportunity to recognize apprentices in attendance of the meeting who are fulfilling this requirement. In attendance were: Taylor Briggs, Jeremy Collins, Jessica Cornist, Kelsey Hofer, Zoe'e A-J Jordan, Ashley Lambert, Megan Reber, and James Woofter.

2. Interim Executive Director's Report

2.01 May Agenda Results – number of times an item was viewed

Mr. Danny Finfrock explained about a feature available to the administrator of the website to track the number of times a particular agenda item was viewed on the website. Mr. William Wappner asked Mr. Finfrock if the number of “clicks” tracked were new or total views. Mr. Finfrock replied that it was total views; the feature does not recognize the difference between new and return views.

2.02 NEW Checklist for Apprentices

Mr. Finfrock introduced an updated checklist for apprentices following a funeral director only apprenticeship. He stated the form is now available on the website. Mr. Finfrock stated that additional forms for other types of apprenticeships are being developed and will be available soon. Mr. Wappner asked Mr. Finfrock if the checklist was in addition to the Apprenticeship Task List. Mr. Finfrock replied that it was different from the Task List. He described the checklist as a tool for the apprentice to use as a guide to identify what was needed to submit to Ms. Linda Clark at the board office during the apprenticeship.

Mr. Jon Rettig identified and introduced Ms. Clark to the apprentices in attendance of the meeting.

2.03 Preneed Report Case Update

Mr. Finfrock deferred speaking on this agenda item because Mr. Rettig included this topic in his upcoming President's Report.

2.04 JUNE 29th – LAST DAY TO RENEW ONLINE – ORC 4717.08(C)

Mr. Finfrock reminded all that the last day to renew online was approaching and that any person who renewed a license after the date would be required to take and pass the Ohio Laws and Rules Examination prior to renewal and need to pay their renewal, with late fees, by check to the board office.

2.05 Order of Summary Suspension – Unlicensed Cremation Service

Mr. Finfrock deferred speaking on this agenda item because Mr. Rettig included this topic in his upcoming President's Report.

2.06 Press Release – Unlicensed Cremation Service

Mr. Rettig invited and introduced Ms. Melissa Sullivan of Ohio Funeral Directors Association (OFDA), who was in attendance of the meeting, to speak on this agenda item.

Ms. Sullivan informed that Heritage Cremation Providers, an online business selling cremation over the internet, has caused great confusion across many states in the nation. Recently, Heritage has faced enforcement actions in seven states for collecting money for services that was outsourced to funeral homes and crematories in the various states that Heritage is not licensed in. These states have issued fines and filed injunctions against Heritage due to consumer complaints to state agencies, local Better Business Bureaus, and complaints filed with the Federal Trade Commission (FTC). She informed that OFDA members have been alerted to these actions and recommended them to exercise caution when dealing with Heritage.

Mr. Edward Nurre asked Ms. Sullivan if she was aware of anyone in Ohio being

affected by Heritage. Ms. Sullivan replied she was not aware of any, but reminded that funeral directors across Ohio have been made aware.

3. President's Report

3.01 Possible New Legislation

Mr. Jon Rettig announced that legislators are still considering the state Budget Bill, due on June 30 that may include new laws affecting the Board. He stated that any new laws would likely become effective 90 days from then. In the effort to address the pending legislation, Mr. Rettig requested the board add an additional day to its July 2017 regular meeting. He recommended convening a meeting on the 18th at 1:00 p.m. to have discussion and planning for the new laws. The board would meet as scheduled on the 19th at 1:00 p.m. to conduct its regular business.

Mr. Rettig stated that he would oversee the apprentice interviews July 18 and 19. He announced that Mr. Edward Nurre would assist. Ms. Jill Pugh would also assist, if needed, on the 18th.

Ms. Christie Limbert announced that she could not attend the July 18 Board Meeting, but would send another Assistant Attorney General in her place.

3.02 Fiscal Year Review

Mr. Rettig wrote and read aloud a prepared statement titled, "2016-2017 Fiscal Year in Review, Ohio Board of Embalmers and Funeral Directors June 28, 2017" for the record.

Mr. William Wappner offered praise and thanks to Mr. Rettig for his leadership during his term as president of the board.

3.03 Upcoming Meeting Info

Mr. Rettig reminded all of the July 2017 apprentice interview schedule.

Mr. Rettig reported that he represented the board by offering a presentation at Buckeye State Funeral Directors and Embalmers Association on June 16, 2017 in Cleveland, Ohio. He added that approximately 50 persons were in attendance.

Mr. Rettig reported that he represented the board by participating in the OFDA Masters Training Program on June 21, 2017 in Columbus, Ohio. He added that approximately 50 persons were in attendance.

Mr. Wappner asked Mr. Rettig who would perform the apprenticeship interviews in the next two months. Mr. Rettig replied that Mr. Wappner and Ms. Pugh will serve as interviewers in August; and Mr. Rettig and Mr. Nurre in September.

4. Meeting Minutes (DRAFT)

4.01 (DRAFT) Consideration May 24th, 2017 Board Meeting Minutes

Mr. William Wappner reminded all that he was absent from the May meeting and noted that Mr. Thomas Taneff was absent from the current meeting. He recommended the board table consideration of the meeting minutes until the July 18th meeting to allow Mr. Taneff the opportunity to review and vote.

Motion to table consideration of the May 24, 2017 Board Meeting Minutes until the July 18, 2017 Board meeting.

Motion by William Wappner, second by Edward Nurre

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Mr. Rettig asked for confirmation from board counsel if the board may approve its minutes July 18th. Ms. Christie Limbert replied that the board may approve its minutes at any regular meeting.

5. Persons Appearing Before the Board

5.01 John A. Brazzell, Applicant for DUAL Reciprocal License

The applicant has submitted an application for reciprocal license. The applicant is to appear before the board for an interview as required per OAC 4717-4-05(A) and may be subject to answer any questions from the board.

Mr. Jon Rettig welcomed Mr. John A. Brazzell to the meeting and requested he stand before the board. Mr. Rettig asked Mr. Brazzell if he had an opening statement. Mr. Brazzell stated that he was appearing before the board seeking a reciprocal funeral director and embalmer's license. Mr. Brazzell stated that he was currently licensed in the state of Indiana since 2002 and has had no issues before their board. He went on to state that he accepted a position with Busch Funeral Home in Avon Lake, Ohio.

Mr. Rettig questioned Mr. Brazzell if he had a bachelor's degree. Mr. Brazzell replied that he did not, but has been licensed over ten years. He added that it was his goal to earn a degree eventually.

Mr. William Wappner questioned Mr. Brazzell if he had worked outside of the funeral business in the past. Mr. Brazzell replied that he had worked with a small-town fire department and funeral home concurrently.

Mr. Edward Nurre questioned Mr. Brazzell if he were presently employed with

Busch's Funeral Home. Mr. Brazzell replied that he relocated to Ohio to accept the job.

Mr. Rettig asked Ms. Linda Clark if all of Mr. Brazzell's paperwork was in order. Ms. Clark replied that it was.

Motion to approve the application as presented and grant applicant permission to take examinations prior to licensing.

Motion by William Wappner, second by Jill Pugh

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Mr. Brazzell asked if he were to receive his license today. Mr. Rettig deferred the question to Ms. Clark. Ms. Clark explained to Mr. Brazzell he must take and pass his examinations first. Mr. Brazzell followed up with questioning if the board had a practice exam or study guide available. Ms. Clark informed that The Conference, the third-party administrator of the exams, may have a guide for purchase.

Mr. Rettig welcomed Mr. Brazzell to Ohio and wished him luck in his future.

5.02 Laura M. Clark, Applicant for DUAL Reciprocal License

The applicant has submitted an application for reciprocal license. The applicant is to appear before the board for an interview as required per OAC 4717-4-05(A) and may be subject to answer any questions from the board.

Mr. Jon Rettig welcomed Ms. Laura M. Clark to the meeting and requested she stand before the board. Mr. Rettig asked Ms. Clark if she had an opening statement. Ms. Clark stated that she was appearing before the board seeking a reciprocal funeral director and embalmer's license. Ms. Clark stated that he was currently licensed in the state of Arizona.

Mr. Wappner questioned Ms. Clark if she earned a bachelor's degree. Ms. Clark replied that she graduated from Northern Arizona University. He followed up with questioning if she had a "Dual" license from Arizona. She replied that she had completed mortuary science schooling from Mesa, Arizona and holds both embalmer and funeral director licenses. Ms. Clark added that she was currently employed at Heritage Florence Funeral Home in Florence, Arizona.

Ms. Jill Pugh questioned Ms. Clark if she had any issues before the Arizona Board. Ms. Clark replied that she had none. She added that she has been in the business since 2002 and was licensed in 2011.

Mr. Wappner questioned Ms. Clark if she had ever lived in Ohio. Ms. Clark replied

that she has family in the Cleveland area and is open to moving to Ohio.

Mr. Rettig asked Ms. Linda Clark if all of Ms. Clark's paperwork was in order. Ms. Clark replied that it was.

Motion to approve the application as presented and grant applicant permission to take examinations prior to licensing.

Motion by Edward Nurre, second by Jill Pugh

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Mr. Rettig welcomed Ms. Clark and Mr. Brazzell to stay for remainder of the meeting, but was not obligated to.

6. Licenses

6.01 Applications (Individuals) Recommended for Licensure

William Wappner questioned aloud about the license reinstatement of Mr. Kaufhold. Ms. Linda Clark replied that Mr. Kaufhold's license had lapsed.

Motion to approve the application as presented and grant initial license to each applicant as recommended by board staff.

Motion by Jon Rettig, second by William Wappner

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

6.02 No Motion Items (Individuals) - Information Only

There was no discussion among the board.

6.03 Applicants for Facility Licenses/ Facility Name Changes

There was no discussion among the board.

Motion to approve the application as presented and grant initial license to each applicant as recommended by board staff.

Motion by Jon Rettig, second by William Wappner

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

7. Continuing Education

7.01 Continuing Education Programs

There was no discussion among the board.

Motion to approve the applications as presented.
Motion by William Wappner, second by Jill Pugh
Final Resolution: Motion Carries
Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

7.02 Continuing Education Exemptions

William Wappner questioned Mr. Danny Finfrock about the two programs listed. Mr. Finfrock stated that this applicant submitted incomplete paperwork and the subjects of the programs do not directly relate to funeral service.

Mr. Edward Nurre questioned Mr. Finfrock who “Tri-County Funeral Directors” was. Mr. Finfrock replied that they were a continuing education program provider from the Washington Court House area.

Mr. Wappner asked Ms. Melissa Sullivan, in attendance of the meeting, if this provider was known to OFDA. Ms. Sullivan replied that she was not familiar with the name of the provider. Mr. Wappner opined that these programs appear to be of bad quality with the lack of information provided with the applications and the topics not relating to funeral service.

Motion to deny approval of the application for “Obesity Affects the Funeral Industry” as presented by Tri-County Funeral Directors.
Motion by Jon Rettig, second by Edward Nurre
Final Resolution: Motion Carries
Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

7.03 Continuing Education Exemptions

Motion to deny approval of the application for “Body Scanner Fayette County Jail” as presented by Tri-County Funeral Directors.
Motion by William Wappner, second by Jon Rettig
Final Resolution: Motion Carries
Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Mr. Rettig informed Mr. Finfrock to have the continuing education provider attend a board meeting for discussion, if needed.

8. Compliance

8.01 Ratification of Settlement #1

Mr. Jon Rettig requested board counsel to explain the present process of providing settlement agreements. Ms. Christie Limbert offered a brief summary of the procedure. Mr. Rettig offered praise and thanks to Ms. Limbert for her work involved in these settlements.

Mr. Danny Finfrock explained the forfeiture amounts and described the different tiers of forfeiture amounts available.

Motion to ratify settlement agreement #1.

Motion by Jon Rettig, second by Jill Pugh

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Post-meeting unredacted information: The settlement agreement was between the State of Ohio Board of Embalmers and Funeral Directors and Cleophus Brown, license number DUAL.006939, of C. Brown Funeral Home, Inc., license number FH.001214, of Toledo, Ohio concerning compliance case number 2017-1700082.

8.02 Ratification of Settlement #2

Mr. William Wappner informed the apprentices in attendance of the meeting that the settlement agreement documents before the board are redacted so as to eliminate bias in each member's decision.

Motion to ratify settlement agreement #2.

Motion by Jill Pugh, second by Edward Nurre

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Post-meeting unredacted information: The settlement agreement was between the State of Ohio Board of Embalmers and Funeral Directors and J. William McKinley, license number FD.007398, of McKinley Funeral Home, license number FH.000961, of Lucasville, Ohio concerning compliance case number 2017-1700074.

8.03 Ratification of Settlement #3

There was no discussion among the board.

Motion to ratify settlement agreement #3.

Motion by Jon Rettig, second by Jill Pugh

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Post-meeting unredacted information: The settlement agreement was between the State of Ohio Board of Embalmers and Funeral Directors and E. Spencer Gordon, license number DUAL.006465, of Formet-Clevenger & Gordon Funeral Home, license number FH.000993, of Canton, Ohio concerning compliance case number 2017-1700070.

8.04 Ratification of Settlement #4

There was no discussion among the board.

Motion to ratify settlement agreement #4.

Motion by Jill Pugh, second by Edward Nurre

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Post-meeting unredacted information: The settlement agreement was between the State of Ohio Board of Embalmers and Funeral Directors and E. Spencer Gordon, license number DUAL.006465, of Finefrock-Gordon Funeral Home, license number FH.001293, of Magnolia, Ohio concerning compliance case number 2017-1700069.

8.05 Ratification of Settlement #5

There was no discussion among the board.

Motion to ratify settlement agreement #5.

Motion by Jon Rettig, second by Jill Pugh

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Post-meeting unredacted information: The settlement agreement was between the State of Ohio Board of Embalmers and Funeral Directors and Daniel W. Pallay, license number FD.007550, of Cook & Son- Pallay Funeral Home, license number FH.001718, of Columbus, Ohio concerning compliance case number 2017-1700068.

8.06 Ratification of Settlement #6

There was no discussion among the board.

Motion to ratify settlement agreement #6.

Motion by Edward Nurre, second by Jon Rettig

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Post-meeting unredacted information: The settlement agreement was between the State of Ohio Board of Embalmers and Funeral Directors and Richard G. Snider, license number DUAL.007837, of Baker-Hazel & Snider Funeral Home, license number FH.002656, of Dayton, Ohio concerning compliance case number 2017-1700067.

8.07 Ratification of Settlement #7

There was no discussion among the board.

Motion to ratify settlement agreement #7.
Motion by William Wappner, second by Jill Pugh
Final Resolution: Motion Carries
Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Post-meeting unredacted information: The settlement agreement was between the State of Ohio Board of Embalmers and Funeral Directors and Steve E. Dzendzel, license number DUAL.008370, of Lehman-Dzendzel Funeral Home, license number FH.003396, of Celina, Ohio concerning compliance case number 2017-1700073.

8.08 Ratification of Settlement #8

There was no discussion among the board.

Motion to ratify settlement agreement #8.
Motion by Jon Rettig, second by Edward Nurre
Final Resolution: Motion Carries
Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Post-meeting unredacted information: The settlement agreement was between the State of Ohio Board of Embalmers and Funeral Directors and Ryan A. Shoffstall, license number DUAL.008772, of Shoffstall Funeral Home, license number FH.002945, of Lakeview, Ohio concerning compliance case number 2017-1700086.

8.09 Ratification of Settlement #9

There was no discussion among the board.

Motion to ratify settlement agreement #9.
Motion by Jill Pugh, second by Jon Rettig
Final Resolution: Motion Carries
Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Post-meeting unredacted information: The settlement agreement was between the State of Ohio Board of Embalmers and Funeral Directors and Ryan A. Shoffstall, license number DUAL.008772, of Shoffstall Funeral Home, license number FH.003336, of Lakeview, Ohio concerning compliance case number 2017-1700087.

8.10 Ratification of Settlement #10

There was no discussion among the board.

Motion to ratify settlement agreement #10.
Motion by Jon Rettig, second by Edward Nurre
Final Resolution: Motion Carries
Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Post-meeting unredacted information: The settlement agreement was between the State of Ohio Board of Embalmers and Funeral Directors and James R. Bayliff, license number DUAL.006354, of Frings & Bayliff Funeral Home, license number FH.001483, of Tipp City, Ohio concerning compliance case number 2017-1700080.

Mr. Rettig advised the apprentices in attendance of the meeting that submitting the annual preneed report is a law and it is the board's duty to ensure funeral homes comply.

Mr. Wappner added to Mr. Rettig's comment to the apprentices that the board considers the actually in charge of the funeral home solely responsible for the funeral home – including its preneed report.

Mr. Rettig commented that the new legislation includes language to reduce the number of persons actually in charge of the funeral home to only one person.

8.11 Recommendation to Charge Compliance Case #2017-1700055

Mr. Rettig asked board counsel to present a brief summary during introduction of each compliance case before the board. Ms. Christie Limbert summarized each case as requested.

Mr. Rettig asked the board inspectors if they wished to add any comment. The two inspectors replied that they did not.

Motion to charge the funeral director with violation of ORC 4717.14 (A) (4), specifically, OAC 4717-8-01 (G).

Motion by William Wappner, second by Edward Nurre

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Post-meeting unredacted information: The board charged Richard A. Franklin, license No.DUAL.007130, of R.A. Franklin Funeral Service, Inc. of Cleveland, Ohio.

8.12 Recommendation to Charge Compliance Case #2017-1700060

Mr. Troy Seehase clarified that it was the statement of goods and services for the cremation package offered that was vague, not the general price list as indicated in the case details provided.

There was discussion among the board on the charges.

Motion to charge the funeral director with violation of ORC 4717.14 (A) (4), specifically, OAC 4717-8-01 (D); and with an additional violation of unprofessional

conduct, specifically for failing to fulfill its obligation to communicate any anomalous delay in the cremation.

Motion by William Wappner, second by Jill Pugh

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Post-meeting unredacted information: The board charged Snow Funeral Home, license No.FH.003489, of Springfield, Ohio.

8.13 Recommendation to Charge Compliance Case #2017-1700061

There was no discussion among the board.

Motion to charge the funeral director with violation of ORC 4717.14 (A) (4), specifically, OAC 4717-8-01 (G).

Motion by Jon Rettig, second by Edward Nurre

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Post-meeting unredacted information: The board charged Eric J. Williams, license No.DUAL.009481, of Sibley-Murray E.J. Williams Funeral Home of Warren, Ohio.

8.14 Recommendation to Charge Compliance Case #2017-1700091

Mr. Rettig asked the board inspectors if they wished to add any comment. The two inspectors replied that they did not.

Motion to charge the funeral director with violation of ORC 4717.14 (A) (4), specifically, OAC 4717-8-01 (G).

Motion by Jon Rettig, second by William Wappner

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

Post-meeting unredacted information: The board charged Eugene Minnifield, license No.DUAL.007510, of Minnifield Funeral Home of Canton, Ohio.

8.15 Pending Investigations

Ms. Limbert announced that some cases will proceed with Goldman Hearings on August 8, 2017.

8.16 Attorney General Case Update

Privileged and Confidential – Attorney and Client Communication and Work Product

Ms. Limbert announced that the case update worksheet has been reduced to six pages.

Ms. Limbert announced that the board has been dismissed from the pending court case involving Diehl-Whittaker Funeral Home. Mr. Rettig offered praise and thanks to Ms. Limbert for her success in removing the board from as a party to that court case.

8.17 Ratification of Closed Cases

Mr. Rettig explained to the apprentices in attendance of the meeting the process of the Monthly Inspections Team (MIT) Meeting that occurs prior to a board meeting.

Motion to ratify the list of compliance cases as presented and confirm each case status as closed.

Motion by William Wappner, second by Jill Pugh

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

9. Inspector's Report

9.01 Inspector's Report

Mr. Rettig asked the board inspectors if they wished to add any comment. The two inspectors replied that they did not.

10. Board Operations

10.01 Budget Overview

Mr. William Wappner questioned Mr. Danny Finfrock about the payment to Diversity Search Group. Mr. Finfrock replied that the payment was to the temporary personnel services provider.

11. Adjournment

11.01 Adjourn the Meeting

Prior to adjournment, Ms. Melissa Sullivan, in attendance of the meeting, requested to speak. Mr. Jon Rettig granted permission. Ms. Sullivan reported that it was her understanding that pending legislation may not include language specific to the ten percent service fee collected upfront on a guaranteed preneed contract.

Ms. Sullivan also announced to the apprentices in attendance of the meeting that there was an Apprentice Seminar scheduled for September 28, 2017 at OFDA Headquarters in Columbus, Ohio.

Megan Reber questioned Ms. Linda Clark about the six-month apprentice interview process. Ms. Clark explained that apprentices will receive an email notification from her prior to their interview.

James Brazzell questioned Mr. Jon Rettig the purpose of the interview. Mr. Rettig explained the six-month and the twelve-month interviews process.

Mr. Rettig asked if there were any further questions or business before the board.

Motion to adjourn the meeting.

Motion by William Wappner, second by Jon Rettig

Final Resolution: Motion Carries

Yes: Edward Nurre, Jill Pugh, Jon Rettig, William Wappner

The June 28, 2017 Meeting of the Board adjourned at 2:38 p.m.

June 28, 2017 Board Meeting Agenda

Category	Description	Title
1. Convening of the Board - President	1.01 Calling of the Roll	N/A
	1.02 Pledge of Allegiance	N/A
	1.04 Recognize Apprentices	N/A
2. Interim Executive Director's Report	2.01 May Agenda Results - number of times an item was viewed	Click to View
	2.02 NEW Checklist for Apprentices	Click to View
	2.03 Preneed Report Case Update	Pending
	2.04 JUNE 29th - LAST DAY TO RENEW ONLINE - ORC 4717.08 (C)	Click to View
	2.05 Order of Summary Suspension - Unlicensed Cremation Service	Click to View
	2.06 Press Release - Unlicensed Cremation Service	Click to View
3. President's Report	3.01 Possible New Legislation	Pending
	3.02 Fiscal Year Review	Pending
	3.03 Upcoming Meeting Info	Pending
4. Meeting Minutes (DRAFT)	4.01 (DRAFT) Consideration May 24th, 2017 Board Meeting Minutes	Click to View

June 28, 2017 Board Meeting Agenda

5. Persons Appearing Before the Board	5.01 - John A. Brazzell, Applicant for DUAL Reciprocal License	Pending
	5.02 - Laura M. Clark, Applicant for DUAL Reciprocal License	Pending
6. Licenses	6.01 Applications (Individuals) Recommended for Licensure	Click to View
	6.02 No Motion Items (Individuals) - Information Only	Click to View
	6.03 Applicants for Facility Licenses / Facility Name Changes	Click to View
7. Continuing Education	7.01 Continuing Education Programs	Pending
	7.02 Continuing Education Exemptions	Pending
8. Compliance	8.01 - Ratification of Settlement #1	Click to View
	8.02 - Ratification of Settlement #2	Click to View
	8.03 - Ratification of Settlement #3	Click to View
	8.04 - Ratification of Settlement #4	Click to View
	8.05 - Ratification of Settlement #5	Click to View

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8.06 - Ratification of Settlement #6	Click to View
8.07 - Ratification of Settlement #7	Click to View
8.08 - Ratification of Settlement #8	Click to View
8.09 - Ratification of Settlement #9	Click to View
8.10 - Ratification of Settlement #10	Click to View
8.10 Recommendation to Charge Compliance Case #2017-1700055	Click to View
8.11 Recommendation to Charge Compliance Case #2017-1700060	Click to View
8.12 Recommendation to Charge Compliance Case #2017-1700061	Click to View
8.13 Recommendation to Charge Compliance Case #2017-1700091	Click to View
8.14 Pending Investigations	Click to View
8.15 Attorney General Case Update	N/A
8.16 Ratification of Closed Cases	Click to View

June 28, 2017 Board Meeting Agenda

9. Inspections	9.01 Inspector's Report	Click to View
10. Board Operations	10.01 Budget Overview	Click to View
Adjournment	x Adjourn the Meeting	N/A

MAY 24TH, 2017 AGENDA RESULTS – the number of times an item was viewed

Items not listed had 0 looks

Category	Description	Clicks
	1.05 Office of the Ohio Auditor of State	70
6. Licenses	6.01 Applications (Individuals) Recommended for Licensure	142
	6.02 No Motion Items (Individuals) - Information Only	85
	6.03 Applicants for Facility Licenses and or Facility Name Changes	123
	6.04 No Motion Items (Facilities) - Information Only	93
Continuing Education	7.01 Continuing Education Programs	74
	7.02 Continuing Education Exemptions	57
	8.02 Report and Recommendation concerning compliance case #2015-150006788	122
	8.03 Ratification of Settlement #1	101
	8.04 Ratification of Settlement #2	63
Annual Preneed Funeral Contract Report Form	9.01 Recommendation to charge licensee with submitting a report late - First Offense	90
	9.02 Recommendation to charge licensee with submitting a report late - Second Offense	58
	9.03 Recommendation to charge licensee with submitting a report late - Third Offense	61
	9.04 Recommendation to charge licensee with failing to submit a report - First Offense	53
	9.05 Recommendation to charge licensee with failing to submit a report - Second Offense	55
Inspections	9.2Inspector's Report	76
Board Operations	-Budget Overview	45



The Ohio Board
of Embalmers and
Funeral Directors
Serving Ohio Since 1902

Apprenticeship Checklist (FD Only)

77 South High Street 16th Floor
Columbus, Ohio 43215

614 . 466 . 4252
fax 614 . 728 . 6825

www.funeral.ohio.gov

Funeral Director (only) Apprenticeship Checklist

- Issue (FBI) Fingerprints for a criminal records check completed by the Federal Bureau of Investigation. (required again at the end of the apprenticeship)
- Issue (BCI) Fingerprints for a criminal records check completed by the Bureau of Criminal Identification. (required again at the end of the apprenticeship)
- *Registration Application - Submit for Funeral Director and Fee \$25.00
- Apprentice request an official college transcript as evidence of bachelor's degree [college sends transcript directly to Board]
- The board issues a funeral director registration number, which allows applicant to certify the apprenticeship.
- Certifying an Apprenticeship (part 1 of 2)*
*Certifying Application - Apprentice submits application and fee \$10.00
- Certifying an Apprenticeship (part 2 of 2)*
*Master Certification Statement & copy of Master Certificate of Completion - Submit with the Certifying Application
- Certification of apprenticeship is approved. Board issues a reporting schedule and interview schedule with the pocket card.
- APPRENTICESHIP STARTS _____
*Task list - Apprentice starts fulfilling the required tasks.
- *Master Checklist - Master starts recording the apprentice's task on the Master Checklist. Master Checklist is submitted at the end of the apprenticeship (termination)
- *Training Affidavit - Apprentice starts attending additional training and records the progress on the Training Affidavit and submits at termination.
- *Certification of Funeral Director Cases Form- Apprentice starts recording / certifying funeral director cases submits the recording form at termination.
- Master Quarterly Progress Report - The master completes the master report and includes it with the Apprentice Quarterly Reports. (refer to schedule).
- *Apprentice Quarterly Progress Report - Quarterly the apprentice completes and submits funeral director reports and master report. (refer to schedule).
- Board sends interview date notices via email (refer to schedule).
- Apprentice interviews with a board member at least twice during the apprenticeship (refer to schedule).
- Board issues a termination notice via email

* items can be found
@funeral.ohio.gov

Name of Apprentice



The Ohio Board
of Embalmers and
Funeral Directors
Serving Ohio Since 1902

Apprenticeship Checklist (FD Only)

77 South High Street 16th Floor
Columbus, Ohio 43215

614 . 466 . 4252
fax 614 . 728 . 6825

www.funeral.ohio.gov

Page 2 of 2 **Funeral Director (only) Apprenticeship Checklist**

Apprenticeship is complete, termination process begins.

TERMINATION - After the termination date, the apprentice submits the Termination of Apprenticeship Form along with the items below. Do not date or notarize forms prior to termination date.

Certification of Funeral Directing - Record of all certified funeral director cases, which occurred and reported monthly to the board during the apprenticeship.

Masters Checklist - Record of all apprentices completed tasks which occurred during the apprenticeship

Training Affidavit - Record of additional training including certificates of completion.

Certificate of Registration - 11-1/2"x8" wall display. Must be displayed at the funeral home during the apprenticeship

Apprentice Pocket Card - must be in your possession at all times while directing.

Photograph of yourself - MUST BE WALLET / PASSPORT SIZE

EXAM - Board provides instructions to make application for exam(s), with The International Conference of Funeral Service Examining Boards (The Conference)

Applies and completes the Funeral Director only examinations - **Ohio Laws & Rules exam** [OH LR] and the **Funeral Service Arts** [OH SBE] examinations.

Apprentice passes exam. The Conference sends exam results via us-mail to the Ohio Board of Embalmers & Funeral Directors.

Issue 2nd criminal background records check (FBI and BCI) to the board

Apprentice submits Funeral Director License Application and fee (\$150.00)

Board grants Funeral Directors licenses at a monthly board meeting. License numbers, license pocket card and display license are issued

Renewal - All licensees including newly licensed must renew before December 31 of every even-numbered year and are renewed for a two-year period. Example if licensed in December of 2018 you must pay again and renew by December 31, 2018 for 2019-2020.

Continuing Education - Compliance period is two years; January 1 to December 31 (same as renewal schedule) New licensees begin earning CE credit on January 1st of the next compliance period. During renewal, randomly-selected licensees are required to provide evidence that they have completed the 18 hours of required continuing education.

Name of Apprentice

Signature _____

Date _____

BEFORE THE OFFICE OF FUNERAL HOME AND CREMATORY REGISTRATION
STATE OF COLORADO

Case Numbers: 2015-2387, 2015-2388, 2015-2389, 2015-3962, 2015-4982 , 2016-6170, 2017-1787

ORDER OF SUMMARY SUSPENSION

IN THE MATTER OF DISCIPLINARY PROCEEDINGS REGARDING THE FUNERAL ESTABLISHMENT REGISTRATION IN THE STATE OF COLORADO OF HERITAGE CREMATION PROVIDERS, LLC, REGISTRATION NO. FH-728

TO: HERITAGE CREMATION PROVIDER, LLC
JOSEPH DAMIANO, APPOINTED DESIGNEE

The Director of the Office of Funeral Home and Crematory Registration ("Director"), having conducted a full investigation as to the matters referenced below, **HEREBY FINDS:**

1. Heritage Cremation Provider, LLC, a/k/a Heritage Funeral Homes ("Respondent") was issued a registration to provide services as funeral establishment in the State of Colorado on September 16, 2013. The registration was active at all times relevant to this matter.

2. The Director has jurisdiction over Respondent, its registration to perform services as a funeral establishment, and the subject matter herein.

3. The Director reviewed information regarding Respondent holding itself out to the public as a local licensed cremation provider and failing to notify consumers that it is subcontracting cremations. Upon full investigation, the Director finds the following:

a. Joseph Damiano is identified as the Appointed Designee on the Respondent's Application for Funeral Establishment Registration. Joseph Damiano is also known as Joseph S. Damiano, Giuseppe S. Damiano, and Giuseppe Salvatore Damiano.

b. Respondent is owned and operated by Joseph Damiano and Anthony Joseph Damiano, a/k/a A.J. Damiano.

c. Respondent's Application for Funeral Establishment Registration indicates that the Appointed Designee is not, and has never been

registered with a Funeral Home or Crematory in any other state or country. Joseph Damiano was previously registered with AAA Cremation Emporium; Cremation Care Center, Inc.; Cremation Options, LLC; Legacy Funeral and Cremations Services; Mortuary Care Facility; Mortuary Transport Services; and Southeastern Funeral Services, Inc. in Florida.

d. Respondent's Application for Funeral Establishment Registration indicates that the Designee, Joseph Damiano, is not the Appointed Designee for any other Funeral Home or Crematory. Joseph Damiano, a/k/a Giuseppe Salvatore Damiano is the Appointed Designee for Legacy Funeral Services, Colorado Registration Number FH-706.

e. Respondent's Application for Funeral Establishment Registration lists 1755 Telstar Dr., Suite 300, Colorado Springs, Colorado 80920 as Respondent's business address. Respondent's registered business address is an executive office suite operated as "virtual office" at which telephone and mail services are offered for "virtual clients." Respondent has no personnel at its registered business address and Respondent has no equipment or goods at its registered business address.

f. Respondent's Application for Funeral Establishment Registration indicates that Respondent provides funeral goods or services to the public. Respondent does not have appropriate equipment or personnel to provide the funeral goods or services it contracts at its registered business address. Respondent does not provide funeral goods or services at its registered business address.

g. Respondent advertises that it is a licensed cremation provider and its cremations are performed by "our licensed funeral directors." Respondent is not registered as a Colorado crematory. Respondent does not employ licensed funeral directors or perform cremations.

h. Respondent advertises that its staff and owners are "your friends and neighbors." Respondent's owners do not reside or work in the state of Colorado.

i. Respondent contracted to perform a cremation for decedent J.K. on or about February 24, 2015. Respondent indicated to the consumer that it was located in Boulder, Colorado. Respondent did not immediately notify the consumer that it was subcontracting the cremation of the decedent. Respondent did not notify the consumer of the location of the crematory. Respondent was unable to locate the decedent or cremains for several days. Respondent failed to provide Respondent with the correct contact information for its subcontracted transport company. Respondent failed to include in its contract for funeral services the statement "inquiries

regarding your funeral agreement may be directed to the Department of Regulatory Agencies," along with the current address or telephone number of the Department of Regulatory Agencies. Consumer was unable to reach Respondent despite multiple telephone calls.

j. On or about January 13, 2017, consumer C.K. contacted Respondent to perform a cremation. Respondent indicated to C.K that Respondent's establishment was located in Boulder, Colorado. Consumer C.K. did not sign the contract when she learned the registered business address was Colorado Springs rather than Boulder. Respondent refused to provide consumer with location of the decedent and initially refused to transport decedent to the other crematory without C.K. providing them with her credit card number.

k. As grounds for aggravation, Respondent is using the aforementioned advertising and/or its Colorado registration to conduct unlicensed funeral practice in several states including, but not limited to, Florida, Massachusetts, Tennessee, Alabama, Arkansas, Georgia, Virginia, California, North Carolina, Texas, and Wisconsin. A number of these states have either issued Cease and Desist Orders or issued Advisory Notices to its consumers. Several other states are conducting investigations. Approximately 30 complaints have been registered with the Federal Trade Commission.

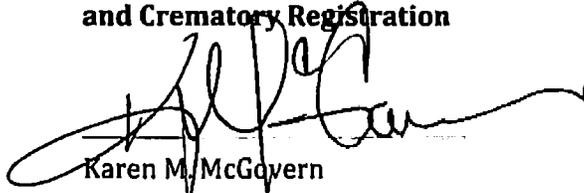
4. Based on the information obtained in the Director's investigation, objective and reasonable grounds exist to believe, and the Director so finds, that the public health, safety, or welfare imperatively requires emergency action and/or Respondent is guilty of multiple deliberate and willful violations of the Mortuary Science Code, codified at Article 54, Title 12, C.R.S.

THEREFORE, IT IS HEREBY ORDERED that, effective June 6, 2017 at 5:00 p.m., the registration to practice as a funeral establishment in the State of Colorado of Heritage Cremation Providers, LLC is summarily suspended pursuant to section 24-4-104(4), C.R.S., pending proceedings to determine whether Respondent's registration to practice as funeral establishment should be further disciplined in accordance with section 12-54-401, C.R.S. Such proceedings shall be promptly instituted and determined.

Pending the outcome of said proceedings, **IT IS FURTHER ORDERED** that Heritage Cremation Providers, LLC immediately cease, desist, and refrain from any further acts for which a registration to practice as a funeral establishment is required by the laws of the state of Colorado.

Effective this 6th day of June 2017.

**For the Director of the Division of
Professions and Occupations, Department of
Regulatory Agencies, Office of Funeral Home
and Crematory Registration**

A handwritten signature in black ink, appearing to read 'Karen M. McGovern', written over a horizontal line.

Karen M. McGovern
Deputy Director, Programs & Legal Affairs
Division of Professions and Occupations

CERTIFICATE OF SERVICE

This is to certify that I have duly served the within ORDER OF SUMMARY SUSPENSION upon all parties herein by depositing copies of same in the United States mail, postage prepaid, -at Denver, Colorado this 6th day of June, 2017, addressed as follows:

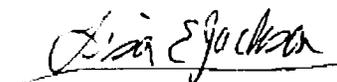
Heritage Cremation Providers, LLC
1755 Telstar Dr. Suite 300,
Colorado Springs, CO 80920

And via electronic mail to:

Heritage Cremation Providers, LLC
info@heritage-cremation.com

Bradley A. Wasser, Esq.
brad.wasser@dcantitrustlaw.com

John Roberts, First Assistant Attorney General
john.roberts@coag.gov



CHARLIE BAKER, GOVERNOR
KARYN POLITO, LIEUTENANT GOVERNOR
JOHN C. CHAPMAN, UNDERSECRETARY

Media Contact

Chris Goetcheus
(617) 973-8767
Chris.Goetcheus@state.ma.us

For Immediate Release - June 12, 2017

Online Colorado Cremation Service Suspended For Unlicensed Operation In Other States

Massachusetts Complaints Trigger Shutdown of Heritage Cremation Providers

Boston, MA (June 12, 2017) – Complaints filed recently by the Massachusetts Division of Professional Licensure (DPL) with Colorado officials have resulted in the registration suspension of Heritage Cremation Providers, an online cremation resource based in Colorado Springs.

Heritage Cremation was allegedly accepting payment for cremation and transport services from Massachusetts residents and then using registered funeral directors in this state to fulfill the services. Under Massachusetts law, any funeral services provider that accepts payment for such services must be registered by the Board of Registration of Funeral Directors and Embalmers. Heritage Cremation is not registered in Massachusetts or any other state except Colorado.

In suspending Heritage Cremation's registration, Colorado's Office of Funeral Home and Crematory Registration found that the online company was failing to notify consumers that it was subcontracting cremations and using its website advertising to conduct unregistered cremation practice in at least 11 states, including Massachusetts. The suspension order also notes that approximately 30 complaints have been registered with the Federal Trade Commission.

In May, DPL sent a Cease and Desist letter to Heritage Cremation explaining the illegality of providing services to Massachusetts consumers without a registration. This action was quickly followed with formal complaints to Colorado officials.

"Our reach is limited in dealing with out of state, online entities, but we are using every legal tool available to stop Heritage from operating illegally in Massachusetts," said Charles Borstel, Commissioner of the Division of Professional Licensure. "We commend Colorado state officials for acting swiftly in this matter and continuing their investigation of this during the registration suspension."

Massachusetts consumers are advised to use the "Check a License" link on the DPL home page at Mass.Gov/dpl to ensure the funeral director they are dealing with is registered or has any complaints or enforcement actions against them. It's important to also note that funeral directors are required to provide consumers with a list of prices for products and services either over the phone or in person before they show these items to customers. If consumers suspect that something is wrong with their contract, the transaction, the funeral director or the funeral home, they are encouraged to call DPL's Office of Investigations at 617-727-7406.

###

(M) "Cremation" means the technical process of using heat and flame to reduce human or animal remains to bone fragments or ashes or any combination thereof. "Cremation" includes processing and may include the pulverization of bone fragments.

(N) "Cremation chamber" means the enclosed space within which cremation takes place.

(O) "Cremated remains" means all human or animal remains recovered after the completion of the cremation process, which may include the residue of any foreign matter such as casket material, dental work, or eyeglasses that were cremated with the human or animal remains.

(P) "Lapsed license" means a license issued under this chapter that has become invalid because of the failure of the licensee to renew the license within the time limits prescribed under this chapter.

(Q) ~~"Operator of a crematory facility~~ Crematory operator" means the ~~sole proprietorship, partnership, corporation, limited liability company, or other business entity responsible for the overall operation of~~ person who engages, in whole or in part, in cremation from one or more crematories licensed under this chapter and who has been issued a crematory facility operator permit under this chapter.

(R) "Processing" means the reduction of identifiable bone fragments to unidentifiable bone fragments through manual or mechanical means after the completion of the cremation process.

(S) "Pulverization" means the reduction of identifiable bone fragments to granulated particles by manual or mechanical means after the completion of the cremation process.

(T) "Preneed funeral contract" means a written agreement, contract, or series of contracts to sell or otherwise provide any funeral services, funeral goods, or any combination thereof to be

used in connection with the funeral or final disposition of a dead 67962
human body, where payment for the goods or services is made either 67963
outright or on an installment basis, prior to the death of the 67964
person purchasing the goods or services or for whom the goods or 67965
services are purchased. "Preneed funeral contract" does not 67966
include any preneed cemetery merchandise and services contract or 67967
any agreement, contract, or series of contracts pertaining to the 67968
sale of any burial lot, burial or interment right, entombment 67969
right, or columbarium right with respect to which an endowment 67970
care fund is established or is exempt from establishment pursuant 67971
to section 1721.21 of the Revised Code. 67972

For the purposes of division (T) of this section, "funeral 67973
goods" includes caskets. 67974

(U) "Purchaser" means the individual who has purchased and 67975
financed a preneed funeral contract, and who may or may not be the 67976
contract beneficiary. 67977

(V) "Contract beneficiary" means the individual for whom 67978
funeral goods and funeral services are provided pursuant to a 67979
preneed funeral contract. 67980

(W) "Seller" means any person that enters into a preneed 67981
funeral contract with a purchaser for the provision of funeral 67982
goods, funeral services, or both. 67983

(X) "Felony" means a criminal act classified as a felony by 67984
this state, any other state, or federal law. 67985

Sec. 4717.02. (A) There is hereby created the board of 67986
embalmers and funeral directors consisting of seven members to be 67987
appointed by the governor with the advice and consent of the 67988
senate. Five members shall be licensed ~~embalmers and practicing~~ 67989
funeral directors, each with four of which shall also be licensed 67990
embalmers. Each of the funeral director members shall have at 67991

least ten consecutive years of experience in this state 67992
immediately preceding the date of the person's appointment. In 67993
addition, one of ~~these~~ the funeral director members shall hold a 67994
crematory operator permit and be knowledgeable and experienced in 67995
operating a crematory. Two members shall represent the public; at 67996
least one of these members shall be at least sixty years of age. 67997

(B) Terms of office are for five years, commencing on the 67998
first day of July and ending on the last day of June. Each member 67999
shall hold office from the date of the member's appointment until 68000
the end of the term for which the member was appointed. Before 68001
entering upon the duties of the office, each member shall take and 68002
file with the secretary of state an oath of office as required by 68003
Section 7 of Article XV, Ohio Constitution. 68004

(C) The governor may remove a member of the board for neglect 68005
of duty, incompetency, or immoral conduct. Vacancies shall be 68006
filled in the manner provided for original appointments. Any 68007
member appointed to fill a vacancy occurring prior to the 68008
expiration date of the term for which the member's predecessor was 68009
appointed shall hold office as a member for the remainder of that 68010
term. A member shall continue in office subsequent to the 68011
expiration date of the member's term until the member's successor 68012
takes office, or until a period of sixty days has elapsed, 68013
whichever occurs first. 68014

(D) Each member of the board shall receive an amount fixed 68015
under division (J) of section 124.15 of the Revised Code for each 68016
day, not to exceed sixty days per year, employed in the discharge 68017
of the member's duties as a board member, together with any 68018
necessary expenses incurred in the performance of those duties. 68019

Sec. 4717.03. (A) Members of the board of embalmers and 68020
funeral directors shall annually in July, or within thirty days 68021
after the senate's confirmation of the new members appointed in 68022

that year, meet and organize by selecting from among its members a president, vice-president, and secretary-treasurer. The board may hold other meetings as it determines necessary. A quorum of the board consists of four members, of whom at least three shall be members who are embalmers and funeral directors. The concurrence of at least four members is necessary for the board to take any action. The president and secretary-treasurer shall sign all licenses issued under this chapter and affix the board's seal to each license.

(B) The board may appoint an individual who is not a member of the board to serve as executive director of the board. The executive director serves at the pleasure of the board and shall do all of the following:

(1) Serve as the board's chief administrative officer;

(2) Act as custodian of the board's records;

(3) Execute all of the board's orders;

(4) Employ staff who are not members of the board and who serve at the pleasure of the executive director to provide any assistance that the board considers necessary.

(C) In executing the board's orders as required by division (B) (3) of this section, the executive director may enter the premises, establishment, office, or place of business of any embalmer, funeral director, or ~~operator of a crematory facility~~ operator in this state. The executive director may serve and execute any process issued by any court under this chapter.

(D) The executive director may employ necessary inspectors, who shall be licensed embalmers and funeral directors. An inspector employed by the executive director may enter the premises, establishment, office, or place of business of any embalmer, funeral director, or crematory operator of a, embalming facility, funeral home, or crematory facility in this state, for

the purposes of inspecting the facility and premises; the license, 68054
permit, and registration of embalmers ~~and,~~ funeral directors, and 68055
crematory operators operating in the facility; and the license of 68056
the funeral home, embalming facility, or crematory facility and 68057
perform any other duties delegated to the inspector by the board 68058
or assigned to the inspector by the executive director. The 68059
executive director may enter the facility or premises of a funeral 68060
home, embalming facility, or crematory for the purpose of an 68061
inspection if accompanied by an inspector or, if an inspector is 68062
not available, when a situation presents a danger of immediate and 68063
serious harm to the public. 68064

(E) The president of the board shall designate three of the 68065
board's members to serve on the crematory review board, which is 68066
hereby created, for such time as the president finds appropriate 68067
to carry out the provisions of this chapter. Those members of the 68068
crematory review board designated by the president to serve and 68069
three members designated by the cemetery dispute resolution 68070
commission shall designate, by a majority vote, one person who 68071
holds a crematory operator permit, who is experienced in the 68072
operation of a crematory facility, and who is not affiliated with 68073
a cemetery or a funeral home to serve on the crematory review 68074
board for such time as the crematory review board finds 68075
appropriate. Members serving on the crematory review board shall 68076
not receive any additional compensation for serving on the board, 68077
but may be reimbursed for their actual and necessary expenses 68078
incurred in the performance of official duties as members of the 68079
board. Members of the crematory review board shall designate one 68080
from among its members to serve as a chairperson for such time as 68081
the board finds appropriate. Costs associated with conducting an 68082
adjudicatory hearing in accordance with division (F) of this 68083
section shall be paid from funds available to the board of 68084
embalmers and funeral directors. 68085

(F) Upon receiving written notice from the board of embalmers and funeral directors of any of the following, the crematory review board shall conduct an adjudicatory hearing on the matter in accordance with Chapter 119. of the Revised Code, except as otherwise provided in this section or division (C) of section 4717.14 of the Revised Code:

(1) Notice provided under division (I) of this section of an alleged violation of any provision of this chapter or any rules adopted under this chapter governing or in connection with crematory operators, crematory facilities, or cremation;

(2) Notice provided under division (B) of section 4717.14 of the Revised Code that the board of embalmers and funeral directors proposes to refuse to grant or renew, or to suspend or revoke, a license to operate a crematory facility;

(3) Notice provided under division (C) of section 4717.14 of the Revised Code that the board of embalmers and funeral directors has issued an order summarily suspending a crematory operator permit or a license to operate a crematory facility;

(4) Notice provided under division (B) of section 4717.15 of the Revised Code that the board of embalmers and funeral directors proposes to issue a notice of violation and order requiring payment of a forfeiture for any violation described in divisions (A) (9) (a) to (g) of section 4717.04 of the Revised Code alleged in connection with a crematory operator, crematory facility, or cremation.

Nothing in division (F) of this section precludes the crematory review board from appointing an independent examiner in accordance with section 119.09 of the Revised Code to conduct any adjudication hearing required under division (F) of this section.

The crematory review board shall submit a written report of findings and advisory recommendations, and a written transcript of

its proceedings, to the board of embalmers and funeral directors. 68117
The board of embalmers and funeral directors shall serve a copy of 68118
the written report of the crematory review board's findings and 68119
advisory recommendations on the party to the adjudication or the 68120
party's attorney, by certified mail, within five days after 68121
receiving the report and advisory recommendations. A party may 68122
file objections to the written report with the board of embalmers 68123
and funeral directors within ten days after receiving the report. 68124
No written report is final or appealable until it is issued as a 68125
final order by the board of embalmers and funeral directors and 68126
entered on the record of the proceedings. The board of embalmers 68127
and funeral directors shall consider objections filed by the party 68128
prior to issuing a final order. After reviewing the findings and 68129
advisory recommendations of the crematory review board, the 68130
written transcript of the crematory review board's proceedings, 68131
and any objections filed by a party, the board of embalmers and 68132
funeral directors shall issue a final order in the matter. Any 68133
party may appeal the final order issued by the board of embalmers 68134
and funeral directors in a matter described in divisions (F) (1) to 68135
(4) of this section in accordance with section 119.12 of the 68136
Revised Code, except that the appeal may be made to the court of 68137
common pleas in the county in which is located the crematory 68138
facility to which the final order pertains, or in the county in 68139
which the party resides. 68140

(G) On its own initiative or on receiving a written complaint 68141
from any person whose identity is made known to the board of 68142
embalmers and funeral directors, the board shall investigate the 68143
acts or practices of any person holding or claiming to hold a 68144
license, permit, or registration under this chapter that, if 68145
proven to have occurred, would violate this chapter or any rules 68146
adopted under it. The board may compel witnesses by subpoena to 68147
appear and testify in relation to investigations conducted under 68148
this chapter and may require by subpoena duces tecum the 68149

production of any book, paper, or document pertaining to an 68150
investigation. If a person does not comply with a subpoena or 68151
subpoena duces tecum, the board may apply to the court of common 68152
pleas of any county in this state for an order compelling the 68153
person to comply with the subpoena or subpoena duces tecum, or for 68154
failure to do so, to be held in contempt of court. 68155

(H) If, as a result of its investigation conducted under 68156
division (G) of this section, the board of embalmers and funeral 68157
directors has reasonable cause to believe that the person 68158
investigated is violating any provision of this chapter or any 68159
rules adopted under this chapter governing or in connection with 68160
embalming, funeral directing, cremation, funeral homes, embalming 68161
facilities, or cremation facilities, or the operation of funeral 68162
homes ~~or~~, embalming facilities, or crematory facilities, it may, 68163
after providing the opportunity for an adjudicatory hearing, issue 68164
an order directing the person to cease the acts or practices that 68165
constitute the violation. The board shall conduct the adjudicatory 68166
hearing in accordance with Chapter 119. of the Revised Code except 68167
that, notwithstanding the provisions of that chapter, the 68168
following shall apply: 68169

(1) The board shall send the notice informing the person of 68170
the person's right to a hearing by certified mail. 68171

(2) The person is entitled to a hearing only if the person 68172
requests a hearing and if the board receives the request within 68173
thirty days after the mailing of the notice described in division 68174
(H) (1) of this section. 68175

(3) A stenographic record shall be taken, in the manner 68176
prescribed in section 119.09 of the Revised Code, at every 68177
adjudicatory hearing held under this section, regardless of 68178
whether the record may be the basis of an appeal to a court. 68179

(I) If, as a result of its investigation conducted under 68180

division (G) of this section, the board of embalmers and funeral 68181
directors has reasonable cause to believe that the person 68182
investigated is violating any provision of this chapter or any 68183
rules adopted under this chapter governing or in connection with 68184
crematory operators, crematory facilities, or cremation, the board 68185
shall send written notice of the alleged violation to the 68186
crematory review board. If, after the conclusion of the 68187
adjudicatory hearing in the matter conducted under division (F) of 68188
this section, the board of embalmers and funeral directors finds 68189
that a person is in violation of any provision of this chapter or 68190
any rules adopted under this chapter governing or in connection 68191
with crematory operators, crematory facilities, or cremation, the 68192
board may issue a final order under that division directing the 68193
person to cease the acts or practices that constitute the 68194
violation. 68195

(J) The board of embalmers and funeral directors may bring a 68196
civil action to enjoin any violation or threatened violation of 68197
sections 4717.01 to 4717.15 of the Revised Code or a rule adopted 68198
under any of those sections; division (A) or (B) of section 68199
4717.23; division (B) (1) or (2), (C) (1) or (2), (D), (E), or 68200
(F) (1) or (2), or divisions (H) to (K) of section 4717.26; 68201
division (D) (1) of section 4717.27; divisions (A) to (C) of 68202
section 4717.28, or division (D) or (E) of section 4717.31 of the 68203
Revised Code. The action shall be brought in the county where the 68204
violation occurred or the threatened violation is expected to 68205
occur. At the request of the board, the attorney general shall 68206
represent the board in any matter arising under this chapter. 68207

(K) The board of embalmers and funeral directors and the 68208
crematory review board may issue subpoenas for ~~funeral directors~~ 68209
~~and embalmers or persons holding themselves out as such, for~~ 68210
~~operators of crematory facilities~~ any person holding a license or 68211
permit under this chapter or persons holding themselves out as 68212

such, or for any other person whose testimony, in the opinion of 68213
either board, is necessary. The subpoena shall require the person 68214
to appear before the appropriate board or any designated member of 68215
either board, upon any hearing conducted under this chapter. The 68216
penalty for disobedience to the command of such a subpoena is the 68217
same as for refusal to answer such a process issued under 68218
authority of the court of common pleas. 68219

(L) ~~All~~ Except as provided in section 4717.41 of the Revised 68220
Code, all moneys received by the board of embalmers and funeral 68221
directors from any source shall be deposited in the state treasury 68222
to the credit of the occupational licensing and regulatory fund 68223
created in section 4743.05 of the Revised Code. 68224

(M) The board of embalmers and funeral directors shall submit 68225
a written report to the governor on or before the first Monday of 68226
July of each year. This report shall contain a detailed statement 68227
of the nature and amount of the board's receipts and the amount 68228
and manner of its expenditures. 68229

Sec. 4717.04. (A) The board of embalmers and funeral 68230
directors shall adopt rules in accordance with Chapter 119. of the 68231
Revised Code for the government, transaction of the business, and 68232
the management of the affairs of the board of embalmers and 68233
funeral directors and the crematory review board, and for the 68234
administration and enforcement of this chapter. These rules shall 68235
include all of the following: 68236

(1) The nature, scope, content, and form of the application 68237
that must be completed and license examination that must be passed 68238
in order to receive an embalmer's license or a funeral director's 68239
license under section 4717.05 of the Revised Code. The rules shall 68240
ensure both of the following: 68241

(a) That the embalmer's license examination tests the 68242
applicant's knowledge through at least a comprehensive section and 68243

an Ohio laws section; 68244

(b) That the funeral director's license examination tests the 68245
applicant's knowledge through at least a comprehensive section, an 68246
Ohio laws section, and a sanitation section. 68247

(2) The minimum license examination score necessary to be 68248
licensed under section 4717.05 of the Revised Code as an embalmer 68249
or as a funeral director; 68250

(3) Procedures for determining the dates of the embalmer's 68251
and funeral director's license examinations, which shall be 68252
administered at least once each year, the time and place of each 68253
examination, and the supervision required for each examination; 68254

(4) Procedures for determining whether the board shall accept 68255
an applicant's compliance with the licensure, registration, or 68256
certification requirements of another state as grounds for 68257
granting the applicant a license under this chapter; 68258

(5) A determination of whether completion of a nationally 68259
recognized embalmer's or funeral director's examination 68260
sufficiently meets the license requirements for the comprehensive 68261
section of either the embalmer's or the funeral director's license 68262
examination administered under this chapter; 68263

(6) Continuing education requirements for licensed embalmers 68264
and funeral directors; 68265

(7) Requirements for the licensing and operation of funeral 68266
homes; 68267

(8) Requirements for the licensing and operation of embalming 68268
facilities; 68269

(9) A schedule that lists, and specifies a forfeiture 68270
commensurate with, each of the following types of conduct which, 68271
for the purposes of division (A) (9) of this section and section 68272
4717.15 of the Revised Code, are violations of this chapter: 68273

(a) Obtaining a license under this chapter by fraud or misrepresentation either in the application or in passing the required examination for the license;	68274 68275 68276
(b) Purposely violating any provision of sections 4717.01 to 4717.15 of the Revised Code or a rule adopted under any of those sections; division (A) or (B) of section 4717.23; division (B) (1) or (2), (C) (1) or (2), (D), (E), or (F) (1) or (2), or divisions (H) to (K) of section 4717.26; division (D) (1) of section 4717.27; or divisions (A) to (C) of section 4717.28 of the Revised Code;	68277 68278 68279 68280 68281 68282
(c) Committing unprofessional conduct;	68283
(d) Knowingly permitting an unlicensed person, other than a person serving an apprenticeship, to engage in the profession or business of embalming or funeral directing under the licensee's supervision;	68284 68285 68286 68287
(e) Refusing to promptly submit the custody of a dead human body <u>or cremated remains</u> upon the express order of the person legally entitled to the body;	68288 68289 68290
(f) Transferring a license to operate a funeral home, embalming facility, or crematory facility from one owner or operator to another, or from one location to another, without notifying the board;	68291 68292 68293 68294
(g) Misleading the public using false or deceptive advertising;	68295 68296
<u>(h) Failing to forward to the board on or before its due date the annual report of preneed funeral sales required by division (J) of section 4717.31 of the Revised Code. If the annual report is sent to the board by United States mail, it shall be postmarked on or before the due date for the submission of the annual report in order to be timely filed with the board. Mail that is not postmarked shall be considered filed on the date it is received by the board.</u>	68297 68298 68299 68300 68301 68302 68303 68304

Each instance of the commission of any of the types of 68305
conduct described in ~~divisions~~ division (A) (9) ~~(a), (b), (c), (d),~~ 68306
~~(e), (f), and (g)~~ of this section is a separate violation. The 68307
rules adopted under division (A) (9) of this section shall 68308
establish the amount of the forfeiture for a violation of each of 68309
those divisions. The forfeiture for a first violation shall not 68310
exceed five thousand dollars, and the forfeiture for a second or 68311
subsequent violation shall not exceed ten thousand dollars. The 68312
amount of the forfeiture may differ among the types of violations 68313
according to what the board considers the seriousness of each 68314
violation. 68315

(10) Requirements for the licensing and operation of 68316
crematory facilities; 68317

(11) Procedures for the board to take possession of and to 68318
arrange the lawful disposition of unclaimed cremated remains that 68319
were held or stored at a funeral home or crematory that has been 68320
closed; 68321

(12) Procedures for the issuance of duplicate licenses; 68322

~~(12)~~ (13) Requirements for criminal records checks of 68323
applicants under section 4776.03 of the Revised Code; 68324

~~(13)~~ (14) The amount and content of corrective action courses 68325
required by the board under section 4717.14 of the Revised Code. 68326

(B) The board may adopt rules governing the educational 68327
standards for licensure as an embalmer or funeral director, or 68328
obtaining a permit to be a crematory operator, and the standards 68329
of service and practice to be followed in embalming ~~and,~~ funeral 68330
directing, and cremation, and in the operation of funeral homes, 68331
embalming facilities, and crematory facilities in this state. 68332

(C) Nothing in this chapter authorizes the board of embalmers 68333
and funeral directors to regulate cemeteries, except that the 68334
board shall license and regulate ~~crematories~~ funeral homes, 68335

embalming facilities, and crematory facilities located at 68336
cemeteries in accordance with this chapter. 68337

Sec. 4717.05. (A) Any person who desires to be licensed as an 68338
embalmer shall apply to the board of embalmers and funeral 68339
directors on a form provided by the board. The applicant shall 68340
include with the application an initial license fee as set forth 68341
in section 4717.07 of the Revised Code and evidence, verified by 68342
oath and satisfactory to the board, that the applicant meets all 68343
of the following requirements: 68344

(1) The applicant is at least eighteen years of age and of 68345
good moral character. 68346

(2) If the applicant has pleaded guilty to, has been found by 68347
a judge or jury to be guilty of, or has had a judicial finding of 68348
eligibility for treatment in lieu of conviction entered against 68349
the applicant in this state for aggravated murder, murder, 68350
voluntary manslaughter, felonious assault, kidnapping, rape, 68351
sexual battery, gross sexual imposition, aggravated arson, 68352
aggravated robbery, or aggravated burglary, or has pleaded guilty 68353
to, has been found by a judge or jury to be guilty of, or has had 68354
a judicial finding of eligibility for treatment in lieu of 68355
conviction entered against the applicant in another jurisdiction 68356
for a substantially equivalent offense, at least five years has 68357
elapsed since the applicant was released from incarceration, a 68358
community control sanction, a post-release control sanction, 68359
parole, or treatment in connection with the offense. 68360

(3) The applicant holds at least a bachelor's degree from a 68361
college or university authorized to confer degrees by the ~~Ohio~~ 68362
~~board department of regents~~ higher education or the comparable 68363
legal agency of another state in which the college or university 68364
is located and submits an official transcript from that college or 68365
university with the application. 68366

(4) The applicant has satisfactorily completed at least 68367
twelve months of instruction in a prescribed course in mortuary 68368
science as approved by the board and has presented to the board a 68369
certificate showing successful completion of the course. The 68370
course of mortuary science college training may be completed 68371
either before or after the completion of the educational standard 68372
set forth in division (A) (3) of this section. 68373

(5) The applicant has registered with the board prior to 68374
beginning an embalmer apprenticeship. 68375

(6) The applicant has satisfactorily completed at least one 68376
year of apprenticeship under an embalmer licensed in this state 68377
and has ~~assisted that person~~ participated in embalming at least 68378
twenty-five dead human bodies. 68379

(7) The applicant, upon meeting the educational standards 68380
provided for in divisions (A) (3) and (4) of this section and 68381
completing the apprenticeship required in division (A) (6) of this 68382
section, has completed the examination for an embalmer's license 68383
required by the board. 68384

(B) Upon receiving satisfactory evidence verified by oath 68385
that the applicant meets all the requirements of division (A) of 68386
this section, the board shall issue the applicant an embalmer's 68387
license. 68388

(C) Any person who desires to be licensed as a funeral 68389
director shall apply to the board on a form ~~provided~~ prescribed by 68390
the board. The application shall include an initial license fee as 68391
set forth in section 4717.07 of the Revised Code and evidence, 68392
verified by oath and satisfactory to the board, that the applicant 68393
meets all of the following requirements: 68394

(1) Except as otherwise provided in division (D) of this 68395
section, the applicant has satisfactorily met all the requirements 68396
for an embalmer's license as described in divisions (A) (1) to (4) 68397.

of this section. 68398

(2) The applicant has registered with the board prior to 68399
beginning a funeral director apprenticeship. 68400

(3) The applicant, following mortuary science college 68401
training described in division (A) (4) of this section, has 68402
satisfactorily completed a one-year apprenticeship under a 68403
licensed funeral director in this state and has ~~assisted that~~ 68404
~~person~~ participated in directing at least twenty-five funerals. 68405

(4) The applicant has satisfactorily completed the 68406
examination for a funeral director's license as required by the 68407
board. 68408

(D) In lieu of mortuary science college training required for 68409
a funeral director's license under division (C) (1) of this 68410
section, the applicant may substitute a satisfactorily completed 68411
two-year apprenticeship under a licensed funeral director in this 68412
state assisting that person in directing at least fifty funerals. 68413

(E) Upon receiving satisfactory evidence that the applicant 68414
meets all the requirements of division (C) of this section, the 68415
board shall issue to the applicant a funeral director's license. 68416

(F) A funeral director or embalmer may request the funeral 68417
director's or embalmer's license be placed on inactive status by 68418
submitting to the board a form prescribed by the board and such 68419
other information as the board may request. A funeral director or 68420
embalmer may not place the funeral director's or embalmer's 68421
license on inactive status unless the funeral director or embalmer 68422
is in good standing with the board and is in compliance with 68423
applicable continuing education requirements. A funeral director 68424
or embalmer who is granted inactive status is prohibited from 68425
participating in any activity for which a funeral director's or 68426
embalmer's license is required in this state. A funeral director 68427
or embalmer who has been granted inactive status is exempt from 68428

the continuing education requirements under section 4717.09 of the Revised Code during the period of the inactive status.

(G) A funeral director or embalmer who has been granted inactive status may not return to active status for at least two years following the date that the inactive status was granted. Following a period of at least two years of inactive status, the funeral director or embalmer may apply to return to active status upon completion of all of the following conditions:

(1) The funeral director or embalmer files with the board a form prescribed by the board seeking active status and provides any other information as the board may request;

(2) The funeral director or embalmer takes and passes the Ohio laws examination for each license being activated;

(3) The funeral director or embalmer pays a reactivation fee to the board in the amount of one hundred forty dollars for each license being reactivated.

(H) As used in this section:

(1) "Community control sanction" has the same meaning as in section 2929.01 of the Revised Code.

(2) "Post-release control sanction" has the same meaning as in section 2967.01 of the Revised Code.

Sec. 4717.051. (A) Any person who desires to obtain a permit as a crematory operator shall apply to the board of embalmers and funeral directors on a form prescribed by the board. The applicant shall include with the application the initial permit fee set forth in section 4717.07 of the Revised Code and evidence, verified under oath and satisfactory to the board, that the applicant satisfies all of the following requirements:

(1) The applicant is at least eighteen years of age and of good moral character.

(2) If the applicant has pleaded guilty to, or has been found by a judge or jury to be guilty of, or has had judicial finding of eligibility for treatment in lieu of conviction entered against the applicant in this state for aggravated murder, murder, voluntary manslaughter, felonious assault, kidnapping, rape, sexual battery, gross sexual imposition, aggravated arson, aggravated robbery, or aggravated burglary, or has pleaded guilty to, has been found by a judge or jury to be guilty of, or has had judicial finding of eligibility for treatment in lieu of conviction entered against the applicant in another jurisdiction for a substantially equivalent offense, at least five years has elapsed since the applicant was released from incarceration, a community control sanction, a post-release control sanction, parole, or treatment in connection with the offense.

(3) The applicant has satisfactorily completed a crematory operation certification program approved by the board and has presented to the board a certificate showing completion of the program.

(B) If the board of embalmers and funeral directors, upon receiving satisfactory evidence, determines that the applicant satisfies all of the requirements of division (A) of this section, the board shall issue to the applicant a permit as a crematory operator.

(C) The board of embalmers and funeral directors may revoke or suspend a crematory operator permit or subject a crematory operator permit holder to discipline in accordance with the laws, rules, and procedures applicable to licensees under this chapter.

Sec. 4717.06. (A) (1) ~~Any person~~ A licensed funeral director who desires to obtain a license to operate a funeral home, a licensed embalmer who desires to obtain a license to operate an embalming facility, or a holder of a crematory operator permit who

desires to obtain a license to operate a crematory facility shall 68490
apply to the board of embalmers and funeral directors on a form 68491
provided prescribed by the board. The application shall include 68492
the initial license application fee set forth in section 4717.07 68493
of the Revised Code and proof satisfactory to the board that the 68494
funeral home, embalming facility, or crematory facility is in 68495
compliance with rules adopted by the board under section 4717.04 68496
of the Revised Code, rules adopted by the board of building 68497
standards under Chapter 3781. of the Revised Code, and all other 68498
federal, state, and local requirements relating to the safety of 68499
the premises. 68500

(2) If the funeral home, embalming facility, or crematory 68501
facility to which the license application pertains is owned by a 68502
corporation or limited liability company, the application shall 68503
include the name and address of the corporation's or limited 68504
liability company's statutory agent appointed under section 68505
1701.07 or 1705.06 of the Revised Code or, in the case of a 68506
foreign corporation, the corporation's designated agent appointed 68507
under section 1703.041 of the Revised Code. If the funeral home, 68508
embalming facility, or crematory facility to which the application 68509
pertains is owned by a partnership, the application shall include 68510
the name and address of each of the partners. If, at any time 68511
after the submission of a license application or issuance of a 68512
license, the statutory or designated agent of a corporation or 68513
limited liability company owning a funeral home, embalming 68514
facility, or crematory facility or the address of the statutory or 68515
designated agent changes or, in the case of a partnership, any of 68516
the partners of the funeral home, embalming facility, or crematory 68517
facility or the address of any of the partners changes, the 68518
applicant for or holder of the license to operate the funeral 68519
home, embalming facility, or crematory facility shall submit 68520
written notice to the board, within thirty days after the change, 68521
informing the board of the change and of any name or address of a 68522

statutory or designated agent or partner that has changed from 68523
that contained in the application for the license or the most 68524
recent notice submitted under division (A) (2) of this section. 68525

(B) (1) The board of embalmers and funeral directors shall 68526
issue a license to operate a funeral home only to a licensed 68527
funeral director who is named in the application as the funeral 68528
director actually in charge and ultimately responsible for the 68529
funeral home. The board shall issue the license only for the 68530
address at which the funeral home is physically located and 68531
operated. The funeral home license and licenses of the embalmers 68532
and funeral directors employed by the funeral home shall be 68533
displayed in a conspicuous place within the funeral home. The name 68534
of the funeral director to whom the funeral home license has been 68535
issued shall be conspicuously displayed immediately on the outside 68536
or the inside of the primary entrance to the funeral home that is 68537
used by the public. 68538

(2) The funeral home shall have on the premises one of the 68539
following: 68540

(a) If embalming will take place at the funeral home, an 68541
embalming room that is adequately equipped and maintained. The 68542
embalming room shall be kept in a clean and sanitary manner and 68543
used only for the embalming, preparation, or holding of dead human 68544
bodies. The embalming room shall contain only the articles, 68545
facilities, and instruments necessary for those purposes. 68546

(b) If embalming will not take place at the funeral home, a 68547
holding room that is adequately equipped and maintained. The 68548
holding room shall be kept in a clean and sanitary manner and used 68549
only for the preparation, other than embalming, and holding of 68550
dead human bodies. The holding room shall contain only the 68551
articles and facilities necessary for those purposes. 68552

(3) ~~Except as provided in division (B) of section 4717.11 of~~ 68553

~~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.~~

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

(C) (1) The board shall issue a license to operate an
embalming facility only to a licensed embalmer who is actually in
charge of and ultimately responsible for the embalming facility.
The board shall issue the license only for the address at which
the embalming facility is physically located and operated. The
license shall be displayed in a conspicuous place within the
facility. The name of the embalmer to whom the embalming facility
license has been issued shall be conspicuously displayed on the
outside or inside of the primary entrance to the embalming
facility.

(2) The embalming facility shall be adequately equipped and
maintained in a sanitary manner. The embalming room at such a
facility shall contain only the articles, facilities, and
instruments necessary for its stated purpose. The embalming room
shall be kept in a clean and sanitary condition and used only for
the care and preparation of dead human bodies.

~~(3) An embalming facility license shall be issued only to an~~

~~embalmer licensed under division (B) of section 4717.05 of the Revised Code, who is actually in charge of the facility.~~ 68586
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(D) (1) The board shall issue a license to operate a crematory facility only to a crematory operator who is actually in charge and ultimately responsible for the crematory facility. The board shall issue the license only for the address at which the crematory facility is physically located and operated. The license shall be displayed in a conspicuous place within the crematory facility. The name of the crematory operator to whom the crematory facility license has been issued shall be conspicuously displayed on the outside or inside of the primary entrance to the crematory facility. 68588
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(2) The crematory facility shall be adequately equipped and maintained in a clean and sanitary manner. The crematory facility may be located in a funeral home, embalming facility, cemetery building, or other building in which the crematory facility may lawfully operate. If a crematory facility engages in the cremation of animals, the crematory facility shall cremate animals in a cremation chamber that also is not used to cremate dead human bodies or human body parts and shall not cremate animals in a cremation chamber used for the cremation of dead human bodies and human body parts. Cremation chambers that are used for the cremation of dead human bodies or human body parts and cremation chambers used for the cremation of animals may be located in the same area. Cremation chambers used for the cremation of animals shall have conspicuously displayed on the unit a notice that the unit is to be used for animals only. 68598
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(3) A license to operate a crematory facility shall be issued to the person actually in charge of the crematory facility. This section does not require the individual who is actually in charge of the crematory facility to be an embalmer or funeral director licensed under this chapter. 68613
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(4) Nothing in this section or rules adopted under section 4717.04 of the Revised Code precludes the establishment and operation of a crematory facility on or adjacent to the property on which a cemetery, funeral home, or embalming facility is located.

Sec. 4717.07. (A) The board of embalmers and funeral directors shall charge and collect the following fees:

(1) For ~~the~~ applying for an initial ~~issuance~~ or biennial renewal of an embalmer's or funeral director's license, one hundred fifty dollars;

(2) For ~~the issuance of~~ applying for an embalmer or funeral director registration, twenty-five dollars;

(3) For filing an embalmer or funeral director certificate of apprenticeship, ten dollars;

(4) For the application to take the examination for a license to practice as an embalmer or funeral director, or to retake a section of the examination, thirty-five dollars;

(5) For ~~the~~ applying for an initial ~~issuance of a~~ license to operate a funeral home, three hundred fifty dollars and biennial renewal of a license to operate a funeral home, three hundred fifty dollars;

(6) For the reinstatement of a lapsed embalmer's or funeral director's license, the renewal fee prescribed in division (A) (1) of this section plus fifty dollars for each month or portion of a month the license is lapsed, but not more than one thousand dollars;

(7) For the reinstatement of a lapsed license to operate a funeral home, the renewal fee prescribed in division (A) (5) of this section plus fifty dollars for each month or portion of a month the license is lapsed until reinstatement, but not more than

<u>one thousand dollars;</u>	68648
(8) For the initial issuance of <u>applying for</u> a license to operate an embalming facility, three hundred fifty dollars and biennial renewal of a license to operate an embalming facility, three hundred fifty dollars;	68649 68650 68651 68652
(9) For the reinstatement of a lapsed license to operate an embalming facility, the renewal fee prescribed in division (A) (8) of this section plus fifty dollars for each month or portion of a month the license is lapsed until reinstatement, <u>but not more than one thousand dollars;</u>	68653 68654 68655 68656 68657
(10) For the initial issuance of <u>applying for</u> a license to operate a crematory facility, three hundred fifty dollars and biennial renewal of a license to operate a crematory facility, three hundred fifty dollars;	68658 68659 68660 68661
(11) For the reinstatement of a lapsed license to operate a crematory facility, the renewal fee prescribed in division (A) (10) of this section plus fifty dollars for each month or portion of a month the license is lapsed until reinstatement, <u>but not more than five hundred dollars;</u>	68662 68663 68664 68665 68666
(12) For <u>applying for the initial or biennial renewal of a crematory operator permit, one hundred dollars;</u>	68667 68668
(13) For the reinstatement of a lapsed crematory operator permit, <u>the renewal fee prescribed in division (A) (12) of this section plus fifty dollars for each month or portion of a month the permit is lapsed, but not more than five hundred dollars;</u>	68669 68670 68671 68672
(14) For <u>the issuance of a duplicate of a license issued under this chapter, ten dollars;</u>	68673 68674
(15) For <u>each preneed funeral contract sold in the state other than those funded by the assignment of an existing insurance policy, ten dollars.</u>	68675 68676 68677

(B) In addition to the fees set forth in division (A) of this section, an applicant shall pay the examination fee assessed by any examining agency the board uses for any section of an examination required under this chapter.

(C) Subject to the approval of the controlling board, the board of embalmers and funeral directors may establish fees in excess of the amounts set forth in this section, provided that these fees do not exceed the amounts set forth in this section by more than fifty per cent.

Sec. 4717.08. (A) Every license and permit issued under this chapter expires on the last day of December of each even-numbered year and shall be renewed on or before that date according to the standard license renewal procedure set forth in Chapter 4745. of the Revised Code. Licenses and permits not renewed by the last day of December of each even-numbered year are lapsed.

(B) A holder of a lapsed license to operate a funeral home, license to operate an embalming facility, or license to operate a crematory facility or a crematory operator permit may reinstate the license or permit with the board by paying the lapsed license fee established under section 4717.07 of the Revised Code.

(C) A holder of a lapsed embalmer's or funeral director's license may reinstate the license with the board by paying the lapsed license fee established under section 4717.07 of the Revised Code, except that if the license is lapsed for more than one hundred eighty days after its expiration date, the holder also shall take and pass the Ohio laws examination for each license as a condition for reinstatement.

Sec. 4717.09. (A) Every two years, licensed embalmers and funeral directors shall attend between twelve and thirty hours of educational programs as a condition for renewal of their licenses.

The board of embalmers and funeral directors shall adopt rules governing the administration and enforcement of the continuing education requirements of this section. The board may contract with a professional organization or association or other third party to assist it in performing functions necessary to administer and enforce the continuing education requirements of this section. A professional organization or association or other third party with whom the board so contracts may charge a reasonable fee for performing these functions to licensees or to the persons who provide continuing education programs.

(B) A person holding both an embalmer's license and a funeral director's license need meet only the continuing education requirements established by the board for one or the other of those licenses in order to satisfy the requirement of division (A) of this section.

(C) A person holding a courtesy card permit issued under section 4717.10 of the Revised Code is not required to satisfy the continuing education requirements specified in division (A) of this section as a condition of renewal of the permit.

(D) A crematory operator shall maintain an active certification from a crematory operator certification program as a condition for renewal of the permit.

(E) The board shall not renew the license of a licensee who fails to meet the continuing education requirements of this section and who has not been granted ~~a waiver or~~ an exemption under division ~~(D)~~ (F) or ~~(E)~~ (G) of this section.

~~(D)~~ (F) Any licensee who fails to meet the continuing education requirements of this section because of undue hardship or disability, or who is not actively engaged in the practice of funeral directing or embalming in this state, may apply to the board for ~~a waiver or~~ an exemption.

~~(E)~~ (G) Any licensee who has been an embalmer or a funeral director for not less than fifty years and who is not ~~actually~~ actively in charge ~~of an embalming facility or a manager or actually in charge of~~ and ultimately responsible for a funeral home or embalming facility in this state may apply to the board for an exemption. 68739
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~~(F)~~ The board shall determine, by rule, the procedures for applying for a waiver or an exemption from the continuing education requirements ~~under~~ specified in division (A) of this section and ~~under what conditions a waiver or an exemption may be granted.~~ 68745
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(H) The board shall not renew the crematory operator permit of an individual who fails to satisfy the certification requirement of division (D) of this section. 68750
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Sec. 4717.10. (A) The board of embalmers and funeral directors may recognize licenses issued to embalmers and funeral directors by other states, and upon presentation of such licenses, may issue to the holder an embalmer's or funeral director's license under this chapter. The board shall charge the same fee as prescribed in section 4717.07 of the Revised Code to issue or renew such an embalmer's or funeral director's license. Such licenses shall be renewed biennially as provided in section 4717.08 of the Revised Code. The board shall not issue a license to any person under division (A) of this section unless the applicant proves that the applicant, in the state in which the applicant is licensed, has complied with requirements substantially equal to those established in section 4717.05 of the Revised Code. 68753
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(B) The board of embalmers and funeral directors may issue courtesy card permits. A courtesy card permit holder shall be authorized to undertake both the following acts in this state: 68767
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(1) Prepare and complete those sections of a death certificate and other permits needed for disposition of deceased human remains in this state and sign and file such death certificates and permits;	68770 68771 68772 68773
(2) Supervise and conduct funeral ceremonies, interments, and entombments in this state.	68774 68775
(C) The board of embalmers and funeral directors may determine under what conditions a courtesy card permit may be issued to funeral directors in bordering states after taking into account whether and under what conditions and fees such border states issue similar courtesy card permits to funeral directors licensed in this state. A courtesy card permit holder shall comply with all applicable laws and rules of this state while engaged in any acts of funeral directing in this state. The board may revoke or suspend a courtesy card permit or subject a courtesy card permit holder to discipline in accordance with the laws, rules, and procedures applicable to funeral director licensees <u>directors</u> under this chapter. Applicants for courtesy card permits shall apply on forms prescribed by the board, pay a biennial fee set by the board for initial applications and renewals, and adhere to such other requirements imposed by the board on courtesy card permit holders.	68776 68777 68778 68779 68780 68781 68782 68783 68784 68785 68786 68787 68788 68789 68790 68791
(D) No courtesy card permit holder shall be authorized to undertake any of the following activities in this state:	68792 68793
(1) Arranging funerals or disposition services with members of the public in this state;	68794 68795
(2) Be employed by or under contract to a funeral home licensed in this state to perform funeral services in this state;	68796 68797
(3) Advertise funeral or disposition services in this state;	68798
(4) Enter into or execute funeral or disposition contracts in this state;	68799 68800

(5) Prepare or embalm deceased human remains in this state; 68801

(6) Arrange for or carry out the disinterment of human 68802
remains in this state. 68803

(E) As used in this section, "courtesy card permit" means a 68804
special permit that may be issued to a funeral director licensed 68805
in a state that borders this state and who does not hold a funeral 68806
director's license under this chapter. 68807

Sec. 4717.11. (A) (1) A person who is licensed to operate a 68808
funeral home shall ~~obtain a new~~ surrender that person's license 68809
~~upon any to operate a funeral home within thirty days after a~~ 68810
change in any of the following: 68811

(a) The location of the funeral home ~~or any change in~~ 68812
~~ownership of the funeral;~~ 68813

(b) The person who is actually in charge and ultimately 68814
responsible for the funeral home; 68815

(c) Ownership of the funeral home business that owns the 68816
funeral home that results in a majority of the ownership of the 68817
funeral business being held by one or more persons who solely or 68818
in combination with others did not own a majority of the funeral 68819
business immediately prior to the change in ownership. ~~The person~~ 68820
~~licensed to operate the funeral home shall surrender the current~~ 68821
~~license to the board within~~ 68822

(2) Within thirty days after any such a change described in 68823
division (A) (1) of this section occurs. ~~If a funeral home is sold,~~ 68824
the ~~new~~ funeral director who will be actually in charge and 68825
ultimately responsible for the funeral home after the change shall 68826
apply for a ~~license within thirty days after the date of the~~ 68827
~~closing of the purchase of the~~ new funeral home license. Upon the 68828
filing of an application for a funeral home license by a licensed 68829
funeral director, the funeral home may continue to operate until 68830

the board denies the funeral home's application. 68831

~~(B) When the funeral director who is licensed to operate a funeral home ceases to operate the home because of death, resignation, employment termination, sale of the funeral home, or any other reason, the funeral home may continue to operate under that person's name, provided that the name of the new person licensed to operate the funeral home is added to the license within twenty four months after the previous license holder dies or otherwise ceases to operate the funeral home. The new licensee shall meet the requirements of section 4717.06 of the Revised Code.~~ 68832
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~~(C) A person who is licensed to operate an embalming facility shall obtain a new license upon any change in (1) A person who is licensed to operate an embalming facility shall surrender that person's license to operate an embalming facility within thirty days after a change in any of the following:~~ 68842
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~~(a) The location of the embalming facility or any change in ownership;~~ 68847
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~~(b) The person who is actually in charge and ultimately responsible for the embalming facility;~~ 68849
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~~(c) Ownership of the business entity that owns the embalming facility that results in a majority of the ownership of the business entity being held by one or more persons who solely or in combination with others did not own a majority of the business entity immediately prior to the change in ownership. The person licensed to operate the facility shall surrender the current license to the board within thirty days after any such change occurs.~~ 68851
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~~(D) A person who is licensed to operate a crematory facility shall obtain a new license upon any change in location of the crematory facility or any change in ownership of the business~~ 68859
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~~entity operating the facility that results in a majority of the 68862
ownership of the business entity being held by one or more persons 68863
who solely or in combination with others did not own a majority of 68864
the business entity immediately prior to the change in ownership. 68865
The person licensed to operate the crematory facility shall 68866
surrender the current license to the board within thirty days 68867
after any such change occurs. 68868~~

(2) Within thirty days after a change described in division 68869
(B)(1) of this section occurs, the person who will be actually in 68870
charge and ultimately responsible for the embalming facility after 68871
the change shall apply for a new license to operate the embalming 68872
facility. Upon filing of an application for a license to operate 68873
an embalming facility by a licensed embalmer, the embalming 68874
facility may continue to operate until the board denies the 68875
embalming facility's application. 68876

(C)(1) A person who is licensed to operate a crematory 68877
facility shall surrender that person's license to operate a 68878
crematory facility within thirty days after a change in any of the 68879
following: 68880

(a) The location of the crematory facility; 68881

(b) The person who is actually in charge and ultimately 68882
responsible for the crematory facility; 68883

(c) Ownership of the business entity that owns the crematory 68884
facility that results in a majority of the ownership of the 68885
business entity being held by one or more persons who alone or in 68886
combination with others did not own a majority of the business 68887
entity immediately prior to the change in ownership. 68888

(2) Within thirty days after a change described in division 68889
(C)(1) of this section occurs, the person who will be actually in 68890
charge and ultimately responsible for the crematory facility after 68891
the change shall apply for a new license to operate the crematory 68892

facility. Upon the filing of an application for a license to 68893
operate a crematory facility by a person holding a crematory 68894
operator permit, the crematory facility may continue to operate 68895
until the board denies the crematory facility's application. 68896

(D) (1) The board of embalmers and funeral directors shall 68897
review applications for new licenses under section 4717.06 of the 68898
Revised Code. 68899

(2) If the board, upon receiving satisfactory evidence, 68900
determines that the applicant satisfies all of the requirements of 68901
division (A), (B), (C), or (D) of section 4717.06 of the Revised 68902
Code with respect to a particular funeral home, embalming 68903
facility, or crematory facility, the board shall issue to the 68904
applicant a new license to operate that funeral home, embalming 68905
facility, or crematory facility. 68906

Sec. 4717.13. (A) No person shall do any of the following: 68907

(1) Engage in the business or profession of funeral directing 68908
unless the person is licensed as a funeral director under this 68909
chapter, is certified as an apprentice funeral director in 68910
accordance with rules adopted under section 4717.04 of the Revised 68911
Code and ~~is assisting~~ under the supervision of a funeral director 68912
licensed under this chapter, or is a student in a college of 68913
mortuary sciences approved by the board of embalmers and funeral 68914
directors and is under the direct supervision of a funeral 68915
director licensed by the board; 68916

(2) Engage in embalming unless the person is licensed as an 68917
embalmer under this chapter, is certified as an apprentice 68918
embalmer in accordance with rules adopted under section 4717.04 of 68919
the Revised Code and is ~~assisting~~ under the supervision of an 68920
embalmer licensed under this chapter, or is a student in a college 68921
of mortuary science approved by the board and is under the direct 68922
supervision of an embalmer licensed by the board; 68923

- (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; 68924
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- (4) Advertise or otherwise offer to provide or convey the impression that the person provides embalming services unless the person is licensed as an embalmer under this chapter and is employed by or under contract to a licensed funeral home or a licensed embalming facility and performs embalming services for the funeral home or embalming facility in a manner consistent with the advertisement, offering, or conveyance; 68931
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- (5) Operate a funeral home without a license to operate the funeral home issued by the board under this chapter; 68938
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- (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; 68940
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- (7) Practice embalming from any place except from a funeral home or embalming facility that a person is licensed to operate under this chapter; 68943
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- (8) Operate a crematory or perform cremation without a license to operate the crematory issued under this chapter; 68946
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- (9) Cremate animals in a cremation chamber in which dead human bodies or body parts are cremated or cremate dead human bodies or human body parts in a cremation chamber in which animals are cremated; 68948
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- (10) Hold a dead human body, before final disposition, for more than forty-eight hours after the time of death unless the dead human body is embalmed or placed into refrigeration and 68952
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maintained at a constant temperature of less than forty degrees; 68955

(11) Knowingly refuse to promptly submit the custody of a 68956
dead human body or cremated remains upon the oral or written order 68957
of the person legally entitled to the body or cremated remains; 68958

(12) Except as ordered by the person holding the right of 68959
disposition under section 2108.70 or 2108.81 of the Revised Code, 68960
knowingly fail to carry out the final disposition of a dead human 68961
body within thirty days after taking custody of the body. 68962

(B) No funeral director or other person in charge of the 68963
final disposition of a dead human body shall fail to do one of the 68964
following prior to the interment of the body: 68965

(1) Affix to the ankle or wrist of the deceased a tag encased 68966
in a durable and long-lasting material that contains the name, 68967
date of birth, date of death, and social security number of the 68968
deceased; 68969

(2) Place in the casket a capsule containing a tag bearing 68970
the information described in division (B)(1) of this section; 68971

(3) If the body was cremated, place in the vessel containing 68972
the cremated remains a tag bearing the information described in 68973
division (B)(1) of this section. 68974

(C) No person who holds a funeral home license for a funeral 68975
home that is closed, or that is owned by a funeral business in 68976
which changes in the ownership of the funeral business result in a 68977
majority of the ownership of the funeral business being held by 68978
one or more persons who solely or in combination with others did 68979
not own a majority of the funeral business immediately prior to 68980
the change in ownership, shall fail to submit to the board within 68981
thirty days after the closing or such a change ~~in~~ of ownership of 68982
the funeral business owning the funeral home, a clearly enumerated 68983
account of all of the following from which the licensee, at the 68984
time of the closing or change ~~in~~ of ownership of the funeral 68985

business and in connection with the funeral home, was to receive 68986
payment for providing the funeral services, funeral goods, or any 68987
combination of those in connection with the funeral or final 68988
disposition of a dead human body: 68989

(1) Preneed funeral contracts governed by sections 4717.31 to 68990
4717.38 of the Revised Code; 68991

(2) Life insurance policies or annuities the benefits of 68992
which are payable to the provider of funeral or burial goods or 68993
services; 68994

(3) Accounts at banks or savings banks insured by the federal 68995
deposit insurance corporation, savings and loan associations 68996
insured by the federal savings and loan insurance corporation or 68997
the Ohio deposit guarantee fund, or credit unions insured by the 68998
national credit union administration or a credit union share 68999
guaranty corporation organized under Chapter 1761. of the Revised 69000
Code that are payable upon the death of the person for whose 69001
benefit deposits into the accounts were made. 69002

(D) (1) No person who holds a funeral home license for a 69003
funeral home that is closed shall negligently fail to send written 69004
notice to the purchaser of every preneed funeral contract to which 69005
the funeral business is a party via first class United States 69006
mail. Such notice shall be addressed to the purchaser's last known 69007
address and shall explain that the funeral business is being 69008
closed and the name of any funeral business that has been 69009
designated to assume the obligations of the preneed contract. 69010

(2) Within thirty days of the closing of a funeral home, no 69011
person who held the funeral home license for the closed funeral 69012
home shall negligently fail to transfer all preneed contracts to 69013
the funeral home or funeral homes that have been designated to 69014
assume the obligation of the preneed contracts. If the person who 69015
holds a funeral home license for a funeral home that is closed 69016

fails to designate a successor funeral home or funeral homes to 69017
assume the obligations of the preneed funeral contracts, the board 69018
shall make such designations and order the transfer of the preneed 69019
funeral contracts to the designated funeral home or funeral homes. 69020

Sec. 4717.14. (A) The board of embalmers and funeral 69021
directors may refuse to grant or renew, or may suspend or revoke, 69022
any license or permit issued under this chapter or may require the 69023
holder of a license or permit to take corrective action courses 69024
for any of the following reasons: 69025

(1) The holder of a license was or permit obtained the 69026
license or permit by fraud or misrepresentation either in the 69027
application or in passing the examination. 69028

(2) The applicant ~~or~~, licensee, or permit holder has been 69029
convicted of or has pleaded guilty to a felony or of any crime 69030
involving moral turpitude. 69031

(3) The applicant ~~or~~, licensee, or permit holder has 69032
purposely violated any provision of sections 4717.01 to 4717.15 or 69033
a rule adopted under any of those sections; division (A) or (B) of 69034
section 4717.23; division (B) (1) or (2), (C) (1) or (2), (D), (E), 69035
or (F) (1) or (2), or divisions (H) to (K) of section 4717.26; 69036
division (D) (1) of section 4717.27; or divisions (A) to (C) of 69037
section 4717.28 of the Revised Code; or any provisions of sections 69038
4717.31 to 4717.38 of the Revised Code; any rule or order of the 69039
department of health or a board of health of a health district 69040
governing the disposition of dead human bodies; or any other rule 69041
or order applicable to the applicant or licensee. 69042

(4) The applicant ~~or~~, licensee, or permit holder has 69043
committed immoral or unprofessional conduct. 69044

(5) The applicant or licensee knowingly permitted an 69045
unlicensed person, other than a person serving an apprenticeship, 69046

to engage in the profession or business of embalming or funeral directing under the applicant's or licensee's supervision. 69047
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(6) The applicant ~~or~~, licensee, or permit holder has been habitually intoxicated, or is addicted to the use of morphine, cocaine, or other habit-forming or illegal drugs. 69049
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(7) The applicant ~~or~~, licensee, or permit holder has refused to promptly submit the custody of a dead human body or cremated remains upon the express order of the person legally entitled to the body or cremated remains. 69052
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(8) The licensee or permit holder loaned the licensee's own license or the permit holder's own permit, or the applicant ~~or~~, licensee, or permit holder borrowed or used the license or permit of another person, or knowingly aided or abetted the granting of an improper license or permit. 69056
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(9) The applicant ~~or~~, licensee ~~transferred a license to operate a funeral home, embalming facility, or crematory from one owner or operator to another, or from one location to another, without notifying the board.~~ 69061
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~~(10) The applicant or licensee, or permit holder misled the public by using false or deceptive advertising. As used in this division, "false and deceptive advertising" includes, but is not limited to, any of the following:~~ 69065
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~~(a) Using the names of persons who are not licensed to practice funeral directing in a way that leads the public to believe that such persons are engaging in funeral directing;~~ 69069
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~~(b) Using any name for the funeral home other than the name under which the funeral home is licensed;~~ 69072
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~~(c) Using in the funeral home's name the surname of an individual who is not directly, actively, or presently associated with the funeral home, unless such surname has been previously and~~ 69074
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continuously used by the funeral home. 69077

(B) (1) The board of embalmers and funeral directors shall 69078
refuse to grant or renew, or shall suspend or revoke, ~~an~~ 69079
~~embalmer's, funeral director's, funeral home, or embalming~~ 69080
~~facility~~ a license or permit only in accordance with Chapter 119. 69081
of the Revised Code. 69082

(2) The board shall send to the crematory review board 69083
written notice that it proposes to refuse to issue or renew, or 69084
proposes to suspend or revoke, a license to operate a crematory 69085
facility. If, after the conclusion of the adjudicatory hearing on 69086
the matter conducted under division (F) of section 4717.03 of the 69087
Revised Code, the board of embalmers and funeral directors finds 69088
that any of the circumstances described in divisions (A) (1) to 69089
~~(10)~~ (9) of this section apply to the person named in its proposed 69090
action, the board may issue a final order under division (F) of 69091
section 4717.03 of the Revised Code refusing to issue or renew, or 69092
suspending or revoking, the person's license to operate a 69093
crematory facility. 69094

(C) If the board of embalmers and funeral directors 69095
determines that there is clear and convincing evidence that any of 69096
the circumstances described in divisions (A) (1) to ~~(10)~~ (9) of this 69097
section apply to the holder of a license or permit issued under 69098
this chapter and that the licensee's or permit holder's continued 69099
practice presents a danger of immediate and serious harm to the 69100
public, the board may suspend the licensee's license or permit 69101
holder's permit without a prior adjudicatory hearing. The 69102
executive director of the board shall prepare written allegations 69103
for consideration by the board. 69104

The board, after reviewing the written allegations, may 69105
suspend a license or permit without a prior hearing. 69106

The board shall issue a written order of suspension by a 69107

delivery system or in person in accordance with section 119.07 of 69108
the Revised Code. Such an order is not subject to suspension by 69109
the court during the pendency of any appeal filed under section 69110
119.12 of the Revised Code. If the licensee or permit holder ~~of an~~ 69111
~~embalmer's, funeral director's, funeral home, or embalming~~ 69112
~~facility license~~ requests an adjudicatory hearing by the board, 69113
the date set for the hearing shall be within fifteen days, but not 69114
earlier than seven days, after the licensee or permit holder has 69115
requested a hearing, unless the board and the licensee or permit 69116
holder agree to a different time for holding the hearing. 69117

Upon issuing a written order of suspension to the holder of a 69118
license to operate a crematory facility, the board of embalmers 69119
and funeral directors shall send written notice of the issuance of 69120
the order to the crematory review board. The crematory review 69121
board shall hold an adjudicatory hearing on the order under 69122
division (F) of section 4717.03 of the Revised Code within fifteen 69123
days, but not earlier than seven days, after the issuance of the 69124
order, unless the crematory review board and the licensee agree to 69125
a different time for holding the adjudicatory hearing. 69126

Any summary suspension imposed under this division shall 69127
remain in effect, unless reversed on appeal, until a final 69128
adjudicatory order issued by the board of embalmers and funeral 69129
directors pursuant to this division and Chapter 119. of the 69130
Revised Code, or division (F) of section 4717.03 of the Revised 69131
Code, as applicable, becomes effective. The board of embalmers and 69132
funeral directors shall issue its final adjudicatory order within 69133
sixty days after the completion of its hearing or, in the case of 69134
the summary suspension of a license to operate a crematory 69135
facility, within sixty days after completion of the adjudicatory 69136
hearing by the crematory review board. A failure to issue the 69137
order within that time results in the dissolution of the summary 69138
suspension order, but does not invalidate any subsequent final 69139

adjudicatory order. 69140

(D) If the board of embalmers and funeral directors suspends 69141
or revokes a funeral director's license held by a funeral director 69142
or a license to operate a funeral home for any reason identified 69143
in division (A) of this section, the board may file a complaint 69144
with the court of common pleas in the county where the violation 69145
occurred requesting appointment of a receiver and the 69146
sequestration of the assets of the funeral home that held the 69147
suspended or revoked license or the licensed funeral home that 69148
employs the funeral director that held the suspended or revoked 69149
license. If the court of common pleas is satisfied with the 69150
application for a receivership, the court may appoint a receiver. 69151

The board or a receiver may employ and procure whatever 69152
assistance or advice is necessary in the receivership or 69153
liquidation and distribution of the assets of the funeral home, 69154
and, for that purpose, may retain officers or employees of the 69155
funeral home as needed. All expenses of the receivership or 69156
liquidation shall be paid from the assets of the funeral home and 69157
shall be a lien on those assets, and that lien shall be a priority 69158
to any other lien. 69159

(E) Any holder of a license or permit issued under this 69160
chapter who has pleaded guilty to, has been found by a judge or 69161
jury to be guilty of, or has had a judicial finding of eligibility 69162
for treatment in lieu of conviction entered against the individual 69163
in this state for aggravated murder, murder, voluntary 69164
manslaughter, felonious assault, kidnapping, rape, sexual battery, 69165
gross sexual imposition, aggravated arson, aggravated robbery, or 69166
aggravated burglary, or who has pleaded guilty to, has been found 69167
by a judge or jury to be guilty of, or has had a judicial finding 69168
of eligibility for treatment in lieu of conviction entered against 69169
the individual in another jurisdiction for any substantially 69170
equivalent criminal offense, is hereby suspended from practice 69171

under this chapter by operation of law, and any license or permit 69172
issued to the individual under this chapter is hereby suspended by 69173
operation of law as of the date of the guilty plea, verdict or 69174
finding of guilt, or judicial finding of eligibility for treatment 69175
in lieu of conviction, regardless of whether the proceedings are 69176
brought in this state or another jurisdiction. The board shall 69177
notify the suspended individual of the suspension of the 69178
individual's license or permit by the operation of this division 69179
by a delivery system or in person in accordance with section 69180
119.07 of the Revised Code. If an individual whose license or 69181
permit is suspended under this division fails to make a timely 69182
request for an adjudicatory hearing, the board shall enter a final 69183
order revoking the license. 69184

(F) No person whose license or permit has been suspended or 69185
revoked under or by the operation of this section shall knowingly 69186
practice embalming ~~or~~, funeral directing, or cremation, or operate 69187
a funeral home, embalming facility, or crematory facility until 69188
the board has reinstated the person's license or permit. 69189

Sec. 4717.15. (A) The board of embalmers and funeral 69190
directors, without the necessity for conducting a prior 69191
adjudication hearing, may issue a notice of violation to the 69192
holder of an embalmer's, funeral director's, funeral home, or 69193
embalming facility, or crematory facility license, or a crematory 69194
operator permit or a courtesy card permit issued under this 69195
chapter who the board finds has committed any of the violations 69196
described in ~~divisions~~ division (A) (9) ~~(a) to (g)~~ of section 69197
4717.04 of the Revised Code. The notice shall set forth the 69198
specific violation committed by the licensee or permit holder and 69199
shall be sent by certified mail. The notice shall be accompanied 69200
by an order requiring the payment of the appropriate forfeiture 69201
prescribed in rules adopted under division (A) (9) of section 69202
4717.04 of the Revised Code and by a notice informing the licensee 69203

or permit holder that the licensee is entitled to an adjudicatory hearing on the notice of violation and order if the licensee or permit holder requests a hearing and if the board receives the request within thirty days after the mailing of the notice of violation and order. The board shall conduct any such adjudicatory hearing in accordance with Chapter 119. of the Revised Code, except as otherwise provided in this division.

A licensee or permit holder who receives a notice of violation and order under this division shall pay to the executive director of the board the full amount of the forfeiture by certified check within thirty days after the notice of violation and order were mailed to the licensee or permit holder unless, within that time, the licensee or permit holder submits a request for an adjudicatory hearing on the notice of violation and order. If such a request for an adjudicatory hearing is timely filed, the licensee or permit holder need not pay the forfeiture to the executive director until after a final, nonappealable administrative or judicial decision is rendered on the order requiring payment of the forfeiture. If a final nonappealable administrative or judicial decision is rendered affirming the board's order, the licensee or permit holder shall pay to the executive director of the board the full amount of the forfeiture by certified check within thirty days after notice of the decision was sent to the licensee. A forfeiture is considered to be paid when the licensee's or permit holder's certified check is received by the executive director in Columbus. If the licensee or permit holder fails to so pay the full amount of the forfeiture to the executive director within that time, the board shall issue an order suspending or revoking the individual's license or permit, as the board considers appropriate.

(B) The board shall send to the crematory review board written notice that it proposes to issue to the holder of a

license to operate a crematory facility issued under this chapter 69236
a notice of violation and order requiring payment of a forfeiture 69237
specified in rules adopted under division (A) (9) of section 69238
4717.04 of the Revised Code. If, after the conclusion of the 69239
adjudicatory hearing on the matter conducted under division (F) of 69240
section 4717.03 of the Revised Code, the board of embalmers and 69241
funeral directors finds that the licensee has committed any of the 69242
violations described in ~~divisions~~ division (A) (9) ~~(a) to (g)~~ of 69243
section 4717.04 of the Revised Code in connection with the 69244
operation of a crematory facility or cremation, the board of 69245
embalmers and funeral directors may issue a final order under 69246
division (F) of section 4717.03 of the Revised Code requiring 69247
payment of the appropriate forfeiture specified in rules adopted 69248
under division (A) (9) of section 4717.04 of the Revised Code. A 69249
licensee who receives such an order shall pay the full amount of 69250
the forfeiture to the executive director by certified check within 69251
thirty days after the order was sent to the licensee unless, 69252
within that time, the licensee files a notice of appeal in 69253
accordance with division (F) of section 4717.03 and section 119.12 69254
of the Revised Code. If such a notice of appeal is timely filed, 69255
the licensee or permit holder need not pay the forfeiture to the 69256
executive director until after a final, nonappealable judicial 69257
decision is rendered in the appeal. If a final, nonappealable 69258
judicial decision is rendered affirming the board's order, the 69259
licensee or permit holder shall pay to the executive director the 69260
full amount of the forfeiture by certified check within thirty 69261
days after notice of the decision was sent to the licensee or 69262
permit holder. A forfeiture is considered paid when the licensee's 69263
or permit holder's certified check is received by the executive 69264
director in Columbus. If the licensee or permit holder fails to so 69265
pay the full amount of the forfeiture to the executive director 69266
within that time, the board shall issue an order suspending or 69267
revoking the individual's license, as the board considers 69268

appropriate. 69269

Sec. 4717.16. On receipt of a notice pursuant to section 69270
3123.43 of the Revised Code, the board of embalmers and funeral 69271
directors shall comply with sections 3123.41 to 3123.50 of the 69272
Revised Code and any applicable rules adopted under section 69273
3123.63 of the Revised Code with respect to a license or permit 69274
issued pursuant to this chapter. 69275

Sec. 4717.21. (A) Any person, on an antemortem basis, may 69276
serve as the person's own authorizing agent, authorize the 69277
person's own cremation, and specify the arrangements for the final 69278
disposition of the person's own cremated remains by executing an 69279
antemortem cremation authorization form. A guardian, custodian, or 69280
other personal representative who is authorized by law or contract 69281
to do so on behalf of a person, on an antemortem basis, may 69282
authorize the cremation of the person and specify the arrangements 69283
for the final disposition of the person's cremated remains by 69284
executing an antemortem cremation authorization form on the 69285
person's behalf. Any such antemortem cremation authorization form 69286
also shall be signed by one witness. The original copy of the 69287
executed authorization form shall be sent to the ~~operator of the~~ 69288
crematory facility being authorized to conduct the cremation, and 69289
a copy shall be retained by the person who executed the 69290
authorization form. The person who executed an antemortem 69291
cremation authorization form may revoke the authorization at any 69292
time by providing written notice of the revocation to ~~the operator~~ 69293
~~of~~ the crematory facility named in the authorization form. The 69294
person who executed the authorization form may transfer the 69295
authorization to another crematory facility by providing written 69296
notice to the ~~operator of the~~ crematory facility named in the 69297
original authorization of the revocation of the authorization and, 69298
in accordance with this division, executing a new antemortem 69299

cremation authorization form authorizing ~~the operator of another~~ 69300
crematory facility to conduct the cremation. 69301

(B) (1) Each antemortem cremation authorization form shall 69302
specify the final disposition that is to be made of the cremated 69303
remains. 69304

(2) Every antemortem cremation authorization form entered 69305
into on or after ~~the effective date of this amendment~~ October 12, 69306
2006, shall specify the final disposition that is to be made of 69307
the remains and shall include a provision in substantially the 69308
following form: 69309

NOTICE: Upon the death of the person who is the subject of 69310
this antemortem cremation authorization, the person holding the 69311
right of disposition under section 2108.70 or 2108.81 of the 69312
Revised Code may cancel the cremation arrangements, modify the 69313
arrangements for the final disposition of the cremated remains, or 69314
make alternative arrangements for the final disposition of the 69315
decedent's body. However, the person executing this antemortem 69316
cremation authorization is encouraged to state his or her 69317
preferences as to the manner of final disposition in a declaration 69318
of the right of disposition pursuant to section 2108.72 of the 69319
Revised Code, including that the arrangements set forth in this 69320
form shall be followed. 69321

(C) (1) Except as provided in division (C) (2) of this section, 69322
when the ~~operator of a~~ crematory facility is in possession of a 69323
cremation authorization form that has been executed on an 69324
antemortem basis in accordance with this section, the other 69325
conditions set forth in division (A) of section 4717.23 of the 69326
Revised Code have been met, the crematory facility has possession 69327
of the decedent to which the antemortem authorization pertains, 69328
and the crematory facility has received payment for the cremation 69329
of the decedent and the final disposition of the cremated remains 69330
of the decedent or is otherwise assured of payment for those 69331

services, the crematory facility shall cremate the decedent as 69332
directed and dispose of the cremated remains in accordance with 69333
the instructions contained in the antemortem cremation 69334
authorization form. 69335

(2) A person with the right of disposition for a decedent 69336
under section 2108.70 or 2108.81 of the Revised Code who is not 69337
disqualified under section 2108.75 of the Revised Code may cancel 69338
the arrangements for the decedent's cremation, modify the 69339
arrangements for the final disposition of the decedent's cremated 69340
remains, or make alternative arrangements for the final 69341
disposition of the decedent's body. If a person with the right 69342
takes any such action, the ~~operator~~ crematory facility shall 69343
disregard the instructions contained in the antemortem cremation 69344
authorization form and follow the instructions of the person with 69345
the right. 69346

(D) An antemortem cremation authorization form executed under 69347
division (A) of this section does not constitute a contract for 69348
conducting the cremation of the person named in the authorization 69349
form or for the final disposition of the person's cremated 69350
remains. Despite the existence of such an antemortem cremation 69351
authorization, a person with the right of disposition for a 69352
decedent under section 2108.70 or 2108.81 of the Revised Code may 69353
modify, in writing, the arrangements for the final disposition of 69354
the cremated remains of the decedent set forth in the 69355
authorization form or may cancel the cremation and claim the 69356
decedent's body for purposes of making alternative arrangements 69357
for the final disposition of the decedent's body. The revocation 69358
of an antemortem cremation authorization form executed under 69359
division (A) of this section, or the cancellation of the cremation 69360
of the person named in the antemortem authorization or 69361
modification of the arrangements for the final disposition of the 69362
person's cremated remains as authorized by this division, does not 69363

affect the validity or enforceability of any contract entered into 69364
for the cremation of the person named in the antemortem 69365
authorization or for the final disposition of the person's 69366
cremated remains. 69367

(E) Nothing in this section applies to any antemortem 69368
cremation authorization form executed prior to ~~the effective date~~ 69369
~~of this section~~ August 5, 1998. Any cemetery, funeral home, 69370
crematory facility, or other party may specify, with the written 69371
approval of the person who executed the antemortem authorization, 69372
that such an antemortem authorization is subject to sections 69373
4717.21 to 4717.30 of the Revised Code. 69374

Sec. 4717.23. (A) No crematory operator ~~of a or~~ crematory 69375
facility shall cremate or allow the cremation at ~~a crematory~~ 69376
~~facility the operator is licensed to operate under this chapter~~ of 69377
a dead human body, other than one that was donated to science for 69378
purposes of medical education or research, until all of the 69379
following have occurred: 69380

(1) A period of at least twenty-four hours has elapsed since 69381
the decedent's death as indicated on a complete, nonprovisional 69382
death certificate filed under section 3705.16 of the Revised Code 69383
or under the laws of another state that are substantially 69384
equivalent to that section, unless, if the decedent died from a 69385
virulent communicable disease, the department of health or board 69386
of health having territorial jurisdiction where the death of the 69387
decedent occurred requires by rule or order the cremation to occur 69388
prior to the end of that period; 69389

(2) The ~~operator~~ crematory facility has received a burial or 69390
burial-transit permit that authorizes the cremation of the 69391
decedent; 69392

(3) The ~~operator~~ crematory facility has received a completed 69393
cremation authorization form executed pursuant to section 4717.21 69394

or 4717.24 of the Revised Code, as applicable, that authorizes the cremation of the decedent. A blank cremation authorization form shall be provided by the ~~operator~~ crematory facility and shall comply with section 4717.24 of the Revised Code and, if applicable, section 4717.21 of the Revised Code.

(4) The ~~operator~~ crematory facility has received any other documentation required by this state or a political subdivision of this state.

(B) No crematory operator ~~of a~~ or crematory facility shall cremate or allow the cremation of any body parts, including, without limitation, dead human bodies that were donated to science for purposes of medical research or education, at a crematory facility ~~the operator is~~ licensed to operate in this state until both of the following have occurred:

(1) The ~~operator~~ crematory facility has received a completed cremation authorization form executed pursuant to section 4717.25 of the Revised Code or, if the decedent has executed an antemortem cremation authorization form in accordance with section 4717.21 of the Revised Code and has donated the decedent's body to science for purposes of medical education or research, such an antemortem cremation authorization form;

(2) The ~~operator~~ crematory facility has received any other documentation required by this state or a political subdivision of this state.

Sec. 4717.24. (A) A cremation authorization form authorizing the cremation of a dead human body, other than one that was donated to science for purposes of medical education or research, shall include at least all of the following information and statements:

(1) A statement that the decedent has been identified in

accordance with division (B) of this section;	69425
(2) The name of the funeral director or other individual who obtained the burial or burial-transit permit authorizing the cremation of the decedent;	69426 69427 69428
(3) The name of the authorizing agent and the relationship of the authorizing agent to the decedent;	69429 69430
(4) A statement that the authorizing agent in fact has the right to authorize cremation of the decedent and that the authorizing agent does not have actual knowledge of the existence of any living person who has a superior priority right to act as the authorizing agent under section 4717.22 of the Revised Code. If the person executing the cremation authorization form knows of another living person who has such a superior priority right, the authorization form shall include a statement indicating that the person executing the authorization form has made reasonable efforts to contact the person having the superior priority right and has been unable to do so and that the person executing the authorization form has no reason to believe that the person having the superior priority right would object to the cremation of the decedent.	69431 69432 69433 69434 69435 69436 69437 69438 69439 69440 69441 69442 69443 69444
(5) A statement of whether the authorizing agent has actual knowledge of the presence in the decedent of a pacemaker, defibrillator, or any other mechanical or radioactive device or implant that poses a hazard to the health or safety of personnel performing the cremation;	69445 69446 69447 69448 69449
(6) A statement indicating the crematory facility is to cremate the casket or alternative container in which the decedent was delivered to or accepted by the crematory facility;	69450 69451 69452
(7) A statement of whether the crematory facility is authorized to simultaneously cremate the decedent in the same cremation chamber with one or more other decedents who were	69453 69454 69455

related to the decedent named in the cremation authorization form 69456
by consanguinity or affinity or who, at any time during the 69457
one-year period preceding the decedent's death, lived with the 69458
decedent in a common law marital relationship or otherwise 69459
cohabited with the decedent. A cremation authorization form 69460
executed under this section shall not authorize the simultaneous 69461
cremation of a decedent in the same cremation chamber with one or 69462
more other decedents except under the circumstances described in 69463
the immediately preceding sentence. 69464

(8) The names of any persons designated by the authorizing 69465
agent to be present in the holding facility or cremation room 69466
prior to or during the cremation of the decedent or during the 69467
removal of the cremated remains from the cremation chamber; 69468

(9) The authorization for the crematory facility to cremate 69469
the decedent and to process or pulverize the cremated remains as 69470
is the practice at the particular crematory facility; 69471

(10) A statement of whether it is the crematory facility's 69472
practice to return all of the residue removed from the cremation 69473
chamber following the cremation or to separate and remove foreign 69474
matter from the residue before returning the cremated remains to 69475
the authorizing agent or the person designated on the 69476
authorization form to receive the cremated remains pursuant to 69477
division (A) (11) of this section; 69478

(11) The name of the person who is to receive the cremated 69479
remains of the decedent from the crematory facility; 69480

(12) The manner in which the final disposition of the 69481
cremated remains of the decedent is to occur, if known. If the 69482
cremation authorization form does not specify the manner of the 69483
final disposition of the cremated remains, it shall indicate that 69484
the cremated remains will be held by the crematory facility for 69485
thirty days after the cremation, unless, prior to the end of that 69486

period, they are picked up from the crematory facility by the 69487
person designated on the cremation authorization form to receive 69488
them, the authorizing agent, or, if applicable, the funeral 69489
director who obtained the burial or burial-transit permit for the 69490
decedent, or are delivered or shipped by the ~~operator of the~~ 69491
crematory facility to one of those persons. The authorization form 69492
shall indicate that if no instructions for the final disposition 69493
are provided on the authorization form and that if no arrangements 69494
for final disposition have been made within the thirty-day period, 69495
the crematory facility may return the cremated remains to the 69496
authorizing agent. The authorization form shall further indicate 69497
that if no arrangements for the final disposition of the cremated 69498
remains have been made within sixty days after the completion of 69499
the cremation and if the authorizing agent has not picked them up 69500
or caused them to be picked up within that period, the crematory 69501
operator or crematory facility may dispose of them in accordance 69502
with division (C) of section 4717.27 of the Revised Code. 69503

(13) A listing of the items of value to be delivered to the 69504
crematory facility along with the dead human body, if any, and 69505
instructions regarding how those items are to be handled; 69506

(14) A statement of whether the authorizing agent has made 69507
arrangements for any type of viewing of the decedent or for a 69508
service with the decedent present prior to the cremation and, if 69509
so, the date, time, and place of the service; 69510

(15) A statement of whether the crematory facility may 69511
proceed with the cremation at any time after the conditions set 69512
forth in division (A) of section 4717.23 of the Revised Code have 69513
been met and the decedent has been received at the facility; 69514

(16) The certification of the authorizing agent to the effect 69515
that all of the information and statements contained in the 69516
authorization form are accurate; 69517

(17) The signature of the authorizing agent and the signature 69518
of at least one witness who observed the authorizing agent execute 69519
the cremation authorization form. 69520

(B) In making the identification of the decedent required by 69521
division (A) (1) of this section, the funeral home arranging the 69522
cremation shall require the authorizing agent or the agent's 69523
appointed representative to visually identify the decedent's 69524
remains or a photograph or other visual image of the remains. If 69525
identification is by photograph or other visual image, the 69526
authorizing agent or representative shall sign the photograph or 69527
other visual image. If visual identification is not feasible, 69528
other positive identification of the decedent may be used 69529
including, but not limited to, reliance upon an identification 69530
made through the coroner's office or identification of photographs 69531
or other visual images of scars, tattoos, or physical deformities 69532
taken from the decedent's remains. 69533

(C) An authorizing agent who is not available to execute a 69534
cremation authorization form in person may designate another 69535
individual to serve as the authorizing agent by providing to the 69536
~~operator of the~~ crematory facility where the cremation is to occur 69537
a written designation, acknowledged before a notary public or 69538
other person authorized to administer oaths, authorizing that 69539
other individual to serve as the authorizing agent, ~~or by sending~~ 69540
~~to the operator a facsimile transmission of the written~~ 69541
~~designation that has been so acknowledged.~~ Any such written 69542
designation shall contain the name of the decedent, the name and 69543
address of the authorizing agent, the relationship of the 69544
authorizing agent to the decedent, and the name and address of the 69545
individual who is being designated to serve as the authorizing 69546
agent. Upon receiving ~~such a written designation or a facsimile~~ 69547
~~transmission of~~ such a written designation, the operator shall 69548
permit the individual named in the written designation to serve as 69549

the authorizing agent and to execute the cremation authorization 69550
form authorizing the cremation of the decedent named in the 69551
written designation. 69552

(D) An authorizing agent who signs a cremation authorization 69553
form under this section is hereby deemed to warrant the accuracy 69554
of the information and statements contained in such authorization 69555
form, including the identification of the decedent and the agent's 69556
authority to authorize the cremation. A funeral home and its 69557
employees are not responsible for verifying the accuracy of any 69558
information or statements the authorizing agent made on the 69559
authorization form, unless the funeral home or its employees have 69560
actual knowledge to the contrary regarding any such information or 69561
statement. When delivering the decedent's remains to a crematory 69562
facility or in carrying out the disposition in its own facility, 69563
the funeral home is responsible for having the decedent identified 69564
pursuant to division (B) of this section and carrying out the 69565
obligations imposed on the funeral home by division (B) of section 69566
4717.29 of the Revised Code. 69567

(E) At any time after executing a cremation authorization 69568
form and prior to the beginning of the cremation process, the 69569
authorizing agent who executed the cremation authorization form 69570
under division (A) or (C) of this section may, in writing, modify 69571
the arrangements for the final disposition of the cremated remains 69572
of the decedent set forth in the authorization form or may, in 69573
writing, revoke the authorization, cancel the cremation, and claim 69574
the decedent's body for purposes of making alternative 69575
arrangements for the final disposition of the decedent's body. The 69576
~~operator of a crematory facility~~ shall cancel the cremation if the 69577
~~operator~~ crematory facility receives such a revocation before 69578
beginning the cremation. 69579

(F) A cremation authorization form executed under this 69580
section does not constitute a contract for conducting the 69581

cremation of the decedent named in the authorization form or for 69582
the final disposition of the cremated remains of the decedent. The 69583
revocation of a cremation authorization form or modification of 69584
the arrangements for the final disposition of the cremated remains 69585
of the decedent pursuant to division (E) of this section does not 69586
affect the validity or enforceability of any contract for the 69587
cremation of the decedent named in the authorization form or for 69588
the final disposition of the cremated remains of the decedent. 69589

Sec. 4717.25. (A) A cremation authorization form authorizing 69590
the cremation of any body parts, including, without limitation, 69591
dead human bodies that were donated to science for purposes of 69592
medical education or research shall include at least all of the 69593
following information and statements, as applicable: 69594

(1) The identity of the decedent whose body was donated to 69595
science for purposes of medical education or research or the 69596
identity of the living person or such a decedent from whom the 69597
body parts were removed; 69598

(2) The name of the authorizing agent and the relationship of 69599
the authorizing agent to the decedent or the living person from 69600
whom the body parts were removed; 69601

(3) A statement that the authorizing agent in fact has the 69602
right to authorize the cremation of the decedent or the body parts 69603
removed from the decedent or living person and a description of 69604
the basis of the person's right to execute the cremation 69605
authorization form; 69606

(4) A statement of whether the crematory facility is 69607
authorized to simultaneously cremate the decedent or body parts 69608
removed from the decedent or living person with one or more other 69609
decedents whose bodies were donated to science for purposes of 69610
medical education or research or with body parts removed from one 69611
or more other decedents or living persons; 69612

(5) The authorization for the crematory facility to cremate 69613
the decedent or body parts removed from the decedent or living 69614
person and to process or pulverize the cremated remains as is the 69615
practice at the particular crematory facility; 69616

(6) A statement of whether it is the crematory facility's 69617
practice to return all of the residue removed from the cremation 69618
chamber following the cremation or to separate and remove foreign 69619
matter from the residue before returning the cremated remains to 69620
the authorizing agent or the authorizing agent's designee; 69621

(7) The name of the person who is to receive the cremated 69622
remains from the crematory facility; 69623

(8) The manner in which the final disposition of the cremated 69624
remains is to occur, if known. If the cremation authorization form 69625
does not specify the manner of the final disposition of the 69626
cremated remains, it shall indicate that the cremated remains will 69627
be held by the crematory facility for thirty days after the 69628
cremation, unless, prior to the end of that period, they are 69629
picked up from the crematory facility by the person designated on 69630
the authorization form to receive them or by the authorizing 69631
agent, or are delivered or shipped by the ~~operator of the~~ 69632
crematory facility to one of those persons. The authorization form 69633
shall indicate that if no instructions for the final disposition 69634
of the cremated remains are provided on the authorization form and 69635
that if no arrangements for final disposition have been made 69636
within the thirty-day period, the crematory facility may return 69637
the cremated remains to the authorizing agent. The authorization 69638
form shall further indicate that if no arrangements for the final 69639
disposition of the cremated remains have been made within sixty 69640
days after the cremation and if the authorizing agent or person 69641
designated on the authorization form to receive the cremated 69642
remains has not picked them up or caused them to be picked up 69643
within that period, the crematory operator or the crematory 69644

facility may dispose of them in accordance with division (C) (1) or 69645
(2) of section 4717.27 of the Revised Code. 69646

(9) The certification of the authorizing agent to the effect 69647
that all of the information and statements contained in the 69648
authorization form are accurate. 69649

(B) An authorizing agent who signs a cremation authorization 69650
form under this section is hereby deemed to warrant the accuracy 69651
of the information and statements contained in the authorization 69652
form, including the person's authority to authorize the cremation. 69653

(C) At any time after executing a cremation authorization 69654
form and prior to the beginning of the cremation process, an 69655
authorizing agent who executed a cremation authorization form 69656
under this section may, in writing, revoke the authorization, 69657
cancel the cremation, and claim the decedent's body or the body 69658
parts for purposes of making alternative arrangements for the 69659
final disposition of the decedent's body or the body parts. The 69660
~~operator of a~~ crematory facility shall cancel the cremation if the 69661
~~operator~~ crematory facility receives such a revocation before 69662
beginning the cremation. 69663

(D) A cremation authorization form executed under this 69664
section does not constitute a contract for conducting the 69665
cremation of the decedent named in the authorization form or body 69666
parts removed from the decedent or living person named in the form 69667
or for the final disposition of the cremated remains of the 69668
decedent or body parts. The revocation of a cremation 69669
authorization form or modification of the arrangements for the 69670
final disposition of the cremated remains of the decedent or the 69671
body parts pursuant to division (C) of this section does not 69672
affect the validity or enforceability of any contract for the 69673
cremation of the decedent named in the authorization form, the 69674
cremation of body parts from the decedent or living person named 69675
in the authorization form, or the final disposition of the 69676

cremated remains of the decedent or body parts. 69677

Sec. 4717.26. (A) The ~~operator of a~~ crematory facility may 69678
schedule the time for the cremation of a dead human body to occur 69679
at the ~~operator's~~ crematory facility's own convenience at any time 69680
after the conditions set forth in division (A) or (B) of section 69681
4717.23 of the Revised Code, as applicable, have been met and the 69682
decedent or body parts have been delivered to the facility, 69683
unless, in the case of a dead human body, the ~~operator~~ crematory 69684
facility has received specific instructions to the contrary on the 69685
cremation authorization form authorizing the cremation of the 69686
decedent executed under section 4717.21, 4717.24, or 4717.25 of 69687
the Revised Code. The ~~operator of a~~ crematory facility becomes 69688
responsible for a dead human body or body parts when the body or 69689
body parts have been delivered to or accepted by the facility or 69690
an employee or agent of the facility. 69691

(B) No crematory operator ~~of a~~ or crematory facility shall 69692
fail to do either of the following: 69693

(1) Upon receipt at the crematory facility of any dead human 69694
body that has not been embalmed, and subject to the prohibition 69695
set forth in division (C)(1) of this section, place the body in a 69696
holding or refrigerated facility at the crematory facility and 69697
keep the body in the holding or refrigerated facility until near 69698
the time the cremation process commences or until the body is held 69699
at the facility for eight hours or longer. If the body is held for 69700
eight hours or longer, place the body in a refrigerated facility 69701
at the crematory facility and keep the body in the refrigerated 69702
facility until near the time the cremation process commences; 69703

(2) Upon receipt of any dead human body that has been 69704
embalmed, place the body in a holding facility at the crematory 69705
facility and keep the body in the holding facility until the 69706
cremation process commences. 69707

(C) No crematory operator ~~of a~~ or crematory facility shall do 69708
either of the following, unless the instructions contained in the 69709
cremation authorization form authorizing the cremation of the 69710
decedent executed under section 4717.21, 4717.24, or 4717.25 of 69711
the Revised Code specifically provide otherwise: 69712

(1) Remove any dead human body from the casket or alternative 69713
container in which the body was delivered to or accepted by the 69714
crematory facility; 69715

(2) Fail to cremate the casket or alternative container in 69716
which the body was delivered or accepted, in its entirety with the 69717
body. 69718

(D) No ~~operator of a~~ crematory facility shall simultaneously 69719
cremate more than one decedent or body parts removed from more 69720
than one decedent or living person in the same cremation chamber 69721
unless the cremation authorization forms executed under section 69722
4717.21, 4717.24, or 4717.25 of the Revised Code authorizing the 69723
cremation of each of the decedents or body parts removed from each 69724
decedent or living person specifically authorize such a 69725
simultaneous cremation. This division does not prohibit the use of 69726
cremation equipment that contains more than one cremation chamber. 69727

(E) No ~~operator of a~~ crematory facility shall permit any 69728
persons other than employees of the crematory facility, the 69729
authorizing agent for the cremation of the decedent who is to be, 69730
is being, or was cremated, persons designated to be present at the 69731
cremation of the decedent on the cremation authorization form 69732
executed under section 4717.21 or 4717.24 of the Revised Code, and 69733
persons authorized by the individual who is actually in charge of 69734
the crematory facility, to be present in the holding facility or 69735
cremation room while any dead human bodies or body parts are being 69736
held there prior to cremation or are being cremated or while any 69737
cremated remains are being removed from the cremation chamber. 69738

(F) (1) ~~No operator of a~~ crematory facility shall remove any 69739
dental gold, body parts, organs, or other items of value from a 69740
dead human body prior to the cremation or from the cremated 69741
remains after cremation unless the cremation authorization form 69742
authorizing the cremation of the decedent executed under section 69743
4717.21 or 4717.24 of the Revised Code specifically authorizes the 69744
removal thereof. 69745

(2) No ~~operator of a~~ crematory facility that removes any 69746
dental gold, body parts, organs, or other items from a dead human 69747
body or assists in such removal shall charge a fee for doing so 69748
that exceeds the actual cost to the crematory facility for 69749
performing or assisting in the removal. 69750

(G) Upon the completion of each cremation, the ~~operator of a~~ 69751
crematory facility shall remove from the cremation chamber all of 69752
the cremation residue that is practicably recoverable. If the 69753
cremation authorization form executed under section 4717.21, 69754
4717.24, or 4717.25 of the Revised Code specifies that the 69755
cremated remains are to be placed in an urn, the ~~operator~~ 69756
crematory facility shall place them in the type of urn specified 69757
on the authorization form. If the authorization form does not 69758
specify that the cremated remains are to be placed in an urn, the 69759
~~operator~~ crematory facility shall place them in a temporary 69760
container. If not all of the recovered cremated remains will fit 69761
in the urn selected or the temporary container, the ~~operator~~ 69762
crematory facility shall place the remainder in a separate 69763
temporary container, and the cremated remains placed in the 69764
separate temporary container shall be delivered, released, or 69765
disposed of along with those in the urn or other temporary 69766
container. Nothing in this section requires ~~an operator of a~~ 69767
crematory facility to recover any specified quantity or quality of 69768
cremated remains upon the completion of a cremation, but only 69769
requires ~~an operator~~ a crematory facility to recover from the 69770

cremation chamber all of the cremation residue that is ~~practically~~ 69771
practicably recoverable. 69772

(H) No ~~operator of a~~ crematory facility shall knowingly 69773
represent to an authorizing agent or a designee of an authorizing 69774
agent that an urn or temporary container contains the recovered 69775
cremated remains of a specific decedent or of body parts removed 69776
from a specific decedent or living person when it does not. This 69777
division does not prohibit the making of such a representation 69778
because of the presence in the recovered cremated remains of de 69779
minimus amounts of the cremated remains of another decedent or of 69780
body parts removed from another decedent or living person that 69781
were not practicably recoverable and that remained in the 69782
cremation chamber after the cremated remains from previous 69783
cremations were removed. 69784

(I) No ~~operator of a~~ crematory facility or funeral director 69785
shall ship or cause to be shipped any cremated remains by a class 69786
or method of mail, common carrier service, or delivery service 69787
that does not have an internal system for tracing the location of 69788
the cremated remains during shipment and that does not require a 69789
signed receipt from the person accepting delivery of the cremated 69790
remains. 69791

(J) No ~~operator of a~~ crematory facility shall fail to 69792
establish and maintain a system for accurately identifying each 69793
dead human body in the facility's possession, and for identifying 69794
each decedent or living person from which body parts in the 69795
facility's possession were removed, throughout all phases of the 69796
holding and cremation process. 69797

(K) No ~~operator of a~~ crematory facility shall knowingly use 69798
or allow the use of the same cremation chamber for the cremation 69799
of dead human bodies, or human body parts, and animals. 69800

Sec. 4717.27. (A) The authorizing agent who executed the 69801

cremation authorization form authorizing the cremation of a 69802
decedent under section 4717.24 of the Revised Code or the 69803
cremation of body parts under section 4717.25 of the Revised Code 69804
is ultimately responsible for the final disposition of the 69805
cremated remains of the decedent or body parts. 69806

(B) If the cremation authorization form does not contain 69807
instructions for the final disposition of the cremated remains of 69808
the decedent or body parts, if no arrangements for the disposition 69809
of the cremated remains are made within thirty days after the 69810
completion of the cremation, and if the cremated remains have not 69811
been picked up within that thirty-day period by the person 69812
designated to receive them on the authorization form or, in the 69813
absence of such a designated person, by the authorizing agent, the 69814
~~operator of the~~ crematory facility or the funeral home holding the 69815
unclaimed cremated remains, at the end of that thirty-day period, 69816
may release or deliver them in person to, or cause their delivery 69817
by a method described in division (I) of section 4717.26 of the 69818
Revised Code that is acceptable under that division to, the person 69819
designated to receive them on the cremation authorization form or, 69820
if no person has been so designated, to the authorizing agent. 69821

(C) (1) If the cremation authorization form does not contain 69822
instructions for the final disposition of the cremated remains of 69823
the decedent or body parts, if no arrangements for the final 69824
disposition of the cremated remains are made within sixty days 69825
after the completion of the cremation, and if the cremated remains 69826
have not been picked up by the person designated on the 69827
authorization form to receive them or, in the absence of such a 69828
designated person, by the authorizing agent, the ~~operator of the~~ 69829
crematory facility or the funeral home holding the unclaimed 69830
cremated remains may dispose of the cremated remains in a grave, 69831
crypt, or niche, by scattering them in any dignified manner, 69832
including in a memorial garden, at sea, by air, or at any 69833

scattering grounds described in section 1721.21 of the Revised 69834
Code, or in any other lawful manner, at any time after the end of 69835
that sixty-day period. 69836

(2) If the cremation authorization form specifies the manner 69837
of the final disposition of the cremated remains, or if within 69838
sixty days after the completion of the cremation the authorizing 69839
agent makes arrangements for the final disposition of the cremated 69840
remains, and if either the arrangements have not been carried out 69841
within that sixty-day period because of the inaction of a party 69842
other than the operator of the crematory facility or the funeral 69843
home holding the unclaimed cremated remains, or the authorizing 69844
agent fails to pick up the cremated remains within that sixty-day 69845
period, the ~~operator of the~~ crematory facility or the funeral home 69846
holding the unclaimed cremated remains may dispose of the cremated 69847
remains in a grave, crypt, or niche, by scattering them in any 69848
dignified manner, including in a memorial garden, at sea, by air, 69849
or at any scattering grounds described in section 1721.21 of the 69850
Revised Code, or in any other lawful manner, at any time after the 69851
end of that period. 69852

(3) If cremated remains of a decedent who was eighteen years 69853
or older at the time of death are unclaimed under divisions (C) (1) 69854
and (2) of this section, the ~~operator of the~~ crematory facility or 69855
the funeral home holding the cremated remains shall, before 69856
disposing of the unclaimed cremated remains, notify the secretary 69857
of the United States department of veterans affairs of the name 69858
of, and other identifying information related to, the decedent. 69859
If, within sixty days of the notification, the secretary of the 69860
department of veterans affairs notifies the crematory facility or 69861
funeral home that the decedent was a veteran who is eligible for 69862
burial in a national cemetery under the control of the national 69863
cemetery administration and that the secretary agrees to provide 69864
for the cost of the transportation and burial of the unclaimed 69865

cremated remains in a national cemetery, the crematory facility or 69866
funeral home shall follow the directions of the secretary and 69867
arrange for the burial of the unclaimed remains in the national 69868
cemetery at the secretary's expense. If the secretary does not 69869
assume the right to direct the burial of the unclaimed remains 69870
within sixty days of the notification by the crematory facility or 69871
funeral home, the crematory facility or funeral home may carry out 69872
the disposition of the unclaimed remains under divisions (C) (1) 69873
and (2) of this section. 69874

(4) When cremated remains are disposed of in accordance with 69875
division (C) (1) or (2) of this section, the authorizing agent who 69876
executed the cremation authorization form authorizing the 69877
cremation of the decedent or body parts under section 4717.24 or 69878
4717.25 of the Revised Code is liable to the ~~operator of the~~ 69879
crematory facility or the funeral home for the cost of the final 69880
disposition, which cost shall not exceed the reasonable cost for 69881
disposing of the cremated remains in a common grave or crypt in 69882
the county where the cremated remains were buried or placed in a 69883
grave, crypt or niche, or scattered. 69884

(D) (1) Except as provided in division (D) (2) of this section, 69885
no person shall do either of the following: 69886

(a) Dispose of the cremated remains of a dead human body or 69887
body parts in such a manner or in such a location that the 69888
cremated remains are commingled with those of another decedent or 69889
body parts removed from another decedent or living person; 69890

(b) Place the cremated remains of more than one decedent or 69891
of body parts removed from more than one decedent or living person 69892
in the same urn or temporary container. 69893

(2) Division (D) (1) of this section does not prohibit any of 69894
the following: 69895

(a) The scattering of cremated remains at sea or by air or in 69896

a dedicated area at a cemetery used exclusively for the scattering 69897
on the ground of the cremated remains of dead human bodies or body 69898
parts. 69899

(b) The commingling of the cremated remains of more than one 69900
decedent or of body parts removed from more than one decedent or 69901
living person or the placement in the same urn or temporary 69902
container of the cremated remains of more than one decedent or of 69903
body parts removed from more than one decedent or living person 69904
when each authorizing agent who executed the cremation 69905
authorization form authorizing the cremation of each of the 69906
decedents or body parts removed from each of the decedents or 69907
living persons under section 4717.21, 4717.24, or 4717.25 of the 69908
Revised Code authorized the commingling of the cremated remains or 69909
the placement of the cremated remains in the same urn or temporary 69910
container on the authorization form. 69911

(c) The commingling, by the individual designated on the 69912
cremation authorization form authorizing the cremation of the 69913
decedent or body parts to receive the cremated remains, other than 69914
a funeral director or employee of a cemetery, or by the 69915
authorizing agent who executed the cremation authorization form, 69916
after receipt of the cremated remains, of the cremated remains 69917
with those of another decedent or of body parts removed from 69918
another decedent or living person or the placing of them by any 69919
such person in the same urn or temporary container with those of 69920
another decedent or of body parts removed from another decedent or 69921
living person. 69922

Sec. 4717.28. (A) No ~~operator of a~~ crematory facility shall 69923
fail to ensure that a written receipt is provided to the person 69924
who delivers a dead human body or body parts to the facility for 69925
cremation. If the dead human body is other than one that was 69926
donated to science for purposes of medical education or research, 69927

the receipt shall be signed by both a representative of the 69928
crematory facility and the person who delivered the decedent to 69929
the crematory facility and shall indicate the name of the 69930
decedent; the date and time of delivery; the type of casket or 69931
alternative container in which the decedent was delivered to the 69932
facility; the name of the person who delivered the decedent to the 69933
facility; if applicable, the name of the funeral home or other 69934
establishment with whom the delivery person is affiliated; and the 69935
name of the person who received the decedent on behalf of the 69936
facility. If the dead human body was donated to science for 69937
purposes of medical education or research, the receipt shall 69938
consist of a copy of the cremation authorization form executed 69939
under section 4717.21, 4717.24, or 4717.25 of the Revised Code 69940
that authorizes the cremation of the decedent or body parts that 69941
has been signed by both a representative of the crematory facility 69942
and the person who delivered the decedent or body parts to the 69943
crematory facility and that indicates the date and time of the 69944
delivery. The operator may provide the copy of the receipt to the 69945
person who delivered the decedent or body parts to the facility 69946
either in person or by certified mail, return receipt requested. 69947

(B) No ~~operator of a~~ crematory facility shall fail to ensure 69948
at the time of releasing cremated remains that a written receipt 69949
signed by both a representative of the crematory facility and the 69950
person who received the cremated remains is provided to the person 69951
who received the cremated remains. Unless the cremated remains are 69952
those of a dead human body that was donated to science for 69953
purposes of medical education or research or are those of body 69954
parts, the receipt shall indicate the name of the decedent; the 69955
date and time of the release; the name of the person to whom the 69956
cremated remains were released; if applicable, the name of the 69957
funeral home, cemetery, or other entity to whom the cremated 69958
remains were released; and the name of the person who released the 69959
cremated remains on behalf of the crematory facility. If the 69960

cremated remains are those of a dead human body that was donated 69961
to science for purposes of medical education or research or are 69962
those of body parts, the receipt shall consist of a copy of the 69963
cremation authorization form executed under section 4717.21, 69964
4717.24, or 4717.25 of the Revised Code that authorizes the 69965
cremation of the decedent or body parts that has been signed by 69966
both a representative of the crematory facility and the person who 69967
received the cremated remains and that indicates the date and time 69968
of the release. If the cremated remains were delivered to the 69969
authorizing agent or other individual designated on the cremation 69970
authorization form by a method described in division (I) of 69971
section 4717.26 of the Revised Code that is acceptable under that 69972
division, the receipt required by this division shall accompany 69973
the cremated remains, and the signature of the authorizing agent 69974
or other designated individual on the delivery receipt meets the 69975
requirement of this division that the person receiving the 69976
cremated remains sign the receipt provided by the crematory 69977
facility. 69978

(C) No ~~operator of a~~ crematory facility shall fail to make or 69979
keep on file during the time that the ~~operator~~ crematory facility 69980
remains engaged in the business of cremating dead human bodies or 69981
body parts, all of the following records and documents: 69982

(1) A copy of each receipt issued upon acceptance by or 69983
delivery to the crematory facility of a dead human body under 69984
division (A) of this section; 69985

(2) A record of each cremation conducted at the facility, 69986
containing at least the name of the decedent or, in the case of 69987
body parts, the name of the decedent or living person from whom 69988
the body parts were removed, the date and time of the cremation, 69989
and the final disposition made of the cremated remains; 69990

(3) A copy of each delivery receipt issued under division (B) 69991
of this section; 69992

(4) A separate record of the cremated remains of each 69993
decedent or the body parts removed from each decedent or living 69994
person that were disposed of in accordance with division (C) (1) or 69995
(2) of section 4717.27 of the Revised Code, containing at least 69996
the name of the decedent, the date and time of the cremation, and 69997
the location, date, and manner of final disposition of the 69998
cremated remains. 69999

(D) All records required to be maintained under sections 70000
4717.21 to 4717.30 of the Revised Code are subject to inspection 70001
by the board of embalmers and funeral directors or an authorized 70002
representative of the board, upon reasonable notice, at any 70003
reasonable time. 70004

Sec. 4717.30. (A) ~~The~~ A crematory operator ~~of a~~ crematory 70005
facility ~~or a~~ funeral director, or funeral home is not liable in 70006
damages in a civil action for any of the following actions or 70007
omissions, unless the actions or omissions were made with 70008
malicious purpose, in bad faith, or in a wanton or reckless manner 70009
or unless any of the conditions set forth in divisions (B) (1) to 70010
(3) of this section apply: 70011

(1) (a) For having arranged or performed the cremation of the 70012
decedent, or having released or disposed of the cremated remains, 70013
in accordance with the instructions set forth in the cremation 70014
authorization form executed by the decedent on an antemortem basis 70015
under section 4717.21 of the Revised Code; 70016

(b) For having arranged or performed the cremation of the 70017
decedent or body parts removed from the decedent or living person 70018
or having released or disposed of the cremated remains in 70019
accordance with the instructions set forth in a cremation 70020
authorization form executed by the person authorized to serve as 70021
the authorizing agent for the cremation of the decedent or for the 70022
cremation of body parts of the decedent or living person, named in 70023

the cremation authorization form executed under section 4717.24 or 70024
4717.25 of the Revised Code. 70025

(2) For having arranged or performed the cremation of the 70026
decedent, or having released or disposed of the cremated remains, 70027
in accordance with the instructions set forth in the cremation 70028
authorization form executed by a designated agent under division 70029
(C) of section 4717.24 of the Revised Code. 70030

(B) The crematory operator of a crematory facility, funeral 70031
director, or funeral home is not liable in damages in a civil 70032
action for refusing to accept a dead human body or body parts or 70033
to perform a cremation under any of the following circumstances, 70034
unless the refusal was made with malicious purpose, in bad faith, 70035
or in a wanton or reckless manner: 70036

(1) The crematory operator, crematory facility, funeral 70037
director, or funeral home has actual knowledge that there is a 70038
dispute regarding the cremation of the decedent or body parts, 70039
until such time as the crematory operator, crematory facility, 70040
funeral director, or funeral home receives an order of the probate 70041
court having jurisdiction ordering the cremation of the decedent 70042
or body parts or until the crematory operator, crematory facility, 70043
funeral director, or funeral home receives from the parties to the 70044
dispute a copy of a written agreement resolving the dispute and 70045
authorizing the cremation to be performed. 70046

(2) The crematory operator, crematory facility, funeral 70047
director, or funeral home has a reasonable basis for questioning 70048
the accuracy of any of the information or statements contained in 70049
a cremation authorization form executed under section 4717.21, 70050
4717.24, or 4717.25 of the Revised Code, as applicable, that 70051
authorizes the cremation of the decedent or body parts. 70052

(3) The crematory operator, crematory facility, funeral 70053
director, or funeral home has any other lawful reason for refusing 70054

to accept the dead human body or body parts or to perform the cremation. 70055
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(C) ~~The~~ A crematory operator of a crematory facility ~~or a~~ funeral director, or funeral home is not liable in damages in a civil action for refusing to release or dispose of the cremated remains of a decedent or body parts when the crematory operator ~~or~~, crematory facility, funeral director, or funeral home has actual knowledge that there is a dispute regarding the release or final disposition of the cremated remains in connection with any damages sustained, prior to the time the crematory operator, crematory facility, funeral home, or funeral director receives an order of the probate court having jurisdiction ordering the release or final disposition of the cremated remains, or prior to the time the crematory operator or, crematory facility, funeral director, or funeral home receives from the parties to the dispute a copy of a written agreement resolving the dispute and authorizing the cremation to be performed. 70057
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(D) ~~The~~ A crematory operator of a crematory facility, funeral director, or funeral home is not liable in damages in a civil action in connection with the cremation of, or disposition of the cremated remains of, any dental gold, jewelry, or other items of value delivered to the crematory facility or funeral home with a dead human body or body parts, unless either or both of the following apply: 70072
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(1) The cremation authorization form authorizing the cremation of the decedent or body parts executed under section 4717.21, 4717.24, or 4717.25 of the Revised Code, as applicable, contains specific instructions for the removal or recovery and disposition of any such dental gold, jewelry, or other items of value prior to the cremation, and the crematory operator, crematory facility, funeral director, or funeral home has failed to comply with the written instructions. 70079
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(2) The actions or omissions of the crematory operator, 70087
crematory facility, funeral director, or funeral home were made 70088
with malicious purpose, in bad faith, or in a wanton or reckless 70089
manner. 70090

(E) (1) This section does not create a new cause of action 70091
against or substantive legal right against ~~the operator of a~~ 70092
crematory operator, crematory facility or a, funeral director, or 70093
funeral home. 70094

(2) This section does not affect any immunities from civil 70095
liability or defenses established by another section of the 70096
Revised Code or available at common law to which ~~the operator of a~~ 70097
crematory ~~or a~~ operator, crematory facility, funeral director, or 70098
funeral home may be entitled under circumstances not covered by 70099
this section. 70100

Sec. 4717.32. (A) Any preneed funeral contract that involves 70101
the payment of money or the purchase or assignment of an insurance 70102
policy or annuity shall be in writing and shall include all of the 70103
following information: 70104

(1) The name, address, and phone number of the seller and the 70105
name and address of the purchaser of the contract, and, if the 70106
contract beneficiary is someone other than the purchaser of the 70107
contract, the name and address of the contract beneficiary, and if 70108
the contract involves the payment of money but not the purchase or 70109
assignment of an insurance policy or annuity, the social security 70110
number of the purchaser of the contract or if the contract 70111
beneficiary is someone other than the purchaser, the social 70112
security number of the contract beneficiary; 70113

(2) A statement of the funeral goods and funeral services 70114
purchased, which disclosure may be made by attaching a copy of the 70115
completed statement of funeral goods and services selected to the 70116
preneed funeral contract; 70117

2016-2017 Fiscal Year in Review
Ohio Board of Embalmers Funeral Directors
Jon W. Rettig, Sr. – President
June 28, 2017

- A. First, we want to thank the staff that implements board policy and at board direction, enforces the rules and laws that govern funeral service in the State of Ohio. This past year, we have had the opportunity to work with Interim Executive Director, Eric Griffin, Executive Director Tim Derickson, and current Interim Executive Director Danny Finfrock. In addition, Mrs. Linda Clark and Mr. Jarrod Williams work hard to keep the office running efficiently. Our inspectors, Mr. Eric Anderson and Mr. Troy Seehase have been busy this past year with inspections and investigations.**
- B. This past year, we are truly blessed to have a “working” board that has accomplished so much. These include our present board members, Attorney Tommy Taneff, our vice president, Mr. Bill Wappner, our secretary treasurer, Mrs. Jill Pugh, and Mr. Ed Nurre. Two others that served the board were Mr. Bryan Chandler who resigned for family reasons and Mr. Bill Dotson, who resigned due to PERS issues.**
- C. In addition to the many regular regulatory and compliance issues that the board deals with each month, I have highlighted several issues that this board has addressed this past year:**
- 1. We, along with our assistant Attorney Generals, addressed issues with the deficient orders issued by previous management.**
 - 2. The board reviewed existing management policies and removed those that were legally problematic.**
 - 3. The board addressed fiscal accountability by returning an unauthorized, by the board, auto that was used by**

previous management to commute to work and replaced the costly program “board docs” with a website that has been enacted by existing staff and help from the State of Ohio. These actions have saved the board (and taxpayers) several thousand dollars.

4. **Mrs. Pugh, Mr. Wappner, Mr. Derickson, and I attended the International Board of Funeral Conference Examiners. After this meeting, the current Ohio Laws Test was reviewed by Board members to make sure that we are testing to current rules and laws, and as we sit here today, we are current. Previous management had indicated to apprentices that we could have been testing to old rules and laws and “it was too costly to redo tests”. The current board is committed to making sure that we test to current rules and laws.**
5. **After two extensions from JCARR, we completed the process over one year late. Previous management failed to complete this process by the April 2016 timeframe that was called for in the rules.**
6. **When I became President of the Board, I made a commitment that the Board would not cancel monthly meetings. I am happy to report that we did not have to cancel any meetings for lack of a quorum... the board is truly committed to making sure that Board business is handled in an expedient manner.**
7. **The board has been blessed to have excellent guidance and advice from the Attorney General’s Office by first Katherine Bockbrader and currently, Christie Limbert. Mrs. Limbert has been working with the Board to streamline certain settlement agreements and this system appears to be working well. I want to thank Mrs. Limbert for the great job she is doing for the Board.**

DRAFT- The following is a draft version of the May 24, 2017 Board Meeting Minutes. Minutes shall be considered unofficial until read and approved by formal vote at a succeeding regular meeting.

Regular Meeting (Wednesday, May 24, 2017)

Generated by Jarrod Williams on Wednesday, May 24, 2017

Members present

Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, and Edward C Nurre

William Wappner was absent.

Meeting called to order at 1:10 p.m.

1. Convening of the Board - President

Action, Procedural: 1.01 Calling of the Roll

A quorum of the board consists of four members, of whom at least three shall be members who are embalmers and funeral directors. The concurrence of at least four members is necessary for the board to take any action.

Procedural: 1.02 Pledge of Allegiance

"I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all."

Information: 1.03 Introduction of New Board Member, Edward C. Nurre Jr.

Governor John R. Kasich announced Edward C. Nurre, Jr. of Cincinnati (Clermont Co.) has been appointed to the Board of Embalmers and Funeral Directors for a term beginning May 11, 2017, and ending June 30, 2017.

Board meeting notation: Mr. Jon Rettig introduced new board member Edward C. Nurre, Jr. and welcomed Mr. Nurre to his first meeting. Mr. Nurre expressed his appreciation for the opportunity to serve on the board. He shared recollection of a past practice when the board would mail their meeting minutes in a self-stamped envelope to its board members for signature of approval and remarked how times have changed. Mr. Nurre stated he is eager to learn and contribute to the board to the best of his abilities.

Recognition: 1.04 Recognize Apprentices

During apprenticeship, apprentices are required to complete assignments published to their corresponding apprenticeship task list. One of the tasks cataloged, as an additional training requirement, is to attend one state board monthly meeting. This new task was established by the board July 26, 2016 for one-year apprentices that started their apprenticeship February 1, 2016 or beyond; and for two-year apprentices that started their apprenticeship February 1, 2015 or beyond.

The board would like the opportunity to recognize apprentices in attendance of the meeting who are fulfilling this requirement.

Board meeting notation: Mr. Jon Rettig welcomed all apprentices in attendance of the meeting and requested each person stand and state their name so that all may hear. In attendance were Alexandra Boesinger, Cameron Crofoot, Nathan McBeth, Katherine Phillips, and T. Anthony Vargo.

Information: 1.05 Office of the Ohio Auditor of State

A representative of the Office of the Ohio Auditor of State will present its audit report titled, "Ohio Board of Embalmers and Funeral Directors, Independent Accountant's Report on Applying Agreed-Upon Procedures for the period of January 1, 2016 through August 5, 2016."

The board was provided copy of "Ohio Board of Embalmers and Funeral Directors Independent Accountants' Report on Applying Agreed-Upon Procedures for the Period of January 1, 2016 through August 5, 2016" in the agenda item details for review. The document may be located online at the following

link: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMMT9471234E/\\$file/Ohio Board of Embalmers and Funeral Directors 16 Franklin AUP.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMMT9471234E/$file/Ohio Board of Embalmers and Funeral Directors 16 Franklin AUP.pdf)

Board meeting notation: Representing the Office of the Ohio Auditor of State were as follows:

Debbie Liddil, Chief Auditor, State Region
Allen Moore, Senior Audit Manager
Jessica Dyer, Staff Auditor

Mr. Allen Moore began his presentation by stating the report was not an audit, but a report on applying agreed-upon procedures. Mr. Moore read aloud the report beginning with page one.

Mr. Jon Rettig asked Mr. Moore what was meant by three timesheets were not approved. Mr. Moore replied that no evidence of approval for these timesheets was found. Mr. Thomas Taneff followed up with a question if the timesheets were self-approved. Mr. Moore responded that evidence of approval was not found. Mr. Taneff questioned Mr. Moore if this was a significant discovery. Mr. Moore answered that a finding with five to six percent or greater would equal a reportable finding to be included in the management letter to the agency with a recommendation for improvement.

Mr. Taneff questioned Mr. Moore if 26.7 percent disagreement of timesheets tested was significant or an error. Mr. Moore answered, yes.

Mr. Rettig asked Mr. Moore what was meant by the timesheet did not agree with the payroll register. Mr. Moore responded with explanation of the auditor's procedure.

Mr. Moore continued reading the report at "Pool Car Usage." Mr. Taneff asked Mr. Moore if the variances were a cause for concern. Mr. Moore explained that some variances could not be determined due to leave times not being included on the timesheet.

Mr. Moore continued reading the report at "Payroll Expenditures" regarding teleworking and remarked that there was no documentation of approval for teleworking. Mr. Rettig questioned Mr. Moore if the teleworking policy required documentation of approval. Mr. Moore answered that there was no way to tell.

Mr. Moore stated that the Office of the Ohio Auditor allows teleworking for its employees and has control procedures in place. Mr. Taneff asked Mr. Moore to compare the auditor's procedures with those of the board's. Mr. Moore responded that the board did not document a procedure for approval.

Mr. Rettig asked Mr. Moore if it was common for an employee to have approval. Mr. Moore answered, yes, but the board policy had no language of an approval procedure and leave was not documented. Mr. Taneff followed up with a question if he thought this was a high percentage of error. Mr. Moore replied, yes, because it was over five to six percent or greater.

Mr. Moore continued reading the report at "Pool Car Approval." He remarked that approval of the vehicle by the Secretary-Treasurer of the Board did not occur. Mr. Moore stated that the executive director signed their own name to the request form. Mr. Moore added that the request form was in line with a memo received from Ohio Department of Administrative Services Office of Fleet Management recommending the board obtain an

additional fleet vehicle for a board member, but the vehicle was assigned to the executive director. Mr. Rettig asked Mr. Moore if the executive director approved their own car. Mr. Moore answered, yes. Mr. Taneff followed up with a question if this was typical. Mr. Moore stated that auditors typically do not test vehicle acquisitions and therefore has no experience for comparison.

Ms. Debbie Liddil responded to Mr. Taneff's question by stating concurrence with Mr. Moore's response that auditors do not typically test vehicle transactions. She added that a state agency has the right to obtain a pool vehicle and assign that vehicle to its personnel for their usage.

Mr. Rettig stated that he understood the recommendation from DAS/ Office of Fleet Management to obtain the vehicle, but found it unusual the executive director used the vehicle for the purpose of commuting to work. Mr. Rettig declared for the record, "The Board did not obtain the vehicle, the executive director did."

Mr. Moore continued to read the report at "Pool Car Approval." He remarked there was no indication in the Meeting Minutes of the Board of an approval for the car by the Board. Mr. Taneff stated that he, nor the public, was apprised of the vehicle. Mr. Moore responded that the board had no policy in place to do so.

Mr. Taneff asked Mr. Moore if the Auditor's office could have performed other procedures. Mr. Moore answered, yes, if agreed on. Mr. Taneff suggested Mr. Moore educate him on how other procedures could aide in an audit.

Ms. Liddil responded to Mr. Taneff's question by stating that the information obtained is accurate for what was available and no conclusions can be made from the report. Additional information could have been subpoenaed and persons could have been interviewed, if agreed on.

Mr. Rettig asked Mr. Moore if this report is a red flag for issues prior to the time period included. Mr. Moore replied that there is nothing to compare it to without documentation.

Mr. Edward Nurre commented that it was concerning that the Board did not know of the car.

Mr. Rettig commented that he was very upset to learn the car was for the executive director.

Ms. Liddil stated that some agencies permit the executive director to obtain a car due to the nature of their work. Mr. Taneff reminded Ms. Liddil that the car was self-approved. Ms. Liddil went on to state that an executive director may be responsible to obtain their own vehicle if there is no board. She added that approval may also come from a committee or a sub-committee; even without the recommendation from DAS/ Office of Fleet Management.

Ms. Jill Pugh questioned if an executive director could obtain a pool car from DAS to attend an out-of-town meeting. Ms. Liddil answered, yes.

Mr. Rettig asked Board Inspector Troy Seehase about DAS vehicle policy. Mr. Seehase explained his responsibilities when using his assigned vehicle.

Mr. Moore continued to read the report at "Recommendations." Mr. Rettig suggested the board have no teleworking policy. He asked Mr. Moore to explain the monitoring and controls in place at the Auditor's Office. Mr. Moore replied that there were tests to see if the employee is working. Ms. Liddil added that monitoring is helped with supporting documentation and periodic checks of performance controls. Mr. Rettig asked Ms. Liddil for a suggestion on how to stop improper use of teleworking in the future. Ms. Liddil replied that the board enact a policy with specific uses for teleworking, as well as incorporate a system of checks and balances. Mr. Rettig thanked Ms. Liddil for her response.

Mr. Moore stated that DAS/ Office of Fleet Management policy states agencies should have their own internal policy regarding vehicles.

Mr. Taneff questioned board counsel if they had a comment. Ms. Christie Limbert replied that she had no comment.

Mr. Rettig asked what procedure was necessary to extend the auditor's evaluation. Ms. Liddil responded that the Board must submit a specific written request. The request would then be reviewed by the Auditor's Office to determine if it can be done.

Mr. Rettig asked the board if there was need to look further into additional agreed-upon procedures. Ms. Pugh responded that there seems to be a lack of documentation and likely nothing to verify. Mr. Rettig shared that he was distressed at the numbers within the report.

Mr. Rettig suggested the board to continue exploring extending an evaluation by the Auditor's Office. Mr. William Dodson agreed.

Ms. Pugh commented there was nothing to verify.

Ms. Limbert made a response to Ms. Pugh's statement by mentioning badge swipes in relation to leave times may be available for verification.

Mr. Moore responded to Ms. Limbert's comment by stating that would involve another department's records.

Mr. Dodson announced that the board is responsible to uncover any misdeeds and report it.

Mr. Rettig stated that he wanted a conclusion to the matter and would like to put together a committee to continue exploring the extension of the evaluation. The committee will include Jill Pugh as the Chairperson, Thomas Taneff, Jon Rettig, and Edward Nurre.

Motion for the committee to continue exploring an extension of the evaluation.

Motion by Jon Rettig, second by Tommy Taneff.
Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

2. Executive Director's Report

Information: 2.01 Interim Executive Director's Report

1. Update on New Website - went live on 05/15/2017
2. Update on Continuing Education Audit

Board meeting notation: Mr. Danny Finfrock commented on each of the topics listed in the agenda items details:

- The board website is now available. It is similar to Board Docs whereby information, forms, and updates concerning the board will be posted. Mr. Finfrock recommended all log in and password information of designated website users be kept by the board office.
- The Continuing Education Audit Form is complete and ready to be distributed. Mr. Finfrock asked the board members how they wished the audit forms to be sent to participants - all-at-once, one-half of total participants, or in another division. Mr. Jon Rettig asked the board for an opinion. Ms. Jill Pugh recommended the forms be sent in a way that was helpful for the board office.

3. President's Report

Information: 3.01 President's Report

Update on Public Hearing on proposed amendments to rules (JCARR) held on April 27, 2017.

Board meeting notation: Mr. Jon Rettig communicated the following:

- Mr. Rettig reported attending Ohio Funeral Directors Association (OFDA) Board Meeting on May 5, 2017.
- Mr. Rettig announced he will represent the board along with Interim Executive Director Danny Finfrock at the Joint Committee on Agency Rule Review (JCARR) Committee Meeting scheduled on May 30, 2017, to be held at the Ohio Statehouse.
- Mr. Rettig announced he will provide a one-hour presentation at Buckeye State Funeral Directors and Embalmers Association Annual Meeting scheduled on June 16, 2017 to be held in Cleveland, Ohio.

- Mr. Rettig announced he will provide a one-hour presentation at OFDA Master Training Seminar scheduled on June 21, 2017 to be held at OFDA Headquarters in Columbus, Ohio.

4. Meeting Minutes

Action, Minutes: 4.01 Consideration of the April 26, 2016 Board Meeting Minutes

The board was provided a link ("View Minutes" Icon) to view the meeting minutes in the agenda item details for review.

Board meeting notation: Mr. Jon Rettig asked Mr. Edward Nurre if he had an opportunity to review the April 26, 2017 Board Meeting Minutes. Mr. Nurre replied that he reviewed the minutes.

Motion to approve the meeting minutes as presented.

Motion by Jill Pugh, second by Edward C Nurre.
Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

5. Persons Appearing Before the Board

Action: 5.01 Andrea M. Egbert, Applicant for DUAL Reciprocal License

The applicant has submitted an application for reciprocal license. The applicant is to appear before the board for an interview as required per OAC 4717-4-05(A) and may be subject to answer any questions from the board.

OAC4717-4-05 Requirements for reciprocal funeral director's license.

(A) The applicant shall personally appear before the board for an interview and based upon the results of this interview may be permitted to take such an examination as the board requires for a reciprocal license. *[Abbreviated]*

(C) The applicant for a reciprocal funeral director's license shall provide proof of earning a seventy-five per cent or higher on each section of a nationally-recognized comprehensive examination and sit for the Ohio laws and rules examination.

(D) Upon earning a passing score of seventy-five per cent or higher on each section of a nationally-recognized comprehensive examination and the Ohio laws and rules examination, the applicant shall submit to the board an application for funeral director's license, along with the applicable fee.

ORC4717.061 License applicant to comply with RC Chapter 4776.

(A) As used in this section, "license" and "applicant for an initial license" have the same meanings as in section 4776.01 of the Revised Code, except that "license" as used in both of those terms refers to the types of authorizations otherwise issued or conferred under this chapter.

(B) In addition to any other eligibility requirement set forth in this chapter, each applicant for an initial license shall comply with sections 4776.01 to 4776.04 of the Revised Code. The board of embalmers and funeral directors shall not grant a license to an applicant for an initial license unless the applicant complies with sections 4776.01 to 4776.04 of the Revised Code and the board, in its discretion, decides that the results of the criminal records check do not make the applicant ineligible for a license issued pursuant to section 4717.05, 4717.06, or 4717.10 of the Revised Code.

Board meeting notation: Mr. Jon Rettig welcomed Ms. Andrea M. Egbert to the meeting and requested she stand before the board. Mr. Rettig asked Ms. Egbert if she had an opening statement. Ms. Egbert stated that she was appearing before the board seeking a reciprocal funeral director and embalmer's license. Ms. Egbert went on to state she born and raised in Ohio. She added that after graduating Pennsylvania Institute of Mortuary Science (PIMS), Ms. Egbert remained in Pennsylvania for employment as an admissions advisor for PIMS and most recently with Beinhauer Family Funeral Homes and Cremation Services. Ms. Egbert stated she was currently living in Akron and working for Newcomer Funeral Home.

Mr. Rettig questioned Ms. Egbert if she earned a bachelor's degree. Ms. Egbert replied that she had. Mr. Rettig followed up asking if she had completed the Nation Board Examinations. Ms. Egbert replied that she passed.

Mr. Rettig questioned Ms. Egbert if she had been before the Pennsylvania State Board with any issues. Ms. Egbert answered that she had not.

Mr. Rettig asked the board members if there were any further questions. He followed up with a question to Ms. Linda Clark, board office staff, about Ms. Egbert's paperwork being all in order. Ms. Clark responded that all paperwork was complete.

Motion to approve the application as presented and grant applicant permission to take examinations prior to licensing.

Motion by William A Dodson, second by Tommy Taneff.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

Board meeting notation: Mr. Rettig welcomed Ms. Egbert back to Ohio and informed her that she was welcome to stay for remainder of the meeting, but was not obligated to.

6. Licensure

Action: 6.01 Applications (Individuals) Recommended for Licensure

The board was provided the agenda item details and reviewed the following information:

Initial licenses to be granted

License Number	Name	City
Emb.009743 Fd.009865	Angel, Courtney D.	W Manchester
Emb.009744 Fd.009866	Badgett, Jennifer R.	Columbus
Emb.009745 Fd.009867	Castells, Jessica A.	West Chester
Emb.009746	Eckhardt, Jarrett L.	Sandusky

Fd.009868		
Emb.009747	Elias, Lisa A.	Beachwood
FD.009869		
Emb.009748	Hough, Erin M.	Wheeling, WV
Fd.009870		
Emb.009749	Kight, Kyle M.	Parma
Fd.009871		
Emb.009750	Miller, Justin D.	Monroe, MI
Fd.009872		

Board meeting notation: There was no discussion among the board.

Motion to approve the applications as presented and grant initial license to each applicant as recommended by board staff.

Motion by Tommy Taneff, second by Jon Rettig.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

Information: 6.02 No Motion Items (Individuals) - Information Only

The board was provided the agenda item details and reviewed the following information:

Individuals issued Registration in April '17

Type	Name	City
Dual	Evans, Tyrone	Maple Hts
Dual	Givan, Teresa	Cincinnati
Dual	Hail, Saleen	Milford
Dual	Heatherman, Lesley	Dayton

Individuals Certified as an Apprentice in April '17

Type	Name	Funeral Home	City
Fd	Burgan, Alicia	Karlo-Libby FH	Canton
Fd	Capretta, Melissa	DeJohn Funeral Home	Willoughby Hills
Dual	Watkins, Qween	Inman Funeral Home	Cleveland

Board meeting notation: There was no discussion among the board.

Action: 6.03 Ratification of Facility Licenses

The board was provided the agenda item details and reviewed the following information:

New Facility Advertise Only: (will not be licensed until final inspection has passed - advertise as future site only)

Firm Title	Location
Roberts Funeral Home	Mount Vernon
Preston Charles Funeral Home	Cincinnati

Change of Ownership / Existing Facility - New Facility License:

License #	Firm Title	Location
FH 003507	Holowchak Funeral Home	Parma

Name Changes:

License #	Current Name	New Name	Location
FH 003423	Neville Funeral Home	Neville - Shank Funeral Home	Holland
FH 003422	Neville Funeral Home	Neville - Shank Funeral Home	Toledo

FH 003420	Hoeflinger-Bolander Funeral Home	Hoeflinger - Shank Funeral Home	Oregon
FH 003414	Blanchard-Strabler Funeral Home	Blanchard - Strabler - Shank Funeral Home	Toledo

Board meeting notation: There was no discussion among the board.

Motion to ratify the applications as presented and confirm each applicant as licensed.

Motion by Jon Rettig, second by Tommy Taneff.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

Information: 6.04 No Motion Items (Facilities) - Information Only

The board was provided the agenda item details and reviewed the following information:

Change the manager and/or AIC (AIC name will need to be added to funeral home sign within 24 months)

License #	Firm Title	Licensee Name	
003088	CORRIGAN-DEIGHTON FH	TAYLOR, CHARLES W JR	A
003088	CORRIGAN-DEIGHTON FH	TAYLOR, CHARLES W JR	M
003489	Snow Funeral Home	COX, BENNY R	A
003489	Snow Funeral Home	COX, BENNY R	M
003140	ZAK-THACKER & MONBARREN FH	THACKER, DONALD W	M

Board meeting notation: There was no discussion among the board.

7. Continuing Education

Action: 7.01 Continuing Education Programs

The board was provided the lists of applicants in the agenda item details for review. The documents provided may be located online at the following link: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMMNP55E8A1A/\\$file/2017%20May%20CE.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMMNP55E8A1A/$file/2017%20May%20CE.pdf)

Board meeting notation: There was no discussion among the board.

Motion to approve the list of continuing education programs as presented.

Motion by Tommy Taneff, second by Edward C Nurre.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

Action: 7.02 Continuing Education Exemptions

50 year Exemption: Starting / For 2017 - 2018

License #	Name	Date Issued
FD 005698	KATHLEEN M BOGNER	05.16.1967

Board meeting notation: Mr. Jon Rettig requested Ms. Linda Clark, board office staff, to explain the 50-Year Exemption application and its exclusions. Ms. Clark deferred the question to Danny Finrock, Interim Executive Director, to respond. Mr. Finrock explained the application was for an exemption of continuing education requirements specifically for a licensee who has been licensed by the board not less than fifty years. He added that the application will not be approved if the applicant is designated as the manager or funeral director actually in charge of and ultimately responsible for a funeral home, or designated as the actually in charge of an embalming facility. Mr. Finrock stated that if the licensee elects to remove their fifty year exemption later, they must notify the board and complete an amendment to the funeral home license application and make up the total number of continuing education hours of the compliance period in which the exemption was removed.

Motion to Approve

Motion by Jon Rettig, second by Jill Pugh.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

8. Compliance

Action: 8.01 Timothy E. Werner- Request for reinstatement of DUAL licensure

License to be Re-instated

License Number	Name	City
Dual.007740	Werner, Timothy E.	Sioux Falls, SD

The board was provided copy of written letters in support of the applicant in the agenda item details for review. The documents may be located online at the following

links: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMHR6K6B63EC/\\$file/Letter%20in%20support%20of%20Mr.%20Werner%20by%20Dan%20Werner.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMHR6K6B63EC/$file/Letter%20in%20support%20of%20Mr.%20Werner%20by%20Dan%20Werner.pdf)

[http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMHR6M6B6526/\\$file/Character%20Affirmation%20for%20Mr.%20Werner%20by%20Mary%20Graumann.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMHR6M6B6526/$file/Character%20Affirmation%20for%20Mr.%20Werner%20by%20Mary%20Graumann.pdf)

[http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMHR6P6B6613/\\$file/Character%20Affirmation%20for%20Mr.%20Werner%20by%20Ruth%20Stuhler.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMHR6P6B6613/$file/Character%20Affirmation%20for%20Mr.%20Werner%20by%20Ruth%20Stuhler.pdf)

The board was provided copy of previous compliance cases before the board involving the applicant in the agenda details for review. The documents may be located online at the following links:

[http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMHS99718DF9/\\$file/Richland%20County%2C%20OH%20Court%20of%20Common%20Pleas%20Indictment%20copy.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMHS99718DF9/$file/Richland%20County%2C%20OH%20Court%20of%20Common%20Pleas%20Indictment%20copy.pdf)

[http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMHS9H7196F5/\\$file/2014-1400063-%20Rpt.%20%26%20Rec.%20copy.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMHS9H7196F5/$file/2014-1400063-%20Rpt.%20%26%20Rec.%20copy.pdf)

[http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMHS9K719942/\\$file/2014-1400063-%20Procedural%20Order%20copy.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMHS9K719942/$file/2014-1400063-%20Procedural%20Order%20copy.pdf)

[http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMHS9M719C48/\\$file/2014-1400063-%20Brief%20of%20Appellee%20copy.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMHS9M719C48/$file/2014-1400063-%20Brief%20of%20Appellee%20copy.pdf)

Board meeting notation: Mr. Jon Rettig requested board counsel to explain the previous compliance cases before the board involving the applicant. Ms. Christie Limbert, board counsel, responded by providing a brief history of Mr. Werner. Ms. Limbert opined that Mr. Werner is likely seeking a reinstatement of his Ohio licenses to apply for reciprocal license in the state of South Dakota, where he resides.

Mr. Rettig shared concern that the letters of support are from members of Mr. Werner's family.

Mr. Edward Nurre commented that Mr. Werner's past compliance cases before the board resulted in significant disciplinary action.

Motion to disapprove the request for reinstatement of the embalmer license and the funeral director license previously issued to Timothy E. Werner.

Motion by Jon Rettig, second by Edward C Nurre.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

Board meeting notation: Mr. Rettig opined that Mr. Werner's past troubles cannot re-emerge in South Dakota as a consequence of this board.

Mr. Thomas Taneff agreed with Mr. Rettig's comment and stated he respected the opinions shared among the board.

Action: 8.02 Report and Recommendation concerning compliance case #2015-150006788

The board was provided copy of "Report and Recommendation" in the agenda item details for review. The document may be located online at the following

link: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/ALDQGS689E63/\\$file/2015-150006788-%20Rpt.%20%26%20Rec..pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/ALDQGS689E63/$file/2015-150006788-%20Rpt.%20%26%20Rec..pdf)

1. Motion to approve the findings of fact as presented in the hearing examiner's report and recommendation.

Motion by Tommy Taneff, second by Jill Pugh.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

2. Motion to approve the conclusions of law as presented in the hearing examiner's report and recommendation.

Motion by Tommy Taneff, second by Edward C Nurre.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

3. Motion to approve the recommendation to indefinitely suspend the funeral home license until the forfeiture previously ordered by the Board is paid as presented in the hearing examiner's report and recommendation.

Board meeting notation: There was no discussion among the board.

Motion by Tommy Taneff, second by William A Dodson.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

Action: 8.03 Ratification of Settlement #1

The board was provided a copy of a redacted settlement agreement in the agenda item details for review. The document may be located online at the following

link: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMFJJ24CA028/\\$file/Settlement%20Agreement%20%231 Redacted.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMFJJ24CA028/$file/Settlement%20Agreement%20%231%20Redacted.pdf)

Board meeting notation: Ms. Christie Limbert, board counsel, provided a brief summary of the compliance case. There was no discussion among the board.

Motion to ratify Settlement #1 as presented.

Motion by Jon Rettig, second by Tommy Taneff.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

Post-meeting unredacted information: The settlement agreement was between the State of Ohio Board of Embalmers and Funeral Directors and Arthur L. Rogers, license number DUAL.007135, of Arthur L. Rogers Funeral Service, Inc., license number FH.003440, of Cleveland, Ohio concerning compliance case number 2017-1700022.

Action: 8.04 Ratification of Settlement #2

The board was provided a copy of a redacted settlement agreement in the agenda item details for review. The document may be located online at the following

link: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMMJLA4BA9B4/\\$file/Settlement%20Agreement%20%232 Redacted.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMMJLA4BA9B4/$file/Settlement%20Agreement%20%232%20Redacted.pdf)

Board meeting notation: Ms. Christie Limbert, board counsel, provided a brief summary of the compliance case.

Mr. Jon Rettig shared concern about two different forfeiture amounts listed on page number 2 of the agreement. Ms. Limbert, responded that the error was discovered after the applicant signed and submitted the agreement to the board office. She stated the document will be amended to reflect the agreed five hundred dollars forfeiture.

Motion to ratify Settlement #2 as presented.

Motion by Jill Pugh, second by Tommy Taneff.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

Post-meeting unredacted information: The settlement agreement was between the State of Ohio Board of Embalmers and Funeral Directors and Lisa M. Hennessy, license number FD.009014, of Hennessy Funeral Home, license number FH.002419, of Akron, Ohio concerning compliance case number 2017-1700037.

Action: 8.05 Recommendation to rescind charges of compliance cases

Upon recommendation of board counsel, the board office staff respectfully requests the board to rescind charges and subsequent notices of violation with opportunity for a hearing issued and close the following compliance cases:

Case number 2015-150006737

Case number 2015-150006740

Case number 2015-150006760

Case number 2015-150006763

Case number 2015-150006765

Case number 2015-150006776

Case number 2015-150006782

Case number 2015-150006783

Case number 2015-150006784

Case number 2015-150006786

Case number 2015-150006790

Case number 2015-150006794

Case number 2016-1600015

Case number 2016-1600016

Case number 2016-1600017

Case number 2016-1600035

Case number 2016-1600038

Case number 2016-1600084

Case number 2016-1600091

Case number 2016-1600109

Case number 2016-1600130

Case number 2016-1600133

Case number 2016-1600141

Board meeting notation: Ms. Christie Limbert, board counsel, affirmed her recommendation to rescind charges and close the cases.

Mr. Edward Nurre questioned Ms. Limbert if a statute of limitations prompted the recommendation. Ms. Limbert responded that there was not; her recommendation stems from the length of due process in these cases.

Motion to rescind charges of the compliance cases listed in the agenda item details and the subsequent notices of violation with opportunity for hearing issued and close these compliance cases.

Motion by Tommy Taneff, second by William A Dodson.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

Action: 8.06 Ratification of Closed Compliance Cases

FUN IPP003 - Investigative Process

The Executive Director, the Compliance Coordinator, and the Inspector may determine there is no probable cause identified in a written complaint; the Executive Director may close the case. A letter setting forth the reason for closure prior to presentation to the Board will be sent to the complainant and reported to the Board. Staff may consult with the Assistant Attorney General.

Case number 2017-1700049

Complainant alleged funeral home misled consumer during process of purchasing prearranged funeral services. Consumer believed they purchased services, but funeral home states they purchased product only.

The consumer insisted the funeral director who completed the pre-need contracts implied that "everything was included." The consumer believed they purchased services and merchandise for themselves and their spouse. The funeral home has produced documentation proving the consumer only purchased caskets without services or other merchandise. The investigation concluded there was no evidence to support the complaint.

The funeral home has offered the consumer direct cremation for the value of their irrevocable pre-need contracts. The funeral home expressed interest in assisting the consumer with reaching an amicable resolution to their complaint.

Case number 2017-1700053

Complainant alleged unsanitary conditions existed in funeral home.

The funeral home denies the allegations of unsanitary conditions. Board Inspector Eric Anderson visited the funeral home and did not find the funeral home to be in any condition as alleged. The investigation concluded there was no evidence to support the complaint.

Case number 2017-1700054

Complainant alleged funeral home advertised an unlicensed employee as a licensed funeral director.

The funeral home admitted the employee was inadvertently listed as a funeral director. The funeral home contends that the employee is, in fact, a licensed funeral director and embalmer in the state of Michigan and has a reciprocal license application pending with the Ohio Board. The funeral home insists this person is employed as the general manager to oversee the personnel and day-to-day operations and has never made funeral arrangements with families, nor embalmed bodies. The funeral home has since changed its advertisements. The investigation concluded the funeral home has resolved the complaint by amending its advertisements.

Case number 2017-1700058

Complainant alleged funeral home failed to include the name of spouse on the death certificate of the deceased.

The children of the deceased arranged the funeral services. The spouse contacted the funeral home from another state to inform of her existence and approve the children's arrangements. The spouse insisted that they were married, but estranged from the deceased at the time of death. The daughter of the deceased insists the marriage was invalid. The funeral home has provided proof that it received inconsistent and conflicting information provided by the spouse concerning the vital records information for the deceased. The funeral home suggested the spouse to file an affidavit with the local registrar. The investigation concluded the funeral home has no obligation to amend the death certificate.

Board meeting notation: Mr. Jon Rettig explained the Monthly Inspections Team (MIT) Meeting that occurs prior to the Board Meeting.

Motion to ratify the list of closed compliance cases as presented and confirm each case status as closed.

Motion by Tommy Taneff, second by Edward C Nurre.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

Information: 8.07 Pending Investigations

The board was provided the list of pending investigations in the agenda item details for review. The document provided may be located online at following

link: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMNLGP55F180/\\$file/Pending%20investigation%20list-%20May%202017%20BOARD.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMNLGP55F180/$file/Pending%20investigation%20list-%20May%202017%20BOARD.pdf)

Board meeting notation: Mr. Jon Rettig asked the board if there were any questions for the inspectors. There were no questions.

Information: 8.08 Attorney General Case Update

Privileged and Confidential - Attorney and Client Communication and Work Product

Board meeting notation: Mr. Jon Rettig shared a copy of his report with Mr. Edward Nurre to review.

Ms. Christie Limbert, board counsel, commented that she was still awaiting decision from Franklin County Court of Common Pleas on the litigation matter the board was included. Ms. Limbert opined that the court is likely to dismiss the board from the case.

9. Annual Preneed Funeral Contract Report Form

Action: 9.01 Recommendation to charge licensee with submitting a report late - First Offense

Complaint:

Complainant alleges the funeral home failed to submit the annual pre-need funeral contract report form to the board office in a timely manner.

Case synopsis:

The board office received the annual pre-need funeral contract report form after the March 30 due date from a total of eighteen funeral homes. The board office initiated the following thirteen compliance issues for funeral homes that submitted the report late for the first time.

#2017-1700065

#2017-1700066

#2017-1700067

#2017-1700068

#2017-1700069

#2017-1700070

#2017-1700072

#2017-1700073

#2017-1700074

#2017-1700075

#2017-1700076

#2017-1700077

#2017-1700080

OAC4717-10-01 Preneed funeral contract annual report.

(A) Unless exempt from compliance under section 4717.38 of the Revised Code or otherwise not required to file an annual report with the board pursuant to division (K) of section 4717.31 of the Revised Code, each year no later than the thirtieth day of March, a seller of preneed funeral contracts who is subject to sections 4717.31 to 4717.38 of the Revised Code shall file an annual report relating to all existing funded preneed contracts as of December thirty-first of the prior calendar year. The report shall be submitted on a form provided by the board and shall include, but not be limited to the following:

- (1) The name of the beneficiary of each trust account or insurance policy as of the thirty-first day of December;
- (2) An account or policy number for each trust account or insurance policy as of the thirty-first day of December;
- (3) The account balance of each trust account as of the thirty-first day of December;
- (4) Any activity on each trust account in the calendar year immediately preceding the thirty-first day of December;
- (5) Information indicating whether the trust funds in each trust account were invested in accordance with Chapter 1111. of the Revised Code in the calendar year immediately preceding the thirty-first day of December;
- (6) In the event that the trustee of the account is a natural person, evidence of the existence and amount of any corporate surety bond for each account as of the thirty-first day of December.

(B) An affidavit certifying items in paragraphs (A)(1) to (A)(6) of this rule signed by the funeral director actually in charge of and ultimately responsible for the funeral home.

Violation(s):

ORC4717.14 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.

OAC4717-8-01 Unprofessional conduct.

Unprofessional conduct includes, but is not limited to, the following:

(I) Failure to submit the preneed funeral contract annual report by the thirtieth day of March of each year.

OAC4717-12-01 Forfeitures.

(A) For purposes of division (A)(9) of section 4717.04 of the Revised Code, the board may impose a forfeiture for the following types of conduct, which constitute violations of Chapter 4717. of the Revised Code. The licensee shall pay to the executive director of the board the full amount of the forfeiture by certified check made payable to the board, and received within the time period set forth in section 4717.15 of the Revised Code. The amount of the forfeiture shall be in accordance with the following schedule:

(3) For committing unprofessional conduct, the board may impose a fine as follows:

(a) For a first offense, a minimum fine of five hundred dollars to a maximum fine of five thousand dollars.

Board meeting notation: Mr. Jon Rettig asked board counsel to explain the settlement process. Ms. Christie Limbert, board counsel, responded by stating the settlement process is similar to other licensing boards such the Ohio State Barber Board and the Ohio State Board of Cosmetology, whereby a settlement agreement may be offered to a licensee along with their notice of opportunity for a hearing when charges of violation occur. Ms. Limbert shared that this process has potential to save time and money for the board and licensee. She cautioned that the settlement may be refused by either party; thus committing the board to participate in an adjudicatory hearing due to a timely request from the licensee or Goldman hearing because there was no request.

Mr. Rettig recommended the minimum forfeiture amount be five hundred dollars for the thirteen compliance cases listed above as late- first offense.

Mr. Danny Finrock explained to the board why the funeral director actually in charge of the funeral home was identified as the licensee to charge with violation(s).

Motion to charge the funeral director actually in charge of and ultimately responsible for the funeral home with violation of ORC4717.14(A)(4), specifically OAC4717-8-01(I); and impose a minimum forfeiture amount of five hundred dollars.

Motion by Tommy Taneff, second by Jill Pugh.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

Post-meeting information: Matters were referred to only by compliance issue number during discussion among the board. The following thirteen funeral homes were charged:

A. Ripepi & Sons Funeral Home, Inc. (FH.002631)

A. Ripepi & Sons Funeral Home, Inc. (FH.002685)

Baker-Hazel & Snider Funeral Home (FH.002656)

Cook & Son-Pallay Funeral Home (FH.001718)

Finfrock-Gordon Funeral Home (FH.001293)

Formet-Clevenger & Gordon Funeral Home, Inc. (FH.000993)

Baker, Osinski, Kensinger Funeral Home, Inc. (FH.002581)

Lehman-Dzendzel Funeral Home (FH.003396)

McKinley Funeral Home (FH.000961)

Nickels & Andrade Funeral Home (FH.002653)

Foos and Foos Funeral Service (FH.002981)

Foos Funeral Home (FH.003231)

Frings & Bayliff Funeral Home (FH.001483)

Action: 9.02 Recommendation to charge licensee with submitting a report late - Second Offense

Complaint:

Complainant alleges the funeral home failed to submit the annual pre-need funeral contract report form to the board office in a timely manner.

Case synopsis:

The board office received the annual pre-need funeral contract report form after the March 30 due date from a total of eighteen funeral homes. The board office initiated the following four compliance issues for funeral homes that submitted the report late for the second time:

#2017-1700064 - The funeral home was charged in 2015 for submitting its report late. A \$500.00 fine was paid in 2015.

#2017-1700071 - The funeral home was charged in 2016 for submitting its report late. A Settlement Agreement was accepted. A \$350.00 fine was paid in 2016.

#2017-1700078 - The funeral home was charged in 2007 for failure to submit its report. A \$500.00 fine was paid in 2007.

#2017-1700081 - The funeral home was charged in 2014 for failure to submit its report. A Settlement Agreement was accepted. A \$1,000.00 fine was paid in 2014.

Violation(s):

ORC4717.14 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.

OAC4717-8-01 Unprofessional conduct.

Unprofessional conduct includes, but is not limited to, the following:

(I) Failure to submit the preneed funeral contract annual report by the thirtieth day of March of each year.

OAC4717-12-01 Forfeitures.

(A) For purposes of division (A)(9) of section 4717.04 of the Revised Code, the board may impose a forfeiture for the following types of conduct, which constitute violations of Chapter 4717. of the Revised Code. The licensee shall pay to the executive director of the board the full amount of the forfeiture by certified check made payable to the board, and received within the time period set forth in section 4717.15 of the Revised Code. The amount of the forfeiture shall be in accordance with the following schedule:

(3) For committing unprofessional conduct, the board may impose a fine as follows:

(b) For a second or subsequent offense, a minimum fine of seven thousand five hundred dollars to a maximum fine of ten thousand dollars.

Motion to charge the funeral director actually in charge of and ultimately responsible for the funeral home with violation of ORC4717.14(A)(4), specifically OAC4717-8-01(I); and impose a minimum forfeiture amount of seven thousand five hundred dollars.

Motion by Tommy Taneff, second by Edward C Nurre.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

Post-meeting information: Matters were referred to only by compliance issue number during discussion among the board. The following four funeral homes were charged:

Armstrong Funeral Home (FH.003175)

Pernel Jones & Sons Funeral Home, Inc. (FH.002251)

Watson's Funeral Home, Inc. (FH.002013)

Sommerville Funeral Services (FH.001062)

Action: 9.03 Recommendation to charge licensee with submitting a report late - Third Offense

Complaint:

Complainant alleges the funeral home failed to submit the annual pre-need funeral contract report form to the board office in a timely manner.

Case synopsis:

The board office received the annual pre-need funeral contract report form after the March 30 due date from a total of eighteen funeral homes. The board office initiated the following one compliance issue for a funeral home that submitted the report late for the third time:

#2017-1700079

1. The funeral home was previously charged in 2014 for submitting its report late. A \$500.00 fine was paid in 2014.

Violation(s):

ORC4717.14 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.

OAC4717-8-01 Unprofessional conduct.

Unprofessional conduct includes, but is not limited to, the following:

(I) Failure to submit the preneed funeral contract annual report by the thirtieth day of March of each year.

OAC4717-12-01 Forfeitures.

(A) For purposes of division (A)(9) of section 4717.04 of the Revised Code, the board may impose a forfeiture for the following types of conduct, which constitute violations of Chapter 4717. of the Revised Code. The licensee shall pay to the executive director of the board the full amount of the forfeiture by certified check made payable to the board, and received within the time period set forth in section 4717.15 of the Revised Code. The amount of the

forfeiture shall be in accordance with the following schedule:

(3) For committing unprofessional conduct, the board may impose a fine as follows:

(b) For a second or subsequent offense, a minimum fine of seven thousand five hundred dollars to a maximum fine of ten thousand dollars.

Board meeting notation: Mr. Jon Rettig recommended the minimum forfeiture amount be seven thousand five hundred dollars for the one compliance case listed above as late- third offense.

Mr. Rettig advised the apprentices attending the meeting to understand the responsibility of the funeral director actually in charge of a funeral home.

Motion to charge the funeral director actually in charge of and ultimately responsible for the funeral home with violation of ORC4717.14(A)(4), specifically OAC4717-8-01(I); and impose a minimum forfeiture amount of seven thousand five hundred dollars.

Motion by Jon Rettig, second by Tommy Taneff.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

Post-meeting information: Matters were referred to only by compliance issue number during discussion among the board. The following funeral home was charged:

Lucas Memorial Chapel (FH.003076)

Action: 9.04 Recommendation to charge licensee with failing to submit a report - First Offense

Complaint:

Complainant alleges the funeral home failed to submit the annual pre-need funeral contract report form to the board office.

Case synopsis:

The board office has not received the annual pre-need funeral contract report form from a total of seven funeral homes. The board office initiated the following five compliance issues for funeral homes that failed to submit the report for the first time:

#2017-1700082

#2017-1700084

#2017-1700085

#2017-1700086

#2017-1700087

OAC4717-10-01 Preneed funeral contract annual report.

(A) Unless exempt from compliance under section 4717.38 of the Revised Code or otherwise not required to file an annual report with the board pursuant to division (K) of section 4717.31 of the Revised Code, each year no later than the thirtieth day of March, a seller of preneed funeral contracts who is subject to sections 4717.31 to 4717.38 of the Revised Code shall file an annual report relating to all existing funded preneed contracts as of December thirty-first of the prior calendar year. The report shall be submitted on a form provided by the board and shall include, but not be limited to the following:

(1) The name of the beneficiary of each trust account or insurance policy as of the thirty-first day of December;

(2) An account or policy number for each trust account or insurance policy as of the thirty-first day of December;

(3) The account balance of each trust account as of the thirty-first day of December;

(4) Any activity on each trust account in the calendar year immediately preceding the thirty-first day of December;

(5) Information indicating whether the trust funds in each trust account were invested in accordance with Chapter 1111. of the Revised Code in the calendar year immediately preceding the thirty-first day of December;

(6) In the event that the trustee of the account is a natural person, evidence of the existence and amount of any corporate surety bond for each account as of the thirty-first day of December.

(B) An affidavit certifying items in paragraphs (A)(1) to (A)(6) of this rule signed by the funeral director actually in charge of and ultimately responsible for the funeral home.

Violation(s):

ORC4717.14 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.

OAC4717-8-01 Unprofessional conduct.

Unprofessional conduct includes, but is not limited to, the following:

(I) Failure to submit the preneed funeral contract annual report by the thirtieth day of March of each year.

OAC4717-12-01 Forfeitures.

(A) For purposes of division (A)(9) of section 4717.04 of the Revised Code, the board may impose a forfeiture for the following types of conduct, which constitute violations of Chapter 4717. of the Revised Code. The licensee shall pay to the executive director of the board the full amount of the forfeiture by certified check made payable to the board, and received within the time period set forth in section 4717.15 of the Revised Code. The amount of the forfeiture shall be in accordance with the following schedule:

(3) For committing unprofessional conduct, the board may impose a fine as follows:

(a) For a first offense, a minimum fine of five hundred dollars to a maximum fine of five thousand dollars.

Board meeting notation: Mr. Jon Rettig recommended the minimum forfeiture amount be one thousand dollars for the five compliance cases listed above as failed to submit a report- first offense. Mr. Rettig added that the preneed report must also be submitted.

Motion to charge the funeral director actually in charge of and ultimately responsible for the funeral home with violation of ORC4717.14(A)(4), specifically OAC4717-8-01(I); and impose a minimum forfeiture amount of one thousand dollars.

Motion by Jon Rettig, second by Jill Pugh.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

Post-meeting information: Matters were referred to only by compliance issue number during discussion among the board. The following five funeral homes were charged:

C. Brown Funeral Home, Inc. (FH.001214)

Golub Funeral Home (FH.000214)

H H Roberts Mortuary, Inc. (FH.000834)

Shoffstall Funeral Home (FH.002945)

Shoffstall Funeral Home, Inc. (FH.003336)

Action: 9.05 Recommendation to charge licensee with failing to submit a report - Second Offense

Complaint:

Complainant alleges the funeral home failed to submit the annual pre-need funeral contract report form to the board office.

Case synopsis:

The board office has not received the annual pre-need funeral contract report form from a total of seven funeral homes. The board office initiated the following two compliance issues for funeral homes that failed to submit the report for the second time:

#2017-1700083 - This funeral home was previously charged in 2007 for failure to submit its annual pre-need report. A \$500.00 fine was paid in 2007.

#2017-1700088 - This funeral home was previously charged in 2015 for failure to submit its annual pre-need report. A Goldman hearing occurred. A Settlement Agreement was accepted. A \$1,000.00 fine was paid in 2016.

OAC4717-10-01 Preneed funeral contract annual report.

(A) Unless exempt from compliance under section 4717.38 of the Revised Code or otherwise not required to file an annual report with the board pursuant to division (K) of section 4717.31 of the Revised Code, each year no later than the thirtieth day of March, a seller of preneed funeral contracts who is subject to sections 4717.31 to 4717.38 of the Revised Code shall file an annual report relating to all existing funded preneed contracts as of December thirty-first of the prior calendar year. The report shall be submitted on a form provided by the board and shall include, but not be limited to the following:

- (1) The name of the beneficiary of each trust account or insurance policy as of the thirty-first day of December;
- (2) An account or policy number for each trust account or insurance policy as of the thirty-first day of December;
- (3) The account balance of each trust account as of the thirty-first day of December;
- (4) Any activity on each trust account in the calendar year immediately preceding the thirty-first day of December;

(5) Information indicating whether the trust funds in each trust account were invested in accordance with Chapter 1111. of the Revised Code in the calendar year immediately preceding the thirty-first day of December;

(6) In the event that the trustee of the account is a natural person, evidence of the existence and amount of any corporate surety bond for each account as of the thirty-first day of December.

(B) An affidavit certifying items in paragraphs (A)(1) to (A)(6) of this rule signed by the funeral director actually in charge of and ultimately responsible for the funeral home.

Violation(s):

ORC4717.14 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.

OAC4717-8-01 Unprofessional conduct.

Unprofessional conduct includes, but is not limited to, the following:

(I) Failure to submit the preneed funeral contract annual report by the thirtieth day of March of each year.

OAC4717-12-01 Forfeitures.

(A) For purposes of division (A)(9) of section 4717.04 of the Revised Code, the board may impose a forfeiture for the following types of conduct, which constitute violations of Chapter 4717. of the Revised Code. The licensee shall pay to the executive director of the board the full amount of the forfeiture by certified check made payable to the board, and received within the time period set forth in section 4717.15 of the Revised Code. The amount of the forfeiture shall be in accordance with the following schedule:

(3) For committing unprofessional conduct, the board may impose a fine as follows:

(b) For a second or subsequent offense, a minimum fine of seven thousand five hundred dollars to a maximum fine of ten thousand dollars.

Board meeting notation: Mr. Jon Rettig recommended the minimum forfeiture amount be seven thousand five hundred dollars for the two compliance cases listed above as failed to submit a report-second offense. Mr. Rettig added that the preneed report must also be submitted.

Motion to charge the funeral director actually in charge of and ultimately responsible for the funeral home with violation of ORC4717.14(A)(4), specifically OAC4717-8-01(I); and impose a minimum forfeiture amount of seven thousand five hundred dollars.

Motion by Tommy Taneff, second by Jon Rettig.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

Post-meeting information: Matters were referred to only by compliance issue number during discussion among the board. The following two funeral homes were charged:

F D Mason Memorial Funeral Home (FH.002904)

Wayne T. Lee Funeral Service (FH.000424)

10. Inspections

Information: 10.01 Inspector's Report

The board was provided a copy of "Inspection Summary- All Inspectors- April 2017" in the agenda item details for review. The document may be located online at following

link: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMMJC449F39E/\\$file/Inspection%20Summary-%20All%20Inspectors-%20Apr.%202017.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMMJC449F39E/$file/Inspection%20Summary-%20All%20Inspectors-%20Apr.%202017.pdf)

The board was provided a copy of "Inspection Monthly Report- All Inspectors- April 2017" in the agenda item details for review. The document may be located online at the following

link: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMML62510318/\\$file/Inspector%20Monthly%20Report-%20All%20Inspectors-%20Apr.%202017.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMML62510318/$file/Inspector%20Monthly%20Report-%20All%20Inspectors-%20Apr.%202017.pdf)

Board meeting notation: Mr. Jon Rettig asked the two inspectors if they wanted to share any issues or concerns from the field. Both inspectors replied that they did not have any at this time.

11. Board Operations

Information: 11.01 Budget Overview

The board was provided a copy of "Vouchers April 2017" in the agenda item details for review. The document may be located online at the following link: [http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMHQNM6835D6/\\$file/Vouchers%20from%20April%202017.pdf](http://www.boarddocs.com/oh/boefd/Board.nsf/files/AMHQNM6835D6/$file/Vouchers%20from%20April%202017.pdf)

Board meeting notation: Mr. Jon Rettig asked Danny Finfrock about the voucher payment to Diversity Search Group (DSG). Mr. Finfrock explained that the payment to DSG was for the temporary employment services of Leslie Robinson.

12. Adjournment

Action: 12.01 Adjourn the Meeting

Motion to adjourn the meeting.

Motion by Tommy Taneff, second by Jill Pugh.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

Board meeting notation: Prior to adjournment of the meeting, Mr. Jon Rettig distributed a paper handout named, "Proposed Amendments to ORC 4717.31, May 12, 2017" to board members. Mr. Rettig stated this document included proposed changes to language within the law concerning the sale and solicitation of preneed funeral contracts. He anticipates the changes to be lobbied for insertion to House Bill #49 currently being considered by Ohio legislators. Mr. Rettig read aloud the proposed changes and asked board members for their opinion. There was discussion among the board. There was consensus among the board to not support the proposed amendments. Mr. Rettig recommended the board record its decision in the meeting minutes proclaiming its position.

Motion to proclaim the Board opposes the proposed amendments to ORC 4717.31 as included in the attached copy, "Proposed Amendments to ORC 4717.31, May 12, 2017."

Motion by Jon Rettig, second by Tommy Taneff.

Final Resolution: Motion Carries

Yes: Tommy Taneff, Jon Rettig, William A Dodson, Jill Pugh, Edward C Nurre

The May 24, 2017 Meeting of the Board adjourned at 2:50 p.m.

June Board Meeting
(These need Bd Approval)

Initial licenses to be granted

License Number	Name	City
Fd.009873	Lester, Alison A.	Kettering
Emb.009751 Fd.009874	Mackey, Miranda Q.	Cuyahoga Falls
Emb.009752 Fd.009875	Wallace, Elizabeth A.	West Chester

License to be Re-instated

License Number	Name	City
Fd.009029	Kaufhold, Richard A.	Dayton

June 28, 2017 – Reg. Meeting

Category - Licensure

Subject- No Motion Items (Individuals) - Information Only

Type-Information

Individuals issued Registration in May '17

Type	Name	City
Fd	Boyer, Kristen	Waverly
Fd	Davies, Marvin	Orange Village
Dual	Dixon, Dana	Fairborn
Fd	Hammer, Matthew	Bowling Green
Fd	Jenks, Robert	Logan
Fd	Maxwell, Ronald	Wooster
Fd	Oates, April	Reynoldsburg
Dual	Parish, Curtis	Columbus
Dual	Pemberton, David	Ironton
Dual	River, James	Lancaster
Fd	Sweigart, Berenden	Miamisburg

Individuals Certified as an Apprentice in May'17

Type	Name	Funeral Home	City
Fd	Boyer, Kristen	Boyer FH	Waverly
Dual	Givan, Teresa	Renfro Funeral Home	Cincinnati
Fd	Hammer, Matthew	Deck-Hanneman FH	Bowling Green
Dual	River, James	Frank E Smith FH	Lancaster
Dual	Ulmer, Paul	Redman FH	Stow

June 28, 2017 – Facility License

ADVERTISE ONLY:

New Facility / Change in Location

(will not be licensed until final inspection has passed - advertise as future site only)

Firm Title	Location
Donald Jordan Memorial Chapel	Middletown

Leasing Space - New Funeral Home License:

New License #	Leasing To	Leasing From	Location
FH 003509	Wischmeier Funeral Home	YURCH FUNERAL HOME SERVICES INC	Parma

June 2017 CE APPROVED PROGRAMS

Provider Name	Contact	Phone	Course Number	Course Name	Hours	Program Date
CUYAHOGA FUNERAL DIRECTORS ASSOCIATION	Tina Girod	440-728-0003	2-627vital	Cleveland Bureau of Vital Statistics	3	6/27/2017
BELMONT COUNTY FUNERAL DIRECTOR ASSOCIATION	Jeffrey L Schuetz	740-317-7282	5-710coro	Coroner Talk	3	7/10/2017
GREATER CINCINNATI FUNERAL SERVICE ASSOC DIST 5	Jackie Hahn	513-518-7001	4-711vet	Kentucky Veterans Cemetery	1	7/11/2017
GREATER CINCINNATI FUNERAL SERVICE ASSOC DIST 5	Jackie Hahn	513-518-7001	4-711rde	Ohio Patriot Guard Riders	2	7/11/2017
BALIN AND ASSOCIATES 2017-2018	Marcella Balin	937-478-4958	2-713stres	Lets Undress Stress	6	7/13/2017
BALIN AND ASSOCIATES 2017-2018	Marcella Balin	937-478-4958	4-717stres	Lets Undress Stress	6	7/17/2017
SAINT LOUIS UNIVERSITY SCHOOL OF MEDICINE	Tammi Mooshagian	314-977-7401	6-717conf	Masters17 Advanced Medicolegal Death Investigator Conference	16	7/17/2017
CINCINNATI COLLEGE OF MORTUARY SCIENCE	Beth Williams	513-618-1928	4-725ardin	Arlington National Cemetery: Restoring Honor	1	7/25/2017
CENTRAL INSTITUTE FOR EDUCATIONAL ADVANCEMENT	Joel L. Getts	937-572-8636	4-729tool	Improving Your Grief Tool Box	3	7/29/2017
BATESVILLE 2017	Batesville 2017	812-931-5538	6-808why	Setting a New Standard: Living the Why-Workshop	2	8/8/2017
BATESVILLE 2017	Batesville 2017	812-931-5538	6-808crem	The Cremation Arrangement T.E.A.C.H. Workshop	4	8/8/2017
BATESVILLE 2017	Batesville 2017	812-931-5538	6-809inve	Invest in the Relationship	2	8/9/2017
OHIO FUNERAL DIRECTORS ASSOCIATION #4	Wally Sinn	330-795-1002	2-81doove	A Symposium on Overdose, Grief and Healing	6	8/10/2017
BALIN AND ASSOCIATES 2017-2018	Brad Bryant	513-422-5404	4-0816brit	British Funeral Customs and Burial Sites	2	8/16/2017
GREATER CINCINNATI FUNERAL SERVICE ASSOC DIST 5	Marcella Balin	937-478-4958	4-821prej	The Anatomy of Prejudice	6	8/21/2017
BALIN AND ASSOCIATES 2017-2018	Jackie Hahn	513-518-7001	4-822erjo	Funeral Home Ergonomics & BWC Safety Services/Grant Program	2	8/22/2017
CINCINNATI CHILDRENS HOSPITAL MEDICAL CENTER	Marcella Balin	937-478-4958	2-823prej	The Anatomy of Prejudice	6	8/23/2017
THE NORTH AMERICAN DIVISION OF THE BRITISH INSTITU	Teresa Durko	513-636-0069	4-908soul	Soul Injury & Soul Recovery: Restoring Wholeness While Grieving	5	9/8/2017
	Sally L. Belanger	207-841-6330	6-915new	Theres Always A Way ... New Thoughts and New Techniques Equal New Skills	5	9/15/2017

This application is a fillable form and can be delayed if not submitted electronically by clicking below



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Tim Derickson
Executive Director

77 South High Street
16th Floor
Columbus, Ohio 43215

614 . 466 . 4252
fax 614 . 728 . 6825

www.funeral.ohio.gov

2017 - 2018 CONTINUING EDUCATION APPLICATION

Before each program is to take place, 3 items must be approved by the Board at a monthly board meeting, they are: the date, location and the program itself.

Providers Name
Tri County Funeral Directors

Contact Name: Susan Kempner
Contact Address: 104 N. Jackson St

City: Sabina
State: OH
Zip Code: 45169

Providers Contact Email Address: slk112898@yahoo.com
Providers Telephone Number: (614) 688-2045

Program Title
Obesity Affects the Funeral Industry

On-Line?
On-Site
Program Date: 07/11/17
Contact Hours: 2
Location Code: 3

Program Location / On-Site Venue: Fayette County Health Dept
On-Site Address: Fayette St

On-Site City: Washington Court House
On-Site State: OH
On-Site Zip Code: 43160

4717-9-01(F)(1)(c)

PROGRAMS THAT ARE NOT OPEN TO ALL OHIO LICENSEES WILL BE VOIDED

- For immediate confirmation of approved programs, programs are posted to the Boards website under meetings, click the date, view the agenda.
- Certificate of completion must include: sponsor name, program date, program name, licensee's number, licensee's name, licensee's signature, and signature of provider.
- The board does not approve CEU's or blocks of ten hours. One CEU or CE Unit is 10 hours. Contact hours are approved
- The board only approves FULL hours and does not approve hours of .10 .25 .5 .75.....
- This application is required by noon on the Thursday before the scheduled board meeting. This application must also include detailed description of program, sample certificate of completion, detailed outline, and biography of the presenter.
- Location Code is 1 through 6. (see map attached) Chose which area of the state the program is in, mark the number above in the location code box. (examples South east Indiana / Cincinnati is considered to be in location 4, Toledo 1, Cleveland 2, Columbus 3, Athens 5)

Your Name - who filled out this application? Susan Kempner
Your E-Mail: slk112898@yahoo.com
Your phone Number: 614 688 2045

By submitting this application you have understood the requirements for the hour(s) to be valid.

TO SUBMIT THIS FORM CLICK HERE

May 21, 2017

Board of Embalmers and Funeral Directors
16th Floor
77 South High Street
Columbus, OH 43215
CEU

Dear Board:

The Tri County Funeral Directors are applying for two hours of continuing education. We have invited Jeannie Biehl, Fayette County Health Nurse to speak. We will meet at the Fayette County Health Department on Tuesday, July 11, 2017. The meeting will begin at 11AM and is open to all licensed funeral directors and embalmers. There is no fee.

Please find the application, Jeannie's bio and the schedule attached to this letter.

Thank you in advance for your consideration.

Sincerely,

Susan Littleton Kempner
Littleton Funeral Home
Tri County Funeral Directors

encl

MEETING SCHEDULE

11:00am **Welcome**

11:05 **Introduction of speaker, Jeannie Biehl**

- **Presentation**
- **Discussion**
- **Questions, answers, comments**

1:00pm **Dismissal**

BIOGRAPHY

Jeannie Bihl is an RN, IBOLC and is the Health Educator at the Fayette County Health Department. She began her career as a nurse 22 years ago in the maternity ward. She has worked with Help Me Grow program and the WIC program. She taught childbirth classes for Ohio State University, Mt. Carmel and Riverside Hospitals. She has been employed by the Fayette County Health Department for the last 17 years and as the health educator for the past 4 years. She and her husband and grown children reside in Washington Court House.

This application is a fillable form and can be delayed if not submitted electronically by clicking below



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2017 - 2018 CONTINUING EDUCATION APPLICATION

Before each program is to take place, 3 items must be approved by the Board at a monthly board meeting, they are: the date, location and the program itself.

Providers Name

Tri County Funeral Directors

Contact Name

Susan Kempner

Contact Address

104 N Jackson St

City

Sabina

State

OH

Zip Code

45169

Providers Contact Email Address

slk112898@yahoo.com

Providers Telephone Number

(614) 588-2045

Program Title

Body Scanner Fayette County Jail

On-Line?

Program Date

09/12/17

Contact Hours

2

Location Code

3

On-Site

Program Location / On-Site Venue

Fayette County Jail

On-Site Address

Fayette Street

On-Site City

Washington Court House

On-Site State

Ohio

On-Site Zip Code

43160

4717-9-01(F)(1)(c)

PROGRAMS THAT ARE NOT OPEN TO ALL OHIO LICENSEES WILL BE VOIDED

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- Certificate of completion must include: sponsor name, program date, program name, licensees number, licensees name, licensees signature, and signature of provider.
- The board does not approve CEU's or blocks of ten hours. One CEU or CE Unit is 10 hours. Contact hours are approved
- The board only approves FULL hours and does not approve hours of .10 .25 .5 .75.....
- This application is required by noon on the Thursday before the scheduled board meeting. This application must also include detailed description of program, sample certificate of completion, detailed outline, and biography of the presenters.
- Location Code is 1 through 6. (see map attached) Chose which area of the state the program is in, mark the number above in the location code box. (examples South east Indiana / Cincinnati is considered to be in location 4, Toledo 1, Cleveland 2, Columbus 3, Athens 5)

Your Name - who filled out this application?

Susan Kempner

Your E-Mail

slk112898@yahoo.co

Your phone Number

614 588 2045

By submitting this application you have understood the requirements for the hour(s) to be valid.

TO SUBMIT THIS FORM CLICK HERE

MEETING SCHEDULE

11:00 am

Welcome

11:05am

Introduction of Sherriff Stanforth

Discussion, facts

Tour of annex and scanner equipment

Questions, answers

1:00pm

Dismissal

May 21, 2017

Ohio Board of Embalmers and Funeral Directors
16th Floor
77 South High Street
Columbus, OH 43215
CEU

Dear Board:

The Tri County Funeral Directors are applying for two hours of continuing education. Fayette County Sherriff Vernon Stanforth has invited us to the jail annex to view the body scanning equipment used in the fight against the drug epidemic.

We will meet on Tuesday, September 12, 2017 at the jail annex, across from the court house on Market Street. The meeting is open to all licensed embalmers and funeral directors. There is no fee.

Please find attached to this letter, the application, the schedule and bio of the sheriff.

Thank you in advance for your consideration.

Sincerely,

Susan Littleton Kempner
Littleton Funeral Home
Tri County Funeral Directors

encl

From:
Sent:
To:
Subject:

Also the outline / schedule needs to have more.

Need more details on the presentation, discussion. (step by step and what is going to be discussed in those steps)



Danny Finfrock

The Ohio Board of Embalmers and Funeral Directors

77 South High Street 16th Floor

Columbus, Ohio 43215-6108

Main: 614.466.1252 - Fax: 614.728.6825

www.funeral.ohio.gov

From: Susan Kempner [mailto:slk112898@yahoo.com]
Sent: Tuesday, January 12, 2016 11:30 AM
To: Finfrock, Danny
Subject: February 2016 appl for CEU

Dear Dan, please find Tri County FD, Washington CH application for Bio Recovery scheduled for February 17. I have attached the application, the schedule, the bio and our letter of introduction. I know in the past, the application has appeared blank, even though I complete it on the screen. Please confirm receipt of this application. If application comes through blank, please let me know...I will fax it. Thanks, Susan

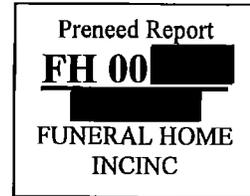
Please note: I am using my personal email, please respond to me on this one. Thanks.

**STATE OF OHIO
BOARD OF EMBALMERS AND FUNERAL DIRECTORS**

IN THE MATTER OF:

██████████ **DUAL 00** ██████████

Case No. **2017-170** ██████████



Respondent.

SETTLEMENT AGREEMENT

1. This Settlement Agreement (hereinafter "Agreement") is made and entered into by and between the Board of Embalmers and Funeral Directors (hereinafter "the Board") and ██████████ **DUAL 00** ██████████ ("Respondent").

RECITALS

2. The Board, upon an investigation in Case No **2017-170** ██████████, determined there was reasonable evidence to charge Respondent with violations of R.C. Chapter 4717 and Ohio Admin. Code Chapter 4717. As a result of the investigation, the Board issued a Notice of Opportunity letter to Respondent on June 9th 2017, which is attached as Exhibit A and incorporated into this Settlement Agreement.

3. At all times pertinent to this Settlement Agreement, Respondent was licensed as a funeral director – Actually in Charge.

NOW, THEREFORE, in consideration of the various promises and mutual covenants contained herein, the Board and Respondent agree as follows:

4. Respondent admits that he did not file his 2017 Annual Preneed Funeral Contract Report by March 30, 2017, as required by Ohio Adm. Code 4717-10-01(A), and as alleged in the Notice of Opportunity for Hearing attached as Ex. A. As of the date of this Settlement Agreement, Respondent has filed his 2017 Annual Preneed Funeral Contract Report.

5. Respondent agrees that he shall, within 60 days of the ratification of this Settlement Agreement, pay the Board a forfeiture of 1000.00. Payment shall be made by certified check payable to the Board.

6. This Settlement Agreement resolves all allegations stated against Respondent in the Notice of Opportunity for Hearing attached as Exhibit A.

7. Respondent understands that the Board may accept or reject this Settlement Agreement. Respondent further understands that if the Board rejects this Settlement Agreement, this matter will be scheduled for a hearing pursuant to R.C. 119.07.

8. Respondent acknowledges that upon approval of the Board, this Settlement Agreement shall become an immediate final order, but the order is not subject to appeal.

9. Respondent agrees that any future violation of this Settlement Agreement, including failure to timely pay the required forfeiture, constitutes "unprofessional conduct" pursuant to R. C. 4717.(A)(4). Respondent agrees that if he fails to comply with paragraph 5 of this Agreement, his license may be automatically suspended without a hearing or right to appeal. Respondent agrees that if he fails to comply with paragraph 5, the Board will send written notice of the failure to Respondent's address of record with the Board. Respondent agrees that he is responsible for maintaining a current address of record with the Board. Respondent further agrees that if he fails to provide proof of payment to the Board within five business days of the Board's mailing of the notice of failure to comply, his license shall be automatically suspended without a hearing or right to appeal. Respondent agrees that the suspension shall remain in effect until Respondent pays the forfeiture and the Board provides written confirmation of receipt of payment and termination of the suspension.

10. Respondent hereby agrees to forego his administrative remedies, and waive any and all rights to administrative hearings and/or appeal this matter to any judicial body in the State of Ohio having jurisdiction over this matter pursuant to R.C. Chapters 119 and 4717. After

being fully advised of the right to hearing and appeal pursuant to R.C. 119.12, Respondent knowingly, intelligently, and voluntarily waives these rights.

11. Respondent acknowledges that this Settlement Agreement constitutes a public record under Ohio law.

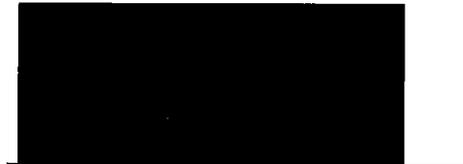
12. This Settlement Agreement constitutes the Parties' entire agreement and understanding, and shall supersede all prior agreements, representations, and communications, if any, which shall be considered, merged herein and shall not survive.

13. This Settlement Agreement may not be modified or altered in any respect unless signed in writing by all Parties.

14. This Settlement Agreement is to be construed under the laws, rules, and interpretations of the State of Ohio.

15. Unless otherwise noted, the individuals signing this Settlement Agreement expressly represent and warrant that they are duly authorized and empowered to bind the Board and Respondent, respectively, that they have read and understand the terms and conditions herein, have reviewed the same with counsel of their own choosing, and have voluntarily executed the same without any fraud, duress, undue pressure or influence of any kind.

16. This Settlement Agreement may be signed in counterparts.


Signature

6-21-2017
Date

 DUAL 00 
Funeral Director AIC

Respondent

Counsel for Respondent

Date

OHIO BOARD OF EMBALMERS AND FUNERAL DIRECTORS

BY: _____
Jon Rettig
President

Date

BY: _____
William Wappner
Secretary/Treasurer

Date

Certified # 

Return Receipt Request

REC'D
JUN 21 2017
OHIO BOARD OF EMBALMERS AND FUNERAL DIRECTORS



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Columbus, Ohio 43215

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June 9, 2017

██████████
██████████ AVE
██████████, OH ██████████



Regarding complaint 2017-170 ██████████ Notice of Opportunity for Hearing

Dear ██████████ DUAL 00 ██████████

In accordance with Chapter 119 of the Ohio Revised Code, you are hereby notified that the Board of Embalmers and Funeral Directors ("Board"), at its May 24, 2017, meeting determined there was reasonable evidence to propose the suspension, or revocation of the LICENSE(S) :D. 00 ██████████ held by you for the following reasons:

As of May 24, 2017, you failed to file an annual preneed report, which was required to be filed with the Board no later than March 30, 2017. This is a first offense.

Ohio Revised Code Section 4717.14 (A)(4) authorizes the Board to refuse to grant or renew, or suspend or revoke any license on the grounds that the applicant or licensee has committed "immoral or unprofessional conduct."

Ohio Administrative Code 4717-10-01(A) provides that "each year no later than the thirtieth day of March, a seller of preneed funeral contracts who is subject to section 4717.31 to 4717.30 of the Revised Code shall file an annual report relating to all existing funded preneed contracts as of December thlrty-first of the prior calendar year."

Ohio Administrative Code 4717-8-01(l) defines unprofessional conduct to include, "Failure to submit the preneed funeral contract annual report by the thirtieth day of March of each year."

Ohio Administrative Code 4717-12(A)(3)(a) provides that "For committing unprofessional conduct, the board may impose a fine . . . [f]or a first offense, a minimum fine of five hundred dollars to a maximum fine of five thousand dollars."



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Board Member

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If you wish to contest the validity of the violation listed, you may request a formal hearing to be held in Columbus. Your request for a hearing must be in writing and must be received by the Board within thirty (30) days of the date of mailing of this letter.

You are entitled to appear at such hearing in person, by your attorney, or both; or you may present your position, arguments or contentions in writing. At the hearing you may present evidence and examine witnesses appearing for or against you. Please note that if the funeral home is a corporation, a limited liability company, or a company of a limited liability partnership the funeral home must be represented by counsel.

The license(s) that are subject to Board action are as follows:

██████████ DUAL 00 ██████████

If you have any questions on this matter, please contact the board office at (614) 466-4252.

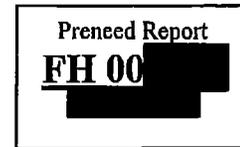
Sincerely,

Danny Finrock
Interim Executive Director

Certified # ██████████, Return Receipt Requested

**STATE OF OHIO
BOARD OF EMBALMERS AND FUNERAL DIRECTORS**

IN THE MATTER OF:



[REDACTED]
FD 00 [REDACTED]

Case No. 2017-170 [REDACTED]

Respondent.

SETTLEMENT AGREEMENT

1. This Settlement Agreement (hereinafter "Agreement") is made and entered into by and between the Board of Embalmers and Funeral Directors (hereinafter "the Board") and [REDACTED] **FD 00** [REDACTED] ("Respondent").

RECITALS

2. The Board, upon an investigation in Case No 2017-170 [REDACTED] determined there was reasonable evidence to charge Respondent with violations of R.C. Chapter 4717 and Ohio Admin. Code Chapter 4717. As a result of the investigation, the Board issued a Notice of Opportunity letter to Respondent on June 1st 2017, which is attached as Exhibit A and incorporated into this Settlement Agreement.

3. At all times pertinent to this Settlement Agreement, Respondent was licensed as a funeral director – Actually in Charge.

NOW, THEREFORE, in consideration of the various promises and mutual covenants contained herein, the Board and Respondent agree as follows:

4. Respondent admits that he did not file his 2017 Annual Preneed Funeral Contract Report by March 30, 2017, as required by Ohio Adm. Code 4717-10-01(A), and as alleged in the

Notice of Opportunity for Hearing attached as Ex. A. As of the date of this Settlement Agreement, Respondent has filed his 2017 Annual Preneed Funeral Contract Report.

5. Respondent agrees that he shall, within 60 days of the ratification of this Settlement Agreement, pay the Board a forfeiture of 500.00. Payment shall be made by certified check payable to the Board.

6. This Settlement Agreement resolves all allegations stated against Respondent in the Notice of Opportunity for Hearing attached as Exhibit A.

7. Respondent understands that the Board may accept or reject this Settlement Agreement. Respondent further understands that if the Board rejects this Settlement Agreement, this matter will be scheduled for a hearing pursuant to R.C. 119.07.

8. Respondent acknowledges that upon approval of the Board, this Settlement Agreement shall become an immediate final order, but the order is not subject to appeal.

9. Respondent agrees that any future violation of this Settlement Agreement, including failure to timely pay the required forfeiture, constitutes "unprofessional conduct" pursuant to R. C. 4717.(A)(4). Respondent agrees that if he fails to comply with paragraph 5 of this Agreement, his license may be automatically suspended without a hearing or right to appeal. Respondent agrees that if he fails to comply with paragraph 5, the Board will send written notice of the failure to Respondent's address of record with the Board. Respondent agrees that he is responsible for maintaining a current address of record with the Board. Respondent further agrees that if he fails to provide proof of payment to the Board within five business days of the Board's mailing of the notice of failure to comply, his license shall be automatically suspended without a hearing or right to appeal. Respondent agrees that the suspension shall remain in effect until Respondent pays the forfeiture and the Board provides written confirmation of receipt of payment and termination of the suspension.

10. Respondent hereby agrees to forego his administrative remedies, and waive any and all rights to administrative hearings and/or appeal this matter to any judicial body in the State of Ohio having jurisdiction over this matter pursuant to R.C. Chapters 119 and 4717. After being fully advised of the right to hearing and appeal pursuant to R.C. 119.12, Respondent knowingly, intelligently, and voluntarily waives these rights.

11. Respondent acknowledges that this Settlement Agreement constitutes a public record under Ohio law.

12. This Settlement Agreement constitutes the Parties' entire agreement and understanding, and shall supersede all prior agreements, representations, and communications, if any, which shall be considered, merged herein and shall not survive.

13. This Settlement Agreement may not be modified or altered in any respect unless signed in writing by all Parties.

14. This Settlement Agreement is to be construed under the laws, rules, and interpretations of the State of Ohio.

15. Unless otherwise noted, the individuals signing this Settlement Agreement expressly represent and warrant that they are duly authorized and empowered to bind the Board and Respondent, respectively, that they have read and understand the terms and conditions herein, have reviewed the same with counsel of their own choosing, and have voluntarily executed the same without any fraud, duress, undue pressure or influence of any kind.

16. This Settlement Agreement may be signed in counterparts.

PAID
Amount: \$500.00
Via: CK # 8377
Date: 06/13/2017

[redacted]
FD license 00

Date 6/12/2017

Funeral Director AIC

Respondent

Counsel for Respondent

Date

OHIO BOARD OF EMBALMERS AND FUNERAL DIRECTORS

BY: _____
Jon Rettig
President

Date

BY: _____
William Wappner
Secretary/Treasurer

Date

Certified # [redacted] _____

Return Receipt Request



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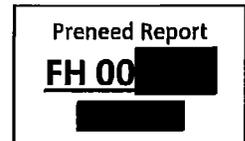
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614 . 466 . 4252
fax 614 . 728 . 6825

www.funeral.ohio.gov

June 9, 2017

[REDACTED]
[REDACTED]
PO BOX [REDACTED]
[REDACTED], OH [REDACTED]



Regarding complaint 2017-170 [REDACTED] Notice of Opportunity for Hearing

Dear [REDACTED] FD 00 [REDACTED].

In accordance with Chapter 119 of the Ohio Revised Code, you are hereby notified that the Board of Embalmers and Funeral Directors ("Board"), at its May 24, 2017, meeting determined there was reasonable evidence to propose the suspension, or revocation of the LICENSE(S) FD 00 [REDACTED] held by you for the following reasons:

You failed to file an annual preneed report timely, which was required to be filed with the Board no later than March 30, 2017. This is a first offense.

Ohio Revised Code Section 4717.14 (A)(4) authorizes the Board to refuse to grant or renew, or suspend or revoke any license on the grounds that the applicant or licensee has committed "Immoral or unprofessional conduct."

Ohio Administrative Code 4717-10-01(A) provides that "each year no later than the thirtieth day of March, a seller of preneed funeral contracts who is subject to section 4717.31 to 4717.30 of the Revised Code shall file an annual report relating to all existing funded preneed contracts as of December thirty-first of the prior calendar year."

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If you wish to contest the validity of the violation listed, you may request a formal hearing to be held in Columbus. Your request for a hearing must be in writing and must be received by the Board within thirty (30) days of the date of mailing of this letter.

You are entitled to appear at such hearing in person, by your attorney, or both; or you may present your position, arguments or contentions in writing. At the hearing you may present evidence and examine witnesses appearing for or against you. Please note that if the funeral home is a corporation, a limited liability company, or a company of a limited liability partnership the funeral home must be represented by counsel.

The license(s) that are subject to Board action are as follows:

██████████ FD 00 ██████████

If you have any questions on this matter, please contact the board office at (614) 466-4252.

Sincerely,

Danny Finfrock
Interim Executive Director

Certified # ██████████, Return Receipt Requested

Notice of Opportunity for Hearing attached as Ex. A. As of the date of this Settlement Agreement, Respondent has filed his 2017 Annual Preneed Funeral Contract Report.

5. Respondent agrees that he shall, within 60 days of the ratification of this Settlement Agreement, pay the Board a forfeiture of 500.00. Payment shall be made by certified check payable to the Board.

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8. Respondent acknowledges that upon approval of the Board, this Settlement Agreement shall become an immediate final order, but the order is not subject to appeal.

9. Respondent agrees that any future violation of this Settlement Agreement, including failure to timely pay the required forfeiture, constitutes "unprofessional conduct" pursuant to R. C. 4717.(A)(4). Respondent agrees that if he fails to comply with paragraph 5 of this Agreement, his license may be automatically suspended without a hearing or right to appeal. Respondent agrees that if he fails to comply with paragraph 5, the Board will send written notice of the failure to Respondent's address of record with the Board. Respondent agrees that he is responsible for maintaining a current address of record with the Board. Respondent further agrees that if he fails to provide proof of payment to the Board within five business days of the Board's mailing of the notice of failure to comply, his license shall be automatically suspended without a hearing or right to appeal. Respondent agrees that the suspension shall remain in effect until Respondent pays the forfeiture and the Board provides written confirmation of receipt of payment and termination of the suspension.

10. Respondent hereby agrees to forego his administrative remedies, and waive any and all rights to administrative hearings and/or appeal this matter to any judicial body in the State of Ohio having jurisdiction over this matter pursuant to R.C. Chapters 119 and 4717. After being fully advised of the right to hearing and appeal pursuant to R.C. 119.12, Respondent knowingly, intelligently, and voluntarily waives these rights.

11. Respondent acknowledges that this Settlement Agreement constitutes a public record under Ohio law.

12. This Settlement Agreement constitutes the Parties' entire agreement and understanding, and shall supersede all prior agreements, representations, and communications, if any, which shall be considered, merged herein and shall not survive.

13. This Settlement Agreement may not be modified or altered in any respect unless signed in writing by all Parties.

14. This Settlement Agreement is to be construed under the laws, rules, and interpretations of the State of Ohio.

15. Unless otherwise noted, the individuals signing this Settlement Agreement expressly represent and warrant that they are duly authorized and empowered to bind the Board and Respondent, respectively, that they have read and understand the terms and conditions herein, have reviewed the same with counsel of their own choosing, and have voluntarily executed the same without any fraud, duress, undue pressure or influence of any kind.

16. This Settlement Agreement may be signed in counterparts.

[redacted]
Signature

6/13/17
Date

2017 JUN 13 11:11 AM

[redacted] - Funeral Director AIC
DUAL 00 [redacted]
Respondent

Counsel for Respondent

Date

OHIO BOARD OF EMBALMERS AND FUNERAL DIRECTORS

BY: _____
Jon Rettig
President

Date

BY: _____
William Wappner
Secretary/Treasurer

Date

Certified # [redacted]

Return Receipt Request



**The Ohio Board
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Board Secretary Treasurer

Jill R. Pugh
Board Member

Edward C. Nurre, Jr.
Board Member

77 South High Street
16th Floor
Columbus, Ohio 43215

614 . 466 . 4252
fax 614 . 728 . 6825

www.funeral.ohio.gov

June 9, 2017

[REDACTED]
[REDACTED]
[REDACTED] OH [REDACTED]

Regarding complaint 2017-170 [REDACTED], Notice of Opportunity for Hearing

Dear [REDACTED]

In accordance with Chapter 119 of the Ohio Revised Code, you are hereby notified that the Board of Embalmers and Funeral Directors ("Board"), at its May 24, 2017, meeting determined there was reasonable evidence to propose the suspension, or revocation of the LICENSE(S) DUAL. 00 [REDACTED] held by you for the following reasons:

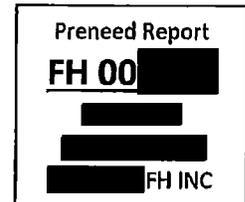
You failed to file an annual preneed report timely, which was required to be filed with the Board no later than March 30, 2017. This is a first offense.

Ohio Revised Code Section 4717.14 (A)(4) authorizes the Board to refuse to grant or renew, or suspend or revoke any license on the grounds that the applicant or licensee has committed "immoral or unprofessional conduct."

Ohio Administrative Code 4717-10-01(A) provides that "each year no later than the thirtieth day of March, a seller of preneed funeral contracts who is subject to section 4717.31 to 4717.30 of the Revised Code shall file an annual report relating to all existing funded preneed contracts as of December thirty-first of the prior calendar year."

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Ohio Administrative Code 4717-12(A)(3)(a) provides that "For committing unprofessional conduct, the board may impose a fine . . . [f]or a first offense, a minimum fine of five hundred dollars to a maximum fine of five thousand dollars."





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If you wish to contest the validity of the violation listed, you may request a formal hearing to be held in Columbus. Your request for a hearing must be in writing and must be received by the Board within thirty (30) days of the date of mailing of this letter.

You are entitled to appear at such hearing in person, by your attorney, or both; or you may present your position, arguments or contentions in writing. At the hearing you may present evidence and examine witnesses appearing for or against you. Please note that if the funeral home is a corporation, a limited liability company, or a company of a limited liability partnership the funeral home must be represented by counsel.

The license(s) that are subject to Board action are as follows:

[REDACTED]

DUAL 00 [REDACTED]

If you have any questions on this matter, please contact the board office at (614) 466-4252.

Sincerely,

Danny Finfrock
Interim Executive Director

Certified # [REDACTED]

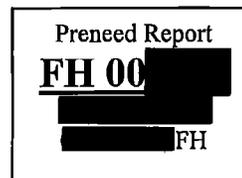
Return Receipt Requested

**STATE OF OHIO
BOARD OF EMBALMERS AND FUNERAL DIRECTORS**

IN THE MATTER OF:

████████████████████
DUAL License No. 00 ██████████

Case No. 2017-170 ██████████



Respondent.

SETTLEMENT AGREEMENT

1. This Settlement Agreement (hereinafter "Agreement") is made and entered into by and between the Board of Embalmers and Funeral Directors (hereinafter "the Board") and ██████████
██████████ DUAL License No. 00 ██████████ ("Respondent").

RECITALS

2. The Board, upon an investigation in Case No 2017-170 ██████████ determined there was reasonable evidence to charge Respondent with violations of R.C. Chapter 4717 and Ohio Admin. Code Chapter 4717. As a result of the investigation, the Board issued a Notice of Opportunity letter to Respondent on June 1st 2017, which is attached as Exhibit A and incorporated into this Settlement Agreement.

3. At all times pertinent to this Settlement Agreement, Respondent was licensed as a funeral director – Actually in Charge.

NOW, THEREFORE, in consideration of the various promises and mutual covenants contained herein, the Board and Respondent agree as follows:

4. Respondent admits that he did not file his 2017 Annual Preneed Funeral Contract Report by March 30, 2017, as required by Ohio Adm. Code 4717-10-01(A), and as alleged in the

Notice of Opportunity for Hearing attached as Ex. A. As of the date of this Settlement Agreement, Respondent has filed his 2017 Annual Preneed Funeral Contract Report.

5. Respondent agrees that he shall, within 60 days of the ratification of this Settlement Agreement, pay the Board a forfeiture of 500.00. Payment shall be made by certified check payable to the Board.

6. This Settlement Agreement resolves all allegations stated against Respondent in the Notice of Opportunity for Hearing attached as Exhibit A.

7. Respondent understands that the Board may accept or reject this Settlement Agreement. Respondent further understands that if the Board rejects this Settlement Agreement, this matter will be scheduled for a hearing pursuant to R.C. 119.07.

8. Respondent acknowledges that upon approval of the Board, this Settlement Agreement shall become an immediate final order, but the order is not subject to appeal.

9. Respondent agrees that any future violation of this Settlement Agreement, including failure to timely pay the required forfeiture, constitutes "unprofessional conduct" pursuant to R. C. 4717.(A)(4). Respondent agrees that if he fails to comply with paragraph 5 of this Agreement, his license may be automatically suspended without a hearing or right to appeal. Respondent agrees that if he fails to comply with paragraph 5, the Board will send written notice of the failure to Respondent's address of record with the Board. Respondent agrees that he is responsible for maintaining a current address of record with the Board. Respondent further agrees that if he fails to provide proof of payment to the Board within five business days of the Board's mailing of the notice of failure to comply, his license shall be automatically suspended without a hearing or right to appeal. Respondent agrees that the suspension shall remain in effect until Respondent pays the forfeiture and the Board provides written confirmation of receipt of payment and termination of the suspension.

10. Respondent hereby agrees to forego his administrative remedies, and waive any and all rights to administrative hearings and/or appeal this matter to any judicial body in the State of Ohio having jurisdiction over this matter pursuant to R.C. Chapters 119 and 4717. After being fully advised of the right to hearing and appeal pursuant to R.C. 119.12, Respondent knowingly, intelligently, and voluntarily waives these rights.

11. Respondent acknowledges that this Settlement Agreement constitutes a public record under Ohio law.

12. This Settlement Agreement constitutes the Parties' entire agreement and understanding, and shall supersede all prior agreements, representations, and communications, if any, which shall be considered, merged herein and shall not survive.

13. This Settlement Agreement may not be modified or altered in any respect unless signed in writing by all Parties.

14. This Settlement Agreement is to be construed under the laws, rules, and interpretations of the State of Ohio.

15. Unless otherwise noted, the individuals signing this Settlement Agreement expressly represent and warrant that they are duly authorized and empowered to bind the Board and Respondent, respectively, that they have read and understand the terms and conditions herein, have reviewed the same with counsel of their own choosing, and have voluntarily executed the same without any fraud, duress, undue pressure or influence of any kind.

16. This Settlement Agreement may be signed in counterparts.

[Redacted Signature]

Signature

6/13/17

Date

[Redacted] - Funeral Director AIC

DUAL 00

Respondent

Counsel for Respondent

Date

OHIO BOARD OF EMBALMERS AND FUNERAL DIRECTORS

BY: Jon Rettig
President

Date

BY: William Wappner
Secretary/Treasurer

Date

Certified # [Redacted]

Return Receipt Request



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Columbus, Ohio 43215

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fax 614 . 728 . 6825

www.funeral.ohio.gov

June 9, 2017

[REDACTED]
[REDACTED]
[REDACTED] OH [REDACTED]

Regarding complaint 2017-170 [REDACTED], Notice of Opportunity for Hearing

Preneed Report FH 00 [REDACTED] [REDACTED] [REDACTED] FH
--

Dear [REDACTED]

In accordance with Chapter 119 of the Ohio Revised Code, you are hereby notified that the Board of Embalmers and Funeral Directors ("Board"), at its May 24, 2017, meeting determined there was reasonable evidence to propose the suspension, or revocation of the LICENSE(S) DUAL. 00 [REDACTED] held by you for the following reasons:

You failed to file an annual preneed report timely, which was required to be filed with the Board no later than March 30, 2017. This is a first offense.

Ohio Revised Code Section 4717.14 (A)(4) authorizes the Board to refuse to grant or renew, or suspend or revoke any license on the grounds that the applicant or licensee has committed "Immoral or unprofessional conduct."

Ohio Administrative Code 4717-10-01(A) provides that "each year no later than the thirtieth day of March, a seller of preneed funeral contracts who is subject to section 4717.31 to 4717.30 of the Revised Code shall file an annual report relating to all existing funded preneed contracts as of December thirty-first of the prior calendar year."

Ohio Administrative Code 4717-8-01(l) defines unprofessional conduct to include, "Failure to submit the preneed funeral contract annual report by the thirtieth day of March of each year."

Ohio Administrative Code 4717-12(A)(3)(a) provides that "For committing unprofessional conduct, the board may impose a fine . . . [f]or a first offense, a minimum fine of five hundred dollars to a maximum fine of five thousand dollars."



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If you wish to contest the validity of the violation listed, you may request a formal hearing to be held in Columbus. Your request for a hearing must be in writing and must be received by the Board within thirty (30) days of the date of mailing of this letter.

You are entitled to appear at such hearing in person, by your attorney, or both; or you may present your position, arguments or contentions in writing. At the hearing you may present evidence and examine witnesses appearing for or against you. Please note that if the funeral home is a corporation, a limited liability company, or a company of a limited liability partnership the funeral home must be represented by counsel.

The license(s) that are subject to Board action are as follows:

[REDACTED]

DUAL 00 [REDACTED]

If you have any questions on this matter, please contact the board office at (614) 466-4252.

Sincerely,

Danny Finfrock
Interim Executive Director

Certified # [REDACTED], Return Receipt Requested

**STATE OF OHIO
BOARD OF EMBALMERS AND FUNERAL DIRECTORS**

IN THE MATTER OF:

FD License No. 00 [REDACTED]

Case No. 2017-170 [REDACTED]



Respondent.

SETTLEMENT AGREEMENT

1. This Settlement Agreement (hereinafter "Agreement") is made and entered into by and between the Board of Embalmers and Funeral Directors (hereinafter "the Board") and [REDACTED] FD License No. 00 [REDACTED] ("Respondent").

RECITALS

2. The Board, upon an investigation in Case No 2017-170 [REDACTED], determined there was reasonable evidence to charge Respondent with violations of R.C. Chapter 4717 and Ohio Admin. Code Chapter 4717. As a result of the investigation, the Board issued a Notice of Opportunity letter to Respondent on June 1st 2017, which is attached as Exhibit A and incorporated into this Settlement Agreement.

3. At all times pertinent to this Settlement Agreement, Respondent was licensed as a funeral director – Actually in Charge.

NOW, THEREFORE, in consideration of the various promises and mutual covenants contained herein, the Board and Respondent agree as follows:

4. Respondent admits that he did not file his 2017 Annual Preneed Funeral Contract Report by March 30, 2017, as required by Ohio Adm. Code 4717-10-01(A), and as alleged in the

Notice of Opportunity for Hearing attached as Ex. A. As of the date of this Settlement Agreement, Respondent has filed his 2017 Annual Preneed Funeral Contract Report.

5. Respondent agrees that he shall, within 60 days of the ratification of this Settlement Agreement, pay the Board a forfeiture of 500.00. Payment shall be made by certified check payable to the Board.

6. This Settlement Agreement resolves all allegations stated against Respondent in the Notice of Opportunity for Hearing attached as Exhibit A.

7. Respondent understands that the Board may accept or reject this Settlement Agreement. Respondent further understands that if the Board rejects this Settlement Agreement, this matter will be scheduled for a hearing pursuant to R.C. 119.07.

8. Respondent acknowledges that upon approval of the Board, this Settlement Agreement shall become an immediate final order, but the order is not subject to appeal.

9. Respondent agrees that any future violation of this Settlement Agreement, including failure to timely pay the required forfeiture, constitutes "unprofessional conduct" pursuant to R. C. 4717.(A)(4). Respondent agrees that if he fails to comply with paragraph 5 of this Agreement, his license may be automatically suspended without a hearing or right to appeal. Respondent agrees that if he fails to comply with paragraph 5, the Board will send written notice of the failure to Respondent's address of record with the Board. Respondent agrees that he is responsible for maintaining a current address of record with the Board. Respondent further agrees that if he fails to provide proof of payment to the Board within five business days of the Board's mailing of the notice of failure to comply, his license shall be automatically suspended without a hearing or right to appeal. Respondent agrees that the suspension shall remain in effect until Respondent pays the forfeiture and the Board provides written confirmation of receipt of payment and termination of the suspension.

10. Respondent hereby agrees to forego his administrative remedies, and waive any and all rights to administrative hearings and/or appeal this matter to any judicial body in the State of Ohio having jurisdiction over this matter pursuant to R.C. Chapters 119 and 4717. After being fully advised of the right to hearing and appeal pursuant to R.C. 119.12, Respondent knowingly, intelligently, and voluntarily waives these rights.

11. Respondent acknowledges that this Settlement Agreement constitutes a public record under Ohio law.

12. This Settlement Agreement constitutes the Parties' entire agreement and understanding, and shall supersede all prior agreements, representations, and communications, if any, which shall be considered, merged herein and shall not survive.

13. This Settlement Agreement may not be modified or altered in any respect unless signed in writing by all Parties.

14. This Settlement Agreement is to be construed under the laws, rules, and interpretations of the State of Ohio.

15. Unless otherwise noted, the individuals signing this Settlement Agreement expressly represent and warrant that they are duly authorized and empowered to bind the Board and Respondent, respectively, that they have read and understand the terms and conditions herein, have reviewed the same with counsel of their own choosing, and have voluntarily executed the same without any fraud, duress, undue pressure or influence of any kind.

16. This Settlement Agreement may be signed in counterparts.

PAID
Amount: \$500.00
Via: CK# 34460
Date: 06/16/2017

2017 JUN 16 11:15

Signature 

Date 6-14-17

, - Funeral Director AIC
FD 00 

Respondent

Counsel for Respondent

Date

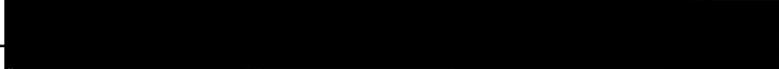
OHIO BOARD OF EMBALMERS AND FUNERAL DIRECTORS

BY: Jon Rettig
President

Date

BY: William Wappner
Secretary/Treasurer

Date

Certified # 

Return Receipt Request



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Columbus, Ohio 43215

614 . 466 . 4252
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www.funeral.ohio.gov

June 9, 2017

[REDACTED]
[REDACTED] AVE
[REDACTED] OH [REDACTED]

Regarding complaint 2017-170 [REDACTED], Notice of Opportunity for Hearing

Dear [REDACTED]

In accordance with Chapter 119 of the Ohio Revised Code, you are hereby notified that the Board of Embalmers and Funeral Directors ("Board"), at its May 24, 2017, meeting determined there was reasonable evidence to propose the suspension, or revocation of the LICENSE(S) FD. 00 [REDACTED] held by you for the following reasons:

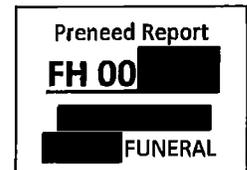
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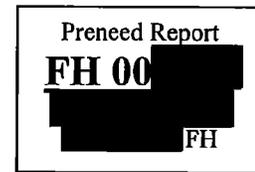
2017 APR 19 10:00

**STATE OF OHIO
BOARD OF EMBALMERS AND FUNERAL DIRECTORS**

IN THE MATTER OF:

████████████████████
Dual License No. 00 ██████████

Case No. 2017-170 ██████████



Respondent.

SETTLEMENT AGREEMENT

1. This Settlement Agreement (hereinafter "Agreement") is made and entered into by and between the Board of Embalmers and Funeral Directors (hereinafter "the Board") and ██████████ Dual License No. 00 ██████████ ("Respondent").

RECITALS

2. The Board, upon an investigation in Case No 2017-170 ██████████, determined there was reasonable evidence to charge Respondent with violations of R.C. Chapter 4717 and Ohio Admin. Code Chapter 4717. As a result of the investigation, the Board issued a Notice of Opportunity letter to Respondent on June 1st 2017, which is attached as Exhibit A and incorporated into this Settlement Agreement.

3. At all times pertinent to this Settlement Agreement, Respondent was licensed as a funeral director – Actually in Charge.

NOW, THEREFORE, in consideration of the various promises and mutual covenants contained herein, the Board and Respondent agree as follows:

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16. This Settlement Agreement may be signed in counterparts.

[Redacted Signature]

Signature

6-11-2017
Date

[Redacted] Funeral Director AIC
DUAL 00 [Redacted]

Respondent

Counsel for Respondent

Date

OHIO BOARD OF EMBALMERS AND FUNERAL DIRECTORS

BY: _____
Jon Rettig
President

Date

BY: _____
William Wappner
Secretary/Treasurer

Date

Certified # [Redacted]

Return Receipt Request



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June 9, 2017

[REDACTED]
[REDACTED] DR
[REDACTED], OH [REDACTED]

Regarding complaint 2017-170 [REDACTED] Notice of Opportunity for Hearing

Dear [REDACTED]:

In accordance with Chapter 119 of the Ohio Revised Code, you are hereby notified that the Board of Embalmers and Funeral Directors ("Board"), at its May 24, 2017, meeting determined there was reasonable evidence to propose the suspension, or revocation of the LICENSE(S) DUAL. 00 [REDACTED] held by you for the following reasons:

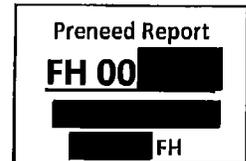
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If you wish to contest the validity of the violation listed, you may request a formal hearing to be held in Columbus. Your request for a hearing must be in writing and must be received by the Board within thirty (30) days of the date of mailing of this letter.

You are entitled to appear at such hearing in person, by your attorney, or both; or you may present your position, arguments or contentions in writing. At the hearing you may present evidence and examine witnesses appearing for or against you. Please note that if the funeral home is a corporation, a limited liability company, or a company of a limited liability partnership the funeral home must be represented by counsel.

The license(s) that are subject to Board action are as follows:

[REDACTED]

DUAL. 00 [REDACTED]

If you have any questions on this matter, please contact the board office at (614) 466-4252.

Sincerely,

Danny Finfrock
Interim Executive Director

Certified [REDACTED], Return Receipt Requested

2017-01-22 11:15:16

**STATE OF OHIO
BOARD OF EMBALMERS AND FUNERAL DIRECTORS**

IN THE MATTER OF:

██████████ **DUAL 00** ██████████

Case No. **2017-170** ██████████

Preneed Report FH 00 ██████████ ██████████ Funeral Home

Respondent.

SETTLEMENT AGREEMENT

1. This Settlement Agreement (hereinafter "Agreement") is made and entered into by and between the Board of Embalmers and Funeral Directors (hereinafter "the Board") and ██████████ **DUAL 00** ██████████ ("Respondent").

RECITALS

2. The Board, upon an investigation in Case No **2017-170** ██████████, determined there was reasonable evidence to charge Respondent with violations of R.C. Chapter 4717 and Ohio Admin. Code Chapter 4717. As a result of the investigation, the Board issued a Notice of Opportunity letter to Respondent on June 1st 2017, which is attached as Exhibit A and incorporated into this Settlement Agreement.

3. At all times pertinent to this Settlement Agreement, Respondent was licensed as a funeral director – Actually in Charge.

NOW, THEREFORE, in consideration of the various promises and mutual covenants contained herein, the Board and Respondent agree as follows:

4. Respondent admits that he did not file his 2017 Annual Preneed Funeral Contract Report by March 30, 2017, as required by Ohio Adm. Code 4717-10-01(A), and as alleged in the Notice of Opportunity for Hearing attached as Ex. A. As of the date of this Settlement Agreement, Respondent has filed his 2017 Annual Preneed Funeral Contract Report.

5. Respondent agrees that he shall, within 60 days of the ratification of this Settlement Agreement, pay the Board a forfeiture of 500.00. Payment shall be made by certified check payable to the Board.

6. This Settlement Agreement resolves all allegations stated against Respondent in the Notice of Opportunity for Hearing attached as Exhibit A.

7. Respondent understands that the Board may accept or reject this Settlement Agreement. Respondent further understands that if the Board rejects this Settlement Agreement, this matter will be scheduled for a hearing pursuant to R.C. 119.07.

8. Respondent acknowledges that upon approval of the Board, this Settlement Agreement shall become an immediate final order, but the order is not subject to appeal.

9. Respondent agrees that any future violation of this Settlement Agreement, including failure to timely pay the required forfeiture, constitutes "unprofessional conduct" pursuant to R. C. 4717.(A)(4). Respondent agrees that if he fails to comply with paragraph 5 of this Agreement, his license may be automatically suspended without a hearing or right to appeal. Respondent agrees that if he fails to comply with paragraph 5, the Board will send written notice of the failure to Respondent's address of record with the Board. Respondent agrees that he is responsible for maintaining a current address of record with the Board. Respondent further agrees that if he fails to provide proof of payment to the Board within five business days of the Board's mailing of the notice of failure to comply, his license shall be automatically suspended without a hearing or right to appeal. Respondent agrees that the suspension shall remain in effect until Respondent pays the forfeiture and the Board provides written confirmation of receipt of payment and termination of the suspension.

10. Respondent hereby agrees to forego his administrative remedies, and waive any and all rights to administrative hearings and/or appeal this matter to any judicial body in the State of Ohio having jurisdiction over this matter pursuant to R.C. Chapters 119 and 4717. After

being fully advised of the right to hearing and appeal pursuant to R.C. 119.12, Respondent knowingly, intelligently, and voluntarily waives these rights.

11. Respondent acknowledges that this Settlement Agreement constitutes a public record under Ohio law.

12. This Settlement Agreement constitutes the Parties' entire agreement and understanding, and shall supersede all prior agreements, representations, and communications, if any, which shall be considered, merged herein and shall not survive.

13. This Settlement Agreement may not be modified or altered in any respect unless signed in writing by all Parties.

14. This Settlement Agreement is to be construed under the laws, rules, and interpretations of the State of Ohio.

15. Unless otherwise noted, the individuals signing this Settlement Agreement expressly represent and warrant that they are duly authorized and empowered to bind the Board and Respondent, respectively, that they have read and understand the terms and conditions herein, have reviewed the same with counsel of their own choosing, and have voluntarily executed the same without any fraud, duress, undue pressure or influence of any kind.

16. This Settlement Agreement may be signed in counterparts.

PAID
Amount: \$500.00
Via: CK # 3127
Date: 06/22/2017

[redacted]
Signature

June 19, 2017
Date

[redacted] DUAL license 00 [redacted]
Funeral Director AIC

Respondent

Counsel for Respondent

Date

OHIO BOARD OF EMBALMERS AND FUNERAL DIRECTORS

BY: _____
Jon Rettig
President

Date

BY: _____
William Wappner
Secretary/Treasurer

Date

Certified # [redacted]

Return Receipt Request



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

Serving Ohio Since 1902

John R. Kasich
Governor of Ohio

Danny Finfrack
Interim Executive Director

Jon W. Rettig Sr.
Board President

Thomas Taneff
Board Vice President

William C. Wappner CFSP, CCO
Board Secretary Treasurer

Jill R. Pugh
Board Member

Edward C. Nurre, Jr.
Board Member

77 South High Street
16th Floor
Columbus, Ohio 43215

614 . 466 . 4252
fax 614 . 728 . 6825

www.funeral.ohio.gov

June 9, 2017

██████████
██████████ RD
██████████, OH ██████████

Regarding complaint 2017-170 ██████████ Notice of Opportunity for Hearing

Dear ██████████ DUAL ██████████

In accordance with Chapter 119 of the Ohio Revised Code, you are hereby notified that the Board of Embalmers and Funeral Directors ("Board"), at its May 24, 2017, meeting determined there was reasonable evidence to propose the suspension, or revocation of the LICENSE(S) DUAL, 00 ██████████ held by you for the following reasons:

You failed to file an annual preneed report timely, which was required to be filed with the Board no later than March 30, 2017. This is a first offense.

Ohio Revised Code Section 4717.14 (A)(4) authorizes the Board to refuse to grant or renew, or suspend or revoke any license on the grounds that the applicant or licensee has committed "immoral or unprofessional conduct."

Ohio Administrative Code 4717-10-01(A) provides that "each year no later than the thirtieth day of March, a seller of preneed funeral contracts who is subject to section 4717.31 to 4717.30 of the Revised Code shall file an annual report relating to all existing funded preneed contracts as of December thirty-first of the prior calendar year."

Ohio Administrative Code 4717-8-01(I) defines unprofessional conduct to include, "Failure to submit the preneed funeral contract annual report by the thirtieth day of March of each year."

Ohio Administrative Code 4717-12(A)(3)(a) provides that "For committing unprofessional conduct, the board may impose a fine . . . [f]or a first offense, a minimum fine of five hundred dollars to a maximum fine of five thousand dollars."

Preneed Report
FH 00 ██████████
Lehman-Dzdznel
Funeral Home



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Board President

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Board Secretary Treasurer

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Board Member

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If you wish to contest the validity of the violation listed, you may request a formal hearing to be held in Columbus. Your request for a hearing must be in writing and must be received by the Board within thirty (30) days of the date of mailing of this letter.

You are entitled to appear at such hearing in person, by your attorney, or both; or you may present your position, arguments or contentions in writing. At the hearing you may present evidence and examine witnesses appearing for or against you. Please note that if the funeral home is a corporation, a limited liability company, or a company of a limited liability partnership the funeral home must be represented by counsel.

The license(s) that are subject to Board action are as follows:

██████████ **DUAL** ██████████

If you have any questions on this matter, please contact the board office at (614) 466-4252.

Sincerely,

Danny Finfrock
Interim Executive Director

Certified # ██████████, Return Receipt Requested

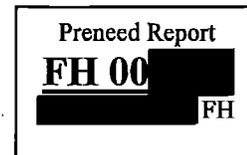
STATE OF OHIO
BOARD OF EMBALMERS AND FUNERAL DIRECTORS

RECEIVED
2017 JUN 21 AM 9:39

IN THE MATTER OF:

██████████ DUAL 00 ██████████ Case No. 2017-170 ██████████

Respondent.



SETTLEMENT AGREEMENT

1. This Settlement Agreement (hereinafter "Agreement") is made and entered into by and between the Board of Embalmers and Funeral Directors (hereinafter "the Board") and ██████████ DUAL 00 ██████████ ("Respondent").

RECITALS

2. The Board, upon an investigation in Case No. 2017-170 ██████████, determined there was reasonable evidence to charge Respondent with violations of R.C. Chapter 4717 and Ohio Admin. Code Chapter 4717. As a result of the investigation, the Board issued a Notice of Opportunity letter to Respondent on June 9th 2017, which is attached as Exhibit A and incorporated into this Settlement Agreement.

3. At all times pertinent to this Settlement Agreement, Respondent was licensed as a funeral director – Actually in Charge.

NOW, THEREFORE, in consideration of the various promises and mutual covenants contained herein, the Board and Respondent agree as follows:

4. Respondent admits that he did not file his 2017 Annual Preneed Funeral Contract Report by March 30, 2017, as required by Ohio Adm. Code 4717-10-01(A), and as alleged in the Notice of Opportunity for Hearing attached as Ex. A. As of the date of this Settlement Agreement, Respondent has filed his 2017 Annual Preneed Funeral Contract Report.

5. Respondent agrees that he shall, within 60 days of the ratification of this Settlement Agreement, pay the Board a forfeiture of 1000.00. Payment shall be made by certified check payable to the Board.

6. This Settlement Agreement resolves all allegations stated against Respondent in the Notice of Opportunity for Hearing attached as Exhibit A.

7. Respondent understands that the Board may accept or reject this Settlement Agreement. Respondent further understands that if the Board rejects this Settlement Agreement, this matter will be scheduled for a hearing pursuant to R.C. 119.07.

8. Respondent acknowledges that upon approval of the Board, this Settlement Agreement shall become an immediate final order, but the order is not subject to appeal.

9. Respondent agrees that any future violation of this Settlement Agreement, including failure to timely pay the required forfeiture, constitutes "unprofessional conduct" pursuant to R. C. 4717.(A)(4). Respondent agrees that if he fails to comply with paragraph 5 of this Agreement, his license may be automatically suspended without a hearing or right to appeal. Respondent agrees that if he fails to comply with paragraph 5, the Board will send written notice of the failure to Respondent's address of record with the Board. Respondent agrees that he is responsible for maintaining a current address of record with the Board. Respondent further agrees that if he fails to provide proof of payment to the Board within five business days of the Board's mailing of the notice of failure to comply, his license shall be automatically suspended without a hearing or right to appeal. Respondent agrees that the suspension shall remain in effect until Respondent pays the forfeiture and the Board provides written confirmation of receipt of payment and termination of the suspension.

10. Respondent hereby agrees to forego his administrative remedies, and waive any and all rights to administrative hearings and/or appeal this matter to any judicial body in the State of Ohio having jurisdiction over this matter pursuant to R.C. Chapters 119 and 4717. After

being fully advised of the right to hearing and appeal pursuant to R.C. 119.12, Respondent knowingly, intelligently, and voluntarily waives these rights.

11. Respondent acknowledges that this Settlement Agreement constitutes a public record under Ohio law.

12. This Settlement Agreement constitutes the Parties' entire agreement and understanding, and shall supersede all prior agreements, representations, and communications, if any, which shall be considered, merged herein and shall not survive.

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14. This Settlement Agreement is to be construed under the laws, rules, and interpretations of the State of Ohio.

15. Unless otherwise noted, the individuals signing this Settlement Agreement expressly represent and warrant that they are duly authorized and empowered to bind the Board and Respondent, respectively, that they have read and understand the terms and conditions herein, have reviewed the same with counsel of their own choosing, and have voluntarily executed the same without any fraud, duress, undue pressure or influence of any kind.

16. This Settlement Agreement may be signed in counterparts.

[redacted signature area]

June 16, 2017 2017 JUN 21 10:09:39
Date

[redacted]

DUAL 00 [redacted]

Funeral Director AIC

Respondent

Counsel for Respondent

Date

OHIO BOARD OF EMBALMERS AND FUNERAL DIRECTORS

BY: _____
Jon Rettig
President

Date

BY: _____
William Wappner
Secretary/Treasurer

Date

Certified # [redacted]

Return Receipt Request



**The Ohio Board
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Board President

Thomas Taneff
Board Vice President

William C. Wappner CFSP, CCO
Board Secretary Treasurer

William A. Dodson, Jr.
Board Member

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Board Member

Edward C. Nurre, Jr.
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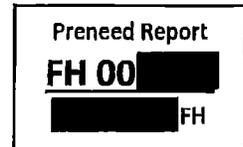
77 South High Street
16th Floor
Columbus, Ohio 43215

614 . 466 . 4252
fax 614 . 728 . 6825

www.funeral.ohio.gov

June 9, 2017

[REDACTED]
[REDACTED] STREET
PO BOX [REDACTED]
[REDACTED] OH [REDACTED]



Regarding complaint 2017-170 [REDACTED] Notice of Opportunity for Hearing

Dear [REDACTED] DUAL 00 [REDACTED]

In accordance with Chapter 119 of the Ohio Revised Code, you are hereby notified that the Board of Embalmers and Funeral Directors ("Board"), at its May 24, 2017, meeting determined there was reasonable evidence to propose the suspension, or revocation of the LICENSE(S) DUAL 00 [REDACTED] held by you for the following reasons:

As of May 24, 2017, you failed to file an annual preneed report, which was required to be filed with the Board no later than March 30, 2017. This is a first offense.

Ohio Revised Code Section 4717.14 (A)(4) authorizes the Board to refuse to grant or renew, or suspend or revoke any license on the grounds that the applicant or licensee has committed "immoral or unprofessional conduct."

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STATE OF OHIO
BOARD OF EMBALMERS AND FUNERAL DIRECTORS

RECEIVED
2017 JUN 21 11 26 39 AM '17

IN THE MATTER OF:

██████████ DUAL 00 ██████████ Case No. 2017-170 ██████████

Respondent.



SETTLEMENT AGREEMENT

1. This Settlement Agreement (hereinafter "Agreement") is made and entered into by and between the Board of Embalmers and Funeral Directors (hereinafter "the Board") and ██████████ DUAL 00 ██████████ ("Respondent").

RECITALS

2. The Board, upon an investigation in Case No 2017-170 ██████████ determined there was reasonable evidence to charge Respondent with violations of R.C. Chapter 4717 and Ohio Admin. Code Chapter 4717. As a result of the investigation, the Board issued a Notice of Opportunity letter to Respondent on June 9th 2017, which is attached as Exhibit A and incorporated into this Settlement Agreement.

3. At all times pertinent to this Settlement Agreement, Respondent was licensed as a funeral director – Actually in Charge.

NOW, THEREFORE, in consideration of the various promises and mutual covenants contained herein, the Board and Respondent agree as follows:

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16. This Settlement Agreement may be signed in counterparts.

RECEIVED
JUN 21 2017

[redacted]

June 16, 2017 2017 JUN 21 11:09:38
Date

[redacted]

DUAL 00 [redacted]

Funeral Director AIC

Respondent

Counsel for Respondent

Date

OHIO BOARD OF EMBALMERS AND FUNERAL DIRECTORS

BY:

Jon Rettig
President

Date

BY:

William Wappner
Secretary/Treasurer

Date

Certified #

[redacted]

Return Receipt Request



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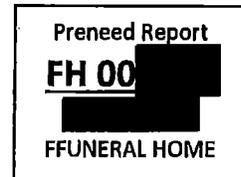
77 South High Street
16th Floor
Columbus, Ohio 43215

614 . 466 . 4252
fax 614 . 728 . 6825

www.funeral.ohio.gov

June 9, 2017

[REDACTED]
[REDACTED] STREET
PO BOX [REDACTED]
[REDACTED], OH [REDACTED]



Regarding complaint 2017-170 [REDACTED], Notice of Opportunity for Hearing

Dear [REDACTED] DUAL 00 [REDACTED]

In accordance with Chapter 119 of the Ohio Revised Code, you are hereby notified that the Board of Embalmers and Funeral Directors ("Board"), at its May 24, 2017, meeting determined there was reasonable evidence to propose the suspension, or revocation of the LICENSE(S) DUAL 00 [REDACTED] held by you for the following reasons:

As of May 24, 2017, you failed to file an annual preneed report, which was required to be filed with the Board no later than March 30, 2017. This is a first offense.

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If you wish to contest the validity of the violation listed, you may request a formal hearing to be held in Columbus. Your request for a hearing must be in writing and must be received by the Board within thirty (30) days of the date of mailing of this letter.

You are entitled to appear at such hearing in person, by your attorney, or both; or you may present your position, arguments or contentions in writing. At the hearing you may present evidence and examine witnesses appearing for or against you. Please note that if the funeral home is a corporation, a limited liability company, or a company of a limited liability partnership the funeral home must be represented by counsel.

The license(s) that are subject to Board action are as follows:

██████████ DUAL 00 ██████████

If you have any questions on this matter, please contact the board office at (614) 466-4252.

Sincerely,

Danny Finfrock
Interim Executive Director

Certified # ██████████

Return Receipt Requested

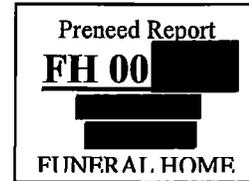
STATE OF OHIO
BOARD OF EMBALMERS AND FUNERAL DIRECTORS

RECEIVED
2017 JUN 26 10:11:15

IN THE MATTER OF:

██████████ DUAL 00 ██████████

Case No. 2017-170 ██████████



Respondent.

SETTLEMENT AGREEMENT

1. This Settlement Agreement (hereinafter "Agreement") is made and entered into by and between the Board of Embalmers and Funeral Directors (hereinafter "the Board") and ██████████ DUAL 00 ██████████ ("Respondent").

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2. The Board, upon an investigation in Case No 2017-170 ██████████, determined there was reasonable evidence to charge Respondent with violations of R.C. Chapter 4717 and Ohio Admin. Code Chapter 4717. As a result of the investigation, the Board issued a Notice of Opportunity letter to Respondent on June 1st 2017, which is attached as Exhibit A and incorporated into this Settlement Agreement.

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RECEIVED
JUN 26 2017



June 21, 2017 2017 JUN 26 11:15
Date

DUAL 00
Funeral Director AIC

Respondent

Counsel for Respondent

Date

OHIO BOARD OF EMBALMERS AND FUNERAL DIRECTORS

BY: _____
Jon Rettig
President

Date

BY: _____
William Wappner
Secretary/Treasurer

Date

Certified #



Return Receipt Request



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of Embalmers and
Funeral Directors**

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Board Member

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614 . 466 . 4252
fax 614 . 728 . 6825

www.funeral.ohio.gov

June 9, 2017

[REDACTED]
[REDACTED] ST
[REDACTED] OH [REDACTED]

Preneed Report
FH 00 [REDACTED]
[REDACTED]
FUNERAL HOME

Regarding complaint 2017-170 [REDACTED] Notice of Opportunity for Hearing

Dear [REDACTED] DUAL 00 [REDACTED]

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Ohio Revised Code Section 4717.14 (A)(4) authorizes the Board to refuse to grant or renew, or suspend or revoke any license on the grounds that the applicant or licensee has committed "Immoral or unprofessional conduct."

Ohio Administrative Code 4717-10-01(A) provides that "each year no later than the thirtieth day of March, a seller of preneed funeral contracts who is subject to section 4717.31 to 4717.30 of the Revised Code shall file an annual report relating to all existing funded preneed contracts as of December thirty-first of the prior calendar year."

Ohio Administrative Code 4717-8-01(I) defines unprofessional conduct to include, "Failure to submit the preneed funeral contract annual report by the thirtieth day of March of each year."

Ohio Administrative Code 4717-12(A)(3)(a) provides that "For committing unprofessional conduct, the board may impose a fine . . . [f]or a first offense, a minimum fine of five hundred dollars to a maximum fine of five thousand dollars."



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

Serving Ohio Since 1902

John R Kasich
Governor of Ohio

Danny Finfrock
Interim Executive Director

Jon W. Rettig Sr.
Board President

Thomas Taneff
Board Vice President

William C. Wappner CFSP, CCO
Board Secretary Treasurer

Jill R. Pugh
Board Member

Edward C. Nurre, Jr.
Board Member

77 South High Street
16th Floor
Columbus, Ohio 43215

614 . 466 . 4252
fax 614 . 728 . 6825

www.funeral.ohio.gov

If you wish to contest the validity of the violation listed, you may request a formal hearing to be held in Columbus. Your request for a hearing must be in writing and must be received by the Board within thirty (30) days of the date of mailing of this letter.

You are entitled to appear at such hearing in person, by your attorney, or both; or you may present your position, arguments or contentions in writing. At the hearing you may present evidence and examine witnesses appearing for or against you. Please note that if the funeral home is a corporation, a limited liability company, or a company of a limited liability partnership the funeral home must be represented by counsel.

The license(s) that are subject to Board action are as follows:

██████████ DUAL 00 ██████████

If you have any questions on this matter, please contact the board office at (614) 466-4252.

Sincerely,

Danny Finfrock
Interim Executive Director

Certified # ██████████

Return Receipt Requested

Meeting: June 28, 2017 – Regular Meeting
Category: Compliance
Subject: Recommendation to Charge Compliance Case #2017-1700055
Access: Public
Type: Action

Recommended Action: Motion to charge the funeral director with violation of ORC 4717.14 (A) (4), specifically, OAC 4717-8-01 (G).

Complaint:

Complainant alleges funeral home allowed unlicensed employee to conduct funeral arrangements and services.

Case synopsis:

A complaint was initiated by the board office on April 14, 2017. The complaint was a result of communications between a consumer and a board inspector.

The consumer contacted a board inspector by telephone in October 2016 to inquire about the license status of a funeral director. The consumer explained that they met with a funeral director and an unidentified woman at their home to discuss and arrange funeral services for their late spouse. Days later, the funeral director provided funeral services for the deceased as agreed. Upon the consumer naming the funeral director, the board inspector, familiar with this person, informed the consumer that they met with an unlicensed individual who was an employee of the funeral home. The consumer and board inspector agreed to meet at a later date to complete a voluntary statement of the event.

The board inspector contacted the employee of the funeral home to confirm the consumer's statement. During the discussion, the employee revealed the name of the woman the consumer could not identify. The board inspector recognized the woman as a licensed funeral director. The board inspector contacted the licensed funeral director by telephone to discuss her involvement in the funeral arrangements meeting with the consumer. The licensed funeral director submitted a voluntary statement of the event stating that she was contacted by a funeral home to make funeral arrangements on behalf of the funeral home for the deceased.

A notice was issued to the funeral director actually in charge of the funeral home on April 20, 2017 informing the funeral home of the complaint. This notice provided a copy of the complaint for reference and requested the funeral home submit a written response to the complaint along with copies of proof of continuing education hours for the actually in charge of the funeral home. A response was due by May 04, 2017.

A second notice was issued on May 12, 2017 by certified mailing to the funeral director requesting a reply to the request for written response to the complaint. A response was due by May 26, 2017. To date, a response has not been received at the board office.

The funeral director actually in charge contacted the board office by telephone on May 19, 2017 to discuss the pending compliance case. The board office discussed the complaint and recommended the funeral director respond to the complaint in writing as requested. The funeral director requested copy of all pending compliance cases involving them be sent to a mailing address different than the funeral home. A letter was drafted and sent on May 23, 2017 to the funeral director that included brief summaries of two pending cases and instruction to respond. To date, a response has not been received at the board office.

Violation(s):

ORC 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.

OAC 4717-8-01 Unprofessional conduct.

Unprofessional conduct includes, but is not limited to, the following:

(G) Failure to comply with any board request during an inspection or investigation, or finding, or order.

Meeting: June 28, 2017 – Regular Meeting
Category: Compliance
Subject: Recommendation to Charge Compliance Case #2017-1700060
Access: Public
Type: Action

Recommended Action: Motion to charge the funeral home with violation of ORC 4717.14 (A) (4), specifically, OAC 4717-8-01 (D), and with an additional violation of unprofessional conduct, specifically for failing to fulfill its obligation to communicate any anomalous delay in the cremation.

(The complainant named a crematory in the statement of complaint, however, the investigation confirmed the party involved is a licensed funeral home on the property on which a cemetery and crematory is located.)

Complaint:

Complainant alleges crematory delayed cremation without reasonable explanation.

Case synopsis:

A complaint against a crematory was received at the board office on May 04, 2017. The complainant stated that they contracted the crematory for cremation services for their deceased mother. After meeting with a funeral director to complete the necessary paperwork, they were told the cremation may take a few days.

At the end of the week, the complainant attempted to contact the funeral director to check on the status of their mother's cremation without success. Several more attempts were made during the following days as well before finally receiving a telephone call from the funeral director 16 days after meeting with them. The funeral director informed the complainant that the cremation had not yet occurred because the funeral home was unable to create a death certificate in the Electronic Death Registration System (EDRS). The decedent remained in refrigeration. The complainant contacted the Bureau of Vital Statistics for answers. The bureau could only respond that the death certificate was started, but not completed.

The death certificate was completed and cremation occurred on the day following the telephone conversation with funeral director. The complainant was refunded all money paid. However, an explanation for the delay in completing the death certificate and cremation and the lack communication with the family has not been provided.

A notice was issued to the crematory operator actual in charge of the crematory on May 04, 2017 informing the crematory of the complaint. This notice provided a copy of the complaint for reference and requested the crematory submit a written response to the complaint. A response was due by May 18, 2017.

A second notice was issued to the crematory operator actual in charge of the crematory on May 23, 2017 by certified mailing. A response was due by June 7, 2017. A response to the first notice was received on May 24, 2017.

The response stated the organization had to release its acting funeral director on April 1, 2017 thus causing the inability to access EDRS. An apology was issued to the family along with a refund of all monies paid and a complimentary cremation package for future use.

Violation(s):

ORC 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.

OAC 4717-8-01 Unprofessional conduct.

Unprofessional conduct includes, but is not limited to, the following:

(D) Violations of the federal trade commission's funeral industry rule, codified as Chapter 16, Part 453 of the Code of Federal Regulations, as amended, July 19, 1994 (hereinafter, referred to as the "funeral rule"). A copy is available on the federal trade commission's website at <http://www.ftc.gov>.

The board office recommends the funeral home be charged with unprofessional conduct, specifically for violation of the federal trade commission's (FTC) funeral industry rule concerning identifying information required on the general price list (GPL). In regard to the aforementioned compliance case, it is believed the identity of the funeral services provider was unclear to the consumer due to the name, address, and telephone number of the funeral provider's place of business, including (where relevant) the address and telephone number for each branch.

The board office recommends the funeral home be charged with an additional violation of unprofessional conduct, specifically for failing to fulfill its obligation to communicate any anomalous delay in the cremation.

Meeting: June 28, 2017 – Regular Meeting
Category: Compliance
Subject: Recommendation to Charge Compliance Case #2017-1700061
Access: Public
Type: Action

Recommended Action: Motion to charge the funeral director with violation of ORC 4717.14 (A) (4), specifically, OAC 4717-8-01 (G).

Complaint:

Complainant alleges funeral home will not assist them in transferring their pre-need life insurance policy to a different funeral home.

Case synopsis:

A consumer contacted the board office by telephone on April 28, 2017 concerning difficulty in transferring their pre-need life insurance policy. The consumer stated they contacted the funeral home on several separate occasions leaving messages for the funeral director, but the funeral director would not respond. The board office suggested the consumer fax a copy of the policy to the board office for reference and informed the consumer it would attempt to assist.

The board office contacted the funeral director actually in charge of the funeral home by telephone on May 01, 2017 (the next business day) to inform of the consumer and requested they contact the consumer to assist in the transfer. The funeral director requested a copy of the faxed information sent from the consumer for reference and assured they would contact the consumer. The board office faxed a copy of the information.

The consumer contacted the board office on May 01, 2017 to learn if the funeral director had been contacted. The board office replied they had and informed the consumer to expect a telephone call from the funeral director.

The consumer contacted the board office by telephone on May 04, 2017 to inform the funeral director has yet to contact them. The board office emailed a compliant form to the consumer.

A complaint against a funeral home was received at the board office on May 05, 2017. A notice was issued to the funeral director actual in charge of the funeral home on May 05, 2017 informing the funeral home of the complaint. This notice provided a copy of the complaint for reference and requested the funeral home submit a written response to the complaint along with copies of proof of continuing education hours for the actual in charge of the funeral home. A response was due by May 19, 2017.

The consumer has contacted the board office on several separate occasions regarding follow up questions to their complaint. The board office concluded the policy was assigned to the funeral home and named as beneficiary. The board office suggested the consumer contact the life

insurance policy provider to request a change of beneficiary form and designate another beneficiary.

A second notice was issued to the funeral director actual in charge of the funeral home on May 23, 2017 by certified mailing. A response was due by June 7, 2017. To date, a response has not been received at the board office.

Violation(s):

ORC 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.

OAC 4717-8-01 Unprofessional conduct.

Unprofessional conduct includes, but is not limited to, the following:

(G) Failure to comply with any board request during an inspection or investigation, or finding, or order.

Meeting: June 28, 2017 – Regular Meeting
Category: Compliance
Subject: Recommendation to Charge Compliance Case #2017-1700091
Access: Public
Type: Action

Recommended Action: Motion to charge the funeral director with violation of ORC 4717.14 (A) (4), specifically, OAC 4717-8-01 (G).

Complaint:

Complainant alleges licensee failed to comply with a continuing education audit upon two separate notifications from board office.

Case synopsis:

A Notice of Non-Renewal of License was issued on January 31, 2017 by certified mailing to the funeral director actually in charge of a funeral home informing that the funeral home license, as well as their funeral director license, had expired as of December 31, 2016. The notice included a request for the funeral director to reply informing the board office if the licenses would be renewed or not. Instructions regarding renewal of the licenses was provided. This notice also contained a request for proof of continuing education hours for the funeral director during the compliance period of January 1, 2015 to December 31, 2016.

A second notice was issued on March 14, 2017 by certified mailing to the funeral director requesting a reply to the request for proof of continuing education hours. To date, a response has not been received at the board office.

Violation(s):

ORC 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.

OAC 4717-8-01 Unprofessional conduct.

Unprofessional conduct includes, but is not limited to, the following:

(G) Failure to comply with any board request during an inspection or investigation, or finding, or order.

Active Inspector Investigations	Pending Request for Hearing	Pending Hearing	
2017-1700090	2017-1700064	2016-1600056	
2017-1700092	2017-1700065	2016-1600076	
2017-1700093	2017-1700066	2016-1600152	
	2017-1700071	2017-1700026	
	2017-1700072	2017-1700033	Goldman
	2017-1700074	2017-1700034	Goldman
	2017-1700075	2017-1700041	Goldman
	2017-1700076	2017-1700044	
	2017-1700077	2017-1700046	
	2017-1700078	2017-1700056	Goldman
	2017-1700079	2017-1700057	Goldman
	2017-1700081	2017-1700085	
	2017-1700083		
	2017-1700084		
	2017-1700088		

Meeting: June 28, 2017 – Regular Meeting
Category: Compliance
Subject: Ratification of Closed Compliance Cases
Access: Public
Type: Action

Recommended Action: Motion to ratify the list of closed compliance cases as presented and confirm each case status as closed.

FUN IPP003 - Investigative Process

The Executive Director, the Compliance Coordinator, and the Inspector may determine there is no probable cause identified in a written complaint; the Executive Director may close the case. A letter setting forth the reason for closure prior to presentation to the Board will be sent to the complainant and reported to the Board. Staff may consult with the Assistant Attorney General.

Case number 2017-1700062

Complainant alleges the funeral home and its staff provided unprofessional services such as improperly cleansing and dressing the deceased, delaying and providing incorrect burial services, and incorrect billing.

The deceased was a patient of a nursing facility prior to death and experienced weight loss during their stay. The surviving spouse provided clothing from the deceased's personal wardrobe for burial. The clothing did not fit properly, so the funeral home provided clothing at no charge. The funeral home insists the deceased was groomed and presented as instructed by the spouse.

The spouse requested the deceased be buried with military honors in a military cemetery. The Veterans Service Commission, Cleveland, Ohio responded to the funeral home's request for burial with a denial due to the deceased's eligibility documentation (DD214) could not be located. The deceased was buried elsewhere.

The funeral home and surviving spouse of the deceased acknowledge an outstanding balance of approximately \$300 due to the funeral home for services.

The investigation concluded the funeral home reasonably accommodated all requests; was not responsible for delay of burial; and has not been paid in full for services rendered.

Case number 2017-1700063

Complainant alleges funeral home permitted a person not eligible to be an authorizing agent for the purpose of cremation for the decedent do so without due diligence of locating the person with the right of disposition.

A step-brother of the deceased contracted the funeral home for cremation services. The step-brother claimed the deceased was estranged from family and has no blood-related siblings. A funeral director assisted in completing the petition for right of disposition of deceased with county probate court. Probate court judge granted the step-brother the right of disposition.

The funeral home made application to Veterans Administration for indigent burial funding.

The parents of the deceased learned of their child's death through a county board of elections mailing. The parents discovered the whereabouts of the deceased and contacted the funeral home to learn who contracted their services. The parents declared the person who identified himself as a step-brother to the deceased is unknown to the family. The parents retained counsel and transferred the services to another funeral home.

The funeral home responded to the complaint by stating that they relied upon the information provided by the step-brother and had no reasonable basis to question the accuracy of his information or statements or the probate court's authorization for him to make decisions regarding the deceased. Upon contact by the parent's attorney, the funeral home transferred the body.

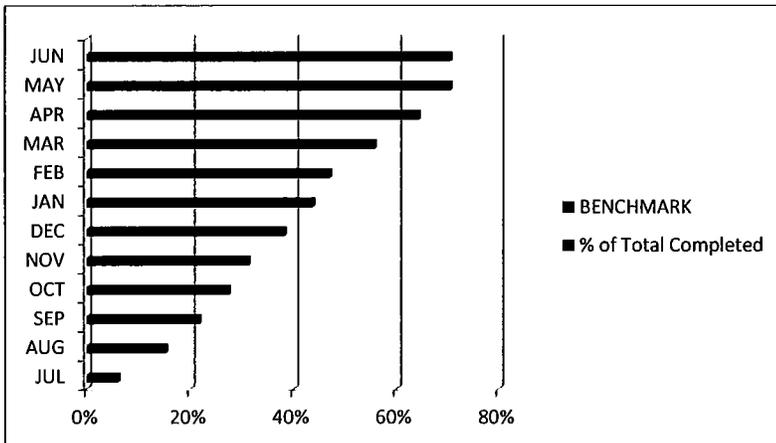
The funeral home also informed that the funeral director who assisted the step-brother was no longer employed at the funeral home as of at least two months prior to the complaint being submitted to the board.

According to the parents of the deceased, the step-brother is allegedly incarcerated and awaiting trial on felony charges of Tampering with Records.

The investigation concluded that there was no evidence to support the complaint.

Time period start: 5/1/2017 end: 5/31/2017 Board Meeting 28-Jun-2017 FY2017

Board Meeting	JUL	AUG	SEP	OCT	NOV	DEC	JAN	FEB	MAR	APR	MAY	JUN	Year total
Mileage	5,231	6,040	6,366	6,180	4,934	6,290	4,915	5,651	6,407	5,500	4,787		62,301
Apprentices													
Interviewed	3	6	6	4	1	4	4	1	5	4	2		40
Not Available	3	4	1	3	0	3	1	2	2	4	1		24
Inspections - Annual													<i>completed</i>
Crem Fac 136	9	14	7	7	7	13	8	8	13	11	8		105
Emb Fac 1	0	0	1	0	0	0	0	0	0	0	0		1
FH 1150	69	104	76	66	42	76	63	34	99	101	72		802
Total 1287	78	118	84	73	49	89	71	42	112	112	80	0	908
% of Total Completed	6%	15%	22%	27%	31%	38%	44%	47%	56%	64%	71%	71%	71%
BENCHMARK													100%
Difference	6%	15%	22%	27%	31%	38%	44%	47%	56%	64%	71%	71%	-29%
Violations Identified	0	1	2	0	2	1	0	2	1	0	0		9
Inspections - Follow-up													<i>completed</i>
Crem Fac	0	0	0	0	0	0	0	0	0	0	0		0
Emb Fac	0	0	0	0	0	0	0	0	0	0	0		0
FH	0	0	0	0	1	0	0	0	0	1	5		0
Total	0	0	0	0	1	0	0	0	0	1	5	0	0
Inspections - New Facility													<i>completed</i>
Crem Fac	0	0	2	0	0	0	0	1	0	1	0		4
Emb Fac	0	0	0	0	0	0	0	0	0	1	0		1
FH	0	2	2	1	0	0	2	2	0	1	0		10
Total	0	2	4	1	0	0	2	3	0	3	0	0	15
Investigations Working	14	12	14	27	13	14	8	11	8	8	8		137
Days Attributed to:													
Inspecting	20	26	27	20.5	14	27	22	13	30	28	24		251.5
Board Meeting	0	1	0	0	0	0	0	0	0	0	0		1
Office	8	3	5.5	6	12	5	3	4	4	4	3		57.5
Hearings/Investigations	3	2	3.5	5	5	2	2	10	2	1	0		35.5
Training	0	0	1	0.5	0	0	0	0	0	0	5		6.5
Leave	3	5	1	1	4	5	7	5	2	1	4		38
Total Days Included	34	37	38	33	35	39	34	32	38	34	36	0	390



FUN - Inspector Monthly Report

Report Parameters

Board = FUN

FUN - Inspectors

From 05/01/2017 to 05/31/2017

Inspection Date	Credential Number	Name	County	Reason	Comments
20170505	CREM 000102	LIMA CREM SVC	Allen	Annual Inspection	In Compliance
20170505	FH 003295	WEBER FUNERAL HOME	Allen	Annual Inspection	In Compliance
20170509	FH 002943	IVEY FH	Butler	Annual Inspection	In Compliance
20170509	FH 003096	OGLE & PAUL R. YOUNG FUNERAL HOME	Butler	Annual Inspection	In Compliance
20170509	FH 001795	COLLIGAN FUNERAL HOME INC	Butler	Annual Inspection	In Compliance
20170522	FH 000130	E C NURRE FUNERAL HOME	Clermont	Follow-up Inspection	In Compliance
20170522	FH 000131	E C NURRE FUNERAL HOME	Clermont	Follow-up Inspection	In Compliance
20170522	FH 002955	E C NURRE FH	Clermont	Follow-up Inspection	In Compliance
20170522	FH 003433	MOORE FAMILY FUNERAL HOMES	Clermont	Annual Inspection	
20170508	FH 002853	KERR-PASTORE FH	Columbiana	Annual Inspection	In Compliance
20170504	FH 001533	FREE FUNERAL HOME	Coshocton	Annual Inspection	In Compliance

20170504	FH 003165	MILLER FH	Coshocton	Annual Inspection	In Compliance
20170504	FH 003109	GIVEN DAWSON PAISLEY FUNERAL HOME	Coshocton	Annual Inspection	In Compliance
20170525	FH 000156	FISCHER FUNERAL HOME	Coshocton	Annual Inspection	In Compliance
20170515	FH 003352	SCHAFFER FUNERAL HOME INC	Defiance	Annual Inspection	In Compliance
20170515	FH 001778	LAWSON-ROESSNER FUNERAL HOME	Defiance	Annual Inspection	
20170515	FH 002650	SMITH & BROWN FUNERAL HOME	Defiance	Annual Inspection	In Compliance
20170502	FH 002707	SPENCE-MILLER FH	Franklin	Annual Inspection	In Compliance
20170502	FH 000405	SCHOEDINGER GROVE CITY CHAPEL	Franklin	Annual Inspection	In Compliance Monitored Apprentice Alexandrea S. Brooks
20170501	FH 000408	SHAW DAVIS FUNERAL HOME INC	Franklin	Annual Inspection	In Compliance
20170502	FH 002962	DEYO-DAVIS FH INC	Franklin	Annual Inspection	In Compliance
20170501	FH 003186	TRIPLETT FUNERAL HOME	Franklin	Annual Inspection	In Compliance
20170501	FH 003229	MARLAN J GARY FH	Franklin	Annual Inspection	In Compliance
20170502	FH 003445	SMOOT FUNERAL SERVICES	Franklin	Annual Inspection	In Compliance
20170509	FH 000456	BOND FUNERAL HOME	Guernsey	Annual Inspection	In Compliance

20170526	FH 002678	BLACK-EPPERSON FH	Guernsey	Annual Inspection	In Compliance
20170526	FH 002679	BLACK-EPPERSON FH	Guernsey	Annual inspection	In Compliance
20170526	FH 002927	BUNDY-LAW FH INC	Guernsey	Annual Inspection	In Compliance
20170523	FH 003448	REBOLD, ROSENACKER & SEXTON	Hamilton	Annual Inspection	In Compliance
20170508	FH 003252	NEWCOMER FH	Hamilton	Annual Inspection	In Compliance
20170508	FH 003311	FREDERICK FUNERAL HOME	Hamilton	Annual Inspection	In Compliance
20170522	FH 003428	MOORE FAMILY FUNERAL HOMES	Hamilton	Annual Inspection	
20170523	FH 000513	RADEL FUNERAL SERVICE CO	Hamilton	Annual Inspection	In Compliance
20170523	FH 001470	RADEL FUNERAL SERVICE CO	Hamilton	Annual Inspection	In Compliance
20170523	FH 001983	GUMP-HOLT FUNERAL HOME INC	Hamilton	Annual Inspection	In Compliance
20170523	CREM 000105	FINAL WISHES	Hamilton	Annual Inspection	In Compliance Change of Ownership
20170508	FH 002342	MEYER & GEISER FH	Hamilton	Annual Inspection	In Compliance
20170508	FH 002533	VITT, STERMER & ANDERSON	Hamilton	Annual Inspection	In Compliance
20170512	FH 003504	HARTLEY-HANNEMAN FUNERAL HOME	Hancock	Annual Inspection	In Compliance

20170512	FH 003505	HANNEMAN FUNERAL HOME	Hancock	Annual Inspection	In Compliance
20170530	FH 001944	KOCH FUNERAL HOME	Harrison	Annual Inspection	
20170509	FH 000554	BLACKBURN FUNERAL HOME	Harrison	Annual Inspection	In Compliance
20170509	FH 000558	BLACKBURN FUNERAL HOME	Harrison	Annual Inspection	In Compliance
20170531	FH 003130	WRIGHT-HANNEMAN FUNERAL HOMES	Henry	Annual Inspection	In Compliance Monitored Apprentice Matthew Hammer
20170502	FH 000614	WHEELER FUNERAL HOME	Jefferson	Annual Inspection	In Compliance
20170508	FH 001204	DUNLOPE-SHORAC FUNERAL HOME	Jefferson	Annual Inspection	In Compliance
20170502	FH 002143	WHEELER FUNERAL HOME	Jefferson	Annual Inspection	In Compliance
20170508	FH 001851	VINSON HOUSE OF MORTUARY INC	Jefferson	Annual Inspection	
20170502	FH 003156	MOSTI FH	Jefferson	Annual Inspection	In Compliance
20170502	FH 003157	MOSTI FH	Jefferson	Annual Inspection	In Compliance
20170525	FH 001355	FISCHER FUNERAL HOME INC	Knox	Annual Inspection	In Compliance
20170531	FH 002626	LANE FAMILY FHS, MADASZ CHAPEL	Mahoning	Annual Inspection	
20170508	FH 003441	REIS LEGACY CENTER	Montgomery	Follow-up Inspection	In Compliance

20170511	FH 002624	SNOUFFER FH LLC	Muskingum	Annual Inspection	In Compliance
20170501	FH 002674	CHANDLER FUNERAL HOME	Noble	Annual Inspection	In Compliance
20170519	FH 002993	DOOLEY FH	Paulding	Annual Inspection	In Compliance
20170519	FH 001357	DEN HERDER FUNERAL HOME INC	Paulding	Annual Inspection	In Compliance
20170519	FH 002031	DOOLEY FUNERAL HOME INC	Paulding	Annual Inspection	In Compliance
20170525	FH 002718	BARKDULL FUNERAL HOME INC	Richland	Annual Inspection	In Compliance
20170525	FH 002079	TURNER FUNERAL HOME INC	Richland	Annual Inspection	In Compliance
20170525	CREM 000178	RICHLAND CREMATION SERVICES	Richland	Annual Inspection	In Compliance
20170503	FH 002087	SALM-MCGILL & TANGEMAN	Shelby	Annual Inspection	In Compliance
20170503	FH 002369	GEHRET FUNERAL HOME	Shelby	Annual Inspection	In Compliance
20170503	FH 003249	ADAMS FUNERAL HOME	Shelby	Annual Inspection	In Compliance
20170503	FH 003264	EICHHOLTZ DARING & SANFORD FH	Shelby	Annual Inspection	In Compliance
20170503	CREM 000205	CROMES - EDWARDS CREMATORY INC.	Shelby	Annual Inspection	In Compliance
20170531	FH 003216	BRICELAND FS INC	Trumbull	Annual Inspection	In Compliance

20170531	CREM 000129	BROOK PARK CREM CTR	Trumbull	Annual Inspection	
20170531	FH 003100	KELLEY-ROBB-CUMMINS FH	Trumbull	Annual Inspection	In Compliance
20170531	FH 002552	STEWART-KYLE FUNERAL HOME INC	Trumbull	Annual Inspection	In Compliance
20170531	FH 002629	SELBY FUNERAL HOME	Trumbull	Annual Inspection	
20170522	FH 001105	TOLAND-HERZIG FUNERAL HOMES INC	Tuscarawas	Annual Inspection	In Compliance
20170530	FH 001106	TOLAND-HERZIG FUNERAL HOMES INC	Tuscarawas	Annual Inspection	In Compliance
20170530	CREM 000085	TOLAND-HERZIG CREMATORY	Tuscarawas	Annual Inspection	In Compliance
20170522	CREM 000086	TUSCARAWAS VALLEY CREM SVC	Tuscarawas	Annual Inspection	In Compliance
20170522	FH 003184	LEBOLD-SMITH FH	Tuscarawas	Annual Inspection	In Compliance
20170530	FH 003335	LINN-HERT-GEIB FUNERAL HOME INC	Tuscarawas	Annual Inspection	In Compliance
20170522	FH 003334	GEIB FUNERAL SERVICES	Tuscarawas	Annual Inspection	In Compliance
20170505	FH 002504	HARTER & SCHIER FH	Van Wert	Annual Inspection	In Compliance
20170515	FH 003339	AUBLE GILLMAN FUNERAL HOME	Wayne	Annual Inspection	In Compliance
20170515	FH 003141	ZAK-THACKER & MONBARREN FH	Wayne	Annual Inspection	In Compliance

20170515		ZAK-THACKER & MONBARREN FH	Wayne	Annual Inspection	In Compliance
20170531	FH 003129	WRIGHT-HANNEMAN FUNERAL HOMES	Wood	Annual Inspection	
20170503	FH 003470	CROMES - EDWARDS FUNERAL HOME & CREMATORY INC.		Annual Inspection	In Compliance
20170509	FH 003500	WALKER FUNERAL HOME		Annual Inspection	In Compliance

Vouchers from May 2017

Voucher ID	VoucherName	Accounting Date	Account	Voucher Distribution Amount
00002729	DEPARTMENT OF ADMINISTRATIVE SERVICES	04-28-2017	527751	\$724.00
00002730	OFFICE OF BUDGET & MANAGEMENT	05-02-2017	527751	\$140.00
00002731	PAYCARD - VZWRLSS*APOCC VISB	05-02-2017	524067	\$333.49
00002732	DIVERSITY SEARCH GROUP LLC	05-05-2017	510050	\$1,269.66
00002733	AUDITOR OF STATE	05-08-2017	527751	\$782.00
00002734	PAYCARD - GREENE INC	05-06-2017	526052	\$30.00
00002735	DEPARTMENT OF ADMINISTRATIVE SERVICES	05-10-2017	527751	\$1,872.00
00002736	DEPARTMENT OF ADMINISTRATIVE SERVICES	05-10-2017	527751	\$1,177.39
00002737	DEPARTMENT OF ADMINISTRATIVE SERVICES	05-15-2017	527751	\$42.00
00002739	VANTIV LLC	05-18-2017	529066	\$24.37
00002740	DIVERSITY SEARCH GROUP LLC	05-19-2017	510050	\$1,290.07
00002741	DEPARTMENT OF ADMINISTRATIVE SERVICES	05-23-2017	527751	\$4,990.38
00002738	CINCINNATI BELL ANY DISTANCE INC	05-16-2017	524067	\$73.44