



Minutes of the June 17, 2020

The State of Ohio Board of Embalmers and Funeral Directors Board Meeting

Wednesday, June 17, 2020

10:30 a.m.

Mike DeWine
Governor of Ohio

Cheryl Grossman
Executive Director

William C. Wappner
CFSP, CCO
President

Thomas Taneff
Board Vice President

Ed C. Nurre
Board Secretary Treasurer

Jon W. Rettig Sr.
Board Member

Adriana Sfalcin
Board Member

George Horne
Board Member

Pursuant to Section 4717.03 (A) of the Ohio Revised Code, the State of Ohio Board of Embalmers and Funeral Directors convened its regular meeting of the board to discuss the Board's business. The meeting was conducted by means of a teleconference call as permitted through a provision to the Open Meetings Act that permits members of public bodies to hold and attend meetings by means of electronic technology. The provision was enacted by the Ohio General Assembly through Substitute House Bill 197 in March 2020.

Although many Ohio businesses have been permitted to reopen, the Board anticipates a continuance of teleconference meetings in place of in person meetings until further notice. The Board will continue to comply with recommendations from the Ohio Department of Health and the Office of Ohio Governor Mike DeWine as found in Responsible RestartOhio to protect the health and safety of its employees and guests against COVID-19.

1. Convening of the Board – President Wappner

Calling of the Roll

Board President William C. Wappner called the meeting to order at 10:35 a.m. Executive Director of the Board Cheryl Grossman took roll call for the meeting. The following board members were in attendance of the meeting:

George Horne, II, Edward C. Nurre, Jr., Jon W. Rettig, Sr., Thomas Taneff, Adriana Sfalcin, and William C. Wappner

Mr. Wappner stated that a quorum of the Board was present.

Pledge of Allegiance

William Wappner invited all to join him in citing the 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."

Upon conclusion of the Pledge of Allegiance, Jarrod Williams, board office staff member, took roll call of persons in attendance of the meeting (via teleconference call). Mr. Williams first began with apprentices who were completing a requirement to attend one state monthly board meeting during their apprenticeship. In attendance were (in alphabetical order): Daniel Barfell, Brooke Battin, Jessica Helphinstine, Connor Lynch, Jonathon Obodean, Miracle Oladele, and Marcia Smoot.

Next, attendance was taken of persons known to regularly attend board meetings. Those confirmed in attendance of the meeting were: Melissa Sullivan and Diana Carpenter of Ohio Funeral Directors Association, and Lauren Thomas of the International Conference of Funeral Service Examining Boards.

In addition to regular attendees, the following were present: Rebecca Alli, Beth Bartlett of Lane Funeral Homes, Amy Bove, Alex Roberts of Roberts Funeral Homes, Mallory Stefanski, and Lori White-Sanders.

Staff members of the Ohio Board of Embalmers and Funeral Directors in attendance included: Eric Anderson, Derek Bogner, (Contractor) Kim Bourk, Julie Clevenger, Danny Finfrock, Cheryl Grossman, Kimberly Grossman, Troy Seehase and Jarrod Williams. Assistant Attorney General Joshua Monroe of the Office of Ohio Attorney General Dave Yost served as Board Counselor in place of absent Senior Assistant Attorney General Christie Limbert.

Mr. Wappner welcomed and thanked everyone for joining the meeting today.

2. Board Business

President's Report

William Wappner shared that state fiscal year 2020 ends June 30, 2020. He commented that the past four months have been much different than the first six of FY2020.

Mr. Wappner informed that board members Jon Rettig and Adriana Sfalcin will soon see their terms to serve on the Board expire on June 30th. He added that it was his hope that each will be reappointed to continue their service. Mr. Wappner stated that both are eligible to continue in their positions after the expiration date of the term until a successor takes office, or until a period of sixty days has elapsed, whichever comes first.

Mr. Wappner praised Mr. Rettig for his four years of service to the Board. He stated that Mr. Rettig was appointed by then Governor Kasich in April 2016 to serve. In July 2016, Mr. Rettig was nominated as President of the Board and held the position until July 2019. In addition to his presidency, he was involved in many board committees during his term. Mr. Wappner offered his appreciation to Mr. Rettig for his leadership and commitment to the betterment of this board.

Mr. Wappner praised Ms. Sfalcin for her service to the board. He stated that Ms. Sfalcin was appointed to the board in March 2018 as a representative of the public. Mr. Wappner stated that she has been involved in board committees and always participates with readiness and a sharp wit. Mr. Wappner offered his appreciation to Ms. Sfalcin for her commitment to the Board.

Executive Director's Report

Executive Director of the Board Cheryl Grossman shared her gratitude for the dedication of the board members and board staff. She added that in these challenging times, all continue to step up and keep the board functioning very effectively.

Director Grossman shared a few items the board office has been working on during the past month:

Ms. Grossman reminded that the board office staff participates in weekly virtual staff meetings, as all continue to work remotely until further notice.

Ms. Grossman reported that board inspectors continue with routine inspections of funeral homes and crematories with fifty-four completed in May.

Ms. Grossman reported that the Automated Reporting Preneed and Payment System (ARPPS) received 7,638 preneed funeral contract filings with \$76,380 paid in fees through May 31, 2020.

Ms. Grossman reported the Preneed Recovery Fund Committee and Board has approved six applications for total reimbursement of \$16,502.40 through May 31, 2020

Ms. Grossman reported the Indigent Burial and Cremation Support Program has disbursed a total of \$62,252.60 among eighty-five applications for reimbursement through May 31, 2020.

Ms. Grossman stated that the Board's JCARR/Rules Review Committee continues to work on proposed rule revisions to deal with COVID-19 ramifications.

Ms. Grossman shared that the board recently received five complimentary comments through its feedback email program.

Ms. Grossman announced that the board office released its second quarterly newsletter by email and has since received positive feedback from readers.

Ms. Grossman informed that she and Jarrod Williams of the board office staff continue to participate with the state's Mass Fatality Planning Committee.

Treasurer's Update

Mr. Wappner reported the expenses and revenue numbers from the budget overview document within the meeting materials. Mr. Wappner asked Board Secretary-Treasurer Edward Nurre if he had opportunity to review the Board's expenditures and if he had any questions or concerns. Mr. Nurre replied that he read the report and stated that all appeared to be in order and had no questions.

Public Comment

William Wappner informed that the Board provides an opportunity for public comment during its meetings. Mr. Wappner stated that the board office did not receive any notifications or requests to provide comment during today's meeting. Mr. Wappner asked if there were any persons attending that wished to comment. There were none.

Minutes

Consideration of May 20, 2020 Board Meeting Minutes

Jon Rettig moved for the Board to approve the May 20, 2020 Board Meeting Minutes as presented. George Horne seconded the motion. Board President Wappner asked for discussion on the motion. There was no discussion.

Motion by Jon Rettig, second by Edward Nurre

Roll-call vote: Yes: George Horne, Edward Nurre, Jon Rettig, Adriana Sfalcin, Thomas Taneff, William Wappner

Final Resolution: Motion Carries 6/0

Consideration of May 20, 2020 JCARR/Rules Review Committee Meeting Minutes

Edward Nurre moved for the Board to approve the May 20, 2020 JCARR/Rules Review Committee Meeting Minutes as presented. George Horne seconded the motion. Board President Wappner asked for discussion on the motion. There was no discussion.

Motion by Edward Nurre, second by George Horne

Roll-call vote: Yes: George Horne, Edward Nurre, Jon Rettig, Adriana Sfalcin, Thomas Taneff, William Wappner

Final Resolution: Motion Carries 6/0

Consideration of Board's Committees Decisions

William Wappner announced that the Board's JCARR/Rules Review Committee met earlier in the day. He reminded all that the committee was created to review proposed amendment to the Board's rules as found in the Ohio Administrative Code. Mr. Wappner requested Committee Chairperson Edward Nurre to report on the recent meeting of the committee.

Mr. Nurre reported that the committee, comprised of Jon Rettig, Adriana Sfalcin, William Wappner, and himself, reviewed and discussed revisions to 4717-5-02 of the Ohio Administrative Code as submitted by Ohio Funeral Directors Association. Mr. Nurre reminded that on May 20, 2020, the committee and the Board approved a draft of proposed amendments to 4717-5-02 during its meetings. OFDA has provided recommended revisions to that draft for the committee to consider.

Mr. Nurre stated that the committee approved to adopt OFDA's recommended revisions to its draft of proposed amendments to Section 4717-5-02.

Mr. Nurre stated the committee is recommending the Board do the same.

Edward Nurre moved for the Board to ratify the Board's JCARR/Rules Review Committee's decision to adopt the proposed amendments as recommended. Mr. Wappner stated that a second to the motion was not necessary, as the Committee Chair made the motion. Mr. Wappner asked for discussion on the motion. There was no discussion.

Motion by Edward Nurre

Roll-call vote: Yes: George Horne, Edward Nurre, Jon Rettig, Adriana Sfalcin, Thomas Taneff, William Wappner

Final Resolution: Motion Carries 6/0

Mr. Wappner asked if Ohio Funeral Directors Association had any comment on the adoption of its recommended revisions. Melissa Sullivan responded by stating that her organization would be happy to provide future support and recommendations to Common Sense Initiative and/or the (Ohio) Joint Committee on Agency Rule Review.

Licensure

Ratification of Facility Licenses

William Wappner informed all facility licenses approved at today's meeting will be conditional upon verification from board office staff that all documentation associated to an application for license has been received, reviewed, and accepted.

William Wappner announced that there were many applications for facility licenses to be approved: ownership and AIC changes, facility closures, new facilities, name changes, and leasing space. He read aloud the names of those listed.

Thomas Taneff moved for the Board to approve the list of applications as presented. Jon Rettig seconded the motion. Mr. Wappner asked for discussion on the motion.

Edward Nurre stated that Barnes Funeral Home appears to be applying for three funeral home licenses because of a change in the funeral director actually-in-charge. And Barnes Funeral Home appears to be closing just one location. He asked for confirmation that two more should not be listed as closing also. Kim Grossman responded to Mr. Nurre by stating that Bruce Barnes has taken the role of actual-in-charge for each location so each of the funeral home licenses for Barnes FH held by Robert Barnes will close.

Mr. Wappner asked Ms. Grossman if the [Barnes] funeral home's preneed funeral contracts were transferred. Ms. Grossman replied that they had.

Jon Rettig questioned if the application for Augustine Funeral Home was compliant. Ms. Grossman replied that it was.

Mr. Wappner informed that George Horne has an application for new license: leasing space included in the list of new facility licenses to be approved. Mr. Wappner recommended that Mr. Horne's application be removed from the list and voted on separately.

Mr. Taneff withdrew his motion.

Mr. Rettig recognized a conflict in voting for the list of applications and announced that he would abstain from voting.

Mr. Wappner moved for the Board to agree to remove the application for new license: Leasing Space from the list of new facility licenses to be approved and vote on it independently.

Motion by William Wappner, second by Edward Nurre

Roll-call vote: Yes: George Horne, Edward Nurre, Adriana Sfalcin, Thomas Taneff, William Wappner

Abstain: Jon Rettig

Final Resolution: Motion Carries 5/0

William Wappner moved for the Board to approve the list of applications as presented. Thomas Taneff seconded the motion. Mr. Wappner asked for discussion on the motion. There was no discussion.

Motion by William Wappner, second by Thomas Taneff

Roll-call vote: Yes: George Horne, Edward Nurre, Adriana Sfalcin, Thomas Taneff, William Wappner

Abstain: Jon Rettig

Final Resolution: Motion Carries 5/0

Thomas Taneff moved for the Board to approve the application for new license: leasing space as presented. Edward Nurre seconded the motion. Mr. Wappner asked for discussion on the motion. There was no discussion.

Motion by Thomas Taneff, second by Edward Nurre

Roll-call vote: Yes: Edward Nurre, Jon Rettig, Adriana Sfalcin, Thomas Taneff, William Wappner

Abstain: George Horne

Final Resolution: Motion Carries 5/0

Applications (Individuals) Recommended for License

William Wappner informed all individual licenses approved at today's meeting will be conditional upon verification from board office staff that all documentation associated to an application for license has been received, reviewed, and accepted.

Mr. Wappner read aloud the names of individuals recommended for an embalmer and/or funeral director license, and for a crematory operator permit.

Thomas Taneff moved for the Board to approve the applications from individuals for license(s) as presented. Adriana Sfalcin seconded the motion. Mr. Wappner asked for discussion on the motion. There was no discussion.

Motion by Thomas Taneff, second by Adriana Sfalcin

Roll-call vote: Yes: George Horne, Edward Nurre, Jon Rettig, Adriana Sfalcin, Thomas Taneff, William Wappner

Final Resolution: Motion Carries 6/0

Apprentice (Individuals) Certification for License

William Wappner read aloud the names of individuals recommended for certification of apprenticeship.

Thomas Taneff moved for the Board to approve the applications from individuals for certification of embalmer and/or funeral director apprenticeship(s), as presented. Jon Rettig seconded the motion. Mr. Wappner asked for discussion on the motion. There was no discussion.

Motion by Thomas Taneff, second by Jon Rettig

Roll-call vote: Yes: George Horne, Edward Nurre, Jon Rettig, Adriana Sfalcin, Thomas Taneff, William Wappner

Final Resolution: Motion Carries 6/0

Continuing Education

Continuing Education Programs

William Wappner asked Jon Rettig to report on the recent meeting of the board's Education and Examination Committee. Committee Chairperson Jon Rettig replied that the committee met earlier in the morning and approved the list of continuing education programs as presented.

Mr. Rettig commented on the efforts of The International Conference of Funeral Service Examining Boards (The Conference) to assist apprentices to sit for examinations through Pearson VUE. (Mr. Rettig currently serves as District 4 (Indiana, Michigan, Ohio, and Ontario) Director on the Board of Directors for the Conference.)

Lauren Thomas of the Conference complimented Mr. Rettig on his work with her organization. She also informed that the Conference now automatically extends exam authorizations for applicants that are near their expiration date at no additional cost. Ms. Thomas assured that the Conference is working diligently to ensure all exam candidates have an opportunity to test and will assist in finding a location for the applicant.

Jon Rettig moved for the Board to approve the applications for continuing education programs as presented. Mr. Wappner stated that a second to the motion was not necessary, as the Committee Chair made the motion. Mr. Wappner asked for discussion on the motion.

Motion by Jon Rettig

Roll-call vote: Yes: George Horne, Edward Nurre, Jon Rettig, Adriana Sfalcin, Thomas Taneff, William Wappner

Final Resolution: Motion Carries 6/0

Continuing Education Exemptions

Mr. Wappner informed there was two applications requesting fifty years exemption from the continuing education requirements to be considered.

Thomas Taneff moved for the Board to approve the applications for fifty years exemption from the continuing education requirements. Jon Rettig seconded the motion. Mr. Wappner asked for discussion on the motion. There was no discussion.

Motion by Thomas Taneff, second by Jon Rettig

Roll-call vote: Yes: George Horne, Edward Nurre, Jon Rettig, Adriana Sfalcin, Thomas Taneff, William Wappner

Final Resolution: Motion Carries 6/0

Compliance

Cases Recommended for Closure

William Wappner informed there were three compliance cases listed as recommended to be closed.

Thomas Taneff moved for the Board to ratify the list of closed compliance cases as presented and confirm each case status as closed. Edward Nurre seconded the motion. Mr. Wappner asked for discussion on the motion. There was no discussion.

Motion by Thomas Taneff, second by Edward Nurre

Roll-call vote: Yes: George Horne, Edward Nurre, Jon Rettig, Adriana Sfalcin, Thomas Taneff, William Wappner

Final Resolution: Motion Carries 6/0

Recommendation to Charge

Danny Finrock informed board members that the recommended charges before them today are for individuals involved in the continuing education audit for compliance year 2017-2018.

Jon Rettig questioned the number of individuals being charged. Mr. Finrock responded there eighty-five. Mr. Rettig asked for clarification if any of the 85 were repeats. Mr. Finrock replied they were not.

Thomas Taneff moved for the Board to approve charging the licensee with unprofessional conduct; specifically, for failing to respond to the 2017-2018 continuing education audit. George Horne seconded the motion. Mr. Wappner asked for discussion on the motion. There was no discussion.

Motion by Thomas Taneff, second by George Horne

Roll-call vote: Yes: George Horne, Edward Nurre, Jon Rettig, Adriana Sfalcin, Thomas Taneff, William Wappner

Final Resolution: Motion Carries 6/0

Jon Rettig moved for the Board to approve charging the licensee with unprofessional conduct; specifically, for failing to timely submit the 2017-2018 continuing education audit. Edward Nurre seconded the motion. Mr. Wappner asked for discussion on the motion. There was no discussion.

Motion by Jon Rettig, second by Edward Nurre

Roll-call vote: Yes: George Horne, Edward Nurre, Jon Rettig, Adriana Sfalcin, Thomas Taneff, William Wappner

Final Resolution: Motion Carries 6/0

Thomas Taneff moved for the Board to approve charging the licensee with unprofessional conduct; specifically, for failing to meet all 18 hours of the continuing education requirements for the 2017-2018 continuing education audit. George Horne seconded the motion. Mr. Wappner asked for discussion on the motion. There was no discussion.

Motion by Thomas Taneff, second by George Horne

Roll-call vote: Yes: George Horne, Edward Nurre, Jon Rettig, Adriana Sfalcin, Thomas Taneff, William Wappner

Final Resolution: Motion Carries 6/0

Attorney General Update

William Wappner asked Joshua Monroe if he would like to make any comments about Christie Limbert's report. Mr. Monroe replied that he did not have any comments at this time.

Prior to adjournment, Mr. Wappner asked if there was any further business or comments before the Board.

Jarrod Williams took a second roll call of apprentices in attendance of the meeting to ensure credit. Confirming their attendance were: Daniel Barfell, Brooke Battin, Jessica Helphinstine, Connor Lynch, Jonathon Obodean, Miracle Oladele, and Marcia Smoot.

Mr. Wappner announced that apprentice interviews will be conducted by board members via telephone later. He added that apprentices will be contacted by Kim Grossman of the board office to schedule a date and time.

3. Adjournment

Thomas Taneff moved for the Board to adjourn its meeting.

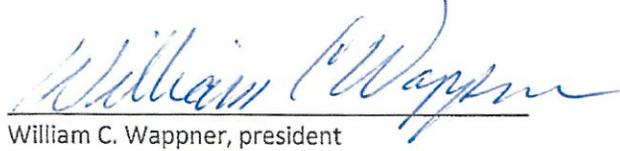
Motion by Thomas Taneff, second by Adriana Sfalcin

Roll-call vote: Yes: George Horne, Edward Nurre, Jon Rettig, Adriana Sfalcin, Thomas Taneff, William Wappner

Final Resolution: Motion Carries 6/0

June 17, 2020 meeting of the board adjourned at 11:25 a.m.

Board President William Wappner thanked everyone for attending the meeting.



William C. Wappner, president

Edward C. Nurre, Jr., secretary-treasurer

Attachments

June 17, 2020 meeting of the board adjourned at 11:25 a.m.

Board President William Wappner thanked everyone for attending the meeting.

William C. Wappner, president



Edward C. Nurre, Jr., secretary-treasurer

Attachments

June 17th, 2020 Board Meeting

Initial licenses to be approved

License Number	Name	Location
	Michael Shanks	Columbus, Ohio
FD.010086 & EMB.009902	Robert Ritschard	Columbus, Ohio
	Lori White-Sanders	Hilliard, Ohio
	Kristen Bahr	Marion, Ohio
	Katie Fahrer	Lancaster, Ohio
	Christian Gaines	Akron, Ohio
	Jack Hillis	Coshocton, Ohio

Reciprocal License

License Number	Name	State Reciprocating From

Courtesy Card Permit

License Number	Name	State From

Crematory Operator Permits

License Number	Name	Location
	Ariell Milner	Garfield Heights, OH
	William Johnson	University Heights, OH
	David Vernon	Mechanicsburg, OH
	Tambra Vernon	Mechanicsburg, OH
	Thomas Sims	Newark, Ohio

Apprentice Certification - June 17, 2020

Apprentice Certifications

<u>Apprentice Name</u>	<u>License Type</u>	<u>Location</u>
Morgan Eicher	CERT.007141 EMB & CERT.009027 FD	Loveland, Ohio
Alexander Sweet	CERT.007142 EMB & CERT.009028 FD	Lancaster, Ohio
Margret White	CERT.007143 EMB	Mentor, Ohio

June 17, 2020 – New Facility License

New License: Ownership and AIC Changes

License Type	License to be changed and #	Old AIC	New Name and License #	New AIC	Location
FH	FH.002412 McColaugh Funeral Home	Roger McColaugh	McColaugh Funeral Home	Virginia McColaugh	Xenia, Ohio
FH	Clark-Kirkland Funeral Home	Jonathan Kirkland	Clark-Kirkland-Barr Funeral Home Inc.	Clint Bar	Cadiz, Ohio

New License - Actually-in-Charge Change

Type	Name of Facility	License #	Old AIC	New AIC	Location
FH	Groff Funeral Home	FH.002429	Leon Groff	Kurt Kresser	Milan, Ohio
FH	Groff Funeral Home	FH.003007	Ann Gross	Kara Mesenburg	Sandusky, Ohio
FH	Leaf Cremation LLC	FH.003686	Thomas Simms	Rusty Garrett	Columbus, Ohio
FH	Barnes Funeral Homes	FH.002545	Robert Barnes	Bruce Barnes	Eaton, Ohio
FH	Barnes Funeral Home	FH.002547	Robert Barnes	Bruce Barnes	Lewisburg, Ohio
FH	Barnes Funeral Home	FH.002544	Robert Barnes	Bruce Barnes	New Paris, Ohio

Change in Ownership ONLY

		Old	New			

Type	Name of Facility	License #	License #	Old AIC	New AIC	Location

Facility Closure – Out of business

Type	Name	License #	Owner-AIC	Location
FH	Barnes Funeral Home	FH.003464	Robert Barnes	Eaton, Ohio

New License: New Facility

Type	Name	License #	AIC	Location
FH	Affordable Options		Brittany Snyder	Canton, Ohio
FH	Newcomer Funeral Home		Warren Newcomer	Powell, Ohio
FH	The Cremation Society of Toledo		Keith Walker	Holland, Ohio
FH	Augustine Funeral Home	FH.003702	Ronald Miller	Youngstown, Ohio

Name Change

License #	Name to be changed	New Name	AIC	Location
CREM.000026	Adams Mason Crematory	Funeral Directors Crematory	Scott Mason	Akron, Ohio

New License: Leasing Space

Type	Funeral Home leasing space	AIC	Name of Facility being leased	New License #	Owner	Location
FH	House of Peace Funeral Home	George Horne	Komorowski Funeral Home		David Komorowski	Cleveland, Ohio

JUNE 2020 CE APPROVED PROGRAMS

The course numbers are labeled, depending on the location of the program. The first number of the program number, will indicate its location based on the map to the right. Program numbers beginning with 0- are online programs, program numbers beginning with 6- are out-of-state programs.



Provider Name	Contact	Email	Phone	Location Course Number	Course Name	Hours	Program Date
Funeral Directors Life Insurance Company	Pam Ulery	pam.ulery@funeraldirectorslife.com	(800) 692-9515	0-00252	What makes a healing funeral?	1.00	6/18/2020
Funeral Directors Life Insurance Company	Pam Ulery	pam.ulery@funeraldirectorslife.com	(800) 692-9515	0-00251	Why Do We Have Funerals	1.00	6/18/2020
Greater Lorain Funeral Directors Association	Charles Duke	cd6758@hotmail.com	(440) 926-2048	2-00258	A View from the Edge of A Grave	2.00	7/21/2020
Greater Lorain Funeral Directors Association	Charles Duke	cd6758@hotmail.com	(440) 926-2048	2e-00257	Ethics and Today's Business Climate	2.00	7/7/2020
Hospice Advisors	Greg Grabowski	greg@hospiceadvisors.com	(734) 658-6162	6-00253	"Leveraging the Hospice Tipping Point - A 2 Day Collaborative Workshop for Funeral Homes"	8.00	9/15/2020
Matthews Aurora	Mary Andres Russell	mrussell@matw.com	(812) 926-5684	0-00256	Funeral...FUNeral... Moving Families from Grieving to Remembrance	1.00	7/28/2020
Ohio Funeral Directors Association	Diana Carpenter	diana@ofdaonline.org	(614) 486-5339	0-00256	Online / On Demand - The Facebook Formula: How To Stay Relevant in a Changing World	1.00	12/31/2020
Ohio Funeral Directors Association	Diana Carpenter	diana@ofdaonline.org	(614) 486-5339	0L-00254	Online / On Demand - OSHA Standards	1.00	12/31/2020
Ohio Funeral Directors Association	Diana Carpenter	diana@ofdaonline.org	(614) 486-5339	0-00255	Online / On Demand - Grief in a Digital World	1.00	12/31/2020
Ohio Funeral Directors Association District 4	Chloe M. Idle	chloe.idle@carriageservices.com	(513) 384-7846	4-00259	Have You Wowed Your Families Lately and Are You Really Listening?	2.00	7/14/2020

June 17, 2020 Continuing Education Exemptions

Exemption – Separation from Practice

License #	Name

50 Years of Licensure Exemption(s)

License #	Name
FD.005889	Barnes, Sharon
EMB.006374 / FD.005453	Joseph Skerl

2 Year Waiver(s), Medical / Undue Hardship Approved For 2019 – 2020 must re-apply in 2021

License #	Name

Meeting: June 17, 2020
Category: Compliance
Subject: Ratification of Closed Compliance Cases

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 CO2020-4431

Complaint alleges a funeral home is operating in a location that it is not permitted to.

A representative of the former owner of the real property identified in the complaint alleges that the building and property were donated years ago to a non-profit corporation with a deed covenant restricting the use of the real estate for the purpose of a funeral home, mortuary, funeral service establishment of any kind, or cemetery goods or services establishment.

The investigation concluded that the owner/operator of the funeral home purchased the real property from the non-profit corporation. Afterwards, the new owner filed for a permit to perform alterations to the building with the property's local City Building and Inspections Agency. Approximately one month after issuance of the permit, the owner received a certificate of occupancy from the same agency to operate the location as a funeral parlor. A copy of each permit was included with the owner's application for new funeral home license to the Board.

An inspection of the facility by a board inspector confirmed the facility met requirements for licensure. There are no violations of Chapter 4717. of the Revised Code or Chapter 4717. of the Administrative Code.

Case number CO2020-4447

Complaint alleges a funeral home overcharged for items.

In 1997, a person arranged their funeral services and purchased a preneed funeral contract for themselves from a funeral home. The preneed contract included guaranteed professional services and merchandise such as funeral director's services, embalming, transfer of remains, memorial services, casket and register book. It also included non-guaranteed merchandise cash advance items such as death certificates.

The person died in April 2020. In days prior to providing services and merchandise according to the prepaid preneed funeral contract, the funeral home drafted an "at need" contract for additional cash advance items such as current cemetery fees, flowers, hair dressing, and obituary fees. A grandson of the deceased agreed to the contract.

The grandson and a funeral director spoke by telephone on the evening before the funeral services were scheduled. The grandson shared his concern that the funeral home was overcharging for obituary notices – a service he believed should be free. The funeral director explained that an obituary notice is not free and assured him that the obituary costs were estimates, and the funeral home would adjust the final funeral bill upon receiving actual invoices. (At that time, the two publishers had not yet issued invoices for the notices.) The grandson continued to dispute the charges. To end the dispute, the funeral home waived the obituary fees, and accepted a reduced payment from the grandson the following day. (According to the funeral home, the obits invoices arrived about one week later indicating costs were less than estimated: The grandson would have received a refund.)

The investigation concluded that the licensee was able to work with the complainant to resolve the complaint. There are no violations of Chapter 4717. of the Revised Code or Chapter 4717. of the Administrative Code.

Case number CO2020-4621

Complaint alleges a funeral director was rude and refused to provide merchandise as promised.

A daughter of the deceased stated that a video was displayed during the memorial service (showing) of her mother. The daughter stated that the funeral home promised to provide a copy of the video to her and two of her three sisters.

The complainant is one of four daughters of the deceased. Three sisters are estranged from one sister. (For purpose of clarity the one sister will be identified as “Jane” hereinafter.)

Jane contracted the funeral home for funeral services for her mother. According to the funeral home, Jane did not contract the funeral home, or its video/film production vendor, to produce a memorial video. The video seen during the memorial service was supplied by Jane.

The funeral home stated that refusal to provide an attendee of a funeral with an item(s) private to family members of the deceased does not constitute a violation of Ohio Administrative Code (OAC) 4717.14, nor warrant disciplinary actions.

The investigation concluded that the funeral home provided services and products as contracted to the person with the lawful right of disposition of the deceased. The investigator also confirmed that the three sisters eventually received a copy of the video from their sibling. There are no violations of Chapter 4717. of the Revised Code or Chapter 4717. of the Administrative Code.