

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
THURSDAY APRIL 7, 2016
INDIANA GOVERNMENT CENTER SOUTH, CONFERENCE CENTER ROOM C
402 W WASHINGTON STREET
INDIANAPOLIS, IN 46204**

CALL TO ORDER

The meeting was called to order at 11:00 a.m. by Thomas Sproles, pursuant to public notice posted at the principal office of the board at least forty-eight (48) hours before the time of the meeting.

BOARD MEMBERS PRESENT: Thomas Sproles, Chairman
Christopher Cooke, Vice Chairman
Robert Loose
Donald Alford
Theodore Mau
Roland Cutter

BOARD MEMBER ABSENT: Tasha Smith, State Department of Health

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Jennifer Broadbent, Assistant Board Director
Donald Hannah, Deputy Attorney General

ADOPTION OF THE AGENDA

The agenda was adopted.

Cooke/Loose
6/0/0
Motion carried.

ADOPTION OF THE MINUTES OF THE FEBRUARY 4, 2016, MEETING OF THE BOARD

A motion was made and seconded to approve the minutes of the February 4, 2016 meeting as corrected.

Loose/Cutter
6/0/0
Motion carried.

ADMINISTRATIVE HEARINGS

1. Administrative Hearing in the matter of J. Bruce Baker, FD01009990 SBFCS 16-03

A motion was made and seconded to issue a letter of reprimand, place the license on indefinite probation with no right to petition for removal for a period of one year, impose a fine of \$3000.00, and require twelve (12) continuing education hours, six (6) of which should be in Indiana law and in addition to the regular license requirement to renew active.

Loose/Alford
4/0/2
Motion carried.

2. Administrative Hearing in the matter of Mark Baker, FD29400072, SBFCS 16-10

A motion was made and seconded to issue a letter of reprimand, place the license on indefinite probation with no right to petition for removal for a period of one year, impose a fine of \$3000.00,

and require twelve (12) continuing education hours, six (6) of which should be in Indiana law and in addition to the regular license requirement to renew active.

Loose/Alford
4/0/2
Motion carried.

3. Administrative Hearing in the matter of Baker Funeral Home, FH19700017, SBFCS 16-04

A motion was made and seconded to place license on indefinite probation with no right to petition for removal for a period of one year and impose a fine of \$5000.00.

Loose/Alford
4/0/2
Motion carried.

4. Administrative Hearing in the matter of Gregory Wade Thayer, FD08600369, SBFCS 15-43

A motion was made and seconded to extend the summary suspension for a period of 90 days.

Loose/Alford
4/0/2
Motion carried.

5. Administrative Hearing in the matter of Marvin Boatright, SBFCS 16-02

A motion was made and seconded to grant the Motion to Cease and Desist and if he continues to violate the statutes that the matter be forwarded to the local prosecutor.

Cutter/Loose
4/0/2
Motion carried.

A motion was made and seconded to allow thirty (30) days from the date of the Order to rectify all of the matters indicated in the Motion for Cease and Desist and to provide proof of such to the Board Director, Indiana Professional Licensing Agency.

Cutter/Loose
4/0/2
Motion carried.

6. Administrative Hearing in the matter of Thomas Oswald, FD21000044, SBFCS 15-38

A motion was made and seconded to place the license on indefinite probation with no right to petition for withdraw for a period of one year, impose a fine of \$500, require twelve (12) continuing education hours, six (6) of which should be in Indiana law and in addition to the regular license requirement to renew active, and require an inspection prior to petitioning for removal of probation.

Alford/Cutter
4/0/2
Motion carried.

7. Administrative Hearing in the matter of Keith Mefford, SBFCS 16-06 was continued.

8. Administrative Hearing in the matter of Grandview Memorial Gardens, CM40100006, SBFCS 16-05 was continued.

The report will be e-mailed to IPLA for distribution to the board members.

CONSIDERATION OF MOTION FOR VOLUNTARY DISMISSAL

1. Hippensteel Funeral Home, FH11400025, SBFCS 16-01

A motion was made and seconded to approve the Motion for Voluntary Dismissal.

Loose/Alford
4/0/2
Motion carried.

CONSIDERATION OF APPLICATION FOR FUNERAL BRANCH LICENSE IN THE MATTER OF BAKER FUNERAL HOME, DANVILLE, IN

A motion was made and seconded to approve issuance of the license on indefinite probation with no right to petition for removal for a period of one year and require compliance with the Order set forth in SBFCS 16-04.

Cutter/Loose
4/0/2
Motion carried.

PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR FUNERAL DIRECTOR LICENSE BY RECIPROCITY CHRISTELLA PICKENS

A motion was made and seconded to approve the application pending passing the state examination.

Loose/Alford
4/0/2
Motion carried.

CONSIDERATION OF POSSIBLE LICENSE SUSPENSION FOR FAILURE TO COMPLY WITH THE NOTICE OF NONCOMPLIANCE

1. Richard K. Merryweather, FD09100020, SBFCS 15-25

A motion was made and seconded to suspend the license for noncompliance with the continuing education requirement pursuant to his Notice of Noncompliance.

Loose/Alford
4/0/2
Motion carried.

VERIFIED COMPLAINT REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND

1. Palmer Funeral Home – West Chapel for Willie Smiley
Re: Clark-O’Neal Funeral Home, Inc., FH10400018 (Closed)

A motion was made and seconded to approve the request in the amount of \$13,975.00 plus interest not to exceed the amount of the at-need contract.

Mau/Cooke
6/0/0
Motion carried.

2. Burns Funeral Home for Betty C. Roberts
Re: Kraft Funeral Home, FH10000005 (Revoked)

A motion was made and seconded to approve the request in the amount of \$1500.00 plus interest not to exceed the amount of the at-need contract.

Cooke/Loose
6/0/0
Motion carried.

3. Edmonds & Evans Funeral Home for Dorothy Sarnowski
Re: Kraft Funeral Home, FH10000005 (Revoked)

A motion was made and seconded to approve the request in the amount of \$2405.00 plus interest not to exceed the amount of the at-need contract.

Mau/Cooke
6/0/0
Motion carried.

4. Edmonds & Evans Funeral Home for Sara Collazo
Re: Kraft Funeral Home, FH10000005 (Revoked)

A motion was made and seconded to approve the request in the amount of \$5500.00 plus interest not to exceed the amount of the at-need contract. The \$2960.00 paid to Kraft Funeral Home for a monument is not included in the reimbursement amount because Edmonds & Evans Funeral Home did not provide a monument.

Mau/Cooke
6/0/0
Motion carried.

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

A motion was made and seconded to approve and deny the courses as indicated below.

Alford/Loose
4/0/2
Motion carried.

NEW COURSES FROM PREVIOUSLY APPROVED SPONSORS

Batesville Casket Company, CE10800652 – No IN law

- Exploring the Paradoxes of Mourning: Implications for Funeral Service, April 21, 2016, 3 CEUs
- Setting a New Standard: The Cremation Arrangement, April 21, 2016, 2 CEUs

Baxter Burial Vault Service, CE10800655 – No IN law

- Burial Vaults, The Concrete Facts, Ongoing, 2 CEUs
- Everything you need..Um Vaults, Ongoing, 2 CEUs

Chiles-Laman Funeral Home, NEW – No IN law

- Teen Suicide: Risk, Awareness, and Grief, January 13, 2016, 2 CEUs
- Update on State and Local Issues, January 13, 2016, 2 CEUs
- Resolving Preparation Glitches, January 13, 2016, 2 CEUs
- Handling Radioactive Remains, January 13, 2016, 2 CEUs
- Missing in America Project, January 13, 2016, 2 CEUs

Cincinnati Equitable Life Insurance Company, CE21000943

- Microbes and Morticians, May 25, 2016, 2 CEUs
- Effective Funeral Merchandising, May 25, 2016, 1 CEU
- Make It Personal, May 25, 2016, 1 CEU
- Improving Funeral Home Cash Flow, May 25, 2016, 1 CEU
- The Value of Celebrant Training, May 25, 2016, 1 CEU
- *The Preneed Act, July 14, 2016, 1 CEU – IC 30-2-13*
- *The Practice Act, July 14, 2016, 1 CEU – IC 25-15-2-22*
- *The Cremation Act, July 14, 2016, 1 CEU – IC 23-14-31*
- *The Cemetery Act, July 14, 2016, 1 CEU – IC 23-14*

The Dodge Institute for Advanced Mortuary Studies, CE10800694 – No IN law

- Dodge Technical Seminar 2016 – Atlantic City, New Jersey, May 12-13, 2016, 9 CEUs
- Dodge Technical Seminar 2016 – Las Vegas, Nevada, November 10-11, 2016, 9 CEUs

Epsilon Nu Delta Mortuary Fraternity, CE10800703 – No IN law

- Pediatric Embalming Treatments, March 30, 2016, 1 CEU
- The Lost Art of Embalming, March 30, 2016, 1 CEU
- Embalming Opportunities Turning the Worst into the Best, March 30, 2016, 1 CEU

Flanner and Buchanan Funeral Center, CE10800861 – No IN Law

- Challenges at the End-of-Life, March 10, 2016, 2 CEUs

Kentucky Association of Morticians, CE21400019 – No IN Law

- KAM Board of Directors Meeting, April 26, 2016, 1 CEU
- Embalming & Post Mortem Reconstruction – Part I & II, April 26, 2016, 4 CEUs

Newcomer Funeral Service Group, CE21200017 – No IN Law

- NewcomerU OSHA Training, Ongoing, 2 CEUs

OFDA District One, CE20800910 - No IN Law

- Intro to 4County L.O.S.S. Team, April 20, 2016, 2 CEUs

Vermillion County Funeral Directors Association, CE10800843 – No IN Law

- Financial Statements, April 26, 2016, 2 CEUs
- The History of the Funeral Coach, April 26, 2016, 1 CEU
- Infant Embalming, April 26, 2016, 1 CEU
- Embalming Round Table, April 26, 2016, 2 CEUs
- Investing Keys to Success, April 26, 2016, 2 CEUs

Wabash Valley Funeral Directors Association, CE21400020 – No IN Law

- Funeral Preneed Options, March 24, 2016, 3 CEUs

Wilbert, Burial Vault Co., Inc., CE21500018 – No IN Law

- Outer Burial Container Basic, Ongoing, 1 CEU
- Better Communications with Families, Ongoing, 1 CEU
- Operation/Plant Tour, Ongoing, 1 CEU

DISCUSSION OF OFFICE OF ATTORNEY GENERAL TRAINING FOR BOARD MEMBERS

Tracy Hicks will check with the agency about their new board member orientation.

JUNE BOARD MEETING RESCHEDULED

The June 9, 2016 meeting has been rescheduled for June 2, 2016.

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 2:09 p.m.