

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
THURSDAY JUNE 13, 2013
INDIANA GOVERNMENT CENTER SOUTH
CONFERENCE CENTER, ROOM 22
302 W WASHINGTON STREET
INDIANAPOLIS, IN 46204**

CALL TO ORDER

The meeting was called to order at 11:10 a.m. by P. St. Pierre, 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: Paul St. Pierre, Chairman
Samuel Frain
James Todd
John Gerlach
Theodore Mau
Roland Cutter
David Baize

BOARD MEMBER ABSENT: Anne M. Patterson
Matthew Drury

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Rae Harman, Assistant Board Director
Kevin McDowell, Deputy Attorney General

ADOPTION OF THE AGENDA

The June 13, 2013 agenda was adopted as amended.

Frain/Mau
6/0/0
Motion carried.

ADOPTION OF THE MINUTES OF APRIL 11, 2013 MEETING AND EXECUTIVE SESSION OF THE BOARD

The minutes of the April 11, 2013 meeting and executive session of the board was adopted.

Todd/Gerlach
7/0/0
Motion carried.

APPLICATIONS FOR RENEWAL

A motion was made and seconded to allow Valerie Lane Hovis, FI20800058 to sit for the funeral director examination.

Frain/Todd
4/0/0
Motion carried.

A motion was made and seconded to approve the application for renewal pending passing the funeral director examination in the matter of Rick Alan Hawkins, FD20000365.

Frain/Cutter
4/0/0
Motion carried.

A motion was made and seconded to approve the application for renewal pending completion of 20 hours of continuing education with no more than 10 hours in distance learning and passing the funeral director examination in the matter of Sarah Ann Milligan, FD20700078.

Todd/Frain
4/0/0
Motion carried.

A motion was made and seconded to approve the application for renewal in the matter of Terry L. Warner, FD20400086

Todd/St. Pierre
4/0/0
Motion carried.

A motion was made and seconded to approve the application for renewal in the matter H.E. Johnson & Sons Funeral Home, CA09100421

Todd/Gerlach
7/0/0
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF NICHOLAS HARRIS HENSON, FI21200029, SBFCS 12-03

A motion was made and seconded to approve Respondent's petition to have his probation withdraw and correct his record to indicate his conviction was a misdemeanor.

Frain/Cutter
5/0/2
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF BOATRIGHT FAMILY SERVICES, SBFCS 13-09

A motion was made and seconded to uphold the denial of the application for funeral home license in the matter of Boatright Family Services.

Todd/Cutter
7/0/0
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF JENNIFER JARVIS, FD08600385, SBFCS 13-10

A motion was made and seconded to require six (6) hours of continuing education not to be applied to the 2013 – 2014 reporting period and pay the \$1000 fine within six months from the date of issuance of the final order. The board considered her written testimony in her absence.

Todd/Frain
5/0/1
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF MICHAEL WITTENBRAKER, FD01024459, SBFCS 13-11

A motion was made and seconded to vacate the Notice of Noncompliance.

Cutter/Todd
5/0/1
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF LEE CONGLETON, FD20900066, SBFCS 13-12

A motion was made and seconded to require ten (10) hours of continuing education not to be applied to the 2013 – 2014 reporting period and pay the \$1000 fine within six months from the date of issuance of the final order.

Frain/Cutter
5/0/1
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF HUGH RUSSELL HUNT, FD29800076, SBFCS 13-13

A motion was made and seconded to require five (5) hours of continuing education not to be applied to the 2013 – 2014 reporting period and pay the \$1000 fine within six months from the date of issuance of the final order.

Frain/Cutter
5/0/1
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF BRIAN L. WHITEHEAD, FD29400015, SBFCS 13-14

A motion was made and seconded to require five (5) hours of non-distance learning continuing education not to be applied to the 2013 – 2014 reporting period and pay the \$1000 fine within six months from the date of issuance of the final order.

Frain/Todd
5/0/1
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF JAMES A. MAGUIRE, FD20400061, SBFCS 13-15

A motion was made and seconded to vacate the Notice of Noncompliance.

Todd/ Frain
5/0/1
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF CINDY S. MULLIS, FD20200005, SBFCS 13-16

A motion was made and seconded to require five (5) hours of non-distance learning continuing education not to be applied to the 2013 – 2014 reporting period and pay the \$1000 fine within six months from the date of issuance of the final order.

Frain/Cutter
5/0/1
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF BRENTON WAYNE STUCKER, FD29800129, SBFCS 13-17

A motion was made and seconded to require ten (10) hours of non-distance learning continuing education not to be applied to the 2013 – 2014 reporting period and pay the \$1000 fine within six months from the date of issuance of the final order.

Todd/Frain
5/0/1
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF CHARLES GILILAND, FD01002752, SBFCS 13-18

A motion was made and seconded to vacate the Notice of Noncompliance.

Todd/Frain
5/0/1
Motion carried.

ADMINISTRATIVE HEARING IN THE MATTER OF KRISTEN JON DENNEY, FD20300009, SBFCS 13-20

A motion was made and seconded to vacate the Notice of Noncompliance.

Todd/Cutter
5/0/1
Motion carried.

OFFICE OF THE ATTORNEY GENERAL REPORT

Written report provided.

APPLICATION FOR FUNERAL DIRECTOR LICENSE

A motion was made and seconded to approve the application in the matter of Jacob Fisher.

Frain/Todd
5/0/2
Motion carried.

CORRESPONDENCE REGARDING PRENEED FILES FROM JORDAN-GRAY FUNERAL HOME

The board determined that the merger of Jordan-Gray Funeral Home and Fountain Square Mortuary would not require a new funeral director application and they have met the notice requirements for the preneed files.

DISCUSSION OF POSSIBLE DESIGNATION OF SUCCESSOR SELLER FOR THE PRENEED CONTRACTS FROM R.D. PYKE FUNERAL SERVICE, FH89200005.

A motion was made and seconded to assign the preneed files to Adams Funeral Home, FH11000039 and require they notify the purchasers that the files have been assigned to the funeral home within thirty days.

Frain/Todd
6/0/0
Motion carried.

REQUEST FOR SUSPENSION TO BE REMOVED FROM THE RECORD IN THE MATTER OF DANIEL BLEVINS, FD20700037

A motion was made and seconded to remove the record of suspension but not refund the fine paid.

Frain/Todd
5/0/1
Motion carried.

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

A motion was made and seconded to approve the following continuing education.

Frain/Todd
5/0/1
Motion carried.

NEW COURSES FROM PREVIOUSLY APPROVED SPONSORS

Aurora Casket Company

- Lifetimes-A Balanced Funeral Arrangement, May 29 & 30, 2013, 6 ceu
- Meeting the Needs of Cremation Families, March 26, 2013, 2 ceu

Cremation Association of North America (CANA)

- Crematory Operators Certification Program, August 7, 2013, 6 ceu
- Crematory Operators Certification Program, October 18, 2013, 6 ceu
- Crematory Operators Certification Program, November 8, 2013, 6 ceu

Graystone Associate, Inc.

- Recovery Skills, Varies, 4 ceu
- Funeral Service Associate, Varies, 4 ceu

Indiana State Coroners Association (ISCA & Indiana State Coroners Training Board (CTB)

- 2013 Dr. David Avolt Memorial Training Conference (workshop), June 20, 2013, 2 ceu
- 2013 Dr. David Avolt Memorial Training Conference (general session), June 21-23, 2013, 19 ceu

Indiana State Department of Health

- ESF – 8 Conference, June 25, 2013, 6 ceu

International Cemetery, Cremation & Funeral Association

- College of Cemetery Administration & Management, July 19-24, 2013, 24 ceu
- College of Cremation Services, July 19-24, 2013, 24 ceu
- College of Funeral Home Management, July 19-24, 2013, 24 ceu
- College of Land Management & Grounds Operations, July 19-24, 2013, 24 ceu
- J. Asher Neel College of Sales & Marketing, July 19-24, 2013, 24 ceu
- College of 21st Century Services, July 19-24, 2013, 24 ceu
- College of Embalming, July 19-24, 2013, 24 ceu

International Order of the Golden Rule

- Thinking Outside the Box: Providing Nontraditional Funeral Services, July 26, 2013, 1 ceu

Kates-Boylston Publications

- Cremation Strategies Conference, December 2, 2013, 6 ceu
- Funeral Service Business Plan, December 3-4, 2013, 12 ceu

National Funeral Directors and Morticians Association, Inc.

- NFDMA & LFDMA Public Day, August 4, 2013, 2 ceu
- View From the Roof: Lessons in Life and Business, August 5, 2013, 1 ceu
- Capitalism for Caregivers Owners Only Track, August 5, 2013, 1 ceu
- New Member & Student Orientation, August 5, 2013, 1 ceu
- OSHA Review, August 5, 2013, 1 ceu
- It's A Family Affair: NFDMA Healthcare Symposium, August 5, 2013, 3 ceu
- Owner's Round Table: Best Kept Secrets for Funeral Directors' Success, August 5, 2013, 1 ceu
- Exhibit Hall Education & History Museum, August 6 & 7, 2013, 2 ceu
- Embalming The Radiology Case Part II, August 7, 2013, 2 ceu
- New Age Marketing: How to Compete with Goliath on a David Budget, August 7, 2013, 1 ceu
- Funeral Planning and Wealth Management, August 7, 2013, 1 ceu
- Physiological Effects of Long Term Disease, August 7, 2013, 1 ceu
- The Unsteady March of Time: The Funeral Profession-Past, Present, and Future, August 7, 2013, 1 ceu

Selected Independent Funeral Homes

Selected Independent Funeral Homes 2013 Annual Meeting, October 16-19, 2013, 10 ceu

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 2:10 p.m.