

STATE BOARD OF FUNERAL AND CEMETERY SERVICE
BOARD MEETING
THURSDAY JUNE 2, 2011
INDIANA GOVERNMENT CENTER SOUTH
402 W WASHINGTON STREET, ROOM W064
INDIANAPOLIS, IN 46204

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT:

Theodore Mau, Chairman

Matthew Drury
Samuel Frain
David McComb
John Gerlach
Anne M. Patterson
Roland Cutter
Erin Kellam, State Board of Health

BOARD MEMBERS ABSENT:

Paul St. Pierre, Vice Chairman
James Todd

STATE OFFICIALS PRESENT:

Tracy Hicks, Board Director
Elizabeth Brown, Deputy Attorney General

**MINUTES TRANSCRIBED AND
COMPILED BY:**

Tracy Hicks, Board Director

**MINUTE NO. 11-25
CALL TO ORDER**

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

Erin explained about a new statute that would hold the physician responsible through disciplinary action if they fail to properly fulfill their requirement regarding a death certificate. The medical board will deal with them.
Enrolled Act 366

**MINUTE NO. 11-26
ADOPTION OF THE JUNE 2, 2011 AGENDA**

S. Frain moved to adopt the June 2, 2011 agenda. E. Kellam seconded the motion. Motion carried.

**MINUTE NO. 11-27
ADOPTION OF THE MINUTES OF APRIL 7, 2011 MEETING OF THE BOARD**

M. Drury moved to adopt the minutes of the April 7, 2011 meeting of the board. E. Kellam seconded the motion. Motion carried.

MINUTE NO. 11-28

ADMINISTRATIVE HEARING IN THE MATTER OF RICHARD DUANE PYKE, FD08800208, SBFCS 10-06

S. Frain moved to extend the summary suspension for 90 days in the matter of Richard Duane Pyke, FD08800208, SBFCS 10-06. E. Kellam seconded the motion. Motion carried.

MINUTE NO. 11-29

ADMINISTRATIVE HEARING IN THE MATTER OF SHADES OF GREEN CREMATIONS, LLC, SBFCS 11-13

S. Frain moved to issue a Notice of Proposed Default in the matter of Shades of Green Cremations, LLC, SBFCS 11-13. A. Patterson seconded the motion. Motion carried.

MINUTE NO. 11-30

IN THE MATTER OF EUGENE WAGNER, FD29600119, SBFCS 10-05

S. Frain moved to reject the Proposed Findings Findings of Fact, Conclusions of Law and Order In the Matter of Eugene Wagner, FD29600119, SBFCS 10-05. R. Cutter seconded the motion. A. Patterson opposed. M. Drury abstained. Motion failed.

E. Kellam moved to table the proposed settlement and grant the continuance until the next meeting in order to speak to P. St. Pierre regarding the matter.

MINUTE NO. 11-31

CHANGE IN MORTUARY SCIENCE PROGRAM AT IVY TECH COMMUNITY COLLEGE

S. Frain moved to approve the change in Mortuary Science Program at IVY Tech Community College. M. Drury seconded the motion. Motion carried.

MINUTE NO. 11-32

CONSIDERATION OF APPLICATIONS FOR RESTORATION OF FUNERAL DIRECTOR LICENSE

S. Frain moved to require passing the funeral director exam and require one crash review course and complete 10 hours of CE (max 5 hours online in the matter of Michael D. Litke, FD01016937, Expired December 31, 1994. M. Drury seconded the motion. Motion carried.

A. Patterson moved to require a personal appearance and bring documentation of prelicensing education and continuing education in the matter of Scott T. Howell, FD 303, Expired December 31, 1980. M. Drury seconded the motion. Motion carried.

MINUTE NO. 11-33

VERIFIED COMPLAINTS REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND

- A. **Midwest Funeral Home & Cremation Society for James E. McQueen, Sr.**
Re: Northeast Indiana Cremation Society, CR30000006
- B. **Midwest Funeral Home & Cremation Society for Margaret E. Osborn**
Re: Northeast Indiana Cremation Society, CR30000006
- C. **Midwest Funeral Home & Cremation Society for George I. Martin**
Re: Northeast Indiana Cremation Society, CR30000006
- D. **Midwest Funeral Home & Cremation Society for Marc D. Pape re: Phyllis I. Pape**
Re: Northeast Indiana Cremation Society, CR30000006
- E. **Midwest Funeral Home & Cremation Society for Mary Catherine Eakin**
Re: Northeast Indiana Cremation Society, CR30000006

J. Gerlach moved to table all of the Midwest until Kevin McDowell can render his opinion. E. Kellam seconded the motion. Motion carried.

F. Cathy Schleibaum for Cora Louise Black

Re: Grandview Memorial Gardens, CM40100006

JG moved to deny the request since there are funds in another trust to take care of the matter. T. Mau seconded the motion. Motion carried.

G. Bernard Owen Pullen, Jr. for Timothy Owen Pullen

Re: R. D. Pyke Funeral Services, FH89200005

A. Patterson moved to grant restitution plus interest not to exceed the cost of the current contract for a total of \$1010.04. T. Mau seconded the motion. Motion carried.

H. Patricia A. Loraine, for Bonnie J. Parrish

Re: Northeast Indiana Cremation Society, CR30000006

A. Patterson moved to table the request pending Kevin McDowell's legal opinion. M. Drury seconded the motion. Motion carried.

**MINUTE NO. 11-34
CORRESPONDENCE**

- A. Eric Kidd, FD01021574 is employed at Hunt & Son Funeral Home and Tony Dossett, FD01007744 has retired from Hunt & Son Funeral Home.
- B. Lisa M. Thomas, FD21000011 is employed at Calumet Park Funeral Chapel.
- C. Howard J. Rainey, FD08601624 is employed at Spring Valley Funeral Home.
- D. John D. Hill, FE21000085 is completing his internship with Randall & Roberts Funeral Homes.
- E. Sylvester Dunn, II, FD09200053 is employed at Stuart Mortuary, Inc.
- F. Michael D. Rortvedt, FD29500097 is employed at DeVerter Funeral Home.

**MINUTE NO. 11-35
IN THE MATTER OF SCALES FINANCIAL SERVICES, INC**

S. Frain moved the board file a cease and desist with the AG's office in the matter of Scales Financial Service, Inc. M. Drury seconded the motion. Motion carried.

**MINUTE NO. 11-36
IN THE MATTER OF GREG COLVIN AT STIRLINGSHIRE MORTUARY SERVICE, LEBANON, IN 46052**

T. Mau moved to file a cease and desist with the AG's office in the matter of Greg Colvin at Stirlingshire Mortuary Service, Lebanon, IN 46052. S. Frain seconded the motion. Motion carried.

**MINUTE NO. 11-37
REPORT FROM CURTIS ROSTAD, IFDA, REGARDING HIS MEETING WITH THE KENTUCKY FUNERAL BOARD REGARDING RECIPROCITY**

Report from Curtis Rostad, Indiana Funeral Directors Association. This matter would not include reciprocity language. The whole idea is for the funeral director to serve the public and the state boundaries should not affect funeral directors serving families. No laws would need to be changed, rather the people crossing into the other state would have to have a courtesy card. The funeral director would have to follow their domicile license requirements rather than following the laws and rules in the state they are crossing over to. (Example: since Indiana requires funeral directors to do a graveside service. If that funeral director were using a courtesy card to service a funeral in Kentucky, the Indiana laws must be followed and the funeral director would have to do the graveside service.) There will be another meeting scheduled in October or November with the Kentucky board to discuss the matter further.

**MINUTE NO. 11-38
REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES, APPROVED**

M. Drury moved to approve the Continuing Education as follows. S. Frain seconded the motion. Motion carried.

APPLICATION FOR RECOGNITION AS A SPONSOR OF CONTINUING EDUCATION

Callahan & Hughes Funeral Home, 605 S. 25th Street, Terre Haute, IN 47803

- Healing Your Grieving Heart When Someone You Love Has Died, November 16, 2011, 2 ceu
- Exploring the Shadow of the Ghosts of Grief, November 17, 2011, 2 ceu

Cincinnati Equitable Life Insurance Company

Graystone Associates, Inc.

- Quick Start – Part 1, 4 ceu
- Quick Start - Part 2, 4 ceu
- Funeral Director Skills – Module 1, 7 ceu
- Funeral Director Skills – Module 2, 7 ceu
- Funeral Director Skills – Module 3, 7 ceu
- Interpersonal Skills 1, 7 ceu
- Telephone Skills, 7 ceu
- Exceptional Value, 7 ceu
- Cremation Intensive, 7 ceu
- Interpersonal Skills Advanced, 7 ceu
- Telephone Skills Advanced, 7 ceu
- Introduction to the Arrangement Conference, 4 ceu
- Burial Vault Presentation for Today's Customers, 3 ceu
- Executive Development Program (EDP), 14 ceu
- Intro to People Management – Module 1 (Comm), 7 ceu
- Intro to People Management- Module 2 (Perf. Reviews), 7 ceu

Kates-Boylston Publications

- Cremations Strategies Conference, November 2, 2011, 5 ceu
- Funeral Service Business Plan, November 3-4, 2011, 10 ceu

NEW COURSES FROM PREVIOUSLY APPROVED SPONSORS

Aurora Casket Company

- The New Arrangement Opportunity, August 8, 2008, 1 ceu
- The Aurora Plant Tour, May 26, 2011, 2 ceu
- Marketing Today Tomorrow, May 26, 2011

Flanner and Buchanan Funeral Centers

- Serving With the End in Mind, August 9, 2011, 2 ceu
- Funeral Celebrant, June 15, 2011, 2 ceu
- Green Burial Seminar, 1 ceu

FuneralDirectorCEUs.com

- What's Your Strategy, August 25, 2011, 3 ceu
- New American Way of Death, May 25, 2011, 3 ceu
- Price Shopper Secrets; Telephone, Website & E-Mail, June 23, 2011, 6 ceu
- Telephone Etiquette & Face Book Best Practices, July 28, 2011, 6 ceu
- Public Speaking 101, 3 ceu
- Born Again Undertaker, 6 ceu

Indiana State Coroners Association

- 2011 Coroners CE Conference, June 24 – 26, 2011, 21 ceu

International Cemetery, Cremation & Funeral Association

- College of Cemetery Administration & Management, July 22 - 27, 2011, 24 ceu
- College of Cremation Services, July 22 – 27, 2011, 24 ceu
- College of Funeral Home Management, July 22 – 27, 2011, 24 ceu
- College of Land Management & Grounds Operations, July 22 – 27, 2011, 24 ceu
- J. Asher Neel College of Sales & Marketing, July 22 – 27, 2011, 24 ceu
- College of 21st Century Services, July 22 – 27, 2011, 24 ceu

SCI Management Dignity University

- Effective Supervision, online, 1 ceu
- Effective Employee Counseling, online, 1 ceu
- Hiring, Training, & Retaining High Performance, online, 1 ceu
- Performance Management, online, 1 ceu
- Manage Change, online, 1 ceu
- Supervision in Action, 21 ceu

**MINUTE NO. 11-39
RULES DISCUSSION**

The board will consider the rule draft for possible approval to issue a notice of intent at the next meeting.

**MINUTE NO. 11-40
ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 2:30 p.m.

Dated: 8/3/11

Theodore E. Mau II
Theodore Mau,
Chairman

Attest: Tracy Hicks
Tracy Hicks, Board Director