

STATE BOARD OF FUNERAL AND CEMETERY SERVICE
BOARD MEETING
THURSDAY JUNE 3, 2010
INDIANA GOVERNMENT CENTER SOUTH
402 W WASHINGTON STREET, ROOM W064
INDIANAPOLIS, IN 46204

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT: Theodore Mau, Chairman
Paul St. Pierre, Vice Chairman
Matthew Drury
James Todd
Samuel Frain
John Gerlach
David McComb
Erin Kellam, State Board of Health

BOARD MEMBERS ABSENT: Anne M. Patterson
Roland Cutter

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Kevin McDowell, Deputy Attorney General
Larry Harvey, Compliance Director

**MINUTES TRANSCRIBED AND
COMPILED BY:** Tracy Hicks, Board Director

**MINUTE NO. 10-36
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.

**MINUTE NO. 10-37
ADOPTION OF THE JUNE 3, 2010 AGENDA**

S. Frain moved to adopt the June 3, 2010 agenda. J. Gerlach seconded the motion. Motion carried.

**MINUTE NO. 10-38
ADOPTION OF THE MINUTES OF MARCH 4, 2010 AND APRIL 29, 2010 MEETINGS OF THE BOARD**

P. St. Pierre moved to adopt the minutes of the March 4, 2010 and April 29, 2010 meetings of the board. D. McComb seconded the motion. Motion carried.

**MINUTE NO. 10-39
ADMINISTRATIVE HEARING IN THE MATTER OF PAUL ROBINSON, FD01017284, SBFCS 10-02
AND HOUSE OF ROBINSON, FH19500007, SBFCS 10-03**

P. St. Pierre moved to dismiss both cases. E. Kellem seconded the motion. S. Frain opposed the motion. Motion carried with a vote of 4 to 0.

MINUTE NO. 10-40

ADMINISTRATIVE HEARING IN THE MATTER OF JOHN T. HAUCK, FD01001617, SBFCS 10-04

P. St. Pierre abstained from the proceedings.

S. Frain moved to issue a notice of proposed default. E. Kellam seconded the motion. Motion carried with a vote of 5 to 0.

MINUTE NO. 10-41

ADMINISTRATIVE HEARING IN THE MATTER OF EDDIE L. GOVAIN LATIMER, FD29700004, SBFCS 10-02

P. St. Pierre moved to reinstate the license to active status in the matter of Eddie L. Govain Latimer, FD29700004, SBFCS 10-02. J. Todd seconded the motion. Motion carried.

MINUTE NO. 10-42

CONSIDERATION OF APPLICATION FOR RENEWAL OF FUNERAL DIRECTOR INTERN LICENSE AND APPLICATION FOR FUNERAL DIRECTOR LICENSE IN THE MATTER OF SCOTT PRIDEMORE, FI20600037

P. St. Pierre moved to approve the application for renewal of funeral director intern license and the application for funeral director examination in the matter of Scott Pridemore. E. Kellam seconded the motion. Voting in favor: E. Kellam, J. Todd, P. St. Pierre. Opposing: S. Frain. Abstaining: M. Drury.

S. Frain moved to deny the applications. Motion failed.

P. St. Pierre moved to approve the application for renewal of funeral director intern license and the application for funeral director examination in the matter of Scott Pridemore. P. St. Pierre seconded the motion. Voting in favor: E. Kellam, J. Todd, P. St. Pierre, and M. Drury. S. Frain opposed the motion. Motion carried with a vote of 4 to 0.

MINUTE NO. 10-43

CONSIDERATION OF APPLICATION TO RENEW FUNERAL DIRECTOR LICENSE

S. Frain moved to approve the application for renewal pending proof of completion of the 60 hours of continuing education he would have been required to obtain for each renewal period since the December 31, 1998 expiration of his license in the matter of Gerald A. Eastlund, FD01006251. P. St. Pierre seconded the motion. Motion carried.

S. Frain moved to approve the application in the matter of Lyndell Ray Petty, FD20300031, and accept all the continuing education with the exception of the 2009 education so the education could be used for the 2010 renewal. J. Todd seconded the motion. Motion carried.

MINUTE NO. 10-44

CONSIDERATION OF MOTION TO AMEND COMPLAINT IN THE MATTER OF EUGENE WAGNER, FD29600119, SBFCS 10-05

S. Frain moved to approve the motion to amend the complaint in the matter of Eugene Wagner, FD29600119, SBFCS 10-05. E. Kellam seconded. M. Drury recused himself. Motion carried.

MINUTE NO. 10-45

CONSIDERATION OF MOTION TO DISMISS IN THE MATTER OF EUGENE WAGNER, FD29600119, SBFCS 10-05

S. Frain moved to deny the motion to dismiss in the matter of Eugene Wagner, FD29600119, SBFCS 10-05. E. Kellam seconded. M. Drury abstained. Motion carried.

**MINUTE NO. 10-46
DISCUSSION REGARDING THE FUNERAL DIRECTOR INTERN AND FUNERAL DIRECTOR
APPLICATION PROCESS**

It was the consensus of the board to require original documentation when filing an application for license rather than notarized copies.

**MINUTE NO. 10-47
ERIN KELLAM, INDIANA DEPARTMENT OF HEALTH REPRESENTATIVE, TO DISCUSS THE VITAL
RECORDS SYSTEM**

E. Kellam indicated the Indiana Death Registration System is up and running. She explained how the system works in regard to filing death certificates. S. Frain had used it and indicated it was great. She indicated every Doctor will have their own user name and PIN so they can file a death certificate online from anywhere. Every local health Dept. will be required to file death certificates online by January 1, 2011. E. Kellam has requested a legal opinion regarding the coroner's filing requirements.

**MINUTE NO. 10-48
DISCUSSION OF FUNERAL ETHICS ORGANIZATION PREPAYING YOUR FUNERAL BROCHURE**

The Board does not endorse the publication. One note Kevin brought up was that the statement, "For more information or to file a complaint, contact" should be moved down to just above the state board contact information.

**MINUTE NO. 10-49
VERIFIED COMPLAINTS REQUESTING RESTITUTION FROM THE PRENEED CONSUMER
PROTECTION FUND**

J. Gerlach moved to approve payment from the consumer protection fund in the amounts of \$1195 and \$375 plus interest not to exceed the cost of the contract in the matter of Dorothy Joann Gay for John Hayes. S. Frain seconded the motion. Motion carried.

P. St. Pierre moved to approve payment from the consumer protection fund in the amount of \$7396.30 plus interest not to exceed the cost of the contract in the matter of Garr Funeral Service for Arlene F. Chapman. S. Frain seconded the motion. Motion carried.

**MINUTE NO. 10-50
GRANTING OR DENYING PETITION FOR REVIEW AND APPOINTMENT OF ADMINISTRATIVE LAW
JUDGE**

S. Frain moved to grant the petitions for review and appoint P. St. Pierre as the ALJ in the matter of Greg Graham and Gayle Shumake Graham. E. Kellam seconded the motion. Motion carried.

**MINUTE NO. 10-51
CORRESPONDENCE**

- A. Eric L. Austin, FD09100820 is no longer employed by Bittles & Hurt Funeral Home, FH11000021, and Hopkins-Rector Funeral Home, FH11000022. Scott B. Herrick, FD20600006 has assumed the general management position for both firms.
- B. Robin E. Burns, FD08900028 is now affiliated with Springer-Voorhis-Draper Funeral Home, FH10700014.
- C. Louise Gohmann, FI20900087, is transferring to Seabrook, Dieckmann & Naville Funeral Home, FH19600007.
- D. Donna Bussell, FD29300126, is affiliated with Bussell Family Funerals, FH83006025.
- E. Sara Bullard, FD20000351, is now employed at Schneider Funeral Home, FH10100021.
- F. Christopher Lawson, FI20900047, is now employed at Robert D. Loose Funeral Home, FH83000215.
- G. Amos T. Cooley, FD20900083, is now serving as the operating manager of The Ellis Mortuary, FH10000107.

- H. StoneMor Operating LLC entered into a stock purchase agreement to purchase the stock of certain entities from Ansure Mortuaries of Indiana LLC and its shareholder, Robert Nelms.
- I. Kiel Barkdull, FD20800030, is affiliated with The Meeks Mortuary, FH83004918.
- J. Larry R. Gates, FD0101211 will be affiliated with Porter Funeral Home, FH83003637, as their manager.
- K. Jason D. Johnson, FD20900007, is working in a Kentucky funeral home.
- L. Spring Valley Funeral and Cremation Service has acquired the former Pyke Calloway Funeral Home, FH10100011 and has a pending funeral home application on file with the board. Sample letter sent to Pyke Calloway Funeral Home preneed contract holders

MINUTE NO. 10-52

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES, APPROVED

P. St. Pierre moved to approve all but Goodwin Family Funeral Home due to the subject matter of the course.
S. Frain seconded the motion. Motion carried.

APPLICATION FOR RECOGNITION AS A SPONSOR OF CONTINUING EDUCATION

Brooke's Place for Grieving Young People, 50 East 91st Street, Indianapolis, IN 46240 317-705-9650, ext. 15

- Helping Us Have Our Space to Grieve: The Grieving Child and Adolescent, ongoing, 4 ceu

Divinity Funeral Home and Cremation Service, 3831 Main St., Eash Chicago, IN 46312 219-397-2024

- Indiana Death Registration System, April 1, 2010, 3 ceu

Education Workers Group, 45 Ludlow St., Staten Island, NY 10312 718-701-0385

- Upselling Without Upsetting the Client, online, ongoing, 1 ceu
- Understanding Modern Funeral Customs, online, ongoing, 1 ceu
- Understanding Hospice and Palliative Care, online, ongoing, 1 ceu

Goodwin Family Funeral Home, 918 North Routh 49, Casey, IL 62420 217-932-6400

- Intermediate Spanish, ongoing, 75 ceu

NEW COURSES FROM PREVIOUSLY APPROVED SPONSORS

Batesville Casket Company, One Batesville Blvd., Batesville, IN 47006

- The Zero Turn Lawnmower and Your Funeral Home Website, ongoing, 2 ceu
- Funerals as Celebrations: Exploring the Trend of Going Around Grief, May 7, 2010, 3 ceu
- Funeral Service Enrichment Experience, June 15-17, 2010, 16 ceu
- Caring for yourself in Funeral Service, ongoing, 3 ceu

D.O. McComb & Sons Funeral Homes, 1140 Lake Avenue, Fort Wayne, IN 46805

- Exploring the Special Features of Sudden Death & Suicide Grief: A "Companioning" Philosophy of Caregiving, April 21, 2010, 5 ceu

Dodge Chemical Co., 165 Cambridge Park Dr., Cambridge, MA 02140

- The 2010 Dodge Seminar, March 15-19, 2010, 19 ceu
- Dodge Day at Mt. Hood Community College, May 5, 2010, 4 ceu

Flanner & Buchanan Funeral Centers, 635 E. Market St., Indianapolis, IN 46202

- Professional Funeral Arranging May 4, 2010, 8 ceu
- Professional Funeral Arranging May 11, 2010, 8 ceu
- Professional Funeral Arranging May 18, 2010, 8 ceu
- Professional Funeral Arranging May 25, 2010, 8 ceu
- Professional Funeral Arranging June 1, 2010, 8 ceu
- Professional Funeral Arranging June 22, 2010, 8 ceu
- Professional Funeral Arranging June 29, 2010, 8 ceu

Fountain National Academy, 2211 West Norton Road, Springfield, MO 65803

- Seminar #3D Embalming Skills Seminar, May 8-11, 2010, 23 ceu
- Seminar #3D Embalming Skills Seminar, September 11-14, 2010, 23 ceu
- Seminar #2D Soft Tissue Injuries, Waxing, and Airbrush Cosmetics, May 12-14, 2010, 18 ceu
- Seminar #2D Soft Tissue Injuries, Waxing, and Airbrush Cosmetics, September 15-17, 2010, 18 ceu
- Seminar #5D Advanced Post Mortem Reconstructive Surgery, May 15-19, 2010, 40 ceu
- Seminar #5D Advanced Post Mortem Reconstructive Surgery, September 18-22, 2010, 40 ceu
- Seminar #4D Advanced II Post Mortem Reconstructive Surgery, May 22-26, 2010, 30 ceu
- Seminar #4D Advanced II Post Mortem Reconstructive Surgery, September 25-29, 2010, 30 ceu

Funeral Directors Association of Kentucky, Inc., P.O. Box 4779, 108 St. James Ct., Frankfort, KY 40604

- 2010 Annual State Convention & Funeral Trade Show, June 28-30, 2010, 12 ceu

Hospice Foundation of America, 1621 Connecticut Avenue NW, Suite 300, Washington, DC 20009

- Cancer and End-of-Life Care, March 24, 2010, 3 ceu

Indiana Public Health Foundation, 3512 Rockville Rd. Suite 138-C, Indianapolis, IN 46222

- Sanitation and Health for the Indiana Embalmers Educational Affiliate, thirty-seventh session, June 24, 2010, 5 ceu
- Sanitation and Health for the Indiana Embalmers Educational Affiliate, thirty-eighth session, November 4, 2010, 5 ceu

Indiana State Coroners Association, 329 W. 1200 South, Romney, IN 47981

- 2010 Continued Education Conference, June 11-13, 2010, 20 ceu

Indiana Organ Procurement Organization, 429 Pennsylvania Street, Suite 201, Indianapolis, IN 46204

- IOPO Funeral Home Symposium 2010, May 20, 2010, 6 ceu

International Cemetery, Cremation & Funeral Association, 107 Carpenter Dr., Ste. 100, Sterling, VA 20164

- College of Cemetery Administration & Management, July 23-28, 2010, 25 ceu
- College of Cremation Services, July 23-28, 2010, 25 ceu
- College of Funeral Home Management, July 23-28, 2010, 25 ceu
- College of Land Management & Grounds Operations, July 23-28, 2010, 25 ceu
- J. Asher Neel College of Sales & Marketing, July 23-28, 2010, 25 ceu
- College of 21st Century Services, July 23-28, 2010, 25 ceu

International Order of the Golden Rule, 3520 Executive Center Drive #300, Austin, TX 78731

- 2010 Annual Conference: Fresh Tomorrows – New Heights, New Opportunities, April 23-24, 2010, 10.25 ceu
- Leveraging Social Media to Optimize Website Traffic & Revenue, September 30, 2010, 1 ceu
- OSHA Issues, July 29, 2010, 1 ceu
- Pet Services Pros & Cons, December 2, 2010, 1 ceu

Ivy Tech Community College, 410 E. Columbus Dr., East Chicago, IN 46312

- Funeral Service Management, April 2, 2010, 1 ceu
- Restorative Art, April 7, 2010, 3 ceu

MKJ Marketing, 1501 Belcher Road South, Building B, Largo, FL 33771

- Green Opportunity, July 26-27, 2010, 7 ceu
- Communicating Effectively with Your Community, July 28-29, 2010, 6 ceu

SCI Management Dignity University, 1929 Allen Parkway, 3rd Floor, Houston, TX 77019

- Hospice Explained, ongoing, 1 ceu

Selected Independent Funeral Homes, 500 Lake Cook Road, Suite 205, Deerfield, IL 60015

- Four Generations in the Funeral Home, June 28, 2010, 1 ceu
- Exploring the Legal Aspects of Copyright and Cremation, June 28, 2010, 1 ceu

Terre Haute Wilbert Vault Co., 509 E. Preston Street, Terre Haute, IN 47802

- How Families Make Buying Decisions, May 26, 2010, 1 ceu

**MINUTE NO. 10-53
RULES DISCUSSION**

The board discussed the proposed rule draft from Kevin McDowell.

**MINUTE NO. 10-54
ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 1:53 p.m.

Dated: 8/5/10

Theodore Mau
Theodore Mau,
Chairman

Attest: Tracy Hicks
Tracy Hicks, Board Director