

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
THURSDAY OCTOBER 4, 2018
INDIANA GOVERNMENT CENTER SOUTH, ROOM W064
402 W WASHINGTON STREET
INDIANAPOLIS, IN 46204**

CALL TO ORDER

The meeting was called to order at 11:00 a.m. by Christopher Cooke, 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: Christopher Cooke, Chairman
Donald Alford, Vice Chairman
Thomas Sproles
Theodore Mau
Roland Cutter
Tasha Smith, State Department of Health

BOARD MEMBER ABSENT: Frank Downing

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Shawna Ajeigbe, Assistant Board Director
Donald Hannah, Deputy Attorney General

ADOPTION OF THE AGENDA

The agenda was adopted as amended.

Sproles/ Mau
6/0/0

Voting in Favor: Thomas Sproles, Christopher Cooke, Donald Alford, Ted Mau, Roland Cutter, and Tasha Smith
Motion carried.

ADOPTION OF THE MINUTES OF THE AUGUST 2, 2018, MEETING OF THE BOARD

A motion was made and seconded to approve the minutes of the August 2, 2018 meeting.

Mau/Alford
6/0/0

Voting in Favor: Thomas Sproles, Christopher Cooke, Donald Alford, Ted Mau, Roland Cutter, and Tasha Smith
Motion carried.

ADMINISTRATIVE HEARING

1. Administrative Hearing in the matter of Ridgelawn-Mount Mercy Cemetery, CM40000002, CA09100095, 2016 SBFCS 0023

A motion was made and seconded to remove probation.

Mau/Cutter
6/0/0

Voting in Favor: Thomas Sproles, Christopher Cooke, Donald Alford, Ted Mau, Roland Cutter, and Tasha Smith
Motion carried.

OFFICE OF THE ATTORNEY GENERAL CONSUMER PROTECTION DIVISION REPORT

Written report provided.

CONSIDERATION OF PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

1. Lakeview Funeral Home & Crematory, Inc., FH10600025 and Casmir R. Pulaski, FD08900012, 2018 SBFCS 0005

A motion was made and seconded to approve the proposed settlement.

Sproles/Cutter

4/0/0

Voting in Favor: Thomas Sproles, Donald Alford, Roland Cutter, and Tasha Smith

Motion carried.

APPLICATION FOR FUNERAL DIRECTOR LICENSE BY RECIPROCITY; PERSONAL APPEARANCE

1. Byron J. Hutchison

A motion was made and seconded to approve the application.

Sproles/Alford

4/0/0

Voting in Favor: Thomas Sproles, Donald Alford, Roland Cutter, and Tasha Smith

Motion carried.

2. Nelson T. Morphew

A motion was made and seconded to approve the application.

Alford/Sproles

4/0/0

Voting in Favor: Thomas Sproles, Donald Alford, Roland Cutter, and Tasha Smith

Motion carried.

HEA 1245 RULEMAKING

A motion was made and seconded to incorporate the following list of disqualifying crimes by reference:

1. Crimes involving sexual acts that can be considered without respect to age of conviction:
 - A. Child molesting (IC 35-42-4-3).
 - B. Child seduction (IC 35-42-4-7).
 - C. Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
 - D. Incest (IC 35-46-1-3).
 - E. Making an unlawful proposition (IC 35-45-4-3).
 - F. Prostitution (IC 35-45-4-2).
 - G. Rape (IC 35-42-4-1).
 - H. Sexual misconduct with a minor (IC 35-42-4-9(a)).
2. Crimes of violence that can be considered without respect to age of conviction:
 - A. Aggravated battery (IC 35-42-2-1.5).
 - B. Attempted murder (IC 35-41-5-1).
 - C. Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (IC 35-43-2-1).
 - D. Child exploitation as a Level 5 felony under IC 35-42-4-4(b) or a Level 4 felony under IC 35-42-4-4(c).
 - E. Child molesting (IC 35-42-4-3).
 - F. Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
 - G. Involuntary manslaughter (IC 35-42-1-4).
 - H. Kidnapping (IC 35-42-3-2).
 - I. Murder (IC 35-42-1-1).

- J. Operating a vehicle while intoxicated causing death (IC 9-30-5-5).
 - K. Operating a vehicle while intoxicated causing serious bodily injury to another person (IC 9-30-5-4).
 - L. Rape (IC 35-42-4-1).
 - M. Reckless homicide (IC 35-42-1-5).
 - N. Resisting law enforcement as a felony (IC 35-44.1-3-1).
 - O. Robbery as a Level 2 felony or a Level 3 felony (IC 35-42-5-1).
 - P. Sexual misconduct with a minor as a Level 1 felony under IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2).
 - Q. Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).
 - R. Voluntary manslaughter (IC 35-42-1-3).
3. Abandonment or neglect of vertebrate animals; defense (IC 35-46-3-7).
 4. Abuse of corpse (IC 35-45-11-2).
 5. Adoption deception (IC 35-46-1-9.5).
 6. Agricultural terrorism (IC 35-47-12-2).
 7. Altering historic property (IC 35-43-1-6).
 8. Armor-piercing ammunition; offense; exception (IC 35-47-5-11.5).
 9. Arson (IC 35-43-1-1).
 10. Assisting a criminal (IC 35-44.1-2-5).
 11. Assisting suicide (IC 35-42-1-2.5).
 12. Attempt under IC 35-41-5-1 to commit an offense listed in this section.
 13. Attempting to purchase handgun by ineligible person (IC 35-47-2.5-15) (before its repeal).
 14. Attendance at fighting contest (IC 35-46-3-10).
 15. Auto theft (IC 35-43-4-2.5) (before its repeal).
 16. Battery (IC 35-42-2-1).
 17. Battery, neglect, or exploitation of endangered adult or person with mental or physical disability; failure to report; unlawful disclosures; referrals; retaliation (IC 35-46-1-13).
 18. Bestiality (IC 35-46-3-14).
 19. Bigamy (IC 35-46-1-2).
 20. Bribery (IC 35-44.1-1-2).
 21. Burglary (IC 35-43-2-1).
 22. Carjacking (IC 35-42-5-2) (before its repeal).
 23. Carrying a handgun without being licensed; exceptions; person convicted of domestic battery (IC 35-47-2-1).
 24. Causing suicide (IC 35-42-1-2).
 25. Cemetery mischief (IC 35-43-1-2.1).
 26. Check deception (IC 35-43-5-5).
 27. Check fraud (IC 35-43-5-12).
 28. Child exploitation; possession of child pornography; exemptions; defenses (IC 35-42-4-4).
 29. Child sexual trafficking (IC 35-42-3.5-1.3).
 30. Child solicitation (IC 35-42-4-6).
 31. "Chinese throwing star" defined; related offenses (IC 35-47-5-12).
 32. Computer trespass; computer hoarding programs (IC 35-43-2-3).
 33. Conflict of interest (IC 35-44.1-1-4).
 34. Conspiracy under IC 35-41-5-2 to commit an offense listed in this section.
 35. Consumer product tampering; offenses (IC 35-45-8-3).
 36. Contributing to the delinquency of a minor (IC 35-46-1-8).
 37. Conversion (IC 35-43-4-3).
 38. Corrupt business influence (IC 35-45-6-2).
 39. Counterfeiting; false or fraudulent sales receipts; forgery; application fraud (35-43-5-2).
 40. Criminal confinement (IC 35-42-3-3).
 41. Criminal mischief; institutional criminal mischief; controlled substance criminal mischief (IC 35-43-1-2).
 42. Criminal organization recruitment (IC 35-45-9-5).
 43. Criminal parole violation by a sexual predator (IC 35-44.1-3-9).
 44. Criminal recklessness; element of hazing; liability barred for good faith report or judicial participation (IC 35-42-2-2).

45. Criminal stalking (IC 35-45-10-5).
46. Criminal transfer of a firearm (IC 35-47-2.5-16).
47. Criminal trespass; denial of entry; permission to enter; exceptions (IC 35-43-2-2).
48. Criminal use or possession of code grabbing device (IC 35-45-12-2).
49. Cruelty to a law enforcement animal (IC 35-46-3-11).
50. Cruelty to a search and rescue dog (IC 35-46-3-11.3).
51. Cruelty to a service animal (IC 35-46-3-11.5).
52. Dangerous control of a firearm (IC 35-47-10-6).
53. Dangerous possession and unlawful transfer of a firearm (IC 35-47-10-5).
54. Dealing in a controlled substance by a practitioner (IC 35-48-4-1.5).
55. Dealing in a controlled substance resulting in death (IC 35-42-1-1.5).
56. Dealing in a counterfeit substance (IC 35-48-4-5).
57. Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).
58. Dealing in a schedule IV controlled substance (IC 35-48-4-3).
59. Dealing in a schedule V controlled substance (IC 35-48-4-4).
60. Dealing in a substance represented to be a controlled substance (IC 35-48-4-4.5).
61. Dealing in a synthetic drug or synthetic drug lookalike substance (IC 35-48-4-10.5).
62. Dealing in cocaine or narcotic drug (IC 35-48-4-1).
63. Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).
64. Dealing in methamphetamine (IC 35-48-4-1.1).
65. Dealing in paraphernalia (IC 35-48-4-8.5).
66. Deception (IC 35-43-5-3).
67. Deception with intent to cause withholding of CPR (IC 16-36-5-28).
68. Delivery of deadly weapon to intoxicated person (IC 35-47-4-1).
69. Deploying a booby trap (IC 35-47.5-5-10).
70. Destruction of declaration; forgery of revocation (IC 16-36-5-27).
71. Destructive device or explosive to kill, injure, or intimidate or to destroy property (IC 35-47.5-5-8).
72. Destructive devices (IC 35-47.5-5-2).
73. Directing laser pointer at public safety officer or state police motor carrier inspector (IC 35-47-4.5-4).
74. Disarming a law enforcement officer (IC 35-44.1-3-2).
75. Disrupting operation of aircraft (IC 35-47-6-1.6).
76. Dissemination of matter or conducting performance harmful to minors (IC 35-49-3-3).
77. Distribution of destructive device, explosive or detonator to a minor (IC 35-47.5-5-5).
78. Distribution of regulated explosives to persons convicted of felony (IC 35-47.5-5-4).
79. Domestic battery (IC 35-42-2-1.3).
80. Domestic violence animal cruelty (IC 35-46-3-12.5).
81. Dumping controlled substance waste (IC 35-48-4-4.1).
82. Duties of driver of motor vehicle involved in accident; sentencing (IC 9-26-1-1.1).
83. Electrocution or decompression of animals (IC 35-46-3-15).
84. Enticing or taking a patient away or aiding a patient to escape from the custody of an administrator or a superintendent (IC 12-24-17-7).
85. Escape (IC 35-44.1-3-4).
86. Evasion of tax; offenses; prosecution (IC 6-3-6-11).
87. Exploitation of dependent or endangered adult; financial exploitation of endangered adult; violation classification (IC 35-46-1-12).
88. Failure of carriers of dangerous communicable diseases to warn persons at risk (IC 35-45-21-3).
89. Failure to appear (IC 35-44.1-2-9).
90. Failure to make report (IC 31-33-22-1).
91. Failure to report a dead body (IC 35-45-19-3).
92. Failure to respond to a summons (IC 35-44.1-2-10).
93. False government issued identification (IC 35-43-5-2.5).
94. False identity statement (IC 35-44.1-2-4).
95. False reporting; false informing (IC 35-44.1-2-3).
96. False reports; criminal and civil liability; notification of prosecuting attorney (IC 31-33-22-3).
97. Feticide (35-42-1-6).

98. Firearm, explosive, or deadly weapon; possession in commercial or chartered aircraft (IC 35-47-6-1).
99. Firearm, explosive, or deadly weapon; possession in controlled access areas of an airport (IC 35-47-6-1.3).
100. Firearms and handguns; giving false information or offering false evidence of identity (IC 35-47-2-17).
101. Fraud (IC 35-43-5-4).
102. Fraud on financial institutions (IC 35-43-5-8).
103. Ghost employment (IC 35-44.1-1-3).
104. Harassment; "obscene message" defined (IC 35-45-2-2).
105. Harboring a non-immunized dog (IC 35-46-3-1).
106. Hindering or obstructing detection, disarming, or destruction of destructive device (IC 35-47.5-5-7).
107. Hoax devices or replicas (IC 35-47.5-5-6).
108. Home improvement fraud (IC 35-43-6-12).
109. Homicide (IC 35-42-1).
110. Human organ trafficking (IC 35-46-5-1).
111. Human trafficking (IC 35-42-3.5-1.4).
112. Identity deception (IC 35-43-5-3.5).
113. Impersonating a firefighter at an emergency incident area (IC 35-44.1-4-7).
114. Impersonation of a public servant (IC 35-44.1-2-6).
115. Inappropriate communication with a child (IC 35-42-4-13).
116. Indecent display by a youth (IC 35-45-4-6).
117. Inhaling toxic vapors (IC 35-46-6-2).
118. Inmate fraud (IC 35-43-5-20).
119. Insurance fraud; insurance application fraud (IC 35-43-5-4.5).
120. Insurance fraud (IC 35-43-5-7.2).
121. Intentional signing of false document (IC 23-0.5-2-9).
122. Interference with custody (IC 35-42-3-4).
123. Interference with jury service (IC 35-44.1-2-11).
124. Interference with the reporting of a crime (IC 35-45-2-5).
125. Interference with witness service (IC 35-44.1-2-12).
126. Interfering with drug or alcohol screening test (IC 35-43-5-19).
127. Intimidation (IC 35-45-2-1).
128. Invasion of privacy; offense; penalties (IC 35-46-1-15.1).
129. Knife with a detachable blade (IC 35-47-5-2).
130. Legend drug deception; penalty (IC 35-43-10-3).
131. Loansharking (IC 35-45-7-2).
132. Machine gun (IC 35-47-5-8).
133. Malicious mischief (IC 35-45-16-2).
134. Making a false sales document (IC 35-43-5-16).
135. Making an unlawful proposition (IC 35-45-4-3).
136. Manufacture of paraphernalia (IC 35-48-4-8.1).
137. Manufacturing methamphetamine (IC 35-48-4-1.2).
138. Medicaid fraud (IC 35-43-5-7.1).
139. Money laundering; defenses (IC 35-45-15-5).
140. Neglect, abuse, or maltreatment of a patient in a state institution; penalty (IC 12-24-17-3).
141. Neglect of a dependent; child selling (IC 35-46-1-4).
142. Nitrous oxide distribution; nonmedical purposes (IC 35-46-6-3).
143. Nonsupport of a dependent child (IC 35-46-1-5).
144. Nonsupport of a parent (IC 35-46-1-7).
145. Nonsupport of a spouse (IC 35-46-1-6).
146. Notario publico deception (IC 35-43-5-3.7).
147. Notary fraud; notarial fraud (IC 35-43-5-23).
148. Obscene performance (IC 35-49-3-2).
149. Obstructing a firefighter (IC 35-44.1-4-8).
150. Obstructing an emergency medical person (IC 35-44.1-4-9).

151. Obstruction of delivery of prescription drug (IC 35-45-21-5).
152. Obstruction of justice (IC 35-44.1-2-2).
153. Obstruction of traffic (IC 35-44.1-2-13).
154. Obtaining child abuse information under false pretenses; knowingly falsifying records or interfering with an investigation (IC 31-33-22-2).
155. Offense against computer users (IC 35-43-1-8).
156. Offense against intellectual property (IC 35-43-1-7).
157. Offenses concerning Social Security numbers (IC 35-44.2-4-2).
158. Offenses relating to registration labeling and prescription forms (IC 35-48-4-14).
159. Official misconduct (IC 35-44.1-1-1).
160. Operating a motorboat while intoxicated (IC 35-46-9-6).
161. Operating a vehicle while intoxicated (IC 9-30-5).
162. Operating loaded machine gun (IC 35-47-5-9).
163. Operation of home without proper licensure; prohibition (IC 12-17.2-5-1).
164. Operation of tobacco business near school; prohibited (IC 35-46-1-11.2).
165. Participation in criminal organization; offense (IC 35-45-9-3).
166. Perjury (IC 35-44.1-2-1).
167. Permitting child to possess a firearm (IC 35-47-10-7).
168. Pointing firearm at another person (IC 35-47-4-3).
169. Possession of a cellular telephone while incarcerated (IC 35-44.1-3-8).
170. Possession of a controlled substance; obtaining a schedule V controlled substance (IC 35-48-4-7).
171. Possession of a dangerous device while incarcerated (IC 35-44.1-3-7).
172. Possession of a fraudulent sales document manufacturing device (IC 35-43-5-15).
173. Possession of a knife on school property (IC35-47-5-2.5).
174. Possession of animal fighting paraphernalia (IC 35-46-3-8.5).
175. Possession of cocaine or narcotic drug (IC 35-48-4-6).
176. Possession of device or substance used to interfere with drug or alcohol screening test (IC 35-43-5-18).
177. Possession of electronic gaming device; maintaining a professional gambling site; exception for antique slot machines possessed for decorative, historic, or nostalgic purposes (IC 35-45-5-3.5).
178. Possession of firearms on school property or a school bus; possession of firearms in a motor vehicle parked in a school parking lot (IC 35-47-9-2).
179. Possession of marijuana, hash oil, hashish or salvia (IC 35-48-4-11).
180. Possession of methamphetamine (IC 35-48-4-6.1).
181. Possession of paraphernalia (IC 35-48-4-8.3).
182. Possession or sale of drug precursors (IC 35-48-4-14.5).
183. Professional gambling; professional gambling on the Internet (IC 35-45-5-3).
184. Profiteering from public service (IC 35-44.1-1-5).
185. Profiting from adoption (IC 35-46-1-9).
186. Prohibited sales or transfers of ownership (IC 35-47-2-7).
187. Promoting an animal fighting contest (IC 35-46-3-9.5).
188. Promoting professional gambling; acts constituting; boat manufacturers; public utilities (IC 35-45-5-4).
189. Promoting prostitution (IC 35-45-4-4).
190. Promotion of child sexual trafficking; promotion of sexual trafficking of a younger child (IC 35-42-3.5-1.2).
191. Promotion of human labor trafficking (IC 35-42-3.5-1).
192. Promotion of human sexual trafficking (IC 35-42-3.5-1.1).
193. Promotion, use of animals, or attendance with animal at animal fighting contest (IC 35-46-3-9).
194. Public indecency (IC 35-45-4-1).
195. Public intoxication prohibited; failure to enforce by a law enforcement officer (IC 7.1-5-1-3).
196. Public nudity (IC 35-45-4-1.5).
197. Public safety remote aerial interference (IC 35-44.1-4-10).
198. Purchase or possession of animals for fighting contests (IC 35-46-3-8).
199. "Qualified egg bank"; unlawful transfer of human organisms; exceptions; penalties (IC 35-46-5-3).

200. Railroad mischief (IC 35-43-1-2.3).
201. Reckless supervision (IC 35-46-1-4.1).
202. Refusal to aid an officer (IC 35-44.1-3-3).
203. Registration violations; penalty (IC 11-8-8-17).
204. Regulated explosives; persons convicted of felonies; prior unrelated convictions (IC 35-47.5-5-3).
205. Remote aerial harassment (IC 35-45-10-6).
206. Removal of attack dog's vocal cords; animal cruelty (IC 35-46-3-13).
207. Residential entry (IC 35-43-2-1.5).
208. Resisting law enforcement (IC 35-44.1-3-1).
209. Rioting (IC 35-45-1-2).
210. Robbery (IC 35-42-5-2).
211. Sale, distribution, or exhibition of obscene matter (IC 35-49-3-1).
212. Sale of kit or device for unauthorized use of cable television system services (IC 35-43-5-6.5).
213. Sale or distribution of HIV testing equipment (IC 35-45-21-2).
214. Sale to minors prohibited; furnishing property for the purpose of enabling minors to consume alcohol prohibited (IC 7.1-5-7-8).
215. Sex offender Internet offense (IC 35-42-4-12).
216. Sex offender registry restrictions (IC 35-42-4-11).
217. Sex offender unmanned aerial vehicle offense (IC 35-42-4-12.5).
218. Sexual battery (IC 35-42-4-8).
219. Sexual misconduct with a service provider (IC 35-44.1-3-10).
220. Sexually violent predator; duty to notify (IC 11-8-8-18).
221. Stolen valor fraud (IC 35-43-5-22).
222. Strangulation (IC 35-42-2-9).
223. Stun guns; purchase, possession, and sale; use in commission of crime; use on law enforcement officer (IC 35-47-8-5)
224. Synthetic drug or synthetic drug lookalike substance (IC 35-48-4-11.5).
225. Synthetic identity deception (IC 35-43-5-3.8).
226. "Synthetic urine" (IC 35-43-5-19.5).
227. Tampering with a water supply; poisoning (IC 35-43-1-5).
228. Tattooing or body piercing a minor (IC 35-45-21-4).
229. Terrorism (IC 35-47-12-1).
230. Terroristic deception (IC 35-43-5-3.6).
231. Terroristic mischief (IC 35-47-12-3).
232. Theft (IC 35-43-4-2).
233. Threats; refusal to join or withdraw from organization; intimidation offense (IC 35-45-9-4).
234. Torture or mutilation of a vertebrate animal; killing a domestic animal (IC 35-46-3-12).
235. Trafficking with an inmate; carrying a deadly weapon into a correctional facility (IC 35-44.1-3-5).
236. Trafficking with an inmate outside a facility (IC 35-44.1-3-6).
237. Transferring contaminated body fluids (IC 35-45-21-1).
238. Unauthorized adoption advertising; advertisement requirements (IC 35-46-1-21).
239. Unauthorized adoption facilitation (IC 35-46-1-22).
240. Undisclosed transport of dangerous device (IC 35-47-6-1.1).
241. Unlawful acts relating to caves; offense (IC 35-43-1-3).
242. Unlawful documentation of a gift of organs, tissue, eyes, or body parts (IC 35-46-5-4).
243. Unlawful employment near children (IC 35-42-2-10).
244. Unlawful entry of school property by a serious sex offender (IC 35-42-4-14).
245. Unlawful entry to restricted area of airport (IC 35-47-6-1.4).
246. Unlawful gambling (IC 35-45-5-2).
247. Unlawful manufacture, distribution or possession of counterfeit substance (IC 35-48-4-4.6).
248. Unlawful manufacture or sale of police or fire insignia (IC 35-44.1-2-8).
249. Unlawful participation in human cloning; exception (IC 35-46-5-2).
250. Unlawful photography and surveillance on private property (IC 35-46-8.5-1).
251. Unlawful possession of a card skimming device (IC 35-43-5-4.3).
252. Unlawful possession of a firearm by a domestic batterer (IC 35-47-4-6).
253. Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).

- 254. Unlawful practices; investment advisers and investment adviser representatives; investment advisory contract (IC 23-19-5-2).
- 255. Unlawful promotion or organization of combative fighting (IC 35-45-18-3).
- 256. Unlawful purchase of a handgun (IC 35-47-2.5-14) (before its repeal).
- 257. Unlawful sale or possession of a transaction manipulation device (IC 35-43-5-4.6).
- 258. Unlawful transfer of fetal tissue (IC 35-46-5-1.5).
- 259. Unlawful use of a communications medium; definitions (IC 35-45-2-3).
- 260. Unlawful use of body armor (IC 35-47-5-13).
- 261. Unlawful use of a police radio (IC 35-44.1-2-7).
- 262. Use of overpressure device (IC 35-47.5-5-9).
- 263. Use of regulated explosive in violation of commission rule (IC 35-47.5-5-11).
- 264. Vicarious sexual gratification; sexual conduct in presence of minor (IC 35-42-4-5).
- 265. Violation of certain no contact orders; offense; penalty (IC 35-46-1-15.3).
- 266. Violation of civil rights (IC 35-46-2-1).

- 267. Violation of IC 25-2.1-12 (unauthorized practice of accounting) under IC 25-2.1-13-3.
- 268. Violation of IC 25-2.5 (unauthorized practice of acupuncture) under IC 25-2.5-3-4.
- 269. Violation of IC 25-3.7 (unauthorized practice of an anesthesiologist assistant) under IC 25-3.7-2-2.
- 270. Violation of IC 25-5.1-4-1 (unauthorized practice of athletic trainer) under IC 25-5.1-4-2.
- 271. Violation of IC 25-5.2-2-12 (misconduct by athlete agent) under IC 25-5.2-2-12.
- 272. Violation of IC 25-6.1-7-1 (unauthorized practice of auctioneering) under IC 25-6.1-7-1.
- 273. Violation of IC 25-6.1-7-2 (violation of auctioneering statute) under IC 25-6.1-7-2.
- 274. Violation of IC 25-8-15.4 (unauthorized operation of a tanning facility) under IC 25-8-15.4-25.
- 275. Violation of IC 25-10-1 (unauthorized practice of chiropractic) under IC 25-10-1-11.
- 276. Violation of IC 25-11-1 (violation of the collection agency statute) under IC 25-11-1-12.
- 277. Violation of IC 25-13-1 (unauthorized practice of a dental hygienist) under IC 25-13-1-3.
- 278. Violation of IC 25-14-1 (unauthorized practice of dentistry) under IC 25-14-1-25.
- 279. Violation of IC 25-14-1-25.5 (preventing a dentist from following retirement procedures) under IC 25-14-1-25.5.
- 280. Violation of IC 25-14-4 (unlawful referral services for a dentist) under IC 25-14-4-6.
- 281. Violation of IC 25-14.3 (violation of diabetes educator statute) under IC 25-14.3-5-1.
- 282. Violation of IC 25-14.5 (unauthorized practice of a dietitian) under IC 25-14.5-7-2.
- 283. Violation of IC 25-16-1 (violation of employment services statute) under IC 25-16-1-18.
- 284. Violation of IC 25-17.3-5 (violation of genetic counselors statute) under IC 25-17.3-5-3.
- 285. Violation of IC 25-17.6-8-2 (unauthorized practice of professional geologist) under IC 25-17.6-8-2.
- 286. Violation of IC 25-20-1 (unauthorized practice of hearing aid dealer) under IC 25-20-1-21.
- 287. Violation of IC 25-20.7-5-1 (unauthorized practice of interior designer) under IC 25-20.7-5-1.
- 288. Violation of IC 25-21.5-5-10 (making false statements in an application to become a surveyor) under IC 25-21.5-5-10.
- 289. Violation of IC 25-21.5-13-2 (unauthorized practice of surveying) under IC 25-21.5-13-2.
- 290. Violation of IC 25-21.8 (unauthorized practice of massage therapy) under IC 25-21.8-7-1.
- 291. Violation of IC 25-22.5 (unauthorized practice of medicine, midwifery, osteopathic medicine, or physician assistance) under IC 25-22.5-8-1 and 2.
- 292. Violation of IC 25-22.5 (violation of temporary medical permit statute) under IC 25-22.5-8-3.
- 293. Violation of IC 25-23-1 (unauthorized practice of nursing) under IC 25-23-1-27.
- 294. Violation of IC 25-23.5-3 (unauthorized practice of occupational therapy) under IC 25-23.5-3-2.
- 295. Violation of IC 25-23.6-3 (unauthorized practice of marriage and family therapy) under IC 25-23.6-3-3.
- 296. Violation of IC 25-23.6-4 (unauthorized practice of social work) under IC 25-23.6-4-4.
- 297. Violation of IC 25-2.6-4.5 (violation of mental health counselor statute) under IC 25-2.6-4.5-4.
- 298. Violation of IC 25-23.6-7-6 (providing false information about counselor's educational background) under IC 25-23.6-7-7.
- 299. Violation of IC 25-23.6-10.1 (unauthorized practice of addiction counselor or therapist) under IC 25-23.6-10.1-6.

300. Violation of IC 25-23.6-11-1 (unauthorized use of term psychotherapy or clinical psychology) under IC 25-23.6-11-1.
301. Violation of IC 25-23.6 (unauthorized use of license issued by behavioral health and human services board) under IC 25-23.6-11-2.
302. Violation of IC 25-23.6-11-3 (presenting false information to the behavioral health and human services board to obtain license) under IC 25-23.6-11-3.
303. Violation of IC 25-23.7-7-5 (unauthorized practice of home installing) under IC 25-23.7-7-5.
304. Violation of IC 25-23.4 (unauthorized practice of direct entry midwife) under IC 25-23.4-3-7.
305. Violation of IC 25-24-1 (unauthorized practice of optometry) under IC 25-24-1-18.
306. Violation of IC 25-26-13-29 (unauthorized practice of pharmacy or as a pharmacist) under IC 25-26-13-29.
307. Violation of any state drug law related to wholesale legend drug distribution (IC 25-26-14).
308. Violation of IC 25-26-19-9 (unauthorized practice of pharmacy technician) under IC 25-26-19-9.
309. Violation of IC 25-26-21 (unauthorized provision of home medical equipment provider services) under IC 25-26-21-11.
310. Violation of IC 25-27-1 (unauthorized practice of physical therapy) under IC 25-27-1-12.
311. Violation of IC 25-27.5-7 (unauthorized practice of physician assistant) under IC 25-27.5-7-2.
312. Violation of IC 25-28.5-1 (unauthorized practice of plumbing) under IC 25-28.5-1-31.
313. Violation of IC 25-29 (unauthorized practice of podiatry) under IC 25-29-9-1.
314. Violation of IC 25-30-1 (unauthorized practice of being a private investigator) under IC 25-30-1-21.
315. Violation of IC 25-30-1.3 (unauthorized operation of a security agency) under IC 25-30-1.3-23.
316. Violation of IC 25-31-1-13 (making a false statement in an application to become an engineer) under IC 25-31-1-13.
317. Violation of IC 25-31-1 (unauthorized practice of engineering) under IC 25-31-1-27.
318. Violation of IC 25-31.5-8-7 (unauthorized practice as a professional soil scientist) under IC 25-31.5-8-7.
319. Violation of IC 25-33-1-14 (unlawful use of title psychologist) under IC 25-33-1-15.
320. Violation of IC 25-34.5-3 (unauthorized practice of respiratory care) under IC 25-34.5-3-2.
321. Violation of IC 25-35.6 (unauthorized practice of speech-language pathology and audiology) under IC 25-35.6-3-10.
322. Violation of IC 25-36.1-2 (violation of certified surgical technologist statute) under IC 25-36.1-2-3.
323. Violation of IC 25-36.5-1-10 (unauthorized practice of timber buying or timber buying agent) under IC 25-36.5-1-10 and IC 25-36.5-1-15.
324. Violation of IC 25-38.1 (unauthorized practice of veterinary medicine) under IC 25-38.1-4-10.
325. Violation of IC 25-38.1 (unauthorized practice of veterinary technician) under IC 25-38.1-4-11.
326. Violation of IC 25-39-5 (unlawful drilling and well installation) under IC 25-39-5-1, 2, 3, 4, 5, 6 and 7.
327. Violation of IC 25-41-1-1 (unauthorized practice of behavior analyst) under IC 25-41-1-2.
328. Violation of Indiana Legend Drug Act (IC 16-42-19).
329. Violation of order by parent or other custodian of child (IC 31-34-2.3-7).
330. Violation of order by alleged perpetrator of child abuse or neglect (IC 31-34-2.3-8).
331. Violations (IC 35-43-9-7).
332. Visiting a common nuisance; maintaining a common nuisance (IC 35-45-1-5).
333. Voyeurism; public voyeurism; aerial voyeurism (IC 35-45-4-5).
334. Welfare fraud (IC 35-43-5-7).
335. Worker's compensation fraud (IC 35-43-5-21).

Mau/Cutter

5/0/1

Voting in Favor: Christopher Cooke, Donald Alford, Ted Mau, Roland Cutter, and Tasha Smith
T. Sproles abstained.

Motion carried.

A motion was made and seconded to approve the following proposed emergency rule language:

Temporarily adds a list of disqualifying crimes, and related provisions, implementing IC 25-1-1.1-6. Statutory authority: IC 25-1-1.1-6. Effective November 1, 2018.

SECTION 1. This document implements IC 25-1-1.1-6 regarding disqualifying criminal history for licensure by the State Board of Funeral and Cemetery Service, and includes in SECTION 4 of this document an explicit list of crimes that will disqualify an individual from receiving a license.

SECTION 2. An applicant for licensure who has a disqualifying criminal history may still be granted a license based on the criteria stated in IC 25-1-1.1-6(f).

SECTION 3. This document and IC 25-1-1.1-6 do not limit the authority of the board to issue a license on probation if appropriate under IC 25-1-11-19 or any other applicable statute.

SECTION 4. This section contains the list of disqualifying crimes as follows:

1. Crimes involving sexual acts that can be considered without respect to age of conviction:
 - A. Child molesting (IC 35-42-4-3).
 - B. Child seduction (IC 35-42-4-7).
 - C. Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
 - D. Incest (IC 35-46-1-3).
 - E. Making an unlawful proposition (IC 35-45-4-3).
 - F. Prostitution (IC 35-45-4-2).
 - G. Rape (IC 35-42-4-1).
 - H. Sexual misconduct with a minor (IC 35-42-4-9(a)).
2. Crimes of violence that can be considered without respect to age of conviction:
 - I. Aggravated battery (IC 35-42-2-1.5).
 - J. Attempted murder (IC 35-41-5-1).
 - K. Burglary as a Level 1 felony, Level 2 felony, Level 3 felony, or Level 4 felony (IC 35-43-2-1).
 - L. Child exploitation as a Level 5 felony under IC 35-42-4-4(b) or a Level 4 felony under IC 35-42-4-4(c).
 - M. Child molesting (IC 35-42-4-3).
 - N. Criminal deviate conduct (IC 35-42-4-2) (before its repeal).
 - O. Involuntary manslaughter (IC 35-42-1-4).
 - P. Kidnapping (IC 35-42-3-2).
 - Q. Murder (IC 35-42-1-1).
 - R. Operating a vehicle while intoxicated causing death (IC 9-30-5-5).
 - S. Operating a vehicle while intoxicated causing serious bodily injury to another person (IC 9-30-5-4).
 - T. Rape (IC 35-42-4-1).
 - U. Reckless homicide (IC 35-42-1-5).
 - V. Resisting law enforcement as a felony (IC 35-44.1-3-1).
 - W. Robbery as a Level 2 felony or a Level 3 felony (IC 35-42-5-1).
 - X. Sexual misconduct with a minor as a Level 1 felony under IC 35-42-4-9(a)(2) or a Level 2 felony under IC 35-42-4-9(b)(2).
 - Y. Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).
 - Z. Voluntary manslaughter (IC 35-42-1-3).
3. Abandonment or neglect of vertebrate animals; defense (IC 35-46-3-7).
4. Abuse of corpse (IC 35-45-11-2).
5. Adoption deception (IC 35-46-1-9.5).
6. Agricultural terrorism (IC 35-47-12-2).
7. Altering historic property (IC 35-43-1-6).
8. Armor-piercing ammunition; offense; exception (IC 35-47-5-11.5).
9. Arson (IC 35-43-1-1).
10. Assisting a criminal (IC 35-44.1-2-5).
11. Assisting suicide (IC 35-42-1-2.5).
12. Attempt under IC 35-41-5-1 to commit an offense listed in this section.
13. Attempting to purchase handgun by ineligible person (IC 35-47-2.5-15) (before its repeal).
14. Attendance at fighting contest (IC 35-46-3-10).
15. Auto theft (IC 35-43-4-2.5) (before its repeal).
16. Battery (IC 35-42-2-1).

17. Battery, neglect, or exploitation of endangered adult or person with mental or physical disability; failure to report; unlawful disclosures; referrals; retaliation (IC 35-46-1-13).
18. Bestiality (IC 35-46-3-14).
19. Bigamy (IC 35-46-1-2).
20. Bribery (IC 35-44.1-1-2).
21. Burglary (IC 35-43-2-1).
22. Carjacking (IC 35-42-5-2) (before its repeal).
23. Carrying a handgun without being licensed; exceptions; person convicted of domestic battery (IC 35-47-2-1).
24. Causing suicide (IC 35-42-1-2).
25. Cemetery mischief (IC 35-43-1-2.1).
26. Check deception (IC 35-43-5-5).
27. Check fraud (IC 35-43-5-12).
28. Child exploitation; possession of child pornography; exemptions; defenses (IC 35-42-4-4).
29. Child sexual trafficking (IC 35-42-3.5-1.3).
30. Child solicitation (IC 35-42-4-6).
31. "Chinese throwing star" defined; related offenses (IC 35-47-5-12).
32. Computer trespass; computer hoarding programs (IC 35-43-2-3).
33. Conflict of interest (IC 35-44.1-1-4).
34. Conspiracy under IC 35-41-5-2 to commit an offense listed in this section.
35. Consumer product tampering; offenses (IC 35-45-8-3).
36. Contributing to the delinquency of a minor (IC 35-46-1-8).
37. Conversion (IC 35-43-4-3).
38. Corrupt business influence (IC 35-45-6-2).
39. Counterfeiting; false or fraudulent sales receipts; forgery; application fraud (35-43-5-2).
40. Criminal confinement (IC 35-42-3-3).
41. Criminal mischief; institutional criminal mischief; controlled substance criminal mischief (IC 35-43-1-2).
42. Criminal organization recruitment (IC 35-45-9-5).
43. Criminal parole violation by a sexual predator (IC 35-44.1-3-9).
44. Criminal recklessness; element of hazing; liability barred for good faith report or judicial participation (IC 35-42-2-2).
45. Criminal stalking (IC 35-45-10-5).
46. Criminal transfer of a firearm (IC 35-47-2.5-16).
47. Criminal trespass; denial of entry; permission to enter; exceptions (IC 35-43-2-2).
48. Criminal use or possession of code grabbing device (IC 35-45-12-2).
49. Cruelty to a law enforcement animal (IC 35-46-3-11).
50. Cruelty to a search and rescue dog (IC 35-46-3-11.3).
51. Cruelty to a service animal (IC 35-46-3-11.5).
52. Dangerous control of a firearm (IC 35-47-10-6).
53. Dangerous possession and unlawful transfer of a firearm (IC 35-47-10-5).
54. Dealing in a controlled substance by a practitioner (IC 35-48-4-1.5).
55. Dealing in a controlled substance resulting in death (IC 35-42-1-1.5).
56. Dealing in a counterfeit substance (IC 35-48-4-5).
57. Dealing in a schedule I, II, or III controlled substance (IC 35-48-4-2).
58. Dealing in a schedule IV controlled substance (IC 35-48-4-3).
59. Dealing in a schedule V controlled substance (IC 35-48-4-4).
60. Dealing in a substance represented to be a controlled substance (IC 35-48-4-4.5).
61. Dealing in a synthetic drug or synthetic drug lookalike substance (IC 35-48-4-10.5).
62. Dealing in cocaine or narcotic drug (IC 35-48-4-1).
63. Dealing in marijuana, hash oil, hashish, or salvia (IC 35-48-4-10).
64. Dealing in methamphetamine (IC 35-48-4-1.1).
65. Dealing in paraphernalia (IC 35-48-4-8.5).
66. Deception (IC 35-43-5-3).
67. Deception with intent to cause withholding of CPR (IC 16-36-5-28).
68. Delivery of deadly weapon to intoxicated person (IC 35-47-4-1).
69. Deploying a booby trap (IC 35-47.5-5-10).

70. Destruction of declaration; forgery of revocation (IC 16-36-5-27).
71. Destructive device or explosive to kill, injure, or intimidate or to destroy property (IC 35-47.5-5-8).
72. Destructive devices (IC 35-47.5-5-2).
73. Directing laser pointer at public safety officer or state police motor carrier inspector (IC 35-47-4.5-4).
74. Disarming a law enforcement officer (IC 35-44.1-3-2).
75. Disrupting operation of aircraft (IC 35-47-6-1.6).
76. Dissemination of matter or conducting performance harmful to minors (IC 35-49-3-3).
77. Distribution of destructive device, explosive or detonator to a minor (IC 35-47.5-5-5).
78. Distribution of regulated explosives to persons convicted of felony (IC 35-47.5-5-4).
79. Domestic battery (IC 35-42-2-1.3).
80. Domestic violence animal cruelty (IC 35-46-3-12.5).
81. Dumping controlled substance waste (IC 35-48-4-4.1).
82. Duties of driver of motor vehicle involved in accident; sentencing (IC 9-26-1-1.1).
83. Electrocutation or decompression of animals (IC 35-46-3-15).
84. Enticing or taking a patient away or aiding a patient to escape from the custody of an administrator or a superintendent (IC 12-24-17-7).
85. Escape (IC 35-44.1-3-4).
86. Evasion of tax; offenses; prosecution (IC 6-3-6-11).
87. Exploitation of dependent or endangered adult; financial exploitation of endangered adult; violation classification (IC 35-46-1-12).
88. Failure of carriers of dangerous communicable diseases to warn persons at risk (IC 35-45-21-3).
89. Failure to appear (IC 35-44.1-2-9).
90. Failure to make report (IC 31-33-22-1).
91. Failure to report a dead body (IC 35-45-19-3).
92. Failure to respond to a summons (IC 35-44.1-2-10).
93. False government issued identification (IC 35-43-5-2.5).
94. False identity statement (IC 35-44.1-2-4).
95. False reporting; false informing (IC 35-44.1-2-3).
96. False reports; criminal and civil liability; notification of prosecuting attorney (IC 31-33-22-3).
97. Feticide (35-42-1-6).
98. Firearm, explosive, or deadly weapon; possession in commercial or chartered aircraft (IC 35-47-6-1).
99. Firearm, explosive, or deadly weapon; possession in controlled access areas of an airport (IC 35-47-6-1.3).
100. Firearms and handguns; giving false information or offering false evidence of identity (IC 35-47-2-17).
101. Fraud (IC 35-43-5-4).
102. Fraud on financial institutions (IC 35-43-5-8).
103. Ghost employment (IC 35-44.1-1-3).
104. Harassment; "obscene message" defined (IC 35-45-2-2).
105. Harboring a non-immunized dog (IC 35-46-3-1).
106. Hindering or obstructing detection, disarming, or destruction of destructive device (IC 35-47.5-5-7).
107. Hoax devices or replicas (IC 35-47.5-5-6).
108. Home improvement fraud (IC 35-43-6-12).
109. Homicide (IC 35-42-1).
110. Human organ trafficking (IC 35-46-5-1).
111. Human trafficking (IC 35-42-3.5-1.4).
112. Identity deception (IC 35-43-5-3.5).
113. Impersonating a firefighter at an emergency incident area (IC 35-44.1-4-7).
114. Impersonation of a public servant (IC 35-44.1-2-6).
115. Inappropriate communication with a child (IC 35-42-4-13).
116. Indecent display by a youth (IC 35-45-4-6).
117. Inhaling toxic vapors (IC 35-46-6-2).
118. Inmate fraud (IC 35-43-5-20).
119. Insurance fraud; insurance application fraud (IC 35-43-5-4.5).

120. Insurance fraud (IC 35-43-5-7.2).
121. Intentional signing of false document (IC 23-0.5-2-9).
122. Interference with custody (IC 35-42-3-4).
123. Interference with jury service (IC 35-44.1-2-11).
124. Interference with the reporting of a crime (IC 35-45-2-5).
125. Interference with witness service (IC 35-44.1-2-12).
126. Interfering with drug or alcohol screening test (IC 35-43-5-19).
127. Intimidation (IC 35-45-2-1).
128. Invasion of privacy; offense; penalties (IC 35-46-1-15.1).
129. Knife with a detachable blade (IC 35-47-5-2).
130. Legend drug deception; penalty (IC 35-43-10-3).
131. Loansharking (IC 35-45-7-2).
132. Machine gun (IC 35-47-5-8).
133. Malicious mischief (IC 35-45-16-2).
134. Making a false sales document (IC 35-43-5-16).
135. Making an unlawful proposition (IC 35-45-4-3).
136. Manufacture of paraphernalia (IC 35-48-4-8.1).
137. Manufacturing methamphetamine (IC 35-48-4-1.2).
138. Medicaid fraud (IC 35-43-5-7.1).
139. Money laundering; defenses (IC 35-45-15-5).
140. Neglect, abuse, or maltreatment of a patient in a state institution; penalty (IC 12-24-17-3).
141. Neglect of a dependent; child selling (IC 35-46-1-4).
142. Nitrous oxide distribution; nonmedical purposes (IC 35-46-6-3).
143. Nonsupport of a dependent child (IC 35-46-1-5).
144. Nonsupport of a parent (IC 35-46-1-7).
145. Nonsupport of a spouse (IC 35-46-1-6).
146. Notario publico deception (IC 35-43-5-3.7).
147. Notary fraud; notarial fraud (IC 35-43-5-23).
148. Obscene performance (IC 35-49-3-2).
149. Obstructing a firefighter (IC 35-44.1-4-8).
150. Obstructing an emergency medical person (IC 35-44.1-4-9).
151. Obstruction of delivery of prescription drug (IC 35-45-21-5).
152. Obstruction of justice (IC 35-44.1-2-2).
153. Obstruction of traffic (IC 35-44.1-2-13).
154. Obtaining child abuse information under false pretenses; knowingly falsifying records or interfering with an investigation (IC 31-33-22-2).
155. Offense against computer users (IC 35-43-1-8).
156. Offense against intellectual property (IC 35-43-1-7).
157. Offenses concerning Social Security numbers (IC 35-44.2-4-2).
158. Offenses relating to registration labeling and prescription forms (IC 35-48-4-14).
159. Official misconduct (IC 35-44.1-1-1).
160. Operating a motorboat while intoxicated (IC 35-46-9-6).
161. Operating a vehicle while intoxicated (IC 9-30-5).
162. Operating loaded machine gun (IC 35-47-5-9).
163. Operation of home without proper licensure; prohibition (IC 12-17.2-5-1).
164. Operation of tobacco business near school; prohibited (IC 35-46-1-11.2).
165. Participation in criminal organization; offense (IC 35-45-9-3).
166. Perjury (IC 35-44.1-2-1).
167. Permitting child to possess a firearm (IC 35-47-10-7).
168. Pointing firearm at another person (IC 35-47-4-3).
169. Possession of a cellular telephone while incarcerated (IC 35-44.1-3-8).
170. Possession of a controlled substance; obtaining a schedule V controlled substance (IC 35-48-4-7).
171. Possession of a dangerous device while incarcerated (IC 35-44.1-3-7).
172. Possession of a fraudulent sales document manufacturing device (IC 35-43-5-15).
173. Possession of a knife on school property (IC 35-47-5-2.5).
174. Possession of animal fighting paraphernalia (IC 35-46-3-8.5).

175. Possession of cocaine or narcotic drug (IC 35-48-4-6).
176. Possession of device or substance used to interfere with drug or alcohol screening test (IC 35-43-5-18).
177. Possession of electronic gaming device; maintaining a professional gambling site; exception for antique slot machines possessed for decorative, historic, or nostalgic purposes (IC 35-45-5-3.5).
178. Possession of firearms on school property or a school bus; possession of firearms in a motor vehicle parked in a school parking lot (IC 35-47-9-2).
179. Possession of marijuana, hash oil, hashish or salvia (IC 35-48-4-11).
180. Possession of methamphetamine (IC 35-48-4-6.1).
181. Possession of paraphernalia (IC 35-48-4-8.3).
182. Possession or sale of drug precursors (IC 35-48-4-14.5).
183. Professional gambling; professional gambling on the Internet (IC 35-45-5-3).
184. Profiteering from public service (IC 35-44.1-1-5).
185. Profiting from adoption (IC 35-46-1-9).
186. Prohibited sales or transfers of ownership (IC 35-47-2-7).
187. Promoting an animal fighting contest (IC 35-46-3-9.5).
188. Promoting professional gambling; acts constituting; boat manufacturers; public utilities (IC 35-45-5-4).
189. Promoting prostitution (IC 35-45-4-4).
190. Promotion of child sexual trafficking; promotion of sexual trafficking of a younger child (IC 35-42-3.5-1.2).
191. Promotion of human labor trafficking (IC 35-42-3.5-1).
192. Promotion of human sexual trafficking (IC 35-42-3.5-1.1).
193. Promotion, use of animals, or attendance with animal at animal fighting contest (IC 35-46-3-9).
194. Public indecency (IC 35-45-4-1).
195. Public intoxication prohibited; failure to enforce by a law enforcement officer (IC 7.1-5-1-3).
196. Public nudity (IC 35-45-4-1.5).
197. Public safety remote aerial interference (IC 35-44.1-4-10).
198. Purchase or possession of animals for fighting contests (IC 35-46-3-8).
199. "Qualified egg bank"; unlawful transfer of human organisms; exceptions; penalties (IC 35-46-5-3).
200. Railroad mischief (IC 35-43-1-2.3).
201. Reckless supervision (IC 35-46-1-4.1).
202. Refusal to aid an officer (IC 35-44.1-3-3).
203. Registration violations; penalty (IC 11-8-8-17).
204. Regulated explosives; persons convicted of felonies; prior unrelated convictions (IC 35-47.5-5-3).
205. Remote aerial harassment (IC 35-45-10-6).
206. Removal of attack dog's vocal cords; animal cruelty (IC 35-46-3-13).
207. Residential entry (IC 35-43-2-1.5).
208. Resisting law enforcement (IC 35-44.1-3-1).
209. Rioting (IC 35-45-1-2).
210. Robbery (IC 35-42-5-2).
211. Sale, distribution, or exhibition of obscene matter (IC 35-49-3-1).
212. Sale of kit or device for unauthorized use of cable television system services (IC 35-43-5-6.5).
213. Sale or distribution of HIV testing equipment (IC 35-45-21-2).
214. Sale to minors prohibited; furnishing property for the purpose of enabling minors to consume alcohol prohibited (IC 7.1-5-7-8).
215. Sex offender Internet offense (IC 35-42-4-12).
216. Sex offender registry restrictions (IC 35-42-4-11).
217. Sex offender unmanned aerial vehicle offense (IC 35-42-4-12.5).
218. Sexual battery (IC 35-42-4-8).
219. Sexual misconduct with a service provider (IC 35-44.1-3-10).
220. Sexually violent predator; duty to notify (IC 11-8-8-18).
221. Stolen valor fraud (IC 35-43-5-22).
222. Strangulation (IC 35-42-2-9).

223. Stun guns; purchase, possession, and sale; use in commission of crime; use on law enforcement officer (IC 35-47-8-5)
224. Synthetic drug or synthetic drug lookalike substance (IC 35-48-4-11.5).
225. Synthetic identity deception (IC 35-43-5-3.8).
226. "Synthetic urine" (IC 35-43-5-19.5).
227. Tampering with a water supply; poisoning (IC 35-43-1-5).
228. Tattooing or body piercing a minor (IC 35-45-21-4).
229. Terrorism (IC 35-47-12-1).
230. Terroristic deception (IC 35-43-5-3.6).
231. Terroristic mischief (IC 35-47-12-3).
232. Theft (IC 35-43-4-2).
233. Threats; refusal to join or withdraw from organization; intimidation offense (IC 35-45-9-4).
234. Torture or mutilation of a vertebrate animal; killing a domestic animal (IC 35-46-3-12).
235. Trafficking with an inmate; carrying a deadly weapon into a correctional facility (IC 35-44.1-3-5).
236. Trafficking with an inmate outside a facility (IC 35-44.1-3-6).
237. Transferring contaminated body fluids (IC 35-45-21-1).
238. Unauthorized adoption advertising; advertisement requirements (IC 35-46-1-21).
239. Unauthorized adoption facilitation (IC 35-46-1-22).
240. Undisclosed transport of dangerous device (IC 35-47-6-1.1).
241. Unlawful acts relating to caves; offense (IC 35-43-1-3).
242. Unlawful documentation of a gift of organs, tissue, eyes, or body parts (IC 35-46-5-4).
243. Unlawful employment near children (IC 35-42-2-10).
244. Unlawful entry of school property by a serious sex offender (IC 35-42-4-14).
245. Unlawful entry to restricted area of airport (IC 35-47-6-1.4).
246. Unlawful gambling (IC 35-45-5-2).
247. Unlawful manufacture, distribution or possession of counterfeit substance (IC 35-48-4-4.6).
248. Unlawful manufacture or sale of police or fire insignia (IC 35-44.1-2-8).
249. Unlawful participation in human cloning; exception (IC 35-46-5-2).
250. Unlawful photography and surveillance on private property (IC 35-46-8.5-1).
251. Unlawful possession of a card skimming device (IC 35-43-5-4.3).
252. Unlawful possession of a firearm by a domestic batterer (IC 35-47-4-6).
253. Unlawful possession of a firearm by a serious violent felon (IC 35-47-4-5).
254. Unlawful practices; investment advisers and investment adviser representatives; investment advisory contract (IC 23-19-5-2).
255. Unlawful promotion or organization of combative fighting (IC 35-45-18-3).
256. Unlawful purchase of a handgun (IC 35-47-2.5-14) (before its repeal).
257. Unlawful sale or possession of a transaction manipulation device (IC 35-43-5-4.6).
258. Unlawful transfer of fetal tissue (IC 35-46-5-1.5).
259. Unlawful use of a communications medium; definitions (IC 35-45-2-3).
260. Unlawful use of body armor (IC 35-47-5-13).
261. Unlawful use of a police radio (IC 35-44.1-2-7).
262. Use of overpressure device (IC 35-47.5-5-9).
263. Use of regulated explosive in violation of commission rule (IC 35-47.5-5-11).
264. Vicarious sexual gratification; sexual conduct in presence of minor (IC 35-42-4-5).
265. Violation of certain no contact orders; offense; penalty (IC 35-46-1-15.3).
266. Violation of civil rights (IC 35-46-2-1).

267. Violation of IC 25-2.1-12 (unauthorized practice of accounting) under IC 25-2.1-13-3.
268. Violation of IC 25-2.5 (unauthorized practice of acupuncture) under IC 25-2.5-3-4.
269. Violation of IC 25-3.7 (unauthorized practice of an anesthesiologist assistant) under IC 25-3.7-2-2.
270. Violation of IC 25-5.1-4-1 (unauthorized practice of athletic trainer) under IC 25-5.1-4-2.
271. Violation of IC 25-5.2-2-12 (misconduct by athlete agent) under IC 25-5.2-2-12.
272. Violation of IC 25-6.1-7-1 (unauthorized practice of auctioneering) under IC 25-6.1-7-1.
273. Violation of IC 25-6.1-7-2 (violation of auctioneering statute) under IC 25-6.1-7-2.
274. Violation of IC 25-8-15.4 (unauthorized operation of a tanning facility) under IC 25-8-15.4-25.
275. Violation of IC 25-10-1 (unauthorized practice of chiropractic) under IC 25-10-1-11.

- 276. Violation of IC 25-11-1 (violation of the collection agency statute) under IC 25-11-1-12.
- 277. Violation of IC 25-13-1 (unauthorized practice of a dental hygienist) under IC 25-13-1-3.
- 278. Violation of IC 25-14-1 (unauthorized practice of dentistry) under IC 25-14-1-25.
- 279. Violation of IC 25-14-1-25.5 (preventing a dentist from following retirement procedures) under IC 25-14-1-25.5.
- 280. Violation of IC 25-14-4 (unlawful referral services for a dentist) under IC 25-14-4-6.
- 281. Violation of IC 25-14.3 (violation of diabetes educator statute) under IC 25-14.3-5-1.
- 282. Violation of IC 25-14.5 (unauthorized practice of a dietitian) under IC 25-14.5-7-2.
- 283. Violation of IC 25-16-1 (violation of employment services statute) under IC 25-16-1-18.
- 284. Violation of IC 25-17.3-5 (violation of genetic counselors statute) under IC 25-17.3-5-3.
- 285. Violation of IC 25-17.6-8-2 (unauthorized practice of professional geologist) under IC 25-17.6-8-2.
- 286. Violation of IC 25-20-1 (unauthorized practice of hearing aid dealer) under IC 25-20-1-21.
- 287. Violation of IC 25-20.7-5-1 (unauthorized practice of interior designer) under IC 25-20.7-5-1.
- 288. Violation of IC 25-21.5-5-10 (making false statements in an application to become a surveyor) under IC 25-21.5-5-10.
- 289. Violation of IC 25-21.5-13-2 (unauthorized practice of surveying) under IC 25-21.5-13-2.
- 290. Violation of IC 25-21.8 (unauthorized practice of massage therapy) under IC 25-21.8-7-1.
- 291. Violation of IC 25-22.5 (unauthorized practice of medicine, midwifery, osteopathic medicine, or physician assistance) under IC 25-22.5-8-1 and 2.
- 292. Violation of IC 25-22.5 (violation of temporary medical permit statute) under IC 25-22.5-8-3.
- 293. Violation of IC 25-23-1 (unauthorized practice of nursing) under IC 25-23-1-27.
- 294. Violation of IC 25-23.5-3 (unauthorized practice of occupational therapy) under IC 25-23.5-3-2.
- 295. Violation of IC 25-23.6-3 (unauthorized practice of marriage and family therapy) under IC 25-23.6-3-3.
- 296. Violation of IC 25-23.6-4 (unauthorized practice of social work) under IC 25-23.6-4-4.
- 297. Violation of IC 25-2.6-4.5 (violation of mental health counselor statute) under IC 25-2.6-4.5-4.
- 298. Violation of IC 25-23.6-7-6 (providing false information about counselor's educational background) under IC 25-23.6-7-7.
- 299. Violation of IC 25-23.6-10.1 (unauthorized practice of addiction counselor or therapist) under IC 25-23.6-10.1-6.
- 300. Violation of IC 25-23.6-11-1 (unauthorized use of term psychotherapy or clinical psychology) under IC 25-23.6-11-1.
- 301. Violation of IC 25-23.6 (unauthorized use of license issued by behavioral health and human services board) under IC 25-23.6-11-2.
- 302. Violation of IC 25-23.6-11-3 (presenting false information to the behavioral health and human services board to obtain license) under IC 25-23.6-11-3.
- 303. Violation of IC 25-23.7-7-5 (unauthorized practice of home installing) under IC 25-23.7-7-5.
- 304. Violation of IC 25-23.4 (unauthorized practice of direct entry midwife) under IC 25-23.4-3-7.
- 305. Violation of IC 25-24-1 (unauthorized practice of optometry) under IC 25-24-1-18.
- 306. Violation of IC 25-26-13-29 (unauthorized practice of pharmacy or as a pharmacist) under IC 25-26-13-29.
- 307. Violation of any state drug law related to wholesale legend drug distribution (IC 25-26-14).
- 308. Violation of IC 25-26-19-9 (unauthorized practice of pharmacy technician) under IC 25-26-19-9.
- 309. Violation of IC 25-26-21 (unauthorized provision of home medical equipment provider services) under IC 25-26-21-11.
- 310. Violation of IC 25-27-1 (unauthorized practice of physical therapy) under IC 25-27-1-12.
- 311. Violation of IC 25-27.5-7 (unauthorized practice of physician assistant) under IC 25-27.5-7-2.
- 312. Violation of IC 25-28.5-1 (unauthorized practice of plumbing) under IC 25-28.5-1-31.
- 313. Violation of IC 25-29 (unauthorized practice of podiatry) under IC 25-29-9-1.
- 314. Violation of IC 25-30-1 (unauthorized practice of being a private investigator) under IC 25-30-1-21.
- 315. Violation of IC 25-30-1.3 (unauthorized operation of a security agency) under IC 25-30-1.3-23.
- 316. Violation of IC 25-31-1-13 (making a false statement in an application to become an engineer) under IC 25-31-1-13.
- 317. Violation of IC 25-31-1 (unauthorized practice of engineering) under IC 25-31-1-27.

- 318. Violation of IC 25-31.5-8-7 (unauthorized practice as a professional soil scientist) under IC 25-31.5-8-7.
- 319. Violation of IC 25-33-1-14 (unlawful use of title psychologist) under IC 25-33-1-15.
- 320. Violation of IC 25-34.5-3 (unauthorized practice of respiratory care) under IC 25-34.5-3-2.
- 321. Violation of IC 25-35.6 (unauthorized practice of speech-language pathology and audiology) under IC 25-35.6-3-10.
- 322. Violation of IC 25-36.1-2 (violation of certified surgical technologist statute) under IC 25-36.1-2-3.
- 323. Violation of IC 25-36.5-1-10 (unauthorized practice of timber buying or timber buying agent) under IC 25-36.5-1-10 and IC 25-36.5-1-15.
- 324. Violation of IC 25-38.1 (unauthorized practice of veterinary medicine) under IC 25-38.1-4-10.
- 325. Violation of IC 25-38.1 (unauthorized practice of veterinary technician) under IC 25-38.1-4-11.
- 326. Violation of IC 25-39-5 (unlawful drilling and well installation) under IC 25-39-5-1, 2, 3, 4, 5, 6 and 7.
- 327. Violation of IC 25-41-1-1 (unauthorized practice of behavior analyst) under IC 25-41-1-2.
- 328. Violation of Indiana Legend Drug Act (IC 16-42-19).
- 329. Violation of order by parent or other custodian of child (IC 31-34-2.3-7).
- 330. Violation of order by alleged perpetrator of child abuse or neglect (IC 31-34-2.3-8).
- 331. Violations (IC 35-43-9-7).
- 332. Visiting a common nuisance; maintaining a common nuisance (IC 35-45-1-5).
- 333. Voyeurism; public voyeurism; aerial voyeurism (IC 35-45-4-5).
- 334. Welfare fraud (IC 35-43-5-7).
- 335. Worker's compensation fraud (IC 35-43-5-21).

SECTION 5. A crime in any other jurisdiction for which the elements of the crime for which conviction was entered are substantially similar to the elements of a crime included on the list in SECTION 4 of this document shall also be a crime that will disqualify an individual from receiving a license and therefore included on the list.

SECTION 6. The fee for a petition under IC 25-1-1.1-6(h) for a determination as to whether the individual's misdemeanor or felony conviction will disqualify the individual from receiving a license or certification shall be twenty-five dollars (\$25).

SECTION 7. SECTIONS 1 through 6 of this document take effect November 1, 2018.

Mau/Cutter

5/0/1

Voting in Favor: Christopher Cooke, Donald Alford, Ted Mau, Roland Cutter, and Tasha Smith
T. Sproles abstained.

Motion carried.

CONSIDERATION OF PAYMENT OF INTERNATIONAL CONFERENCE OF FUNERAL SERVICE EXAMINING BOARDS 2019 MEMBERSHIP DUES FROM THE FUNERAL EDUCATION FUND; \$250.00

A motion was made and seconded to approve payment of the membership dues from the funeral education fund to continue to have access to the funeral director intern examination scores.

Sproles/Cutter

4/0/0

Voting in Favor: Thomas Sproles, Donald Alford, Roland Cutter, and Tasha Smith

Motion carried.

APPLICATION FOR FUNERAL HOME LICENSE

- 1. Stillinger LLC

A motion was made and seconded to deny the application. Two funeral homes cannot operate within one funeral home therefore they failed inspection.

Sproles/Cutter
4/0/0

Voting in Favor: Thomas Sproles, Donald Alford, Roland Cutter, and Tasha Smith
Motion carried.

REQUEST FOR WAIVER OF CONTINUING EDUCATION REQUIREMENT TO REINSTATE LICENSE

1. Marjorie Kunch, FD20500007

A motion was made and seconded to approve waiver of the live hourly requirement. She may obtain all CE via distance learning however she must complete at least 4 hours law online from the Indiana Funeral Directors Association.

Sproles/Alford
6/0/0

Voting in Favor: Thomas Sproles, Christopher Cooke, Donald Alford, Ted Mau, Roland Cutter, and Tasha Smith
Motion carried.

VERIFIED COMPLAINT REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND

A. Marcie K. Sobiski for Bobbie Jean Newman

Re: Kraft Funeral Home, FH10000005 (Revoked)

A motion was made and seconded to deny the request due to failure to complete the application to provide all of the information requested on the application.

Sproles/Mau
6/0/0

Voting in Favor: Thomas Sproles, Christopher Cooke, Donald Alford, Ted Mau, Roland Cutter, and Tasha Smith
Motion carried.

B. Alford's Mortuary for Mary Taylor

Re: Clark O'Neal Funeral Home, FH10400018 (Closed)

A motion was made and seconded to approve the request in the amount of \$11,121.14 plus statutory interest not to exceed the amount of the at-need contract.

Sproles/Mau
5/0/0

Voting in Favor: Thomas Sproles, Christopher Cooke, Ted Mau, Roland Cutter, and Tasha Smith
Donald Alford abstained from and was not present for the discussion and motion.
Motion carried.

C. Alford's Mortuary for Lois Harmon

Re: Clark O'Neal Funeral Home, FH10400018 (Closed)

A motion was made and seconded to approve the request in the amount of \$8464.95 plus statutory interest not to exceed the amount of the at-need contract.

Sproles/Cutter
5/0/0

Voting in Favor: Thomas Sproles, Christopher Cooke, Ted Mau, Roland Cutter, and Tasha Smith
Donald Alford abstained from and was not present for the discussion and motion.
Motion carried.

D. Brenda Landon for Harrell Morrison

Re: Winklepleck Weesner Funeral Home, FH83000655 (Closed)

A motion was made and seconded to approve the request in the amount of \$3000.00 plus statutory interest not to exceed the amount of the at-need contract.

Sproles/Mau
6/0/0

Voting in Favor: Thomas Sproles, Christopher Cooke, Donald Alford, Ted Mau, Roland Cutter, and Tasha Smith
Motion carried.

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

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

COURSES FOR APPROVAL – No Indiana Law Courses

Alexander Funeral Homes, Inc – Pending Provider

- Mass Fatality Response...Ground Zero for Learning – ongoing – 1 CEU – approved

Milwaukee County Medical Examiner’s Office – Pending Provider

- 28th Annual John R. Teggatz Forensic Science Seminar...05/01/18 – 05/02/18 – 17 CEU approved

Federated Funeral Directors of America – Pending Provider – approved

- Increasing Cash Flow – 11/13/18 – 1 CEU
- New Tax Regulations & Tax Planning – 11/13/18 – 1 CEU
- Succession Planning – 11/13/18 – 1 CEU

- Price Versus Value – 11/14/18 – 2 CEU
- How to Drive Leads on Social Media – 11/14/18 – 2 CEU
- Employee Theft and Reporting – 11/14/18 – 1 CEU
- Families are Paying Top Dollar...are you providing Top Dollar Quality Services? – 11/14/18 – 2 CEU

Weigel Strategic Marketing – Pending Provider – approved

- 40-Hour Medicolegal Death Invest. Course – 9/7/18 – 9/9/18 – 20 CEU
- 40-Hour Medicolegal Death Invest. Course – 9/21/18 – 9/23/18 – 20 CEU

Walley Hooker – Pending Provider - approved

- Embalming Techniques – ongoing – 4 CEU

Funeral Directors Life Insurance Company – CE21100035 – approved

- Collaborating with the Changing Funeral Consumer – ongoing – 1 CEU

Indiana State Coroners Training Board – CE21200008 – approved

- 40-Hour Medicolegal Death Invest. Course – 9/7/18 – 9/9/18 – 20 CEU
- 40-Hour Medicolegal Death Invest. Course – 9/21/18 – 9/23/18 – 20 CEU

The Dodge Company – CE10800649 – approve for 7hrs

- 2018 Wreaths Across America Project – 12/13/18 – 12/15/18 – 7.25 CEU

Elkhart County Veteran’s Affairs – CE10800633 – approved

- Veterans Benefits – 10/11/18 – 1 CEU

Sexton Wilbert Corp. – CE10800647 – approved

- Mark Klingenberger – 11/8/18 – 1 CEU

Vermilion County Funeral Directors Association – CE10800843 – approved

- Masonic Rites and Benefits – 11/1/18 – 1 CEU
- Organ & Tissue Donation – 11/1/18 – 1 CEU
- OSHA Training – 11/1/18 – 1 CEU
- Preneed Trust vs Insurance – 11/1/18 – 1 CEU

MKJ Marketing – CE10800860 – approved

- 2018 Nashville Workshop – 11/8/18 – 11/9/18 – 16 CEU

Kates-Boylston Publications – CE21100028 – approved 5 hours not 5.5 but otherwise approved

- Funeral Service Business Plan Conference – 12/6/18 – 12/7/18 – 10 CEU
- Cremation Strategies Conference – 12/5/18 – 5.5 CEU
- Preneed Summit – 11/2/18 – 5.5 CEU

COURSES FOR APPROVAL – Indiana Law Courses

Funeral CE – CE10800715 – not law, approved as general CEU

- Ethical Business Practices for Funeral Directors – ongoing – 2 CEU (Law category 2)

Life Celebration Inc. – Pending Provider – approved but not as law, as general CEU

- Funeral Mass Customization- Providing Families Only & Exactly What They Want! – 10/2/18 – 10/4/18 – 3 CEU (Category 2 law) – not law, approved as general

Weigel Strategic Marketing – Pending Provider – approved as general not law

- Marketing 101 – Ongoing – 1 CEU (category 2 law)
- Presenting Cremation Merchandise – ongoing – 1 CEU (category 1 law)
- Traditional Media & Social Media – ongoing – 1 CEU (category 1 law) (category 2 law)
- Marketing & Community Outreach – ongoing – 1 CEU (category 2 law)
- Reputation Mgmt in Today's World – ongoing – 1 CEU (category 2 law)
- Media: Friend or Foe – ongoing – 1 CEU (category 2 law)
- Building Your Funeral Home's Brand – ongoing – 1 CEU (category 2 law)
- Effective Communications in Today's World – ongoing – 1 CEU (category 2 law)

Vermilion County Funeral Directors Association – CE10800843 – approved

- Indiana Practice Act – 11/1/18 – 2 CEU (law)
- Indiana Cremation Act – 11/1/18 – 2 CEU (law)

Sexton Wilbert Corp. – CE10800647 – denied considered OSHA, can't be counted towards FD CE

- John F. Worland – 11/8/18 – 1 CEU (law)

Monica Vernet Gray – Pending Provider – approved but not as law, general CEU

- Embalmers: Are you the problem? – ongoing – 1 CEU
- Funeral Directing (Arranging): How are your interpersonal skills – ongoing – 1 CEU
- Social media friend or foe to death care business – ongoing – 1 CEU
- OSHA Guidelines for safety in the funeral home – ongoing – 1 CEU
- Desaiology – ongoing – 1 CEU

Sproles/Alford

4/0/0

Voting in Favor: Thomas Sproles, Donald Alford, Roland Cutter, and Tasha Smith

Motion carried.

ADJOURNMENT

The meeting was adjourned at 12:55 pm.