

STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
December 5, 2024, at 11:00 a.m.
Indiana Government Center South
Conference Center, Room #1
402 West Washington Street, Indianapolis, Indiana

CALL TO ORDER

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

BOARD MEMBERS PRESENT: Thomas Sproles, Chairman
Kathleen Matuszak

BOARD MEMBERS PRESENT ELECTRONICALLY: Christopher Cooke, Vice Chairman

BOARD MEMBER ABSENT: Frank Downing

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Marianna Kassenbrock, Assistant Board Director
Clarence Leatherbury, Deputy Attorney General
Courtney Calvert, Compliance Officer
Deborah Ishola, Compliance Officer

ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the amended agenda.

Cooke/Matuszak

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke
Motion carried.

ADOPTION OF THE MINUTES FROM THE OCTOBER 3, 2024, MEETING OF THE BOARD

A motion was made and seconded to approve the October 3, 2024 minutes.

Cooke/Matuszak

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke
Motion carried.

OFFICE OF THE ATTORNEY GENERAL REPORT

Written and verbal report provided.

IPLA COMPLIANCE DIVISION REPORT

Courney Calvert provided written report. The Compliance Division inspected four funeral branches and twelve funeral homes since the last board meeting.

PERSONAL APPEARANCE FOR PROBATION COMPLIANCE

1. Jacob Rhodes, FD22100007
Cause No.: 2023SBFCS0006

Mr. Rhodes appeared before the board and reported his probation ends 2/8/25.

Consideration of Proposed Settlement Agreements

1. Forest Hill Cemetery, CM40000001 & CA20000005
Cause No.: 202410-FCB-0019

A motion was made and seconded to accept the proposed Settlement.

Cooke/Matuszak

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

2. Burns Funeral Home, FH83002445 & CA09100372 and James Burns,
FD01009461
Cause No.: 202410-FCB-0020

A motion was made and seconded to reject the proposed settlement agreement.

Cooke/Matuszak

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

ADMINISTRATIVE HEARING; ORDER TO SHOW CAUSE

1. Marion Cemetery Corp. Dba Estates of Serenity, CM41800006
Cause No.: 2023SBFCS0020

A motion was made and seconded to issue a Notice of Proposed Default for failure to appear.

Matuszak/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

DELIBERATION CONTINUED FROM OCTOBER 3, 2024; CEASE AND DESIST

1. Hobart Cemetery Association, Edward Klug
Cause No.: 202408-FCB-0018

A motion was made and seconded to continue deliberations. The OAG will contact them with their options. The board has determined that they do not have to have a perpetual care fund.

Matuszak/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

CONSIDERATION OF MOTION TO DISMISS

1. Brick Cemetery, 202407-FCB-0015

A motion was made and seconded to dismiss the matter.

Matuszak/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

CONSIDERATION OF EMERGENCY MOTION FOR EXTENSION OF TIME TO FILE TENTH QUARTERLY REPORT

1. Alford's Mortuary & Donald Alford 2023SBFCS0012 & 2023SBFCS0015

A motion was made and seconded to approve the request and extend the deadline 30 days.

Matuszak/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

CONSIDERATION OF REQUEST FOR WAIVER OF THE CONTINUING EDUCATION REQUIREMENT PURSUANT TO IC 25-1-4-4

1. Hanna Ingle, FD21700046

A motion was made and seconded to approve the request to waive the one hour of in-person continuing education.

Cooke/Matuszak

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

2. Jerry Maguire, FD01008392

A motion was made and seconded to approve the request to waive the 5 hours of in-person continuing education.

Matuszak/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

CONSIDERATION OF APPLICATION FOR FUNERAL DIRECTOR LICENSE

1. Thomas Eddy III

A motion was made and seconded to approve the application.

Matuszak/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

CONSIDERATION OF APPLICATION FOR CEMETERY REGISTRATION

1. Sutherland Park Cemetery, 7016 Keston Circle, Indianapolis

A motion was made and seconded to approve the application without the perpetual care fund due to the time period the original cemetery was formed. This is a change of ownership.

Matuszak/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

ANNUAL REVIEW OF CEMETERY MAINTENANCE CONSUMER PROTECTION FUND BALANCE TO DETERMINE IF PAYMENT INTO THE FUND IS REQUIRED MARCH 1, 2025.

Current Balance - \$727,624.68

A motion was made and seconded to suspend payments into the fund March 1, 2025

Matuszak/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

ANNUAL REVIEW OF PRENEED CONSUMER PROTECTION FUND BALANCE TO DETERMINE IF PAYMENT INTO THE FUND IS REQUIRED MARCH 1, 2025.

Current Balance - \$2,593,541.79

A motion was made and seconded to suspend payments into the fund March 1, 2025

Matuszak/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

REASSIGNMENT OF PRENEED CONTRACT

1. Wade Funeral Home, FH83002990; Closed

A motion was made and seconded to reassign the contract to Doyle Funeral Home, FH10400010.

Matuszak/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

2. Dixon Memorial Chapel LLC, FH12300003, Closed

A motion was made and seconded to reassign the contracts and divide them equally among funeral homes within the same ZIP code.

Matuszak/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

CORRESPONDENCE FROM ASSURED MEMORIAL SERVICES INC. REGARDING FUNERAL CONSULTING

No response required. They do not indicate they will be practicing in Indiana.

REVIEW OF 832 IAC 3-2-1(B)(2); FUNERAL DIRECTOR INTERN EXPERIENCE REQUIREMENT

The board believes that the existing requirement is not unrealistic. If a funeral home is not busy enough to obtain experience with embalming, the intern will need to obtain their requirement from other funeral homes.

VERIFIED COMPLAINT REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND

1. Taylor & Cowan Funeral Home, FH11800014 for Jerry Miller
Re: Porter Funeral Home, FH83006732 (Closed)

A motion was made and seconded to approve the request of \$ 1220.00 plus interest not to exceed the amount of the at-need contract.

Matuszak/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

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

Matuszak/Cooke

3/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, and Christopher Cooke

Motion carried.

Colibri Healthcare, LLC **CE10800701**
Supporting Suicide Loss Survivors, 12/5/24, 1 CEU, non-law

Continuing Vision, LLC **CE22400013**
A. Introducing the Role of a Doula, 12/6/24, 1 CEU, non-law
B. Enhancing the Care of Donors, 12/6/24, 1 CEU, non-law
C. Price of Remembrance, 12/6/24, 1 CEU, non-law
D. One Life, A Thousand Miracles, 12/6/24, non-law
E. FTC – The Funeral Rule, 12/6/24, non-law
F. The Gravity of Cavity Embalm, ongoing, 1 CEU, non-law
G. Talking to Children, ongoing, 1 CEU, non-law

Funeral Directors Assoc. of the Fall Cities **CE10800717**
Guide to Medicaid Funeral Planning, 2/20/25, 3 CEU, non-law

Graystone Associates, Inc **CE21100027**
2025 Graystone Summit Conference 2/10-13/25 – 14 hours per board action.
A. New Attendee Catch-Up Session, 2/10/25
B. Caliper Usage, 2/10/25
C. Integration Tools/Using Remote Reporting, 2/10/25
D. State of the Union, 2/11/25
E. Seeing Cremation Differently, 2/11/25
F. 2024 Achievements and Graystone Awards, 2/11/25
G. Staff Engagement, 2/12/25
H. Beyond the Building, 2/12/25
I. Rapid Fire (#1), 2/12/25
J. Holding Ourselves and Managers Accountable
K. Use It or Lose It, 2/13/25
L. Rapid Fire (#2), 2/13/25

Minnick Services **CE10800889**
A. Gravesite as an Event, ongoing, 1 CEU, non-law
B. Casket Options and Merchandising, ongoing, 1 CEU, non-law
C. Building a Custom Image, ongoing, 1 CEU, non-law
D. Cremation Process, ongoing, 1 CEU, non-law
E. Commemorations and Cremation Merchandising, ongoing, 1 CEU, non-law
F. Burial Vault 101 A & B, ongoing, 1 CEU, non-law

Selected Independent Funeral Homes **CE10800819**
A. Mastering Success Mindset, 1/27/25, 3 CEU, non-law
B. Expanding Ancillary Services, 1/28/25, 3 CEU, non-law
C. 'Next' Practices Exchange, 1/30/25, 2 CEU, non-law

Wilbert Funeral Services, Inc., **CE21500018**
Funeral Service & Suicide Survivors, 8/7/25, 1 CEU, non-law

Clarence Leatherbury will check to see if Kathleen and Chris are still able to serve as cemetery board members due to their change in employment.

ADJOURNMENT

The meeting adjourned at 12:43 p.m.