

DRAFT

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
February 3, 2022**

Via Telephone Conference Pursuant to Executive Order 20-09

Access the meeting online or via telephone at:

<https://IndianaEnhanced.Webex.com/join/PLAWebex>
1.240.454.0887, Access Code 610915440

CALL TO ORDER

The meeting was called to order at 11:00 a.m. by Kathleen Matuszak, 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: Kathleen Matuszak, Chairperson
Thomas Sproles, Vice Chairman
Frank Downing
Christopher Cooke

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Colette Ritter, Assistant Board Director
Clarence Leatherbury, Deputy Attorney General

ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda.

Sproles/Cooke

4/0/0

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

ADOPTION OF THE MINUTES FROM THE DECEMBER 8, 2021, MEETING OF THE BOARD

A motion was made and seconded to adopt the minutes of the December 8, 2021, meeting.

Cooke/Sproles

4/0/0

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

OFFICE OF THE ATTORNEY GENERAL REPORT

Written and verbal report provided.

PERSONAL APPEARANCE FOR COMPLIANCE OF FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER

1. Jessen Funeral Home, FH19900057, FB40500016, FB41200011, and Clarence John Jessen, FD29400075, 2018 SBFCS 0006

Mr. Jessen appeared and indicated that he has not worked with the funeral homes he has sold or any other funeral home in Indiana.

CONSIDERATION OF PROPOSED SETTLEMENT AGREEMENTS

1. Fountain Square Cremation & Funeral Services, FH11600001 CA21600005, 2021 SBFCS 0014

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

Cooke/Downing

3/0/1

Voting in Favor: Frank Downing, Kathleen Matuszak, and Christopher Cooke

Abstaining: Thomas Sproles

Motion carried.

2. Cresthaven Memorial Gardens, CM4100007

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

Downing/Cooke

3/0/1

Voting in Favor: Frank Downing, Thomas Sproles, and Christopher Cooke

Abstaining: Kathleen Matuszak

Motion carried.

3. John Sherrill, FD29500085, 2021 SBFCS 0022 & 2021 SBFCS 0023

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

Cooke/Downing

3/0/1

Voting in Favor: Frank Downing, Thomas Sproles, and Christopher Cooke

Abstaining: Kathleen Matuszak

Motion carried.

CONSIDERATION OF MOTION TO DISMISS

1. Kevin McMichel, FD29500065, 2020 SBFCS 0002

A motion was made and seconded to approve the Motion to Dismiss.

Sproles/Cooke

4/0/0

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

Motion carried.

CONSIDERATION OF MOTION TO STAY FURTHER SCHEDULING

1. Ellers Mortuary Sunset Memory Garden Chapel and Sunset Memory Garden Cemetery, FH89200009, 2021 SBFCS 0018

A motion was made and seconded to approve the Motion.

Downing/Cooke

4/0/0

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

Motion carried.

VERIFIED COMPLAINTS REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND

1. Timothy Donhoff for Dorothy Orman

Re: R.D. Pyke Funeral Service, FH89200005 (Closed)

A motion was made and seconded to approve the request in the amount of \$1841.25 without additional interest.

Sproles/Cooke

4/0/0

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

Motion carried.

2. Palmer Funeral Homes for Merle Weaver
Re: Clark O'Neal Funeral Home, FH10400018

A motion was made and seconded to approve the request in the amount of \$6474.02 plus statutory interest and to inform Palmer Funeral Home that future requests will not be considered unless the request form is properly completed.

Cooke/Sproles

4/0/0

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

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

A motion was made and seconded to approve Funeral Directors Life Insurance Company's FDLIC Solutions Preneed ongoing course for 1 CEU.

Cooke/Sproles

3/0/1

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

A motion was made and seconded to approve the following CE report.

Downing/Cooke

4/0/0

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

Wilbert Funeral Services, Inc- CE21500018

1. The Science of Shopping- Setting Showroom – 3.3.2022 – 1 CEU
2. An Overview of OSHA Compliance – 2.3.2022 – 1 CEU
3. British Funeral Customs – 2.17.2022 – 1 CEU

Cremation Association of North America – CE21200016

1. The Cremation Choice – 2022 entire year – 2 CEU Distance Learning
2. Ethics in Funeral Service - 2022 entire year – 2 CEU Distance Learning
3. Aftercare: An Introduction - 2022 entire year – 2 CEU Distance Learning
4. Three Tools for Improving your Business - 2022 entire year – 1 CEU Distance Learning
5. Complying the FTC Funeral Rule - 2022 entire year – 1 CEU Distance Learning
6. Presentation without Preservation - 2022 entire year – 1 CEU Distance Learning
7. The Power of Presence: Introduction - 2022 entire year – 2 CEU Distance Learning
8. The Power of Presence: Part 2 - 2022 entire year – 2 CEU Distance Learning
9. Communication Skills Fundamentals - 2022 entire year – 1 CEU Distance Learning

Selected Independent Funeral Homes – CE10800819

1. Building Sold Business Operation – Business Fundamentals – 1.31.2022 – 3 CEU
2. "Next" Practices Exchange – 2.1.2022 – 2 CEU (note on the outline indicates 2.5 CEU, it should be 2 CEU not 3 as they have requested)
3. One Big Happy Family? Families of Funeral Service – 2.3.2022 – 3 CEU

The International Conference of Funeral Service Examining Boards – CE20900918

1. Board Member Training Program - 2.22.2022 – 6 CEU

2. Annual Business Meeting – 2.23.2022 – 1 CEU
3. Conference Overview Panel – 2.23.2022 – 1 CEU
4. Respects of Human Remains in Regulation – 2.23.2022 – 1 CEU
5. District Meetings – 2.23.2022 – 2 CEU
6. District Reports – 2.23.2022 – 0 CEU
7. Top Regulatory Class – 2.24.2022 – 1 CEU
8. Concurrent Sessions – 2.24.2022 – 2 CEU

ADJOURNMENT

The meeting was adjourned at 11:52 a.m.

Chairman

Date