

DRAFT

STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
February 6, 2025, 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 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, Vice Chairman
Frank Downing
Kathleen Matuszak

BOARD MEMBER ABSENT: Thomas Sproles, Chairman

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Ruth Hashu Roorda, Assistant Board Director
Clarence Leatherbury, Deputy Attorney General

ADOPTION OF THE AGENDA

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

Downing/Matuszak
3/0/0
Voting in Favor: Frank Downing, Kathleen Matuszak, and Christopher Cooke
Motion carried.

ADOPTION OF THE MINUTES FROM THE DECEMBER 7, 2024, MEETING OF THE BOARD

A motion was made and seconded to approve the minutes.

Matuszak/Downing
3/0/0
Voting in Favor: Frank Downing, Kathleen Matuszak, and Christopher Cooke
Motion carried.

OFFICE OF THE ATTORNEY GENERAL REPORT

Verbal and written report provided.

IPLA COMPLIANCE DIVISION REPORT.

No report provided.

ADMINISTRATIVE HEARING: MOTION FOR ORDER TO SHOW CAUSE AND MOTION TO STAY DEFAULT

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

A motion was made and seconded that Respondent has violated counts 1 and 2.

Downing/Matuszak

3/0/0

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

Motion carried.

A motion was made and seconded to require a strategic action plan to resolve the violations, complete the terms of probation, file quarterly reports as to the progress of resolving the violation, and issue a letter of reprimand.

Downing/Matuszak

3/0/0

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

Motion carried.

CONSIDERATION OF PROPOSED SETTLEMENT AGREEMENT

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

A motion was made and seconded to accept the Proposed Settlement Agreement.

Cooke/Matuszak

3/0/0

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

Motion carried.

PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR LICENSE RENEWAL

1. Kayla Battishill, FD20900085

A motion was made and seconded to continue the matter to give her another opportunity to appear.

Downing/Matuszak

3/0/0

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

Motion carried.

2. Timothy Kluesner, FD29300104

A motion was made and seconded to renew the license on indefinite probation with no right to petition for removal until the criminal obligation is complete, report any failed drug test or probation violations within one week, and report any new criminal charges.

Matuszak/Downing

3/0/0

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

Motion carried.

3. John Patrick McGann, FD01009869

A motion was made and seconded to continue the matter and require he appear at the next meeting.

Matuszak/Downing

3/0/0

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

Motion carried.

CONSIDERATION OF APPLICATION FOR FUNERAL HOME LICENSE

1. Albertsons metro mortuary

A motion was made and seconded to approve the license with the same disciplinary action as the previous license cause 2022SBFCS0023.

Downing/Matuszak

3/0/0

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

VERIFIED COMPLAINT REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND

1. Michael Staton of Rose City Funeral Home Macer Hall Marcum Chapel for Judith Stone Re: Joshua Silvers, FD21700052

A motion was made and seconded to approve the request in the amount of \$1595.00 with statutory interest.

Matuszak/Cooke

3/0/0

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

2. Palmer Funeral Home for Mamie Frances Taylor Re: Clark O'Neal Funeral Home Inc., FH10100010 (Closed)

A motion was made and seconded to approve the request in the amount of \$4677.00 with statutory interest.

Downing/Matuszak

3/0/0

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

REQUEST TO SURRENDER FUNERAL DIRECTOR LICENSE

1. Joshua Silvers, FD21700052

A motion was made and seconded to take into consideration the board's action regarding the Verified Complaint Requesting Restitution from the Preneed Consumer Protection Fund in the matter of Michael Staton of Rose City Funeral Home Macer Hall Marcum Chapel for Judith Stone and deny the request.

Matuszak/Downing

3/0/0

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

INDIANA FUNERAL DIRECTORS ASSOCIATION; UPDATE REGARDING THEIR INTERN MENTORSHIP PROGRAM

No one was in attendance.

REASSIGNMENT OF PRENEED CONTRACTS FROM JONES FUNERAL HOME, FH10100006

A motion was made and seconded to distribute the preneed files equally between Apyre National Cremation Service FB42400007, Kay & Carter Mortuary, Inc. FH83000346, and Thorne-George Family Funeral Home FH11600019.

Downing/Matuszak

3/0/0

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

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

A motion was made and seconded to approve the following unless otherwise marked "denied".

Downing/Matuszak

3/0/0

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

EXISTING CE PROVIDERS:

Continuing Vision, LLC CE22400013

- A. Effective Communication, ongoing- 1 CEU, non-law
- B. Medicolegal Death Investigation- ongoing, 1 CEU, non-law

Homesteaders Life Company **CE10800737**

- A. Ethical Leadership w Preneed Organization- 4/7 and 12/1, 2025, 3 CEU, non-law
- B. Preneed Life Insurance- 4/8 and 12/2, 2025, 3 CEU, non-law
- C. Funding Funeral with Insurance – 4/9 and 12/3, 2025, 3 CEU, non-law
- D. Regulations & Laws for Preneed – 4/10 and 12/4, 2025, 3 CEU, non-law

Wilbert Funeral Services, Inc., **CE21500018**

- Innovating Tradition - 3/20/2025, 1 CEU, non-law
- The Case for Proactive Preneed - 5/29/2025, 1 CEU, distance learning
- OSHA'S Formaldehyde Standard – 6/25/2025, 1 CEU, non-law
- Community Outreach – 7/10/2025, 1 CEU, distance learning, non-law

Cremation Association of North America CE21200016

- A. CANA's Crematory Operations Certification Program – 3/4/2025, 6 in person, 2 distance learning CEU, non-law
- B. CANA's Crematory Operations Certification Program – 6/25/2025, 6 in person, 2 distance learning CEU, non-law
- C. CANA's Crematory Operations Certification Program – 10/28/2025, 6 in person, 2 distance learning CEU, non-law
- D. CANA's Crematory Operations Certification Program – 11/18/2025, 6 in person, 2 distance learning CEU, non-law

Indiana Donor Network **CE21600014**

Transformation and Benefits of Donated Tissue – 4/1/2025, 1 CEU, non-law
Solvita Tour - 4/1/2025, 1 CEU, non-law - **DENIED; NO OUTLINE.**
A Recipient's Journey – 4/1/2025, 1 CEU, non-law

Vermilion County Funeral Directors F CE10800843

- A. The Practice Act – Ongoing – 1 CEU, Law #2
- B. The Pre-Need Act – Ongoing – 1 CEU, Law #1
- C. Sexual Harassment Training – Ongoing – 1 CEU, non-law - **DENIED; NO OUTLINE.**
- D. Prion Disease – 4/16/2025 – 1 CEU, non-law
- E. Embalming The Challenging Ca – 4/16/2025 – 2 CEU, non-law - **DENIED; NO OUTLINE.**
- F. Experience the Difference – 4/16/2025 – 1 CEU, non-law - **DENIED; NO OUTLINE.**

Madison County Funeral Directors Association **CE10800768**

- A. Understanding Indiana Law – 2/18/2025 – 1 CEU, Law #2
- B. Burial Vault Merchandising – 2/18/2025 – 1 CEU, non-law

International Order of the Golden Rule

A. Interpersonal Management Skills – 5/6/2025 to 8/25/2025 – 6 CEU, non-law

ADJOURNMENT

The meeting adjourned at 1:28 p.m.