

STATE BOARD OF FUNERAL AND CEMETERY SERVICE  
BOARD MEETING  
THURSDAY APRIL 7, 2011  
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  
James Todd  
Matthew Drury  
David McComb  
Roland Cutter

**BOARD MEMBERS ABSENT:** Samuel Frain  
John Gerlach  
Anne M. Patterson

**STATE OFFICIALS PRESENT:** Tracy Hicks, Board Director  
Kevin McDowell, Deputy Attorney General  
Erin Kellam, State Board of Health

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

**MINUTE NO. 11-14  
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. 11-15  
ADOPTION OF THE APRIL 7, 2011 AGENDA**

J. Todd moved to adopt the April 7, 2011 agenda. P. St. Pierre seconded the motion. Motion carried.

**MINUTE NO. 11-16  
ADOPTION OF THE MINUTES OF FEBRUARY 10, 2011 MEETING OF THE BOARD**

M. Drury moved to adopt the minutes of the February 10, 2011 meeting of the board. J. Todd seconded the motion. Motion carried.

**MINUTE NO. 11-17  
ADMINISTRATIVE HEARING IN THE MATTER OF RICHARD DUANE PYKE, FD08800208, SBFCS 10-06**

J. Todd moved to extend the summary suspension for 90 days in the matter of Richard Duane Pyke, FD08800208, SBFCS 10-06. M. Drury seconded the motion. Motion carried.

**MINUTE NO. 11-18**  
**MOTION FOR ORDER TO CEASE AND DESIST**

J. Todd moved to appoint S. Frain for the purposes of receiving information regarding the matter of Shades of Green Cremations, LLC, SBFCS 11-13. P. St. Pierre seconded the motion. Motion carried.

R. Cutter moved to issue a show cause order in the matter of Shades of Green Cremations, LLC, SBFCS 11-13. P. St. Pierre seconded the motion. Motion carried.

**MINUTE NO. 11-19**  
**PETITION FOR REVIEW AND APPOINTMENT OF ADMINISTRATIVE LAW JUDGE**

R. Cutter moved to grant the petition for review of denied application for renewal of funeral director license and appoint S. Frain as the Administrative Law Judge in the matter of Terry L. Warner, FD20400086. P. St. Pierre seconded the motion. Motion carried.

**MINUTE NO. 11-20**  
**VERIFIED COMPLAINTS REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND**

- A. Midwest Funeral Home & Cremation Society for James E. McQueen, Sr.**  
Re: Northeast Indiana Cremation Society, CR30000006
- B. Midwest Funeral Home & Cremation Society for Margaret E. Osborn**  
Re: Northeast Indiana Cremation Society, CR30000006
- C. Midwest Funeral Home & Cremation Society for George I. Martin**  
Re: Northeast Indiana Cremation Society, CR30000006
- D. Midwest Funeral Home & Cremation Society for Marc D. Pape re: Phyllis I. Pape**  
Re: Northeast Indiana Cremation Society, CR30000006
- E. Midwest Funeral Home & Cremation Society for Mary Catherine Eakin**  
Re: Northeast Indiana Cremation Society, CR30000006

J. Todd moved to table the Midwest Funeral Home & Cremation Society requests for restitution until the board can seek further interpretation of the statutes and make a determination as to whether the requests would fall under the statute for reimbursement. P. St. Pierre seconded the motion. Motion carried.

J. Todd moved to table the request until Larry Harvey can attend the meeting to provide further information in the matter of Cathy Schleibaum for Cora Louise Black, Re: Grandview Memorial Gardens, CM40100006. M. Drury seconded the motion. Motion carried.

P. St. Pierre moved to approve the request for restitution in the matter of Kathy Smith for Eldridge Dee Mullins Re: R. D. Pyke Funeral Services, FH89200005 in the amount of \$4528.05 plus interest not to exceed cost of the contract. M. Drury seconded the motion. Motion carried.

P. St. Pierre moved to approve the request for restitution in the matter of Kathy A. Sims for Martha Overfelt Re: Pyke-Calloway Funeral Service Mullineaux Chapel, FH10100011 in the amount of \$8000.00 plus interest not to exceed cost of the contract.

P. St. Pierre moved to consider the request moot in the matter of Spring Valley Funeral and Cremation Services for Martha Overfelt Re: Pyke-Calloway Funeral Service Mullineaux Chapel, FH10100011 J. Todd seconded the motion. Motion carried.

**MINUTE NO. 11-21**  
**CORRESPONDENCE**

A. Cornelius Kuiper, FD01014511, answers questions about his role as funeral director and the role of the business manager at Chapel Lawn Funeral Home and Memorial Gardens, FH19900051. The board was satisfied with the explanation.

B. Jackley-Landrum Funeral Home, FH83001766, reported Elizabeth Findlay, FD20200063, Eugene Wagner, FD29600119, and Kevin Wagner, FD20200062 will be employed at the funeral home.

C. Sylvester Dunn, FD09200053, is employed at Williams & Bluit Funeral Home, FH11000028.

- D. Robert Porter has sold Porter Funeral Home in Jamestown and North Salem to Bryon Porter.
- E. Kenneth Trimbach, FD29600102 is employed at a Kentucky funeral home.
- F. Jeffrey Veldhof, FD20800032 as purchased Lauck, Greiner & Veldhof Funeral & Cremation Services, 1458 S. Meridian St. Indianapolis, IN 46225
- G. Charles Choate, FD29400052, has purchased Hartzler Gutermuth Inman Funeral Home, 403 W. Franklin St., Elkhart, IN 46516.
- H. Scales Financial Services, Inc., regarding apparent issuance of preneed services and merchandise arrangements by Scales Financial Services, Inc. It was the consensus of the board to refer the matter to consumer protection division for a cease and desist order. Add "it is our understanding that this is not acceptable as an excluded asset by FSSA."

**MINUTE NO. 11-22**

**REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES, APPROVED**

NEW COURSES FROM PREVIOUSLY APPROVED SPONSORS

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

- Exploring the WHY of Meaningful Funerals: Helping Families Make Transformations, April 19, 2011, 3 ceu
- Creating Strategic Planning Around the Importance of the Funeral, April 19, 2011, 2 ceu

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

- Exploring the Dimensions of Adult Grief: The Caregiver's Role, April 20, 2011, 5 ceu

**Fountain National Academy of Professional Embalming Skills, 2211 W. Norton Rd., Springfield, MO 65803**

- Seminar #3D Embalming Skills, May 7-10, 2011, 23 ceu
- Seminar #2D Soft tissue Injuries, Waxing, May 11-13, 2011, 18 ceu
- Seminar #5D Advanced Post Mortem, May 14-18, 2011, 40 ceu
- Seminar #4D Advanced II Post Mortem, May 20-24, 2010, 30 ceu
- Seminar #3D Embalming Skills, September 10-13, 2011, 23 ceu
- Seminar #2D Soft tissue Injuries, Waxing, September 14-16, 2011, 18 ceu
- Seminar #5D Advanced Post Mortem, September 17-21, 2011, 40 ceu
- Seminar #4D Advanced II Post Mortem, September 23-27, 2010, 30 ceu

**Funeral CE, P.O. Box 850127, Richardson, TX 75085-0127**

- Public Speaking for Funeral Directors, online, ongoing, 5 ceu

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

- Going Green Practicality & Profitably, March 28, 2011, 1 ceu
- Getting Started on Facebook, June 23, 2011, 1 ceu
- Telephone Etiquette, August 25, 2011, 1 ceu
- Financial Foundations for Success, October 27, 2011, 1 ceu
- Updating Your Prep Room, December 15, 2011, 1 ceu

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

- Legal Issues affecting Funeral Directors, April 19, 2011, 2 ceu

**International Conference of Funeral Service Examining Boards, 1885 Shelby Lane, Fayetteville, AR 72704**

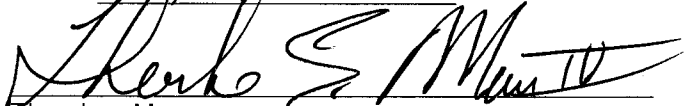
- Association of Executives of Funeral Service Boards Meeting, March 3, 2011, 4 ceu
- Presentation for Regulatory Board Members Meeting, March 3, 1 ceu
- Risk Management, March 3, 2011, 2 ceu
- Actively Seeking Efficiencies Through Technology to Reduce Paper, March 4, 2011, ceu
- HR 3655 Bereaved Consumers Bill of Rights, March 4, 2011, ceu
- District Meetings, February 26, 2010, 1 ceu
- Legislative Updates & Recent Regulatory Cases, March 4, 2011, 1 ceu
- The Future of Resomation Regulation, March 4, 2011, 2 ceu

**MINUTE NO. 11-23  
RULES DISCUSSION**

The board will consider the rule draft for possible approval to issue a notice of intent at the next meeting.

**MINUTE NO. 11-24  
ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 2:28 p.m.

Dated: 3/2/11  
  
Theodore Mau,  
Chairman

Attest: Tracy Hicks  
Tracy Hicks, Board Director