

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
THURSDAY, JUNE 1, 2017
CONFERENCE CENTER, ROOM A
INDIANA GOVERNMENT CENTER SOUTH
402 W WASHINGTON STREET
INDIANAPOLIS, IN 46204**

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
Christopher Cooke, Vice Chairman
Donald Alford
Frank Downing
Theodore Mau
Roland Cutter
Tasha Smith, State Department of Health

BOARD MEMBER ABSENT: Robert Loose

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Jennifer Broadbent, Assistant Board Director
Donald Hannah, Deputy Attorney General

ADOPTION OF THE AGENDA

The agenda was adopted.

Cooke/Downing
6/0/0
Motion carried.

ADOPTION OF THE MINUTES OF THE APRIL 11, 2017, MEETING OF THE BOARD

A motion was made and seconded to approve the minutes of the April 11, 2017 meeting with corrections.

Cooke/Cutter
6/0/0
Motion carried.

ADMINISTRATIVE HEARINGS

1. Administrative Hearing and Consideration of Motion to Vacate Summary Suspension in the matter of Thomas A. Oswalt, FD21000044, 2016 SBFCS 0025

A motion was made and seconded to deny the Motion to Vacate Summary Suspension.

Alford/Downing
5/0/0
Motion carried.

2. Administrative Show Cause Hearing in the matter Benjamin J. Rawls, FD21300082, 2016 SBFCS 0020

A motion was made and seconded to allow Respondent until July 13, 2017 to obtain the required CE and pay the fine by August 1, 2017. Failure to provide proof of the CE by July 13, 2017 would result in the license being immediately suspended.

Downing/Cutter
5/0/0
Motion carried.

3. Administrative Show Cause Hearing in the matter Dennis R. McClure, FD01029653, 2016 SBFCS 0015

A motion was made and seconded to allow Respondent until July 13, 2017 to obtain the required CE. Failure to provide proof of the CE by July 13, 2017 would result in the license being immediately suspended.

Downing/Alford
5/0/0
Motion carried.

4. Administrative Show Cause Hearing in the matter Poindexter-McClure, FH11200033, 2016 SBFCS 0016

A motion was made and seconded to allow Respondent until June 19, 2017 to pay the fine and if not the funeral home will be immediately suspended.

Downing/Cutter
5/0/0
Motion carried.

5. Administrative Hearing in the matter of Chad A. Campbell, FD29600122, 2017 SBFCS 0011

A motion was made and seconded to issue a notice a notice of proposed default.

Downing/Alford
5/0/0
Motion carried.

6. Administrative Hearing in the matter of Mark R. Walter, FD01013010, 2017 SBFCS 0003

A motion was made and seconded to remove probationary status.

Cutter/Downing
5/0/0
Motion carried.

OFFICE OF THE ATTORNEY GENERAL CONSUMER PROTECTION DIVISION REPORT

Written report was provided.

PERSONAL APPEARANCE FOR PROBATION COMPLIANCE

1. Kenneth Hempstead, FI21700008, 2017 SBFCS 0010

Respondent reported on his progress.

PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR REINSTATEMENT OF LICENSE

1. Matthew Fitzthum, FD29700015, Expired 12/31/16

A motion was made and seconded to deny the application for reinstatement for failure to provide proof of the required CE.

Downing/Cutter
5/0/0
Motion carried.

2. Peggy Wesley-Fitzthum, FD29700014, Expired 12/31/16

A motion was made and seconded to deny the application for reinstatement for failure to provide proof of the required CE.

Cutter/Alford
5/0/0
Motion carried.

CONSIDERATION OF NOTICE OF PROPOSED DISMISSAL

3. Dale C. Tranbarger, 2017 SBFCS 0009

A motion was made and seconded to dismiss the matter.

Downing/Cutter
5/0/0
Motion carried.

CONSIDERATION OF CONTINUING EDUCATION AUDIT FILES

It was the consensus of the board that OSHA hours above and beyond the one hour required per year may count toward the required CE.

1. Craig Byron Malone, FD0102392

A motion was made and seconded to find licensee noncompliant, impose a fine of \$1000 and require he make up the continuing education.

Downing/Alford
5/0/0
Motion carried.

2. Sherry Lynn Mayden, FD21200026

A motion was made and seconded to find licensee noncompliant, impose a fine of \$1000 and require she make up the continuing education.

Downing/Alford
5/0/0
Motion carried.

3. Dennis McClure, FD01029653

A motion was made and seconded to find licensee noncompliant, impose a fine of \$1000 and require he make up the continuing education which would be in addition to the continuing education required pursuant to the Order of SBFCS 16-15.

Downing/Alford
5/0/0
Motion carried.

4. Rodney D. Urick, FD21300039

A motion was made and seconded to find him in compliance

Downing/Alford
5/0/0
Motion carried.

5. Stephen E. Dixon, FD08700573

A motion was made and seconded to find licensee noncompliant, impose a fine of \$1000 and require he make up the continuing education.

Downing/Cutter
5/0/0
Motion carried.

6. Jody William Lengacher, FD29300056

A motion was made and seconded to find him in compliance.

Downing/Alford
5/0/0
Motion carried.

7. Tyler Austin Troxell, FD20700054

A motion was made and seconded to find him in compliance.

Cutter/Alford
5/0/0
Motion carried.

8. Dana E. Clause, FD21100050

A motion was made and seconded to find licensee noncompliant, impose a fine of \$1000 and require he make up the continuing education.

Alford/Sproles
5/0/0
Motion carried.

9. Steven James Applegate, FD20700079

A motion was made and seconded to find licensee noncompliant, impose a fine of \$1000 and require he make up the continuing education.

Cutter/Sproles
5/0/0
Motion carried.

10. Larry R. Williams, FD09100023

A motion was made and seconded to find licensee noncompliant, impose a fine of \$5000 and require he make up all 10 hours of continuing education.

Downing/Cutter
5/0/0

Motion carried.

11. Kimberly Hunt, FD20400019

A motion was made and seconded to find licensee noncompliant, impose a fine of \$5000 and require he make up all 10 hours of continuing education.

Alford/Sproles
5/0/0
Motion carried.

12. Mark Andrew Shoemaker, FD09100030

A motion was made and seconded to find licensee noncompliant, impose a fine of \$1000 and require he make up the continuing education.

Cutter/Sproles
5/0/0
Motion carried.

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

A. Review of Continuing Education Courses and Sponsors.

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

Downing/Alford
5/0/0
Motion carried.

COURSES FOR APPROVAL – No Indiana Law Courses

Cremation Association of North America, CE21200016

- Back to Business: Redefining Cremation in the Consumer's Mind, 8/17/17, 1 CEU
- Transition Planning: The Good, the Bad, the Ugly, 8/17/17, 1 CEU
- Pre-Need Sales Tactics, 8/17/17, 1 CEU
- Survey of Website and Software Tools that Increase Relevance, 8/17/17, 1 CEU
- The Development and Structure of American Cremation Law, 8/17/17, 1 CEU
- International Trends in Cremation, 8/17/17, 1 CEU
- Using Statistics to Enhance Business Success..., 8/18/17, 1 CEU
- Cremation Fundamentals, 8/18/17, 1 CEU
- The Woodlawn Cemetery Tour, 8/18/17, 2 CEUs

Indiana State Coroners Association & Indiana State Coroners Training Board, CE10800754

- 2017 Dr. David Avolt In-Service, 6/1/17-6/3/17, 21 CEUs 19 HOURS ONLY PER THE BOARD
- Dr. Phil O'Shaughnessy Case Studies, 6/1/17, 2 CEUs

International Order of the Golden Rule, CE10800865

- "Harness the Power of Google...", 6/15/17, 1 CEU
- "Behind the Scenes of the JFK...", 7/20/17, 1 CEU
- Trends in Funeral Merchandising and Selection Room Design, 8/17/17, 1 CEU
- Investing in Key Employees, 9/21/17, 1 CEU

Kates-Boylston Publications, CE21100028

- Cremation Strategies Conference, 12/6/17, 5 CEUs
- Funeral Service Business Plan, 12/7/17-12/8/17, 10 CEUs

Michigan Funeral Directors Association, NEW

- Stepping out of the Shadows: The Benefits of Telling Your Story, 4/18/17, 1 CEU

- The Good Funeral: Helping People to Tell Their Many Stories, 4/18/17, 1 CEU
- RSVP: I'll See you at my living funeral, 4/19/17, 1 CEU
- Continuum of Care: Is your Funeral Home OUTSIDE the Circle of Trust, 4/19/17, 1 CEU
- Managing Your Financial Picture Amid a Cremation Landscape, 4/19/17, 1 CEU
- The Funeral Directors End of Life Continuum, 4/20/17, 1 CEU

Minnick Services, CE10800889

- The Graveside as an Event, Ongoing, 1 CEU
- Casket Options & Merchandising, Ongoing, 1 CEU
- Building a Custom Image & Cap Panel for your families, Ongoing, 1 CEU
- The Cremation Process Start to Finish, Ongoing, 1 CEU
- Commemorations & Cremation Merchandising, Ongoing, 1 CEU
- Pet Loss Care & the Funeral Home, Ongoing, 1 CEU
- Burial Vault 101 A & B, Ongoing, 2 CEUs

Nuru Witherspoon – The Witherspoon Law Group, NEW

- What is Succession Planning and Why is it Important?, TBA, 2 CEUs
- 7 Things Funeral Homes Must Know, TBA, 2 CEUs

Ohio Funeral Directors Association District 1, CE20800910

- Why Hospice Sooner, 6/28/17, 2 CEUs
- Best Practices, 7/26/17, 2 CEUs

COURSES FOR APPROVAL – Indiana Law Courses

Madison County Funeral Directors Association, CE10800768

- The Practice Act, Ongoing, 1 CEU
- The Preneed Act, Ongoing, 1 CEU
- The Cemetery Act, Ongoing, 1 CEU
- The Cremation Act, Ongoing, 1 CEU

John F. Worland F.D. CFSP, NEW

- The Practice Act, Ongoing, 1 CEU
- The Preneed Act, Ongoing, 1 CEU
- The Cemetery Act, Ongoing, 1 CEU
- The Cremation Act, Ongoing, 1 CEU
- The Funeral Rule, Ongoing, 1 CEU (NOT LAW)

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 2:10 p.m.