

**DRAFT**

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING  
AUGUST 5, 2021**

**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 9:00 a.m. by Frank Downing, 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:**

Frank Downing, Chairman  
Kathleen Matuszak, Vice Chairperson  
Thomas Sproles  
Christopher Cooke

**STATE OFFICIALS PRESENT:**

Tracy Hicks, Board Director  
Colette Ritter, Assistant Board Director  
Donald Hannah, Deputy Attorney General  
Clarence Leatherbury, Deputy Attorney General

**ADOPTION OF THE AGENDA**

A motion was made and seconded to adopt the agenda.

Cooke/Matuszak  
4/0/0

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

**ADOPTION OF THE MINUTES FROM THE JUNE 3, 2021 MEETING OF THE BOARD**

A motion was made and seconded to adopt the minutes of the June 3, 2021 meeting.

Cooke/ Matuszak  
4/0/0

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

**OFFICE OF THE ATTORNEY GENERAL REPORT**

Written report provided

**ADMINISTRATIVE HEARINGS**

1. Administrative Hearing in the matter of Mark A. Ferree, FD20600082, 2019 SBFCS 0011

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

Sproles/Cooke  
4/0/0

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

2. Administrative Summary Suspension Extension Hearing in the matter of Mark A. Ferree, FD20600082, 2019 SBFCS 0011

A motion was made and seconded to extend the Summary Suspension for 90 days.

Sproles/Cooke

4/0/0

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

3. Administrative Hearing in the matter of Ellis Mortuary, FH10000107, CA20000106, 2021 SBFCS 0006 and Charles Rox, FD20900039, 2021 SBFCS 0007

Chairman Downing approved the verbal motion to consolidate Ellis Mortuary, FH10000107, CA20000106, 2021 SBFCS 0006, and Charles Rox, FD20900039, 2021 SBFCS 0007.

A motion was made and seconded that the State proved its case in both matters.

Sproles/ Matuszak

4/0/0

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

A motion was made and seconded to place the license on indefinite probation with no right to petition for removal of probation for a period of six months and impose the \$5.00 fee to the health records and personal identifying information protection trust fund in the matter of Charles Rox, FD20900039, 2021 SBFCS 0007.

Sproles/Cooke

4/0/0

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

A motion was made and seconded to place the license on indefinite probation with no right to petition for removal of probation for a period of twelve months, require the managing funeral director to complete the Indiana Funeral Directors Association Crash Review course, and impose a fine of \$500.00 in the matter of Ellis Mortuary, FH10000107, CA20000106, 2021 SBFCS 0006

Sproles/Cooke

4/0/0

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

## **CONSIDERATION OF PROPOSED FINDINGS OF FACT, CONCLUSIONS OF LAW AND ORDER**

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

A motion was made and seconded to accept the proposed Findings of Fact, Conclusions of Law and Order

Matuszak/Cooke

3/0/1

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

2. Cree Funeral Home, FH83000736 & CA09100494, TMG Funeral and Cremation Services, LLC, FH11600020 & CA21600039, and Jay Dee Cree, FD01013183, 2020 SBFCS 0017

A motion was made and seconded to accept the proposed Findings of Fact, Conclusions of Law and Order

Cooke/ Matuszak

3/0/1

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

Motion carried.

3. Christina Roush, 2021 SBFCs 0004

A motion was made and seconded to accept the proposed Findings of Fact, Conclusions of Law and Order

Cooke/ Matuszak

3/0/1

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

Abstaining: Thomas Sproles

4. Braman & Son, FH83003831, 2021 SBFCs 0003

A motion was made and seconded to accept the proposed Findings of Fact, Conclusions of Law and Order

Matuszak/Cooke

3/0/1

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

Abstaining: Thomas Sproles

Motion carried.

5. Anthony Edwards, FD08700777, 2021 SBFCs 0005

A motion was made and seconded to accept the proposed Findings of Fact, Conclusions of Law and Order

Matuszak/Cooke

3/0/1

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

Abstaining: Thomas Sproles

Motion carried.

6. Stuart M. Snow, FD21000009, 2021 SBFCs 0008

A motion was made and seconded to accept the proposed Findings of Fact, Conclusions of Law and Order

Cooke/ Matuszak

3/0/1

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

Abstaining: Thomas Sproles

**REASSIGNMENT OF PRENEED FILES FROM BURNS FUNERAL HOME, FH83004641**

A motion was made and seconded to divide the preneed files equally between the two funeral homes in the county with certificates of authority: Todd Funeral Home, FH11000038, and Moster Mortuary, FH10700027.

Sproles/ Matuszak

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 the following CE report.

Sproles/Matuszak

4/0/0

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

Motion carried.

## **COURSES FOR APPROVAL**

### **International Cemetery, Cremation, & Funeral Association – CE10800864**

1. 2021 IDDFA Fall Management and Leadership Conference – 9.14 – 9.16.2021 – 5 CEU

### **Matthews International – CE10800858**

1. Digital Solutions: Connecting with Families in a Virtual World – Ongoing – 1 CEU

### **Wilbert Funeral Services, Inc- CE21500018**

1. The Answer is in the Numbers - 7/15/2021 – 1 CEU
2. The Obituary – Your Greatest Marketing Asset - 8.26.2021 – 1 CEU
3. The Devil is in the Details – 9.9.2021 – 1 CEU
4. Cremation Liabilities – New date 9.23.2021 (previous date 8.15.2021 and was approved at the 6.3.2021 meeting) 1 CEU

### **Kates-Boylston Publication – CE21100028**

1. Cremation Strategies Conference – 12.3.2021 – 5.0 CEU
2. Funeral Service Business Plan Conference – 12.1 – 12.2.2021 - 10 CEU

### **Cremation Association of North America - CE21200016**

1. CANA's Crematory Operations Certification Program - 8.11.2021, 10.12.2021, 9.16.2021, 11.5.2021 – 8 CEU
2. Education Session – Convention - 8.12 – 8.13.2021 – 9 CEU

### **International Order of the Golden Rule – CE10800865**

1. 2021 OGR Leadership Summit – 9.19 – 9.21.2021 – 7.0 CEU

### **Minnick Services – CE10800889**

1. Cremation Liability – is Anyone Really Getting Sued – 11.17.2021 and 11.18.2021 – 2 CEU law
2. Navigating the Cemetery and Funeral Home Relationship – 11.17.2021 and 11.18.2021 – 2 CEU law
3. The Graveside as an Event – Ongoing – 1 CEU
4. Casket Options and Marketing – Ongoing – 1 CEU
5. Building a Custom Image & Cap panel for your Families – Ongoing – 1 CEU
6. The Cremation Process Start to Finish – Ongoing – 1 CEU
7. Commemorations & Cremation Merchandising – Ongoing – 1 CEU
8. Pet Loss Care & the Funeral Home – Ongoing – 1 CEU
9. Burial Vault A & B – Ongoing – 1 CEU

### **Indiana Donor Network – CE21600014**

1. 2021 Funeral Director Symposium - 11.11.2021 – 6 CEU

### **Vermillion County Funeral Directors Association – CE10800843**

1. Embalming the Difficult Case – 9.8.2021 – 2 CEU
2. OSHA Standards – 9.8.2021 – 1 CEU
3. Understanding Preneed INS & Cremation Consumer – 9.8.2021 – 2 CEU
4. Indiana Practice Act and Cremation Act – 9.8.2021 – 2 CEU law
5. Sexual Harassment – 9.8.2021 – 1 CEU

### **Selected Independent Funeral Homes – CE10800819**

1. Opening and Keynote: Work, Laugh, Repeat – 9.23.2021 – 2 CEU
2. The Connected Leader – 9.23.2021 – 2 CEU
3. Ensuring the Future of Your Firm – 9.24.2021- 1 CEU
4. Tracking Your Top Legal and FR Topics 9.24.2021 – 1 CEU
5. Membership Business Session – 9.24.2021 – 1 CEU
6. Righting Death: The Further of Funeral Service – 9.25.2021 – 2 CEU
7. Pandemic Perspectives – 9.24.2021 – 1 CEU
8. Adapting your Business Model – 9.24.2021 – 1 CEU

**Funeral Service Academy – CE21400012**

1. Working with Elderly Clients – ongoing – 2 CEU

**ADJOURNMENT**

The meeting was adjourned at 11:45 a.m..

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Chairman

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Date