

BOARD DOCUMENT 12-06

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE
BOARD MEETING
THURSDAY DECEMBER 6, 2012
INDIANA GOVERNMENT CENTER SOUTH
CONFERENCE CENTER, ROOM #17
302 W WASHINGTON STREET, W064
INDIANAPOLIS, IN 46204**

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT:

David McComb, Vice Chairman
James Todd
Matthew Drury
John Gerlach
Roland Cutter
Anne M. Patterson
Tasha Smith, State Department of Health

BOARD MEMBER ABSENT:

Paul St. Pierre, Chairman
Samuel Frain
Theodore Mau

STATE OFFICIALS PRESENT:

Tracy Hicks, Board Director
Rae Harman, Assistant Board Director
Kevin McDowell, Deputy Attorney General

**MINUTES TRANSCRIBED AND
COMPILED BY:**

Tracy Hicks, Board Director

**MINUTE NO. 12-88
CALL TO ORDER**

The meeting was called to order at 11:10 a.m. by D. McComb, 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. 12-89
ADOPTION OF THE DECEMBER 6, 2012 AGENDA**

M. Drury moved to adopt the December 6, 2012 agenda. J. Gerlach seconded the motion. Motion carried.

**MINUTE NO. 12-90
ADOPTION OF THE MINUTES OF AUGUST 2, 2012 AND OCTOBER 4, 2012 MEETING OF THE
BOARD**

M. Drury moved to approve the minutes of the August 2, 2012 and October 4, 2012 meetings of the board. J. Gerlach seconded the motion. Motion carried.

**MINUTE NO. 12-91
PUBLIC RULE HEARING REGARDING LSA DOC. #12-198**

The board conducted a public rule hearing regarding LSA Doc. #12-198. Consideration was tabled pending review of public comment.

**MINUTE NO. 12-92
ADMINISTRATIVE HEARING IN THE MATTER OF SETTLERS LIFE INSURANCE CO., SBFCS 12-02**

J. Gerlach moved to grant the motion to cease and desist using the irrevocable funeral trust assignment for funeral expenses with the insurance policies they are selling in the matter of Settlers Life Insurance Co., SBFCS 12-02. J. Todd seconded the motion. R. Cutter opposed the motion. Motion carried.

**MINUTE NO. 12-93
OFFICE OF THE ATTORNEY GENERAL REPORT**

Written report was provided.

**MINUTE NO. 12-94
CONSIDERATION OF BOARD POLICY REGARDING ELECTRONIC PARTICIPATION IN MEETINGS**

The matter will be considered at the February 7, 2013 meeting.

**MINUTE NO. 12-95
REVIEW OF PRENEED CONSUMER PROTECTION FUND BALANCE**

J. Gerlach moved to continue payments to the fund for contracts sold in 2013. A. Patterson seconded the motion. Motion carried.

**MINUTE NO. 12-96
REVIEW OF CONSUMER PROTECTION FUND FOR CEMETERY MAINTENANCE**

J. Gerlach moved to suspend payments to the consumer protection fund for cemetery maintenance. M. Drury seconded the motion. Motion carried.

**MINUTE NO. 12-97
CONSIDERATION OF PAYMENT OF INTERNATIONAL CONFERENCE OF FUNERAL SERVICE
EXAMINING BOARDS 2013 MEMBERSHIP DUES FROM THE EDUCATION FUND; \$250.00**

J. Todd moved to approve payment of International Conference of Funeral Service Examining Boards 2013 membership dues from the education fund in the amount of \$250.00. M. Drury seconded the motion. Motion carried.

**MINUTE NO. 12-98
VERIFIED COMPLAINTS REQUESTING RESTITUTION FROM THE PRENEED CONSUMER
PROTECTION FUND**

A. Leona Katie Butts re: Thelma L. Graves
Re: Yuill Shoemaker Funeral Home, FH83000508 (Closed)

J. Gerlach moved to approve restitution plus interest. M. Drury seconded the motion. Motion carried.

B. Perry Washington re: Thomas Washburn
Re: Yuill Shoemaker Funeral Home, FH83000508 (Closed)

M. Drury moved to approve restitution plus interest. R. Cutter seconded the motion. Motion carried.

C. Bussell and Bell Family Funerals re: Lucretia Kelshaw
Re: McMullan Funeral Home (Closed)

M. Drury moved to approve restitution plus interest. R. Cutter seconded the motion. Motion carried.

MINUTE NO. 12-99

CONSIDERATION OF APPLICATION FOR FUNERAL DIRECTOR INTERN LICENSE

M. Drury moved to approve the application for funeral director intern license in the matter of James Brogan. T. Smith seconded the motion. Motion carried.

MINUTE NO. 12-100

CONSIDERATION OF APPLICATION FOR RENEWAL OF FUNERAL DIRECTOR LICENSE

M. Drury moved to approve the application for funeral director license in the matter of James Fife, FD01018573, upon completion of 20 hours of continuing education. J. Todd seconded the motion. Motion carried.

The application for funeral director license in the matter of Scott A. Vollmer, FD01019888 was tabled.

MINUTE NO. 12-101

BLOOMINGTON CREMATION SOCIETY, LLC

M. Drury recused himself from the matter. After being asked to reconsider by K. McDowell, M. Drury maintained his position. The board lacked a quorum to act on the application. Present were Anne Patterson, Matthew Drury, James Todd, Tasha Smith, and David McComb.

MINUTE NO. 12-102

REGULATORY OCCUPATION EVALUATION COMMITTEE

The board chairman is scheduled to give the presentation to ROEC January 23, 2013.

MINUTE NO. 12-103

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES, APPROVED

M. Drury moved to approve the Continuing Education as follows. J. Todd seconded the motion. Motion carried.

NEW COURSES FROM PREVIOUSLY APPROVED SPONSORS

Aurora Casket Company

- Selecting Special Products, December 19, 2012, 2 ceu
- The New Arrangement Opportunity, December 12, 2012, 2 ceu
- Selecting Special Products, November 28, 2012, 2 ceu
- Selecting Special Products, November 30, 2012, 2 ceu
- Selecting Special Products, December 5, 2012, 2 ceu
- Selecting Special Products, December 7, 2012, 2 ceu
- Selecting Special Products, December 12, 2012, 2 ceu
- Selecting Special Products, December 14, 2012, 2 ceu
- What if Nobody Came to Your Funerals?, November 28, 2012, 4 ceu

Batesville Casket Company

- A Better Way to Assist Today's Value Driven Customer, Ongoing, 2 ceu
- Googled... The Internet: My Friend and Occasional Enemy, Ongoing, 2 ceu

- Research to Results, Ongoing, 2 ceu
- Plant Tour and Product Knowledge, Ongoing, 2 ceu
- Communicating With Families – Making More Effective Arrangements, 3 ceu
- Seven Secrets Families Don't Share, Ongoing, 2 ceu
- Creating Value for Families Through Meaningful Funeral Experiences, Ongoing, 3 ceu
- Using E-Business to Create a Meaningful Funeral Experiences, Ongoing, 2 ceu
- The Zero Turn Lawnmower and Your Funeral Home Website, Ongoing, 2 ceu
- Acting on Cremation Challenges Together, Ongoing, 2 ceu
- Getting to Know the Cremation Consumer – An Initial Action Plan, 2 ceu
- Vaulting into the Future, Ongoing, 2 ceu
- Remaining Bullish in a Bear Market, Ongoing, 1 ceu
- Understanding and Meeting the Needs and Challenges of Our Changing Families, Ongoing, 9 ceu

Dodge Chemical Company

- Embalming Videos/Embalming Seminar, November 13, 2012, 3 ceu

FuneralCE

- Insuring Funeral Homes, Ongoing, 6 ceu

Homesteaders Life Company

- Insurance – Doing What's Right, June 18, 2013, 6 ceu
- Insurance – Doing What's Right, October 8, 2013, 6 ceu
- Insurance – Doing What's Right, October 29, 2013, 6 ceu
- Insurance Issues and Illustrations, June 19, 2013, 6 ceu
- Insurance Issues and Illustrations, October 9, 2013, 6 ceu
- Insurance Issues and Illustrations, October 30, 2013, 6 ceu
- Preserving the Value of Funeral Service, November 28, 2012, 2 ceu
- Preserving the Value of Funeral Service, December 12, 2012, 2 ceu

Hospice Foundation of America

- Improving Care for Veterans Facing Illness and Death, April 19, 2013-2014, 3 ceu

Indiana Organ Procurement Organization

- Funeral Home Symposium, October 11, 2012, 5 ceu

International Cemetery, Cremation & Funeral Association

- ICCFA Wide World of Sales Conference, January 16-18, 2013, 10 ceu

The International Conference of Funeral Service Examining Boards

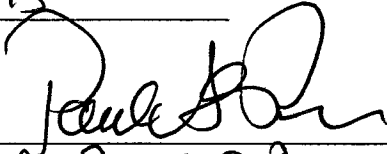
- Board Member Training Program, February 26-27, 2013, 8 ceu
- Presentation for Regulatory Board Member, February 27, 2013, 1 ceu
- "Today's Licensees", February 27, 2013, 1 ceu
- Investigators Roundtable Discussion, February 27, 2013, 1 ceu
- "Role of Exams in Licensure Process", February 27, 2013, 1 ceu
- Referendum on Education & Licensure, February 28, 2013, 1 ceu
- "Legislative Updates", February 28, 2013, 1 ceu
- "Recent Cases & What We Need to Learn", February 28, 2013, 1 ceu
- "Model Practice Act for Funeral Service", February 28, 2013, 2 ceu

**MINUTE NO. 12-104
ADJOURNMENT**

There being no further business to discuss, the meeting was adjourned at 2:37 p.m.

Dated: 2-7-13

David McComb,
Vice Chairman


for Paul C. St. Pierre

Attest: Tracy Hicks
Tracy Hicks, Board Director