

STATE BOARD OF FUNERAL AND CEMETERY SERVICE
BOARD MEETING
THURSDAY OCTOBER 4, 2012
INDIANA GOVERNMENT CENTER SOUTH
302 W WASHINGTON STREET, W064
INDIANAPOLIS, IN 46204

MINUTES OF THE MEETING

BOARD MEMBERS PRESENT: Paul St. Pierre, Chairman
James Todd
Theodore Mau
Matthew Drury
John Gerlach
Erin Kellam, State Department of Health

BOARD MEMBER ABSENT: David McComb, Vice Chairman
Samuel Frain
Roland Cutter
Anne M. Patterson

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Kevin McDowell, Deputy Attorney General

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

**MINUTE NO. 12-75
CALL TO ORDER**

The meeting was called to order at 11:00 a.m. by P.St Pierre, 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. 12-76
ADOPTION OF THE OCTOBER 4, 2012 AGENDA**

M. Drury moved to adopt the October 4, 2012 agenda as amended. J. Gerlach seconded the motion. Motion carried.

**MINUTE NO. 12-77
ADOPTION OF THE MINUTES OF AUGUST 2, 2012 MEETING OF THE BOARD**

P. St. Pierre moved to table the minutes of the August 2, 2012 meeting of the board. M. Drury seconded the motion. Motion carried.

**MINUTE NO. 12-78
OFFICE OF THE ATTORNEY GENERAL REPORT**

No report.

MINUTE NO. 12-79

CONSIDERATION OF APPLICATIONS FOR FUNERAL DIRECTOR INTERN LICENSE

J. Todd moved to approve the application for funeral director intern license in the matter of Jodee D. Bowles. E. Kellam seconded the motion. Motion carried.

J. Todd moved to approve the application for funeral director intern license in the matter of Christian L. Branstetter. E. Kellam seconded the motion. Motion carried.

J. Todd moved to approve the application for funeral director intern license in the matter of Stuart H. Parks. E. Kellam seconded the motion. Motion carried.

J. Todd moved to approve the application for funeral director intern license in the matter of Wayne Tago. E. Kellam seconded the motion. Motion carried.

J. Todd moved to table the application for funeral director intern license in the matter of Samuel Cline Perry pending a personal appearance. E. Kellam seconded the motion. Motion carried.

E. Kellam moved to approve the application for funeral director intern license on indefinite probation and he may not petition for removal of probation until his criminal probation is satisfied in the matter of Samuel Cline Perry. M. Drury seconded the motion. Motion carried.

MINUTE NO. 12-80

CONSIDERATION OF APPLICATION FOR FUNERAL DIRECTOR LICENSE BY RECIPROCITY

J. Todd moved to approve the application for funeral director license by reciprocity in the matter of Christopher L. Keyes. E. Kellam seconded the motion. Motion carried.

MINUTE NO. 12-81

BLOOMINGTON CREMATION SOCIETY, LLC

J. Gerlach moved to table the application for certificate of authority. P. St. Pierre seconded the motion. Opposed: E. Kellam. Motion carried.

J. Todd moved to table the application for funeral home license until more funeral director board members could be in attendance. P. St. Pierre seconded the motion. Opposed: E. Kellam. Motion failed.

E. Kellam moved to table the application for funeral home license. P. St. Pierre seconded the motion. Motion carried.

MINUTE NO. 12-82

CONSIDERATION OF BOARD POLICY REGARDING ELECTRONIC PARTICIPATION IN MEETINGS

The board requested that K. McDowell draft recommendations specific to this board. E. Kellam, J. Gerlach, and S. Frain will meet at 10:00 a.m. December 6, 2012 to discuss the options.

MINUTE NO. 12-83

DISCUSSION OF THE STATE BUDGET AGENCY'S RESPONSE REGARDING THE PRENEED CONSUMER PROTECTION FUND BALANCE

Bill Keown addressed the board regarding the preneed consumer protection fund balance. He indicated that it was his opinion that transferring funds from the preneed consumer protection fund was illegal. He indicated that IPLA would have had to send a letter to the Budget Agency to transfer the funds. Pursuant to statute, the reason for the transfer was unlawful. He requested the board request an official opinion from the Office of the Attorney General regarding this matter.

Curtis Rostad agrees 100%. He added that further collections are a tax and only the Legislature can impose a tax. He reiterated his experience with attempting to meet with the Attorney General and his conversation with the Attorney General's assistants. IFDA members are prepared to sue the State of Indiana but they will wait until after the election.

P. St. Pierre will reach out to Woody Burton to attempt to resolve the matter and would like to hold off on the request for official opinion until after the meeting. P. St. Pierre will work with K. McDowell to draft the letter to be ready to send depending on the outcome of the meeting with Rep. Burton.

**MINUTE NO. 12-84
REGULATORY OCCUPATION EVALUATION COMMITTEE**

T. Mau, J. Todd, P. St. Pierre, and S. Frain will serve on the ROEC committee. Paul will review available dates to meet and get back to the committee. The board chairman is scheduled to give the presentation to ROEC January 23, 2013.

**MINUTE NO. 12-85
VERIFIED COMPLAINTS REQUESTING RESTITUTION FROM THE PRENEED CONSUMER
PROTECTION FUND**

A. Flinn & Maguire Funeral Home re: Marie Walker
Re: Vandivier-Parsley Funeral Home, FH83002283 (Closed)

J. Todd moved to approve the request for the contracted amount plus interest not to exceed the current costs. M. Drury seconded the motion. Motion carried.

B. Noemi Otero re: Paula Otero
Re: Christopher Funeral Home, FH19500025 (Closed)

M. Drury moved to approve the request for the contracted amount plus interest not to exceed current costs. J. Todd seconded the motion. Motion carried.

C. Geisen-Carlisle Funeral Home re: Ralph Rench
Re: McKeon Funeral Home, FH19900063 (Closed)

M. Drury moved to approve the request for the contracted amount plus interest not to exceed current costs. J. Todd seconded the motion. Motion carried.

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

M. Drury moved to approve \$300.00 plus interest not to exceed current costs. J. Todd seconded the motion. After discussion, the claim was tabled. It does not look like they paid the full amount. Opposed: J. Gerlach and T. Mau. Motion carried.

**MINUTE NO. 12-86
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.

APPLICATION FOR RECOGNITION AS A SPONSOR OF CONTINUING EDUCATION

Telcron, LLC, PO Box 1398, Montclair, NJ, 07042

- RFID use in funerals, service, an introduction, 1 ceu

NEW COURSES FROM PREVIOUSLY APPROVED SPONSORS

Cincinnati Equitable Life Insurance Company

- Effective Funeral Home Contact Tracking, September 20, 2012, 2 ceu

Dodge Institute For Advanced Mortuary Studies

- Embalming The Rewards & The Challenges, November 15-16, 2012, 9 ceu

Flanner & Buchanan Funeral Centers

- Information Session for Funeral Directors, November 20, 2012, 3 ceu

International Order of the Golden Rule

- 2012 Fall Forum: Leading Today's Funeral Home, October 6, 2012, 7 ceu

Ivy Tech Community College

- Embalming Practicum I, Fall 2012, 3 ceu
- Embalming Practicum II, Spring 2013, 3 ceu
- Grief Psychology, November 19, 2012, 3 ceu

National Funeral Directors & Morticians Association, Inc.

- Restructured, Repositioned, Repurposed, October 29, 2012, 1 ceu
- Leadership: A New Focus, October 29, 2012, 1 ceu

OFDA District 1

- OFDA Update with OFDA Officers, September 26, 2012, 2 ceu
- History of Toledo Psych. Hosp. Cemetery, October 24, 2012, 2 ceu
- Veteran Benefits by Vet. Svc. Office, November 28, 2012 2 ceu

Selected Independent Funeral Homes

- Selected Independent Funeral Homes 2013 NextGen Seminar, January 20-24, 2013, 8 ceu

Vermillion County Funeral Directors Association

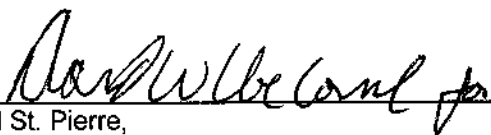
- Industrial Chemicals and Common Uses, October 23, 2012, 1 ceu
- Tissue Cases and Hair Restoration, October 23, 2012, 1 ceu
- Trust Funds and Funeral Financing, October 23, 2012 1 ceu
- Bloodborne Pathogens, October 23, 2012, 1 ceu
- Funeral Home Compliance, October 23, 2012, 1 ceu
- Funeral Home Technology, October 23, 2012, 2 ceu
- IFDA Update, October 23, 2012, 1 ceu
- Hospice and the Funeral Director, October 23, 2012, 1 ceu

MINUTE NO. 12-87

ADJOURNMENT

There being no further business to discuss, the meeting was adjourned at 1:05 p.m.

Dated: 12-6-12


Paul St. Pierre,
Chairman

Attest: 
Tracy Hicks, Board Director