

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
OCTOBER 1, 2020**

Via Telephone Conference Pursuant to Executive Order 20-09

Access the meeting online or via telephone at:

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CALL TO ORDER

The meeting was called to order at 10:00 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
Roland Cutter

STATE OFFICIALS PRESENT:

Tracy Hicks, Board Director
Donald Hannah, Deputy Attorney General

ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the amended agenda.

Sproles/Cutter

5/0/0

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

Motion carried.

ADMINISTRATIVE HEARINGS

1. Administrative Hearing in the matter of Poindexter-McClure Funeral Homes, Inc., FH11200034 & CA21200048, 2019 SBFCS 0016.

A motion was made and seconded to hold Respondent in Default.

Matuszak/Sproles

5/0/0

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

Motion carried.

A motion was made and seconded to revoke the license and certificate of authority and to impose a civil penalty of \$1000.00 per violation for a total of \$7000.00.

Sproles/Cooke

5/0/0

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

Motion carried.

2. Administrative Summary Suspension Hearing in the matter of Mungovan Bros., Inc./Tom Mungovan Funeral Home, FH83002160 & CA09100374, Siler Funeral Home, FH10400004 & CA20700034, and Steven P. Siler, FD08900022, 2020SBFCS0010

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

Sproles/Cooke

5/0/0

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

Motion carried.

PERSONAL APPEARANCE AND CONSIDERATION OF APPLICATION FOR FUNERAL DIRECTOR LICENSE BY RECIPROCIITY

A motion was made and seconded to approve the application in the matter of Michael Delaney.

Sproles/Cooke

5/0/0

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

Motion carried.

CONSIDERATION OF APPLICATION FOR FUNERAL HOME LICENSE

A motion was made and seconded to approve the application on indefinite probation with no right to petition for removal for a period of six months and pass an inspection in the matter of Mungovan Bros., Inc./Tom Mungovan Funeral Home

Sproles/Cutter

5/0/0

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

Motion carried.

CONSIDERATION OF APPLICATION FOR FUNERAL DIRECTOR INTERN LICENSE

A motion was made and seconded to approve the application for funeral director intern license in the matter of Gregory Huffman.

Sproles/Matuszak

5/0/0

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

Motion carried.

CONSIDERATION OF PROPOSED RESOLUTION IN THE MATTER OF WINKLEPLECK & BROCK FUNERAL HOME LLC, VS. STATE BOARD OF FUNERAL AND CEMETERY SERVICE AND REASSIGNMENT OF THE WINKLEPLECK WEESNER PRENEED FILES

A motion was made and seconded to assign the Winklepleck Weesner preneed files to the six funeral homes in Jackson County with Winklepleck & Brock Funeral Home receiving the four extra files in addition to the files equally distributed among all the funeral homes.

Matuszak/Sproles

5/0/0

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

Motion carried.

CONSIDERATION OF NOTICE OF NONCOMPLIANCE REGARDING THE CONTINUING EDUCATION AUDIT

- 1. Christopher Cordell, FD21000098

A motion was made and seconded to suspend the license for non-compliance with the Notice of Noncompliance regarding the continuing education audit.

Matuszak /Cutter
5/0/0

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

- 2. John Pruzin, FD01007231

A motion was made and seconded to suspend the license for non-compliance with the Notice of Noncompliance regarding the continuing education audit.

Matuszak /Cutter
5/0/0

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

OBJECTION TO NOTICE OF PROPOSED DISMISSAL

- 1. Joe A Browder, Jr.

A motion was made and seconded to reschedule the appeal hearing.

Cutter/Matuszak
5/0/0

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

CONSIDERATION OF PAYMENT OF INTERNATIONAL CONFERENCE OF FUNERAL SERVICE EXAMINING BOARDS 2021 MEMBERSHIP DUES FROM THE FUNERAL EDUCATION FUND; \$250.00

A motion was made and seconded to approve payment from the funeral director education fund.

Cooke/Matuszak
5/0/0

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

V. VERIFIED COMPLAINT REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND

- A. Young-Nichols Funeral Home for Lucy Chloe Roudebush**
Re: Porter Funeral Home, FH83006732 (Closed)

A motion was made and seconded to approve restitution in the amount of \$8659.00 plus interest not to exceed the at need contract.

Sproles/Matuszak

5/0/0

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

Motion carried.

B. Clyde LeMarr for Mary Dixon (Tabled from October 2019)

Re: Winklepleck Weesner Funeral Home, FH83000655 (Closed)

A motion was made and seconded to approve restitution in the amount of \$8029.92 plus interest not to exceed the at need contract.

Matuszak/Sproles

5/0/0

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

Motion carried.

C. Charles McKinney Jr., for Janet McKinney (Tabled from October 2019)

Re: Winklepleck Weesner Funeral Home, FH83000655 (Closed)

A motion was made and seconded to table the request pending information as to whether the cancelled insurance policy cash value was applied to the preneed contract and completion of the request for restitution form in the amount requested and amount paid to the funeral home.

Matuszak/Sproles

5/0/0

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

Motion carried.

D. Phyllis Scott for Jack Quincy Scott (Tabled from June 2020)

Re: Winklepleck Weesner Funeral Home, FH83000655 (Closed)

A motion was made and seconded to approve restitution in the amount of \$2724.20 plus interest not to exceed the at need contract.

Matuszak /Cutter

5/0/0

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

Motion carried.

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

A motion was made and seconded to approve the report as submitted to the Board as indicated below.

Sproles/Cutter

4/0/0

Voting in Favor: Thomas Sproles, Kathleen Matuszak, Christopher Cooke, and Roland Cutter

Motion carried.

COURSES FOR APPROVAL

KAVOD IJFC – Pending Provider – Both courses approved but, in the future, they must complete the Indiana form in its entirety.

- The Devil's in the Details...10/25/2020 – 1 CEU - Approved

- The Results of the Foresight Companies 2020...10/26/2020 – 1 CEU - Approved

Matthews International - CE10800858 (approved)

- What now? The Virtual Reality of Funeral Service...Ongoing – 1 CEU - Approved

Madison County Funeral Directors Association - CE10800768

- Home Healthcare for the one left behind...08/25/2020 – 1 CEU - Approved
- Therapy Dogs in Funeral Service...10/13/2020 – 1 CEU - Approved

Flanner Buchannan - CE21800040

- Modern Techniques for Treating Jaundice Bodies...09/23/2020 – 1 CEU – Denied, not enough description given.

ADJOURNMENT

The meeting was adjourned at 2:14 p.m..

Chairman

Date