

DRAFT

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
October 3, 2024, at 11:00 a.m.
Indiana Government Center South
402 West Washington Street, Room W064, Indianapolis, Indiana**

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
Frank Downing
Kathleen Matuszak

BOARD MEMBER PRESENT ELECTRONICALLY: Christopher Cooke, Vice Chairman

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Marianna Kassenbrock, Assistant Board Director
Clarence Leatherbury, Deputy Attorney General
Zaneta Nunnally, Compliance Officer
Courtney Calvert, Compliance Officer
Deborah Ishola, Compliance Officer

ADOPTION OF THE AGENDA

A motion was made and seconded to adopt the agenda.

Matuszak/Downing
4/0/0

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

ADOPTION OF THE MINUTES FROM THE AUGUST 1, 2024, MEETING OF THE BOARD

A motion was made and seconded to approve the August 1, 2024 minutes.

Matuszak/Downing
4/0/0

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

OFFICE OF THE ATTORNEY GENERAL REPORT

Written and verbal report provided. The board is open to meeting in addition to their regularly scheduled meetings if there is an emergency situation, such as a Motion for Summary Suspension. Chairman Sproles would like to see more complaint investigations sent to the complaint liaisons to find detailed practice violations that OAG investigators may not know is a violation. Ian Mathews explained the entire process, from the analysts, Deputy Attorney Generals, and the Section Chiefs. The board has offered in the past to meet with OAG staff to train them on funeral and cemetery services. The OAG has worked with the Indiana Funeral Directors Association in the past.

IPLA COMPLIANCE DIVISION REPORT

Courtney Calvert reported the compliance division conducted 19 inspections for the months of August and September. None of the 19 failed. Courtney introduced our new compliance officer, Deborah Ishola.

CONSIDERATION OF PROPOSED SETTLEMENT

1. M. Trevor Lytle, FD29500024 and Spring Valley Funeral & Cremation Service
Cause No.: 202407-FCB-0017

A motion was made and seconded to accept the proposed settlement.

Downing/Matuszak

3/0/1

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

Abstaining: Thomas Sproles

Motion carried.

ADMINISTRATIVE HEARING; REINSTATEMENT

1. Donald L. Alford
Cause No.: 2023SBFCS0009

A motion was made and seconded to reinstate the license on probation with no right to petition for reinstatement for one year, restrict practice to not allow him to manage any funeral home, and repeat the IFDA Crash Course.

Downing/Cooke

3/1/0

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

Voting Against: Thomas Sproles

Motion carried.

ADMINISTRATIVE HEARING: CEASE AND DESIST

1. Hobart Cemetery Association, Edward Klug
Cause No.: 202408-FCB-0018

A motion was made and seconded to table deliberations regarding this matter to gain more information regarding unregistered cemeteries.

Cooke/Matuszak

4/0/0

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

Motion carried.

PERSONAL APPEARANCE FOR PROBATION COMPLIANCE

1. Jacob Rhodes, FD22100007, 2023SBFCS0006

Mr. Rhodes reported he is currently in compliance with the Board's Order.

PERSONAL APPEARANCE FOR CONSIDERATION OF APPLICATION FOR CREMATORY REGISTRATION

1. Christopher Cox for Circle City Indianapolis Crematory LLC

A motion was made and seconded to table the application until the December meeting because Mr. Cox indicated he will petition to have the probation removed from Fountain Square Cremation and Funeral Service, FH11600001 to schedule the matter at the December 5, 2024 meeting.

Cooke/Matuszak

4/0/0

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

Motion carried.

PERSONAL APPEARANCE FOR CONSIDERATION OF REQUEST FOR WAIVER OF THE CONTINUING EDUCATION REQUIREMENT PURSUANT TO IC 25-1-4-4

1. Beth Sutton, FD21800059

A motion was made and seconded to require 10 hours and allow them all to be obtained via distance learning.

Cooke/Matuszak

4/0/0

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

2. Matthew Deal, FD29700067

A motion was made and seconded to deny the request because no hardship exists.

Cooke/Downing

4/0/0

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

CONSIDERATION OF APPLICATION FOR CEMETERY REGISTRATION

1. Sutherland Park Cemetery, 7016 Keston Circle, Indianapolis

A motion was made and seconded to deny the application due to failure to provide proof of a perpetual care fund with at least \$100,000 that includes an affidavit from the financial institution in compliance with IC 23-14-48.

Matuszak/Cooke

4/0/0

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

REASSIGNMENT OF PRENEED CONTRACTS FROM SPRING VALLEY FUNERAL HOME, FH12400007

A motion was made and seconded to divide the files equally between the eight funeral homes with certificates of authority in Floyd County and Clark County.

Matuszak/Cooke

4/0/0

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

CONSIDERATION OF PAYMENT OF INTERNATIONAL CONFERENCE OF FUNERAL SERVICE EXAMINING BOARDS 2025 MEMBERSHIP DUES FROM THE FUNERAL EDUCATION FUND; \$250.00

A motion was made and seconded to approve payment from the Funeral Education Fund.

Cooke/Matuszak

4/0/0

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

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

A motion was made and seconded to accept the list as submitted.

Downing/Matuszak

4/0/0

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

ADJOURNMENT

The meeting adjourned at 2:30 p.m.