

**STATE BOARD OF FUNERAL AND CEMETERY SERVICE BOARD MEETING
APRIL 4, 2019
INDIANA GOVERNMENT CENTER SOUTH
CONFERENCE CENTER, ROOM A
402 W WASHINGTON STREET
INDIANAPOLIS, IN 46204**

CALL TO ORDER

The meeting was called to order at 11:00 a.m. by Christopher Cooke, 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: Christopher Cooke, Chairman
Donald Alford, Vice Chairman
Thomas Sproles
Frank Downing
Theodore Mau
Roland Cutter

BOARD MEMBERS ABSENT: Tasha Smith, State Department of Health

STATE OFFICIALS PRESENT: Tracy Hicks, Board Director
Shawwna Ajeigbe, Assistant Board Director
Donald Hannah, Deputy Attorney General

ADOPTION OF THE AGENDA

The agenda was adopted.

Mau/Cutter
6/0/0

Voting in Favor: Thomas Sproles, Frank Downing, Donald Alford, Ted Mau, Christopher Cooke, and Roland Cutter.
Motion carried.

ADOPTION OF THE MINUTES OF THE FEBRUARY 7, 2019, MEETING OF THE BOARD

A motion was made and seconded to approve the minutes of the February 7, 2019 meeting.

Alford/Mau
6/0/0

Voting in Favor: Thomas Sproles, Frank Downing, Donald Alford, Ted Mau, Christopher Cooke, and Roland Cutter.
Motion carried.

MINUTES OF THE DECEMBER 6, 2018, MEETING OF THE BOARD AMENDED

A motion was made and seconded to amend the minutes of the December 6, 2018 meeting to indicate the APEX Continuing Education Solutions” Pre-need Planning: What Every FD Should Know” course should be approved for 4 non-law continuing education rather than law hours.

Downing/Sproles
6/0/0

Voting in Favor: Thomas Sproles, Frank Downing, Donald Alford, Ted Mau, Christopher Cooke, and Roland Cutter.
Motion carried.

ADMINISTRATIVE HEARING

1. Administrative Hearing in the matter of Cameron Vale, FD21200041, 2019SBFCS0001

A motion was made and seconded to extend the summary suspension for ninety (90) days.

Downing/Sproles

4/0/0

Voting in Favor: Thomas Sproles, Frank Downing, Donald Alford, and Roland Cutter.

Motion carried.

2. Administrative Resthaven, LLC, CM40100010, 2019SBFCS0002

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

Cutter/Alford

6/0/0

Voting in Favor: Thomas Sproles, Frank Downing, Donald Alford, Ted Mau, Christopher Cooke, and Roland Cutter.

Motion carried.

3. Administrative Hearing in the matter of Matthew J. Fitzthum, FD29700015, 2018 SBFCS 0004

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

Sproles/Cutter

4/0/0

Voting in Favor: Thomas Sproles, Frank Downing, Donald Alford, and Roland Cutter.

Motion carried.

4. Administrative Hearing in the matter of Todd A. Burns, FD29400002, 2019SBFCS0003

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

Sproles/Cutter

4/0/0

Voting in Favor: Thomas Sproles, Frank Downing, Donald Alford, and Roland Cutter.

Motion carried.

OFFICE OF THE ATTORNEY GENERAL CONSUMER PROTECTION DIVISION REPORT

Written report provided.

REQUEST FOR INACTIVE STATUS AND RESPONSE TO REQUEST FOR PROOF OF CONTINUING EDUCATION AS A RESULT OF THE 2017-2018 CONTINUING EDUCATION AUDIT.

1. William Roytan, FD29400016

A motion was made and seconded to issue a Notice of Non Compliance and impose a fine of \$5000.00 for failure to provide proof of any continuing education.

Sproles/Alford

4/0/0

Voting in Favor: Thomas Sproles, Frank Downing, Donald Alford, and Roland Cutter.

Motion carried.

REVIEW OF 2017-2018 CONTINUING EDUCATION AUDIT FILES

A motion was made and seconded to issue a Notice of Non Compliance and impose a fine of \$1000.00 for failure to comply with the continuing education requirement in the matter of Charles Kraft, FD29800112,

Christopher Cordell, FD21000098, David Carmichael, FD08900041, Kelsey Byers, FD21500037, Larry Geisen, FD09000013, and Ralph Sommerfeld, FD29500016.

Sproles/Alford
4/0/0

Voting in Favor: Thomas Sproles, Frank Downing, Donald Alford, and Roland Cutter.
Motion carried.

VERIFIED COMPLAINT REQUESTING RESTITUTION FROM THE PRENEED CONSUMER PROTECTION FUND

1. Stitz-Clapper Funeral Home for Ruth Hall
Re: McMullan-Stitz Funeral Home, FH83003768 (Closed) and H. Robert Lang, FD08600644 (Revoked)

A motion was made and seconded to deny the request because the criminal charges are still pending.

Mau/Sproles
6/0/0

Voting in Favor: Thomas Sproles, Frank Downing, Donald Alford, Ted Mau, Christopher Cooke, and Roland Cutter.
Motion carried.

2. Carrie Ready for Albert Plisousky
Re: Kraft Funeral Home, FH10000005 (Revoked)

A motion was made and seconded to approve the request in the amount of \$1952.75 without interest.

Sproles/Mau
6/0/0

Voting in Favor: Thomas Sproles, Frank Downing, Donald Alford, Ted Mau, Christopher Cooke, and Roland Cutter.
Motion carried.

REVIEW OF CONTINUING EDUCATION SPONSORS AND COURSES

A motion was made and seconded to accept the report as presented.

Sproles/Alford
4/0/0

Voting in Favor: Thomas Sproles, Frank Downing, Donald Alford, and Roland Cutter.
Motion carried.

COURSES FOR APPROVAL – No Indiana Law Courses

APEX Continuing Education Solutions – CE10800625 (correction from 12/2018 meeting, approved as general CE, not law) Amend 12/21/2018 meetings Downing/Sproles 6/0/0

- Pre-need Planning: What Every FD should know – ONGOING - 4 CEU

Batesville Casket Company – CE10800652 – approved

- Meaningful Funerals: Acknowledging the WHY and Teaching the HOW – 04/25/2019 – 3 CEU

Cincinnati College of Mortuary Science – CE10800682 – approved

- Placing and Conducting State and Notable Funerals with Bob Boetticher, Sr. 02/20/2019 – 2 CEU

Divinity Funeral Home – CE21000937 – approved

- EVVERS System Presentation/Overview – 04/22/2019 – 2 CEU

Dodge Company/Dodge Institute of Advanced Mortuary Studies – CE10800349 – approved

- 2019 Dodge Technical Seminar – Nevada...11/14/2019 – 11/15/2019 – 9 CEU

Funeral Directors Life Insurance Company – CE21100035 – approved

- How to GET and CLOSE Preneed Leads on Facebook – 05/03/2019 – 1 CEU

Homesteaders Life Company – CE10800737 – approved

- Ethical and Professional Responsibility – ongoing – 6 CEU
- Insurance Needs for the Generations – ongoing – 6 CEU

Kates-Boylston Publications – CE21100028 – approved

- Cremation Strategies Conference – 12/4/2019 – 6 CEU
- Funeral Services Business Plan Conference – 12/5/2019 – 10/6/2019 – 10 CEU
- Preneed Summit – 11/08/2019 – 5 CEU

Madison County Funeral Directors Association – CE10800768

- Cremation Merchandising...Ongoing – 2 CEU – **denied**
- Madison County. Coroner Updated County Info...03/19/2019 - 2 CEU – **approved**

Selected Independent Funeral Homes – approved

- Take Command and Control of Your Cybersecurity Risk – 05/02/2019 – 1 CEU
- F.R.E.D.: Let's Talk! – 05/02/2019 – 1 CEU
- Don't Just Survive, Thrive as Successful Tribe – 05/02/2019 – 3 CEU
- Time to Shift – 05/03/2019 – 1 CEU

Vermilion County Funeral Directors Association – CE10800843 – approved

- Embalming The Jaundice Case – 05/14/2019 – 1 CEU
- Embalming The Edematous Case – 05/14/2019 – 1 CEU
- Embalming 101: Getting Back to the Basics in the Prep Room - 05/14/2019 – 1 CEU
- Prep Room Safety - 05/14/2019 – 1 CEU
- Bethany Comfort Dog Ministry - 05/14/2019 – 1 CEU
- Active Shooter Concerns & Consideration - 05/14/2019 – 2 CEU

COURSES FOR APPROVAL – Indiana Law Courses

Madison County Funeral Directors Association – CE10800768

- Law- Practice Act...Ongoing – 2 CEU (law category 2) – **denied**

ADJOURNMENT

The meeting was adjourned at 12:30 pm.