AGENDA
BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES
December 2, 2009 - 10:00 A.M. to 5:00 P.M.
Department of Financial Services
2020 Capital Circle SE, Alexander Bldg #230
Tallahassee, FL 32301

THIS MEETING IS OPEN TO THE PUBLIC

1. **Call to Order and Roll Call**

2. **Action on the Minutes**
   A. October 7, 2009
   B. November 4, 2009 – Teleconference

3. **Disciplinary Proceeding(s)**
   A. Proposed Settlements
      (1) Epps Mortuary, Inc. (F041896), Case No. 103974-09-FC (*Probable Cause Panel A*)
      (2) Epps, Lawrence J Jr (F043918), Case No. 103975-09-FC (*Probable Cause Panel A*)
      (3) Poitier Funeral Home (F040569), Case No. 97540-08-FC (*Probable Cause Panel B*)
      (4) Poitier Funeral Home (F040885), Case No. 97544-08-FC (*Probable Cause Panel B*)

   B. Recommended Order for Issuance of Final Order
      (1) Emerald Coast Funeral Home, Case No. 97372-08-FC (Proposed Exceptions) (*Probable Cause Panel A*)
      (2) Watts, Jeffery Kevin, Case No. 97373-08-FC (*Probable Cause Panel A*)

   C. Request(s) for Modification of Consent Order
      (1) Mathelier, Marie M (F023426), Case No. 103365-09-FC (*Probable Cause Panel B*) and Monique & Loriston Community Funeral Home (F040153), Case No. 103367-09-FC (*Probable Cause Panel B*)

4. **Informal Hearings, Section 120.57(2), Facts Not Disputed**
   A. Disciplinary Proceeding
      (1) Brant Funeral Chapel (F040808), Case No. 103066-09-FC *(Probable Cause Panel B)*
      (2) Creal Funeral Home, Inc. (F040554), Case No. 102451-09-FC *(Probable Cause Panel B)*
      (3) Creal, Robert Lee Sr (F043220), Case No. 102452-09-FC *(Probable Cause Panel B)*

5. **Old Business**
   A. Application(s) for Funeral Establishment
      (1) Recommended for Approval <u>with</u> Conditions
         (a) Timothy E Kitchens Funeral Home Inc (Riviera Beach)

   B. Informal Hearings, Section 120.57(2), Facts Not Disputed
      (1) Embalmer Apprentice
         (a) Anderson, Gaile NOI-2009-114

6. **Application to Acquire Control of an Existing Cemetery Company**
   A. Recommended for Approval <u>with</u> Conditions
      (1) Cemetery Professionals, LLC d/b/a Beaches Memorial Gardens to acquire control of Beaches Memorial Park (Atlantic Beach)

7. **Application(s) for Preneed Sales Agent**
   A. Informational Item - Addendum A (Licenses Issued <u>Without</u> Conditions)
   B. Recommended for Approval <u>with</u> Conditions (Criminal History)
      (1) Forman, Jr., Aubry S. (Appointing Entity: SCI Funeral Services of Florida, Inc.)

8. **Application(s) for Preneed License Main**
   A. Recommended for Approval with Conditions
      (1) Resthaven Gardens, Inc. (Pensacola)
      (2) The Faupel Group, LLC d/b/a Morgan Funeral Home and Cremation Services (New Port Richey)

9. **Application(s) for Preneed License Branch**
   A. Recommended for Approval without Conditions – Addendum B

10. **Continuing Education Course Approval(s)**
   A. Recommended for Approval without Conditions – Addendum C
      (1) Aurora #129
      (2) Florida Morticians Association #133
      (3) Hospice Foundation #76
      (4) Independent Funeral Directors of Florida #135
      (5) National Funeral Directors Association #136
      (6) SCI Management – Dignity University #99

11. **Application(s) for Florida Laws and Rules Examination**
   A. Recommended for Approval without Conditions – Addendum D
      (1) Funeral Director and Embalmer - by Internship
         (a) Ellenberg, Tami K
         (b) Jackson, Antonio K
         (c) Johnson, Arthur D
         (d) Lawson, Mary C
         (e) Lorne, Kevin M
      (2) Funeral Director and Embalmer-by Endorsement
         (a) Knoth, Diane L

   B. Recommended for Denial
      (1) Funeral Director and Embalmer- by Endorsement
         (a) Powell III, Jack

12. **Application(s) for Internship**
   A. Recommended for Approval without Conditions – Addendum E
      (1) Funeral Director and Embalmer
         (a) Cabrera Ramirez, Jorge
         (b) Chery, Luc G
         (c) Johnson, Jr., William Albert
   B. Recommended for Approval with Conditions – Addendum E
      (1) Funeral Director and Embalmer
         (a) Hearns, Mario D

13. **Application(s) for Embalmer Apprentice**
   A. Recommended for Approval without Conditions – Addendum F
      (1) Berry, Jeffrey S
      (2) Christy, Jennifer L
      (3) Early, Dennis E
      (4) Holt, William G
      (5) McCaskill, Joseph M
   B. Recommended for Approval with Conditions – Addendum F
      (1) Wallace, James R

   C. Recommended for Denial
      (1) Richard, Jr., Samuel E

14. **Registration(s) as a Training Agency**
   A. Recommended for Approval without Conditions – Addendum G
      (1) Funeral Directing/Embalming
         (a) Lewis W Mohn Funeral Home (F040373)
         (b) WE-Gregg L Mason Funeral Home (F041706)
      (2) Funeral Directing
         (a) Stonemor Florida Subsidiary LLC d/b/a Scott Funeral Home

15. **Consumer Protection Trust Fund Claims**
   A. Recommended for Approval without Conditions – Addendum H

16. **Application(s) for Monument Establishment Sales Agent, Licenses Issued Without Conditions**
   A. Informational Item - Addendum I

17. **Change in Location of Establishment, License(s) Issued without Conditions**
   A. Informational Item - Addendum J
      (1) The Beachwood Society (F041000)

18. **Application(s) for Centralized Embalming Facility**
   A. Recommended for Approval with Conditions
      (1) Lawrence J. Bakey (Fort Myers)

19. **Application(s) for Funeral Establishment**
   A. Recommended for Approval without Conditions
      (1) Neptune Management Corp d/b/a Neptune Society

20. **Application(s) for Direct Disposal Establishment**
   A. Recommended for Approval with Conditions
      (1) Cremations America LLC (Coral Gables)
      (2) Gulf Coast Cremation Society Inc (Clearwater)
      (3) Socofi Capital and Mortuary Investments Inc d/b/a Quality Care Cremation and Shipping Services (Plantation)

21. **Request(s) to Extend Internship**
   A. Recommended for Approval without conditions
      (1) Felmey, Loriann (F054394)

   B. Recommended for Denial
      (1) Spates, Charles A (F053084)

22. **Petition for Waiver, Rule 69K-18.004**
   A. Recommended for Approval with Conditions
      (1) Keystone America Inc d/b/a Hodges Family Funeral Home (Dade City)

23. **Contract(s) or Other Related Form(s)**
   A. Monument Retail Sales Agreement
      (1) Recommended for Approval without Conditions
         (a) Mississippi Marble & Granite Inc. d/b/a Ingram Marble and Granite (Defuniak Springs)

24. **Keystone America – SCI Applications**
   Division Director's background memo and related materials
   A. Applications re change of ownership, Hodges to Keystone. Recommended for approval with conditions
      (1) Application to acquire control of existing cemetery: Keystone America, Inc. d/b/a Chapel Hill Gardens and Floral Memory Gardens to acquire Hodges Family Funeral Home, Inc. d/b/a Chapel Hill Gardens and Floral Memory Gardens (Dade City)

(2) Application re change of ownership, funeral establishment: Keystone America Inc d/b/a Hodges Family Funeral Home (11441 US Highway 301 Dade City)
(3) Application re change of ownership, funeral establishment: Keystone America Inc d/b/a Hodges Family Funeral Home (14046 5th Street Dade City)
(4) Application re change of ownership, funeral establishment: Keystone America Inc d/b/a Hodges Family Funeral Home (36327 State Road 54 Zephyrhills)
(5) Application re change of ownership, cinerator facility: Keystone America Inc d/b/a Cremation Center (11441 US Highway 301 Dade City)

B. Applications re change of ownership, Keystone to SCI. Recommended for approval with conditions
(1) Application re change of ownership, funeral establishment: SCI-Keystone America Inc d/b/a Kersey Funeral Home (108 E Stella Lake Drive Auburndale)
(2) Application re change of ownership, cinerator facility: SCI-Keystone America Inc d/b/a Memorial Crematory (108 E Stella Lake Dive Auburndale)
(3) Application re change of ownership, funeral establishment: Keystone America Inc (as owned by SCI), d/b/a Hodges Family Funeral Home (11441 US Highway 301 Dade City)
(4) Application re change of ownership, funeral establishment: Keystone America Inc (as owned by SCI), d/b/a Hodges Family Funeral Home (14046 5th Street Dade City)
(5) Application re change of ownership, funeral establishment: Keystone America Inc (as owned by SCI), d/b/a Hodges Family Funeral Home (36327 State Road 54 Zephyrhills)
(6) Application re change of ownership, cinerator facility: Keystone America Inc (as owned by SCI), d/b/a Cremation Center (11441 US Highway 301 Dade City)
(7) Application to acquire control of existing cemetery: Keystone America, Inc. (as owned by SCI), d/b/a Chapel Hill Gardens and Floral Memory Gardens, to acquire Chapel Hill Gardens and Floral Memory Gardens (Dade City)
(8) Application re preneed branches: "Hodges Family Funeral Home" under SCI Main Preneed License (Zephyrhills, Dade City, Dade City)
(9) Application re preneed branch: "Kersey Funeral Home" under SCI Main Preneed License (Auburndale)

25. Chairman's Report (Oral)

26. Executive Director's Report

A. Inspection Form for Bio-Cremation Facilities
B. Request for Approval of 2010 Meeting Schedule
C. Request for Approval of Committee Appointments for Continuing Education and Rules Committees
D. Request for Approval of Rulemaking regarding Crypt Venting Standards
E. Request for Approval of Rulemaking regarding RGTF Fees
F. Request to Appoint Standing Committee to Review Cremation Procedures
G. Report from Richard Baldwin, Examiner for Menorah Gardens, August - September '09 (see attachments)
H. Training re Ethics Laws, Sunshine Laws and Public Records Laws

27. Office of Attorney General's Report (Oral)

28. Administrative Report

A.	New Cemetery Applications Received Since Last Meeting	0
	Recommended for Approval	0
	Pending	0
B.	Cemetery Acquisition Applications Received Since Last Meeting	1
	Recommended for Approval	0
	Pending	1

C.	Preneed License Applications Received Since Last Meeting	2
	Active Preneed Licenses	328
	Presented to the Board at this Meeting	2
	Pending	1
D.	Preneed License Branch Applications Received Since Last Meeting	2
	Active Preneed License Branches	337
	Recommended for Approval	1
	Pending	0
E.	Preneed Sales Agent Applications Received Since Last Meeting	105
	Active Sales Agents as of November 18, 2009	4104
	Recommended for Approval	40
	Temporary Licenses Issued; Pending Permanent	145
F.	Monument Establishment Applications Received Since Last Meeting	1
	Active Monument Establishments	92
	Pending	3
G.	Broker of Burial Rights Applications Received Since Last Meeting	1
	Active Brokers of Burial Rights	11
	Pending	1
H.	Exempt Cemetery Reports Received Since Last Meeting	0
	Active Exempt Cemeteries	66
	Pending	0
I.	Preneed Funeral Contract Consumer Protection Trust Fund Balance as of November 18, 2009	$ 7,703,403.69
	# Claims Presented at This Board Meeting	1
	$ Claims Presented at This Board Meeting	$445.70
	Claims Paid as of November 18, 2009 (for fiscal year 2009-2010)	$30,893.46
J.	New Establishment Applications Received Since Last Meeting	17
	Pending	9
	Completed	8
K.	New Individual Applications Received Since Last Meeting	34
	Pending	13
	Completed	21
L.	Request for Training Facility Applications Received Since Last Meeting	3
	Pending	2
	Completed	1

M.	Request for CE Providers and Courses Received Since Last Meeting	27
	Pending	14
	Completed	13
N.	Initial Inspections Received Since Last Meeting	24
	Pending	4
	Completed	20
O.	Inspections Received Since Last Meeting	307
	Pending	0
	Completed	307
P.	Initial Licenses Issued Since Last Meeting	26
	Renewal Licenses Issued Since Last Meeting	330
	Duplicate Licenses Issued Since Last Meeting	12

29. Disciplinary Report

	Issued Since Last Meeting (October 7, 2009)	Issued Since January 1, 2009
Notice of Non-Compliance	27	111
Citations	15	63

30. Adjournment

THE CHAIRMAN MAY MAKE SPECIFIC CHANGES IN THE AGENDA AFTER IT HAS BEEN MADE AVAILABLE FOR DISTRIBUTION, ONLY FOR "GOOD CAUSE" SHOWN.