

Minutes of Meeting
BOARD OF FUNERAL, CEMETERY & CONSUMER SERVICES
Teleconference Meeting
November 13, 2007 - 9:00A.M. to 11:00A.M.

I. Call to Order and Roll Call

Ms Diana M Marr, Executive Director, called the meeting to order at 9:02 am and called the roll:

PRESENT:

Col. Pete Ballas

PRESENT (via phone):

Greg Brudnicki, Chairman
Jody Brandenburg, Vice-Chairman
Powell Helm
Nancy Hubbell
Tracy Huggins
Ken Jones
Gail Thomas-DeWitt
Catherine Zippay

ALSO PRESENT:

Diana M Marr, Executive Director
Deborah Loucks, Board Counsel (via phone)
Diana Shumans, Department Counsel
James Gellepis, Department Staff
LaTonya Bryant, Department Staff

ABSENT:

Justin Baxley

Ms Marr declared a quorum.

II. Application(s) for Preneed Sales Agents
A. Recommended for Approval – Addendum A

Ms Marr presented the applications for approval.

Mr. Jody Brandenburg disclosed his affiliation with SCI Funeral Services of Florida, Inc.

Mr. Chairman disclosed his affiliation with CFS Funeral Services, Inc.

Ms Tracy Huggins disclosed her affiliation with The Simplicity Plan, Inc.

MOTION: Ms Gail Thomas-DeWitt moved to approve the application(s). Col. Pete Ballas seconded the motion, which passed unanimously.

III. Application(s) for Florida Laws and Rules Examination

A. Recommended for Approval - Addendum B

1. Funeral Director and Embalmer - Internship

- a. Capote, Violeta P**
- b. King, Weir L**
- c. Parker, Donald M**

2. Funeral Director and Embalmer - Endorsement

- a. Jordan, Peter W**
- b. Martin, Jason R**
- c. Norton, Heather A**
- d. Patterson, Randall M**

3. Direct Disposer

- a. Gerry, Tyrone G**

MOTION: Mr. Ken Jones moved to approve the application(s). Ms Catherine Zippay seconded the motion, which passed unanimously.

IV. Application(s) for Funeral Director and Embalmer Internship

A. Recommended for Approval - Addendum C

- 1. Bobrow, Paul M**
- 2. Douglas, Nathaniel M**
- 3. Gross, Michael J**
- 4. Guirola, Javier**
- 5. Heath, Jane**
- 6. Pace, Scott**
- 7. Shelley, Natalie C**
- 8. Smith, Brian C**
- 9. Walker, Shanna D**

MOTION: Mr. Brandenburg moved to approve the application(s). Col. Ballas seconded the motion, which passed unanimously.

V. Application(s) for Embalmer Apprentice

A. Recommended for Approval - Addendum D

- 1. Heaton, Jeffrey S**
- 2. McDonald, Kaitlynn M**
- 3. Mackenzie, Scott A**

- 4 *Quintana, John A*
- 5 *Ramos, Jan R*
- 6 *Rawlins, Aika E*
- 7 *Riley, Brandy M*
- 8 *Smith, Michael E*
- 9 *Weldon, Wendy L*
- 10 *Yanes, Mary I*

MOTION: Mr. Jones moved to approve the application. Ms. Thomas-DeWitt seconded the motion, which passed unanimously.

VI. Application(s) for Funeral Establishment

A. Recommended for Approval

1. Hadley's Funeral Home, Inc. (Opa Locka)

Ms. Marr stated that the application was submitted on October 5, 2007. The application was complete and a deficiency letter was not needed. The fingerprint cards for Lori Davis, Lisa Hadley, Rosalind Hadley and Gwendolyn Jones were submitted and returned without criminal history. The funeral establishment will have its inspection the last week in October.

Mr. Helm questioned whether the inspection had been completed.

Ms. Marr responded that it had.

MOTION: Mr. Helm moved to approve the application. Col. Ballas seconded the motion, which passed unanimously.

2. Jhnell Caver, Sr. (Lake Wales)

Ms. Marr stated that the application was submitted on September 26, 2007. The application was complete and a deficiency letter was not needed. The fingerprint cards for Jhnell Caver and Beatrice Caver were submitted and returned without criminal history. The funeral establishment passed its inspection on October 18, 2007.

Mr. Brandenburg questioned the name of the funeral home.

Ms. Marr stated that the name of the funeral home to do business as Jhnell Caver, Sr.

Ms. Linda Thompson stated that the name is Jhnell Caver Your Home for Funerals.

Ms. Marr stated that this is the corporate name. Ms. Marr questioned whether this is the name being applied under.

Ms. Thompson responded yes.

Ms Marr questioned the name the applicant wishes to do business under.

Ms Thompson responded Jhnell Caver Your Home for Funerals.

Mr. Helm stated that the application does not reflect this.

Ms Marr agreed. Ms Marr questioned who was speaking for the applicant.

Mr. Jhnell Caver, Sr. responded.

Ms Marr questioned under what name is the applicant applying.

Mr. Caver responded Jhnell Caver Your Home for Funerals, Inc.

Ms Marr stated that this is not how the applicant applied. Ms Marr questioned whether Mr. Chaiman would allow the applicant to resubmit a corrected application.

Mr. Chaiman stated that the application needs to be resubmitted with the correct name. The Department needs something in writing reflecting exactly what the name should be so that this is reflected on the establishment license.

Mr. Helm stated that Jhnell Caver Your Home for Funerals is listed on the Articles of Incorporation, but it is not listed on the application.

Mr. Chaiman requested that the applicant submit the appropriate page indicating the correct name of the establishment.

Mr. Caver responded yes.

MOTION: Ms Zippay moved to approve the application contingent upon receipt of documentation showing the correct name of the establishment. Col. Ballas seconded the motion, which passed unanimously.

DISCUSSION: Ms Huggins stated that Mr. Caver is listed as FDIC, but his address is in Detroit, Michigan.

Ms Marr questioned whether Mr. Caver is relocating to Florida.

Mr. Caver stated that he has already located to Florida and is using the Detroit address as his mailing address. Mr. Caver has lived in Florida for the past 12 years.

Mr. Chaiman questioned how Mr. Caver would receive his mail in Michigan.

Mr. Caver stated that he also has a funeral home in Detroit, Michigan.

Mr. Chairman questioned whether Mr. Caver is going to be the FDIC of this location and not the one in Michigan.

Mr. Caver responded yes. Mr. Caver stated that he has a manager that has run the Detroit operation for the past year.

3. Stone Brothers Funeral Chapel (Vero Beach)

Ms. Marr stated that the application was submitted on July 5, 2007. The application was not complete and a deficiency letter was needed. The fingerprint card for Alwyn L. Gaines was submitted and returned without criminal history. The funeral establishment passed its inspection on October 10, 2007.

Mr. Jones questioned whether the Department received a letter of agreement for embalmings.

Mr. Helm added that the applicant also listed that arrangements for prep room would be handled by license #148. This appears to be a licensee, but the applicant should have included the business name.

Mr. Chairman questioned whether the Department had a response.

Ms. Marr responded no, but Staff would look into it.

MOTION: Mr. Jones moved to approve the application subject to receipt of a letter of agreement. Col. Ballas seconded the motion, which passed unanimously.

DISCUSSION: Ms. Thomas-DeWitt stated that the 317 address is actually the applicant's establishment in Ft. Pierce.

B. Recommended for Consideration

1. Clary's Funeral Home (Quincy)

Ms. Marr stated that the application for a Change of Location was submitted on October 8, 2007. The fingerprint card for Mr. Gary Clary was submitted and returned with no criminal history. The inspection of the facility was performed and passed inspection on November 6, 2007. Mr. Clary answered "Yes" to the Adverse License History Question, Section (a)-Have you ever had any death care industry license revoked, suspended, fined, reprimanded or otherwise disciplined, by any regulatory authority in Florida or any other state or jurisdiction?

Offense: Embalming a body in an unlicensed facility

Case #: DBPR 2005-010508

Final Order Date: 09/29/2005

Final Order: Fine (\$1000), Cost (\$201.16), Probation (6 months), Take and Pass the Florida Laws and Rules Examination and Continuing Education (3 hours)

Mr. Clary has successfully completed all requirements

Mr. Helm questioned whether the Department is satisfied with the new location.

Ms Marr responded yes

MOTION: Mr. Helm moved to approve the application. Col. Ballas seconded the motion, which passed unanimously.

VII. Application(s) for Removal Service

A. Recommended for Approval

1. Metro Removal, LLC (Plant City)

Ms Marr stated that the application was submitted on October 16 2007. The application was complete and a deficiency letter was not needed. The fingerprint card for Heather Dukes was submitted and returned without criminal history. The removal service will have its inspection the first week in November.

Mr. Brandenburg questioned whether the inspection had been completed.

Ms Marr responded that the establishment passed its inspection.

MOTION: Mr. Jones moved to approve the application. Col. Ballas seconded the motion, which passed unanimously.

VIII. Continuing Education Course Approval(s)

A. Recommended for Approval – See Addendum E

1. Florida Funeral Directors Association, Inc #75

2. Florida Morticians Association #133

3. Funeral Review.com, LLC #122

Mr. Helm questioned whether the 14 hours for Funeral Service Business Plan 2008 was correct.

Ms Marr responded yes

Mr. Brandenburg questioned whether the course had been reviewed and approved by Ms Huggins and Mr. Baxley.

Ms Huggins responded yes

MOTION: Col. Ballas moved to approve the application(s). Mr. Brandenburg seconded the motion, which passed unanimously.

IX. Continuing Education Provider Approval(s)

A. Recommended for Approval

1. North Central Florida Funeral Services Associates, Inc.

MOTION: Mr. Brandenburg moved to approve the application. Col. Ballas seconded the motion, which passed unanimously.

2. Remo Portelli d/b/a Apex Continuing Education Solutions

MOTION: Col. Ballas moved to approve the application. Mr. Jones seconded the motion, which passed unanimously.

X. Application(s) to Become a Training Facility

A. Gentry-Morrison Funeral Home (Lakeland)

B. Gentry-Morrison Funeral Home (Lakeland)

C. Gentry-Morrison Central Prep Facility (Lakeland)

Mr. Helm stated that the cover for C. indicates there were 240 funeral services, but the application indicates embalming only.

Ms. Marr stated that Staff made an error on the cover sheet.

MOTION: Mr. Brandenburg moved to approve the application. Col. Ballas seconded the motion, which passed unanimously.

D. McLaughlin Mortuary (Ft Walton Beach)

Mr. Chaiman disclosed his affiliation with McLaughlin Mortuary.

MOTION: Col. Ballas moved to approve the application. Ms. Huggins seconded the motion, which passed unanimously.

XI. Contractor or Other Related Forms

A. Oaklawn Cemetery Association (Jacksonville)

1. Statement of Funeral and Cemetery Goods & Services Selected / Purchase Agreement

Ms. Marr presented the Statement of Funeral and Cemetery Goods and Services Selected / Purchase Agreement.

Staff recommend approval pending Department receipt within 60 days of two print-ready copies

Compliance with other State and Federal regulations is the responsibility of the Certificate-holder.

MOTION: Mr. Brandenburg moved to approve the agreement pending Department receipt within 60 days of two print-ready copies. Col. Ballas seconded the motion, which passed unanimously.

VI. Adjournment

The meeting was adjourned at 9:19 a.m.