

AGENDA
BOARD OF FUNERAL, CEMETERY AND CONSUMER SERVICES
February 3, 2011 - 10:00 A.M.
Department of Financial Services
2020 Capital Circle SE, Alexander Bldg, Rm. 230
Tallahassee, FL 32301

THIS MEETING IS OPEN TO THE PUBLIC

1. **Call to Order, Preliminary Remarks, and Roll Call**
2. **Disciplinary Proceedings: Informal Hearings, Facts Not Disputed (Section 120.57(2))**
 - A. **Disciplinary Proceeding**
 - (1) Motion for Determination of Waiver and for Order by Board (*Probable Cause Panel A*)
 - (a) Altman-Long Funeral Home: Case No. 110794-10-FC (SR1-597143051)
 - (b) Marchbank, Clifford: Case No. 110795-10-FC (SR1-597143051)
 - (2) Motion for Determination of Waiver and for Order by Board (*Probable Cause Panel B*)
 - (a) E A Stevens Funeral Home, P.A.: Case No. 109801-10-FC (SR1-592894078)
 - (b) Taylor, Charlotte: Case No. 109802-10-FC (SR1-592894078)
 - (c) Brevard Memorial Funeral Home: Case No. 110450-10-FC (SR1-428066325)
 - (d) Napert, William: Case No. 110449-FC (SR1-428066325)
 - (e) Lincoln Memorial Gardens of Ocala, Florida: Case No. 110696-10-FC (SR1-663608354)
3. **Disciplinary Proceedings: Proposed Settlements (and applications by related parties)**
 - A. **Settlement Stipulation for Consent Order and Proposed Consent Order**
 - (1) Cemetery Professionals d/b/a Beaches Memorial Gardens: Case No. 103192-09-FC (SR 1-326181793 and SR1-326181755) (*Probable Cause Panel A*)
 - (2) First Coast Funeral Home: Case No. 103200-09-FC (SR 1-409068727, SR1-509025821, SR1-509270492) (*Probable Cause Panel B*)
 - (3) Robyn Constantino: Case No. 111505-10-FC (SR 1-656438701)
 - (4) Related matters, Landmark Funeral Home
 - (a) Change of Ownership, Application for Approval, Landmark Funeral Home Inc. (Hollywood)
 - (b) Proposed Settlement, Disciplinary Case: Case No. 108626-10-FC (SR 1-622977511) (*Probable Cause Panel B*)
4. **Application(s) to Acquire Control of an Existing Cemetery Company**
 - A. Recommended for Approval with Conditions
 - (1) Sunnyside Cemetery, Inc. (St Petersburg)
5. **Application(s) for Preneed Sales Agent**
 - A. Informational Item (Licenses Issued without Conditions) – **Addendum A**
6. **Application(s) for Preneed Main License**
 - A. Recommended for Approval with Conditions
 - (1) GF Ventures LLC d/b/a Glick Family Funeral Home (Boca Raton)
7. **Continuing Education Course Approval(s)**
 - A. Recommended for Approval without Conditions – **Addendum B**
 - (1) APEX Continuing Education Solutions #4201
 - (2) Independent Funeral Directors of Florida, Inc #135
 - (3) M.K. Jones & Associates, Inc. #9605
 - (4) National Funeral Directors Association #136
 - (5) Pinellas County Funeral Home Association #58
 - (6) Practicum Strategies #65

(7) Selected Independent Funeral Homes #137

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

A. Recommended for Approval without Conditions – **Addendum C**

- (1) Funeral Director and Embalmer – by Endorsement
 - (a) Carter, Tyran P
- (2) Funeral Director and Embalmer – by Internship
 - (a) Campbell, Robert C
 - (b) Hearn, Mario D

9. Application(s) for Internship

A. Recommended for Approval without Conditions – **Addendum D**

- (1) Funeral Director and Embalmer
 - (a) Dunne, Mary R
 - (b) Giacco, Logan M
 - (c) Moats, Amanda L
 - (d) Moody, Jeffrey M
 - (e) Shorter Jr., Michael D

B. Approval with Conditions – Criminal History

- (1) Funeral Director and Embalmer
 - (a) Altman-Kingwell, Heather

10. Application(s) for Embalmer Apprentice

A. Recommended for Approval without Conditions – **Addendum E**

- (1) Legree, Patricia K
- (2) Plaksin, Scott J
- (3) Waites, Kay L
- (4) Wilson, Mindy

11. Registration(s) as a Training Agency

A. Recommended for Approval without Conditions – **Addendum F**

- (1) Funeral Directing
 - (a) Funeraria Memorial Plan-Coral Gables (Miami) (F040310)
- (2) Funeral Directing and Embalming
 - (a) George H Hewell and Son Funeral Home Inc (Jacksonville) (F040211)

B. Recommended for Approval with Conditions – Adverse Licensing History

- (1) Funeral Directing and Embalming
 - (a) Amanda E Granger-Epps d/b/a Epps Memorial Funeral Home (Lake Wales) (F058806)

12. Change in Location of Establishment

A. Informational Item (Licenses Issued without Conditions) – **Addendum G**

- (1) AAA Alpha & Omega Cremation Center (Fort Lauderdale) (F039928)
- (2) Jacobs Funeral Services LLC (Boca Raton) (F040152)

13. Application(s) for Monument Establishment Sales Agent

A. Informational Item (Licenses Issued without Conditions) – **Addendum H**

14. Application(s) for Direct Disposal Establishment

A. Recommended for Approval with Conditions

- (1) Florida Cremations Services LLC (Opa-Locka)

15. Application(s) for Funeral Establishment

- A. Recommended for Approval with Conditions
 - (1) Ponger-Karnes Funeral Home PA d/b/a Ponger-Kays-Grady Funeral Home (Wauchula)

16. Application(s) for Removal Service

- A. Recommended for Approval without Conditions
 - (1) Orlando Metro 1st Call Inc (Ocoee)

17. Trust Transfer Request(s)

- A. Recommended for Approval with Conditions
 - (1) Highland Memorial Park Association, Inc d/b/a Hiers-Baxley Funeral Services (Ocala)
 - (a) Transfer of Ch 497.417 (pre 2005) Preneed Funeral Trust and Ch 497.417 (pre 2005) Cemetery Merchandise and Services Trust from SunTrust Bank to Regions Bank

18. Request to Strike Certain Law & Rules Exam Questions

- A. Request by Michel Kavaklian-D'Annecy

19. Chairman's Report (Oral)

20. Presentation to Board

- A. 20 minute presentation regarding "Medical Examiners Commission & Missing Endangered Persons Information Clearinghouse Joint Initiative to Identify Florida's Unidentified Deceased." Presented by Ms. Branch Ocampo, on behalf of the Medical Examiners Commission and the Clearinghouse.

21. Executive Director's Report

- A. CEP Investments, Inc d/b/a Prevatt Funeral Home Case No. 106814-09-FC – Follow-up Inspection Pursuant to the Board's Request (Informational)
- B. Rulemaking Procedures Responding to Executive Order 11-01 (Informational)
- C. Vacancy on Board of Funeral, Cemetery and Consumer Services (Informational)
- D. Memorandum of Analysis re: Can Capital Gains be Withdrawn from a Care and Maintenance Trust (Informational)
- E. Error in Noticing January 2011 Board Meeting; Ratification of Decisions at Jan. 2011 Board Meeting (Action Required)
- F. Approval of Minutes, January 6, 2011 Board Meeting (Action Required)

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

23. 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	4
	Active Preneed Licenses	339
	Presented to the Board at this Meeting	1
	Pending	4
D.	Preneed License Branch Applications Received Since Last Meeting	8

	Recommended for Approval	0
	Pending	1
E.	Preneed Sales Agent Applications Received Since Last Meeting	131
	Active Sales Agents as of January 20, 2011	3909
	Recommended for Approval	33
	Temporary Licenses Issued; Pending Permanent	138
F.	Monument Establishment Applications Received Since Last Meeting	2
	Active Monument Establishments	102
	Pending	1
G.	Broker of Burial Rights Applications Received Since Last Meeting	1
	Active Brokers of Burial Rights	14
	Pending	0
H.	Exempt Cemetery Reports Received Since Last Meeting	0
	Active Exempt Cemeteries	71
	Pending	0
I.	Preneed Funeral Contract Consumer Protection Trust Fund Balance as of January 20, 2011	\$8,017,699.06
	# Claims Presented at This Board Meeting	0
	\$ Claims Presented at This Board Meeting	0
	Claims Paid as of January 20, 2011 (for fiscal year 2010-2011)	\$22,530.95
J.	New Establishment Applications Received Since Last Meeting	24
	Pending	4
	Completed	20
K.	New Individual Applications Received Since Last Meeting	16
	Pending	13
	Completed	33
L.	Request for Training Facility Applications Received Since Last Meeting	11
	Pending	3
	Completed	8
M.	Request for CE Providers and Courses Received Since Last Meeting-	34
	Pending	0
	Completed	34
N.	Initial Inspections Received Since Last Meeting	30
	Pending	0
	Completed	30
O.	Inspections Received Since Last Meeting	533

	Pending	0
	Completed	533
P.	Initial Licenses Issued Since Last Meeting	35
	Renewal Licenses Issued Since Last Meeting	1123
	Duplicate Licenses Issued Since Last Meeting	27

24. Disciplinary Report

	Issued Since Last Meeting (October 7, 2010)
Notice of Non-Compliance	27
Citations	10

25. Adjournment

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