

Minutes of Meeting
BOARD OF FUNERAL, CEMETERY & CONSUMER SERVICES
Teleconference Meeting
July 10 2007 - 10:00A.M. to 11:00A.M.

I. Call to Order and Roll Call

Mr. Greg Brudnicki, Chairman, called the meeting to order at 10:01 am. Ms. Diana Evans, Executive Director, called the roll:

PRESENT:

Pete Ballas

PRESENT (via phone):

Greg Brudnicki, Chairman

John Brandenburg, Vice-Chairman

Justin Baxley

Powell Helm

Nancy Hubbell

Tracy Huggins

Ken Jones

Catherine Zippay

ALSO PRESENT:

Diana M. Evans, Executive Director

Richard Brinkley, Assistant Director

Deborah Loucks, Board Counsel (via phone)

Mechelle McBride, Department Counsel

Casia Sinco, Department Counsel (via phone)

LaTonya Bryant, Department Staff

ABSENT:

Gail Thomas-DeWitt

Ms. Evans declared a quorum.

II. Application(s) for Florida Laws and Rules Examination – See Addendum A

A. Recommended for Approval

1. Funeral Director and Embalmer- Internship

a. Russell, Michael M

2. Funeral Director and Embalmer- Endorsement

a. Barreto, Stephen

- b. McNicoll, Steven**
- c. Rodabaugh, Shawna**
- d. Schweizer, Gerald F**

MOTION: Mr. Justin Baxley approved the application(s). Col. Pete Ballas seconded the motion, which passed unanimously.

III. Application(s) for Funeral Director and Embalmer Intern – See Addendum A

A. Recommended for Approval

- 1. Adams, Walter M**
- 2. Berrios, Shandel**
- 3. Posada, Carlos A**
- 4. Tammaro, Greg**

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

Ms. Evans requested adding a couple of applications to the Agenda that omitted in error:

Mr. Chairman approved the request.

Ms. Evans stated that the applications to be added were:

- 1. Funeral Establishment**
 - a. Knauff Funeral Homes LLC (Chiefland)**
- 2. Cinerator Facility**
 - a. Knauff Funeral Homes LLC (Chiefland)**
 - b. McLaughlin Mortuary db/a Okaloosa Crematory (Ft Walton Beach)**

Mr. Chairman questioned whether there were any issues on either of the applications.

Ms. Evans responded that the only issue is Staff is waiting for Rita Poff to complete the inspection on McLaughlin Mortuary.

Mr. Baxley questioned who the principles on the Knauff applications are.

Ms. Wendy Wiener responded Joseph Knauff. Ms. Wiener added that there were actually two funeral establishment applications, Williston and Chiefland.

Mr. Chairman questioned whether the former owner is buying the business back.

Ms. Wiener responded that it is the son of the former owner.

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

IV. Application(s) for Funeral Establishment

A. Recommended for Approval

1. Thompson Funeral Group Inc db/a Rock of Ages Funeral Chapel Inc (Opa-Locka)

MOTION: Mr. Powell Helm moved to approve the application. Ms Catherine Zippay seconded the motion, which passed unanimously.

2. Trinity Funeral Home of Perry Inc (Perry)

Mr. Baxley questioned whether all violations and error noted in the previous report have been corrected.

Ms. Evans stated that the only remarks available were that the FDIC is Dock R Choice, III and Harry Demps attended the inspection.

Mr. Chairman requested that Staff ensure there is not a problem.

Ms. Evans responded that she would see to it.

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

Ms. Evans questioned whether the previous motion to add the requested applications to the agenda or was it for their approval as well.

Mr. Chairman stated that is was for both.

Ms. Evans stated that the following application should also be added:

!. Funeral Establishment

a. Knauff Funeral Homes LLC (Williston)

MOTION: Mr. Baxley moved to approve the application. Ms Tracy Huggins seconded the motion, which passed unanimously.

V. Applications(s) for Direct Disposal Establishment

A. Recommended for Approval

1. Florida Cremation Society Inc (The Villages)

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

DISCUSSION: Mr. Brandenburg stated that he is about to attend the Florida Funeral Directors Association meeting and anticipate lots of questions regarding license renewal and continuing education credits that have not been credited. The Department or the Board should give an extension or whatever it takes to assure that these licenses are not penalized.

Ms. Evans stated that the Department needs to be advised of who has not been given credit. The Division is working with Florida Funeral Directors Association. Apparently, last year the rosters for some attendees were never submitted to the Department. Staff is currently entering those names manually.

Mr. Brandenburg stated that it does not appear to only be for Florida Funeral Directors Association. Ms. Evans stated there may be others.

Mr. Chaيمان questioned whether the Board needs to address something as far as leniency or will this be a case by case basis. Mr. Chaيمان questioned whether Mr. Brandenburg would report concerns that are outrageous or would he give the licensees the impression that the Board would be flexible as a result of the problems.

Mr. Brandenburg referred the question to Ms. Evans.

Ms. Evans responded that the Department has received information from some of the providers and is researching every issue that is being addressed. Some providers have not submitted the names, but it is unclear what happened in the data migration regarding others. Ms. Evans hoped to have a better update at the August 8th meeting.

Ms. Evans questioned Ms. Deborah Loucks on whether the Board could waive a rule or offer some leniency to give another 30 days for the renewals to be effective before licenses automatically go into a delinquent status.

Ms. Loucks stated that it would be very difficult to waive a rule without someone actually asking for a waiver. It would be better to advise the attendees to check their CE credits and if they are not all there, they should contact the Department.

Mr. Chaيمان added that this should be done in writing.

Ms. Loucks stated that the Department would address these on a case by case basis. If there was a complaint filed by the Department, the Department would then have the Probable Cause Panel review the case. The Panel would then understand that the Board is trying to be lenient as it is not the licensee's fault and there would be no complaint filed against the individual. It would not be wise to waive the rule as there would possibly be individuals who did not take the course, but they would receive the benefit as the rule was waived.

Mr. Brandenburg questioned whether the problem was fixed so that licensees could log in to the system and check their credits

Ms. Evans advised that the Department is working on that issue but it is unclear whether it has been completely resolved.

Ms. Huggins questioned how licensees find out whether they have enough CEUs

Mr. Chaيمان advised Mr. Brandenburg to instruct licensees to submit written correspondence to the Department if they are unable to check their CEUs

Ms. Huggins questioned how licensees find out whether they have enough CEUs

Mr. Richard Brinkley stated that at this point in time, anything that the system has accepted is readable by the licensee and they can see how many hours they have been credited for.

Ms. Huggins questioned where this information is available.

Mr. Brinkley responded that it is available on the Department's website.

Ms. Huggins disagreed.

Mr. Brandenburg stated that he was unable to log into the website.

Mr. Brinkley stated that he would have to research this as there has been communication with licensees who were able to advise that there was a discrepancy in the number of hours posted for them. There was a period of time during the transition where the system was required to be down. During that time, the providers submitted their rosters to the Department manually. Although Staff is manually entering those credits, there are some glitches in that process that the programmers are working on as we speak.

Mr. Chaيمان stated that Mr. Brandenburg could advise attendees that if the system is not up and running so that licensees are able to identify how many CEUs they have by the end of the time frame, the Board would be lenient and will not be penalizing anyone for our mistake.

Mr. Brandenburg questioned whether there is a number for licensees to call if they have questions

Ms. Evans responded that they should contact the Division at 850/413-3089. Ms. Evans stated that the problem would be resolved and a mass email notice will be sent out with instructions on how to access the system to check their CEUs

VI. Adjournment

The meeting was adjourned at 10:19 a.m.