

MINUTES
November 15, 2011
1400 West Washington, Basement Conference Room B-1

MEMBERS PRESENT: Martin Crist, Member
Monsignor O’Keeffe, Member
Samuel Bueler, Member
James Ahearne, Member
Kristina Dyr, Member
John Munden, Secretary

MEMBER ABSENT: Reverend Shindel, President

STAFF PRESENT: Rodolfo Thomas, Executive Director
Alex Estrada, Licensing Administrator
Patricia Keith, Programs & Project Specialist

ATTORNEY GENERAL’S OFFICE:
Keely Verstegan, Asst. Attorney General

CALL TO ORDER
Martin Crist called the meeting to order at 9:00 a.m.

I. CALL TO THE PUBLIC

II. MINUTES
Monsignor O’Keeffe motioned to approve the minutes of October 18, 2011.
James Ahearne seconded the motion. The motion passed unanimously. (6-0).

III. LICENSING
By motion and second, and motion carrying, the following actions occurred relative to applications for licensure subject to the conditions noted:

NAME	TYPE OF LICENSE	ACTION	MOTION BY	SECOND BY
*Elisa C. Krcilek	Funeral Director, Embalmer	Approved 6-0	Bueler	O'Keeffe
*Kaitlyn R. Young	Funeral Director	Approved 6-0	Monsignor	Bueler
*Monica H. Torres	Embalmer	Approved 6-0	O'Keeffe	Bueler
*Dean Funeral Home, LLC.	Establishment	Table	Crist	O'Keeffe
*Brandy J. Mustaca	Intern	Approved 6-0	Bueler	O'Keeffe
*David B. Allen	Intern	Approved 6-0	O'Keeffe	Bueler
*Jennifer L. Rensch	Intern	Approved 6-0	Bueler	O'Keeffe
*Sarah J. Healy	Salesperson	Approved 6-0	Munden	Bueler

- * Elisa C. Krcilek appeared before the Board.
- * Kaitlyn R. Young did not attend the Board meeting.
- * Monica H. Torres appeared before the Board.
- * Dean Funeral Home, LLC tabled
- * Brandy J. Mustaca appeared before the Board.
- * David B. Allen appeared before the Board.
- * Jennifer L. Rensch appeared before the Board.
- * Sarah J. Healy did not attend the Board meeting.

IV. BREAK: Martin Crist motioned for the Board to take a break at 9:55 a.m. John Munden seconded (6-0). The Board resumed meeting at 10:05 a.m.

V. DOCKETS:

1. 2011-02 Joann Miguel RFD South Mountain Mortuary v. David Farlow

Present before the Board were Joann Miguel Responsible Funeral Director of South Mountain Mortuary, Owner/Embalmer Assistant Manuel Villelas III and Embalmer Assistant/Arranger David Hoyer who arrived late. Complainant David Farlow was also present. Complainant David Farlow alleged that respondent David Hoyer and owner were given instructions to carry out the wishes of the deceased. The instructions were specific and contained in a valid Health Care

Power of Attorney document. Following the cremation, complainant discovered that a memorial was being held in Indiana. After contacting the funeral home, complainant was advised that he did not have all of the deceased cremains. Mr. Hoyer admitted that he had divided the cremains and given to a family member. Complainant desires the return of cremains pursuant to decedent's wishes. After deliberation and discussion, Board member Monsignor O'Keeffe motioned to table the docket and have Respondents of South Mountain Mortuary and Complainant David Farlow work together in an honest attempt to recover the cremains. The Board staff will also assist and Executive Director Thomas will oversee the activity. The results and progress of the respondents will be made within thirty days and the Board will then determine what actions if any to take regarding this matter. Motion seconded by Board Member Samuel Bueler. Motion passed 6-0.

2. 2011-06 Charles Espinosa RFD Martinez Funeral Chapels v. Forethought Insurance

Present before the Board were Charles Espinosa Responsible Funeral Director of Martinez Funeral Chapels and Tomas Martinez Funeral Director/Owner. Representative from Forethought Insurance did not participate in the proceedings. Forethought Insurance alleged the funeral home attempted to commit insurance fraud. Following an investigation by the Department of Insurance, the investigation was closed however, indexed for future allegations and possible action. After deliberation and discussion, Board member Monsignor O'Keeffe motioned to dismiss the docket with no violation found. Motion seconded by Board member Samuel Bueler. Motion passed 6-0.

VI. GENERAL

A. Executive Director's Report

1. Executive Director Thomas pursuant to a request by Board Member James Ahearne requested a motion for a letter of Appreciation to Funeral Director Weston Jackson for making the Board aware of possible violations at Robert Hollands Funeral Home. Board Member James Ahearne motion, seconded by Monsignor O'Keeffe second. Motion passed 6-0.
2. Executive Director Thomas informed the Board that auditors would be present during meetings to ensure no violations of the Open Meetings Law. Additionally, inspections are being conducted to meet statutory mandates for inspections of establishments. Board will be kept apprised of the reports and status of the review.

VII. ADJOURN

There being no other business, Martin Crist moved to adjourn at 10:25 a.m. John Munden seconded the motion (6-0).

2011 BOARD MEETING SCHEDULE

JANUARY 18, 2011
FEBRUARY 15, 2011
MARCH 15, 2011
APRIL 19, 2011

MAY 17, 2011
JUNE 21, 2011
JULY 19, 2011
AUGUST 16, 2011
TELECONF.

SEPTEMBER 20, 2011
OCTOBER 18, 2011
NOVEMBER 15, 2011
DECEMBER 20, 2011

Rodolfo Thomas
Executive Director

APPROVED BY:

Monsignor O’Keeffe, Member

John Munden, Secretary

James Ahearne, Member

Samuel Bueler, Member

Martin Crist, Member

Kristina Dyrr, Member