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COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF STATE
BUREAU OF PROFESSIONAL AND OCCUPATIONAL AFFAIRS

F I N A L M I N U T E S

MEETING OF:

STATE BOARD OF FUNERAL DIRECTORS

TIME: 10:44 A.M.

PENNSYLVANIA DEPARTMENT OF STATE
Board Room C
One Penn Center
2601 North Third Street
Harrisburg, Pennsylvania 17110

April 12, 2018

1 State Board of Funeral Directors

2 April 12, 2018

3 ***

4 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
5 9:30 a.m. the Board entered into Executive Session
6 with Wesley J. Rish, Esquire, Board Counsel, for the
7 purpose of conducting quasi-judicial deliberations and
8 to receive legal advice. The Board entered into
9 public session at 10:30 a.m.]

10 ***

11 The regularly scheduled meeting of the State
12 Board of Funeral Directors was held on Thursday, April
13 12, 2018. William G. Harris, Professional Member,
14 Chairman, called the meeting to order at 10:44 a.m.
15 The Pledge of Allegiance was recited. Roll call was
16 taken. A quorum was noted to be present.

17 ***

18 [Heidy M. Weirich, Board Administrator, reviewed the
19 emergency evacuation procedures for One Penn Center.]

20 ***

21 Approval of Minutes of the February 28, 2018 meeting

22 CHAIRMAN HARRIS:

23 We will move on the agenda to No. 1,
24 which would be approval of the Minutes
25 for the February 28, 2018 meeting. I'll

1 give you a second if you need to review
2 them.

3 If there are no changes, I would
4 make a motion to approve those. Do I
5 have a second?

6 MS. RODRIGUEZ:

7 Second.

8 CHAIRMAN HARRIS.

9 We have a motion and a second. All in
10 favor, signify by saying aye.

11 [The motion carried unanimously.]

12 ***

13 Report of Board Counsel

14 [Wesley J. Rish, Esquire, Board Counsel, noted matters
15 of discussion during Executive Session from 9:30 a.m.
16 to 10:30 a.m. to include agenda items 2 through 4
17 inclusive, items 6 through 13 inclusive, and items 16,
18 17 and 18.]

19 ***

20 Report of Prosecutorial Division

21 [Dean F. Picarella, Esquire, Board Prosecutor,
22 presented five files under one Consent Agreement,
23 including File No. 15-48-13622; File No. 16-48-00277;
24 File No. 16-48-04245; File No. 16-48-04935; File No
25 16-48-09737.]

1 ***

2 MOTION

3 MR. RISH:

4 Based on discussions in Executive
5 Session, I understand that the Board
6 would entertain a motion approving the
7 Consent Agreement and Order.

8 CHAIRMAN HARRIS:

9 Do we have a motion?

10 MR. KUKUCHKA:

11 So moved.

12 CHAIRMAN HARRIS:

13 Do we have a second?

14 MS. RODRIGUEZ:

15 Second.

16 CHAIRMAN HARRIS:

17 We have a motion and a second. All in
18 favor, signify by saying aye. Any
19 opposed?

20 [The motion carried unanimously. That matter involved
21 Lynn S. Taucher, F.D.]

22 ***

23 [Timothy A. Fritsch, Esquire, Board Prosecution
24 Liaison, presented a Consent Agreement for File No.
25 16-48-01020 and File No. 16-48-01045.]

1 ***

2 MOTION

3 MR. RISH:

4 As there were no questions from the
5 Board, based upon discussions in
6 Executive Session, I understand that the
7 Board would entertain a motion approving
8 the Consent Agreement and Order.

9 CHAIRMAN HARRIS:

10 Do I hear a motion?

11 MR. KUKUCHKA:

12 So moved.

13 CHAIRMAN HARRIS:

14 Do we have a second?

15 MS. MAITLAND:

16 Second.

17 CHAIRMAN HARRIS:

18 We have a motion and a second. All in
19 favor, signify by saying aye. Any
20 opposed?

21 [The motion carried unanimously. That matter involved
22 Pre-Need Family Services, Eastern Region, Inc.]

23 ***

24 [Timothy A. Fritsch, Esquire, Board Prosecution
25 Liaison, presented a Consent Agreement for File No.

1 17-48-11067.]

2

3 MOTION

4 MR. RISH:

5

As there were no questions, I understand

6

based upon discussions in Executive

7

Session, the Board would accept a motion

8

to adopt the Consent Agreement and

9

Order.

10 CHAIRMAN HARRIS:

11

Do we have a motion on No. 4?

12 MS. RODRIGUEZ:

13

So moved.

14 CHAIRMAN HARRIS:

15

Do we have a second?

16 MR. BURRELL:

17

Second.

18 CHAIRMAN HARRIS:

19

We have a motion and a second. All in

20

favor, signify by saying aye. Anyone

21

opposed?

22 [The motion carried unanimously. That matter involves

23 Ross G. Walker III, F.D.]

24

25 Report of Board Counsel (Continued)

1 [Wesley J. Rish, Esquire, Board Counsel, referred
2 Board members to the April 2018 Status of Cases.]

3 ***

4 MOTIONS

5 MR. RISH:

6 The first matter I have for the Board's
7 consideration is Item No. 6. It is a
8 Motion to Deem Facts Admitted and Entry
9 of Default in the matter of Commonwealth
10 of Pennsylvania, Bureau of Professional
11 and Occupational Affairs vs. Vincent N.
12 Baker. F.D. & Baker Funeral Home, Ltd.,
13 File No. 16-48-05602 and File No. 17-48-
14 00364.

15 Based upon the Board's discussions
16 in Executive Session, I understand that
17 the Board would entertain a motion
18 granting the Motion to Deem Facts
19 Admitted.

20 CHAIRMAN HARRIS:

21 Do we have a motion?

22 MS. MAITLAND:

23 So moved.

24 CHAIRMAN HARRIS:

25 Do we have a second?

1 MS. RODRIGUEZ:

2 Second.

3 CHAIRMAN HARRIS:

4 We have a motion and a second. All in
5 favor, signify by saying aye. Any
6 opposed?

7 [The motion carried unanimously.]

8 ***

9 MR. RISH:

10 The next matter for the Board's
11 consideration is Item No. 7, the
12 Commonwealth of Pennsylvania, Bureau of
13 Professional and Occupational Affairs
14 vs. Joseph A. Fantasia, F.D., File No.
15 17-48-11199. This is also a Motion to
16 Deem Facts Admitted and Entry of
17 Default.

18 Based upon discussions in Executive
19 Session, I understand that the Board
20 would entertain a motion granting the
21 Motion to Deem Facts Admitted.

22 CHAIRMAN HARRIS:

23 Do we have a motion on that one?

24 MR. BURRELL:

25 So moved.

1 CHAIRMAN HARRIS:

2 Do we have a second? I'll make that
3 second.

4 CHAIRMAN HARRIS:

5 We have a motion and a second. All in
6 favor, signify by saying aye. Anyone
7 opposed?

8 [The motion carried unanimously.]

9 ***

10 MR. RISH:

11 Item No. 8 is also a Motion to Deem
12 Facts Admitted and Entry of Default.
13 This is the matter of Commonwealth of
14 Pennsylvania, Bureau of Professional and
15 Occupational Affairs vs. William H.
16 Sweeny Jr., F.D.

17 Based upon discussions in Executive
18 Session, I understand the Board would
19 entertain a motion granting the Motion
20 to Deem Facts Admitted.

21 CHAIRMAN HARRIS:

22 Do we have a motion on No.8?

23 MS. RODRIGUEZ:

24 So moved.

25 CHAIRMAN HARRIS:

1 Do we have a second?

2 MS. MAITLAND:

3 Second.

4 CHAIRMAN HARRIS:

5 We have a motion and a second. All in
6 favor, signify by saying aye. Anyone
7 opposed?

8 [The motion carried unanimously.]

9 ***

10 MR. RISH:

11 The next matter for the Board's
12 consideration is Item No. 9 on the
13 agenda. This is Commonwealth of
14 Pennsylvania, Bureau of Professional and
15 Occupational Affairs vs. Daniel K.
16 O'Donnell, F.D., File No. 16-48-02453.
17 This was a proposed Adjudication and
18 Order from the Hearing Examiner.

19 Based upon discussions in Executive
20 Session, I understand the Board would
21 entertain a motion adopting the proposed
22 Adjudication and Order as the final
23 order of the Board.

24 CHAIRMAN HARRIS:

25 I would make a motion to approve. Do we

1 have a second?

2 MS. MAITLAND:

3 Second.

4 CHAIRMAN HARRIS:

5 We have a motion and a second. All in
6 favor, signify by saying aye. Anyone
7 opposed?

8 [The motion carried unanimously.]

9 ***

10 MR. RISH:

11 The next matter is Item No. 10. This is
12 in the Matter of the Funeral Intern
13 Application of Michael L. Shuman.

14 Based upon discussions in Executive
15 Session, I understand the Board would
16 entertain a motion adopting the final
17 Adjudication and Order.

18 CHAIRMAN HARRIS:

19 Do we have a motion on that matter?

20 MR. BURRELL:

21 So moved.

22 CHAIRMAN HARRIS:

23 Do we have a second?

24 MR. KUKUCHKA:

25 Second.

1 CHAIRMAN HARRIS:

2 We have a motion and a second. All in
3 favor, signify by saying aye. Anyone
4 opposed to that?

5 [The motion carried unanimously.]

6 ***

7 MR. RISH:

8 The next matter is Item No. 11,
9 Commonwealth of Pennsylvania, Bureau of
10 Professional and Occupational Affairs
11 vs. Michael George McCleary, F.D., File
12 No. 16-48-10815. It is a final
13 Adjudication and Order for the Board's
14 consideration.

15 Based upon discussions in Executive
16 Session, I understand the Board would
17 entertain a motion adopting the final
18 Adjudication and Order.

19 CHAIRMAN HARRIS:

20 Do we have a motion on No. 11?

21 MS. RODRIGUEZ:

22 So moved.

23 CHAIRMAN HARRIS:

24 Do we have a second?

25 MS. MAITLAND:

1 Second.

2 CHAIRMAN HARRIS:

3 We have a motion and a second. All in
4 favor, signify by saying aye. Anybody
5 opposed?

6 [The motion carried unanimously.]

7 ***

8 MR. RISH:

9 Item No. 12 is also a Final Adjudication
10 and Order for the Board's consideration.
11 This is the matter of Commonwealth of
12 Pennsylvania, Bureau of Professional and
13 Occupational Affairs vs. Leychawne D.
14 Johns and Johns Funeral Home, LLC, File
15 No. 15-48-12674.

16 Based upon discussions in Executive
17 Session, I understand that the Board
18 would entertain a motion adopting the
19 final Adjudication and Order.

20 CHAIRMAN HARRIS:

21 Do we have a motion on No. 12?

22 MS. RODRIGUEZ:

23 So moved.

24 CHAIRMAN HARRIS:

25 Do we have a second?

1 MS. MAITLAND:

2 Second.

3 CHAIRMAN HARRIS:

4 We have a motion and a second. All in
5 favor, signify by saying aye. Anyone
6 opposed to No. 12?

7 [The motion carried unanimously.]

8 ***

9 MR. RISH:

10 The next matter was Item No. 13 on the
11 Board's Agenda. This is also a Final
12 Adjudication and Order for the Board's
13 consideration. It is in the Matter of
14 the Application for a Funeral Trainee
15 License of Leychawne D. Johns.

16 Based upon discussions in Executive
17 Session, I understand the Board would
18 entertain a motion adopting the final
19 Adjudication and Order.

20 CHAIRMAN HARRIS:

21 Do we have a motion on No. 13?

22 MS. RODRIGUEZ:

23 So moved.

24 MR. BURRELL:

25 Second.

1 CHAIRMAN HARRIS:

2 We have a motion and a second. All in
3 favor, signify by saying aye. Anyone
4 opposed?

5 [The motion carried unanimously.]

6 ***

7 Miscellaneous

8 [Mr. Rish discussed the status of a potential
9 agreement with the State of New York regarding a
10 limited license and the possibility of Pennsylvania
11 granting reciprocal licensure to duly licensed New
12 York funeral directors. He noted that Section 9(b) of
13 the Funeral Director Law permits the Board to grant
14 reciprocal licenses if the applicant's standards and
15 qualifications for licensing are at least as high as
16 Pennsylvania's.

17 Mr. Rish noted the requirement in Pennsylvania
18 for 60 college credits in addition to mortuary school.
19 He contacted Mr. Fuller and explained the inability of
20 Pennsylvania's Board of Funeral Directors to grant
21 reciprocity to New York-licensed funeral directors but
22 did discuss the possibility of entering into an
23 agreement with New York to allow for a limited
24 license.

25 Mr. Rish will continue to follow up with Mr.

1 Fuller on the matter and attempt to reach some type of
2 agreement for limited licensure with New York.]

3

4 [Mr. Rish discussed the appointment by the Chairman of
5 a single member Probable Cause Screening Committee.
6 He referred to Act 6 signed by Governor Wolf that
7 authorizes the immediate temporary suspension of any
8 license for a licensee who presents as an immediate
9 and clear danger to public health safety. A petition
10 for an immediate temporary suspension would be
11 forwarded to the Probable Cause member to determine
12 whether evidence exists to support the petition and,
13 if so, to grant that order.

14 Mr. Rish explained that the Probable Cause
15 Screening Committee member would have to recuse
16 themselves with respect to all future consideration by
17 the Board on the matter.

18 Chairman Harris stated Greg Burrell expressed an
19 interest to serve. Mr. Burrell was appointed to serve
20 in that capacity on behalf of the Board.]

21

22 Report of Commissioner - No Report

23

24 Report of Board Chairman - No Report

25

1 Report of Board Administrator - No Report

2 ***

3 Items for Discussion

4 MOTIONS

5 MR. RISH:

6 Item No. 16 is the Application for
7 outside employment as a funeral
8 supervisor of Cassandra M. Brigham.

9 Based upon discussions in Executive
10 Session, I understand that the Board
11 would entertain a motion approving the
12 application.

13 MR. KUKUCHKA:

14 So moved.

15 CHAIRMAN HARRIS:

16 We have a motion. Do we have a second?

17 MS. MAITLAND:

18 Second.

19 CHAIRMAN HARRIS:

20 We have a motion and a second. All in
21 favor, signify by saying aye. Any
22 opposed?

23 [The motion carried unanimously.]

24 ***

25 MR. RISH:

1 MR. KUKUCHKA:

2 We have two more to add along with
3 Selected Independent Funeral Homes. One
4 is from Kates-Boylston Publications, May
5 4, 2018. It's a Cremation Innovation
6 Summit. We are going to approve that
7 for 5.75 hours.

8 The other is from the National
9 Funeral Directors Association for an
10 Embalming & Restorative Art Seminar in
11 Pittsburgh May 17 and 18, 2018, for 9.75
12 CE hours. We will add those two to the
13 ones that we've approved from Selected
14 Independent Funeral Homes.

15 CHAIRMAN HARRIS:

16 You're making a motion to approve those?

17 MR. KUKUCHKA:

18 Yes, sir.

19 CHAIRMAN HARRIS:

20 I will second that. We have a motion
21 and a second. All in favor, signify by
22 saying aye. Any opposed?

23 [The motion carried unanimously.]

24 ***

25 Next Meeting Date

1 [Chairman Harris thanked everyone in attendance and
2 noted the next Board of Funeral Directors Meeting to
3 be on May 16, 2018.]

4 ***

5 Adjournment

6 CHAIRMAN HARRIS:

7 Motion to adjourn?

8 MR. KUKUCHKA:

9 Motion to adjourn.

10 CHAIRMAN HARRIS:

11 Do we have a second?

12 MS. MAITLAND:

13 Second.

14 CHAIRMAN HARRIS:

15 Thank you. We have a motion and a
16 second.

17 [The motion carried unanimously.]

18 ***

19 [There being no further business, the State Board of
20 Funeral Directors Meeting adjourned at 11:12 a.m.]

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CERTIFICATE

I hereby certify that the foregoing summary minutes of the State Board of Funeral Directors meeting, was reduced to writing by me or under my supervision, and that the minutes accurately summarize the substance of the State Board of Funeral Directors meeting.



Haley J. Neumeister,

Minute Clerk

Sargent's Court Reporting
Service, Inc.

STATE BOARD OF FUNERAL DIRECTORS
REFERENCE INDEX
April 12, 2018

	TIME	AGENDA
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2		
3		
4		
5		
6		
7	9:30	Executive Session
8	10:30	Return to Open Session
9		
10	10:44	Official Call to Order/Pledge of
11		Allegiance
12		
13	10:45	Roll Call
14		
15	10:46	Approval of Minutes
16		
17	10:47	Report of Board Counsel
18		
19	10:48	Report of Prosecutorial Division
20		
21	10:48	Motions
22		
23	11:02	Miscellaneous
24		
25	11:08	Items for Discussion
26		
27	11:10	Continuing Education Report
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29	11:12	Adjournment
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