

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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: 10:17 A.M.

PENNSYLVANIA DEPARTMENT OF STATE  
Pennsylvania Institute  
of Mortuary Science  
5808 Baum Boulevard  
Pittsburgh, Pennsylvania 15206

November 8, 2017

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28  
29  
30  
31  
32  
33  
34  
35  
36  
37  
38  
39  
40  
41  
42  
43  
44  
45  
46  
47  
48  
49  
50

State Board of Funeral Directors  
August 16, 2017

BOARD MEMBERS:

William G. Harris, Professional Member, Chairman  
Milian Rodriguez, Professional Member, Vice Chairman  
Reynolds Baldwin, Public Member, Secretary - Absent  
Ian J. Harlow, Commissioner of Professional and  
Occupational Affairs  
Gregory Burrell, Professional Member  
Jennifer Thomson, Esquire, Deputy Attorney General,  
Bureau of Consumer Protection Representative  
Thomas Kukuchka, Professional Member  
Robert Neely, Professional Member

BUREAU PERSONNEL:

Wesley Rish, Esquire, Board Counsel  
Timothy A. Fritsch, Esquire, Board Prosecution Liaison

ALSO PRESENT:

Stephanie Doriguzzi, President-Elect of the  
Pennsylvania Funeral Directors Association  
Students and Faculty of the Institute of Mortuary  
Science

1 \*\*\*

2 State Board of Funeral Directors

3 November 8, 2017

4 \*\*\*

5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at  
6 8:30 a.m. the Board entered into Executive Session  
7 with Wesley Rish, Esquire, Board Counsel, for the  
8 purpose of conducting quasi-judicial deliberations and  
9 to conduct attorney/client consultations. The Board  
10 entered into public session at 9:45 a.m.]

11 \*\*\*

12 The regularly scheduled meeting of the State  
13 Board of Funeral Directors was held on Wednesday,  
14 November 8, 2017. William G. Harris, Professional  
15 Member, Chairman, called the meeting to order at 10:17  
16 a.m.

17 \*\*\*

18 MR. RISH:

19 The State Board of Funeral Directors held  
20 an Executive Session to conduct quasi-  
21 judicial deliberations from 8:30 a.m. to  
22 approximately 9:45 a.m. to talk about  
23 items on the agenda. They talked about  
24 items 2 through 7, number 10, 11, and 12  
25 through 16.

1 \*\*\*

2 Approval of Minutes of the August 16, 2017 meeting

3 CHAIRMAN HARRIS:

4 We will now move on with the approval of  
5 the Minutes from August 16, 2017. I  
6 believe the Board members have had a  
7 chance to review them. Unless there are  
8 any changes, I would look for a motion  
9 to approve those Minutes.

10 MR. BURRELL:

11 So moved.

12 MR. RODRIGUEZ:

13 Second.

14 CHAIRMAN HARRIS:

15 We have a motion and a second. All in  
16 favor, signify by saying aye.

17 [The motion carried unanimously.]

18 \*\*\*

19 Report of Prosecutorial Division

20 [Timothy Fritsch, Esquire, Board Prosecution Liaison,  
21 explained the Prosecutorial Division process.]

22  
23 [Timothy Fritsch, Esquire, Board Prosecution Liaison,  
24 on behalf of Steven A. Mimm, Esquire, Board  
25 Prosecutor, presented a Consent Agreement for File No.

1 17-48-06447.]

2 \*\*\*

3 MOTIONS

4 MR. RISH:

5 Based upon discussions in Executive  
6 Session, I would recommend a motion  
7 approving the Consent Agreement and  
8 Order at Item No. 2, File No. 17-48-  
9 06447.

10 MR. BURRELL:

11 So moved.

12 CHAIRMAN HARRIS:

13 We're going to vote at this time. We  
14 have a motion. Do we have a second?

15 MR. KUKUCHKA:

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. The Respondent's  
22 name is J. Robert Varner, F.D.]

23 \*\*\*

24 MR. FRITSCH:

25 The next item is Item No. 3 on the

1 agenda. It's File No. 17-48-06660.  
2 This is also a continuing education  
3 case. This individual is a licensed  
4 funeral director who has been licensed  
5 since 1985.

6 It's basically the same facts as  
7 the previous case except this individual  
8 was 1-hour short when they were audited,  
9 so this has a \$200 civil penalty and  
10 making up the one credit within six  
11 months. Any questions on this consent  
12 agreement?

13 MR. RISH:

14 Based upon discussions in Executive  
15 Session, I would recommend a motion  
16 approving the Consent Agreement and  
17 Order at Item No. 3, File No. 17-48-  
18 06660.

19 CHAIRMAN HARRIS:

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

21 MS. RODRIGUEZ:

22 Second.

23 CHAIRMAN HARRIS:

24 We have a motion and a second. All in  
25 favor, signify by saying aye? Any





1 48-06686.

2 MR. NEELY:

3 So moved.

4 CHAIRMAN HARRIS:

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

6 MR. BURRELL:

7 Second.

8 CHAIRMAN HARRIS:

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

12 [The motion carried unanimously. The Respondent's  
13 name is Nicholas R. Bellich, F.D.]

14 \*\*\*

15 MR. FRITSCH:

16 Finally, No. 6 on the agenda, File No.  
17 16-48-13023. This matter involves a  
18 funeral establishment, which holds a  
19 sole proprietor license in the  
20 Commonwealth and has since 2010.

21 This is a lapsed license case. The  
22 licensed was lapsed between February  
23 2012 and November 2016. During that  
24 period, his funeral status remained  
25 providing funeral goods and services on

1 12 occasions.

2 They have since reactivated their  
3 license. This agreement was an amended  
4 agreement previously presented to the  
5 Board. The previous agreement had a  
6 \$1,000 civil penalty and cost of  
7 investigation in the amount of \$530.37.

8 That agreement was rejected by the  
9 Board as being too lenient, so this  
10 agreement added an additional \$1000 to  
11 the civil penalty for a total of \$2,000  
12 in addition to the cost of  
13 investigation. That amount has already  
14 been sent in by this funeral  
15 establishment. Are there any questions  
16 on this one?

17 MR. RISH:

18 Based upon discussions in Executive  
19 Session, I would recommend a motion  
20 approving the Consent Agreement and  
21 Order at Item No. 6 of the agenda, File  
22 No. 16-48-13023.

23 MS. RODRIGUEZ:

24 So moved.

25 CHAIRMAN HARRIS:

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

2 MR. BURRELL:

3 Second.

4 CHAIRMAN HARRIS:

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

8 [The motion carried unanimously. The Respondent's  
9 name is Rigby Funeral Home.]

10 \*\*\*

11 Report of Board Counsel

12 [Wesley Rish, Esquire, Board Counsel, reviewed his  
13 position as legal Counsel for the Board.

14 Mr. Rish referred Board Members to the Status of  
15 Cases for November 2017 and Status of Regulations for  
16 November 2017 for its review.

17 Mr. Rish noted Item No. 9, File No. 17-48-06448,  
18 Docket No. 1356-48-17.]

19 \*\*\*

20 MR. RISH:

21 Based upon discussions in Executive  
22 Session, I would recommend a motion  
23 delegating this matter to a Hearing  
24 Examiner to issue a Proposed  
25 Adjudication and Order.

1 MR. KUKUCHKA:

2 So moved.

3 CHAIRMAN HARRIS:

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

5 MS. RODRIGUEZ:

6 Second.

7 CHAIRMAN HARRIS:

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

11 [The motion carried unanimously.]

12 \*\*\*

13 Report of Commissioner

14 [Ian J. Harlow, Commissioner of Professional and  
15 Occupational Affairs, reviewed his responsibility to  
16 oversee 29 licensing Boards with the main objective of  
17 serving and protecting the public.

18 Commissioner Harlow updated the Board on  
19 information technology (IT) infrastructure called the  
20 Pennsylvania Licensing System (PALS) and requested  
21 feedback from the Board in relation to any problems  
22 with the system. He noted that licensees fund the \$58  
23 million budget.

24 Commissioner Harlow reviewed his work with the  
25 Governor's office regarding public members and

1 explained the process for becoming a Licensing Board  
2 member. He also answered questions from Board members  
3 regarding licensing fees and salaries.

4 Commissioner Harlow addressed the new Executive  
5 Order issued by Governor Wolf to compare our types of  
6 licensing, processing fees, and continuing education  
7 to other jurisdictions. A report will be issued in  
8 the summer of 2018 to the Governor and the Boards.]

9

\*\*\*

10 Report of Board Chairman

11 [William G. Harris, Professional Member, Chairman,  
12 noted his appreciation of Board members, Counsel, and  
13 the Commissioner.

14 Commissioner Harlow discussed the procedure to  
15 change regulations and laws.

16 Chairman Harris again mentioned that Board  
17 Administrator Heidy Weirich's mother is very ill and  
18 wished her and her family well.]

19

\*\*\*

20 Report of Board Administrator - No Report

21

\*\*\*

22 MR. RISH:

23 The next item is Item No. 10, the  
24 Application for a Funeral Trainee,  
25 Katoya Aisha Jones. This is on the

1 agenda because Ms. Jones was convicted  
2 of conspiracy to commit third-degree  
3 murder and robbery in 2009, for which  
4 she was sentenced to three years  
5 imprisonment and two years' probation.

6 Based upon discussions in Executive  
7 Session, I would recommend a motion  
8 provisionally denying the application.

9 MR. BURRELL:

10 So moved.

11 CHAIRMAN HARRIS:

12 We have a motion by Greg Burrell. Do we  
13 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.]

21 \*\*\*

22 Continuing Education Report

23 [Chairman Harris discussed the review of the following  
24 continuing education applications: Kates-Boylston  
25 Publications, The Dodge Institute for Advanced

1 Mortuary Studies/The Dodge Company, Preferred Funeral  
2 Directors International, Allegheny County Funeral  
3 Directors Association, and Selected Independent  
4 Funeral Homes Seminars.]

5 CHAIRMAN HARRIS:

6 I would make a motion that we accept all  
7 of these for continuing education and  
8 will need a second.

9 MR. BURRELL:

10 Second.

11 CHAIRMAN HARRIS:

12 We have a motion and a second. All in  
13 favor, signify by saying aye? Any  
14 opposed?

15 [The motion carried unanimously.]

16 \*\*\*

17 [Thomas Kukuchka, Professional Member, cautioned the  
18 Board to make sure their child abuse course is  
19 approved by the Department of Health and given by an  
20 approved provider.

21 Mr. Rish noted a link on the Board's website to  
22 the Department of Human Services for a listing of  
23 approved child abuse course providers and the  
24 importance of completing that course for renewal.]

25 \*\*\*

1 Discussion

2 [The Board answered questions from the students in the  
3 audience. There was a discussion relating to the  
4 separate licenses for becoming a funeral director and  
5 embalmer in Pennsylvania, as well as the benefits of a  
6 full license and training.

7 Mr. Rish explained the process for the Board to  
8 pursue legislative changes. Mr. Rish stated the  
9 Board's responsibility is to enforce the Funeral  
10 Director Law.

11 There was a discussion regarding the new online  
12 computer service for the selling of premature funeral  
13 funds, as well as the misappropriation of funds and  
14 the reactivation process.

15 Licensing requirements in Pennsylvania were also  
16 discussed in comparison to other states. Death  
17 certificate fee increases were noted.

18 There was a discussion relating to the future  
19 regarding cremation and traditional funerals. Hard  
20 work, passion, focus, employee appreciation,  
21 expectations, experience, and opportunity were  
22 discussed.

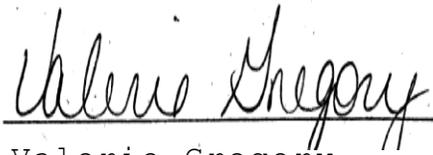
23 Mr. Rish addressed a restricted business  
24 corporation. Mr. Fritsch discussed the importance of  
25 written permission and confirmation to avoid



1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25

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.



Valerie Gregory,

Minute Clerk

Sargent's Court Reporting  
Service, Inc.

STATE BOARD OF FUNERAL DIRECTORS  
REFERENCE INDEX  
August 16, 2017

	TIME	AGENDA
1		
2		
3		
4		
5		
6		
7		
8	8:30	Executive Session
9	9:45	Return to Open Session
10		
11	10:17	Official Call to Order/Pledge of
12		Allegiance
13		
14	00:00	Roll Call
15		
16	00:00	Approval of Minutes
17		
18	00:00	Report of Prosecutorial Division
19		
20	00:00	Motions
21		
22	00:00	Report of Board Counsel
23		
24	00:00	Report of Commissioner
25		
26	00:00	Report of Chairperson
27		
28	00:00	Continuing Education Report
29		
30	00:00	Discussion
31		
32	12:21	Adjournment
33		
34		
35		
36		
37		
38		
39		
40		
41		
42		
43		
44		
45		
46		
47		
48		
49		
50		