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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: 10:47 A.M.

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

August 16, 2017

1 ***

2 State Board of Funeral Directors

3 August 16, 2017

4 ***

5 [Pursuant to Section 708(a)(5) of the Sunshine Act, at
6 9:30 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 10:40 a.m.]

11 ***

12 The regularly scheduled meeting of the State Board of
13 Funeral Directors was held on Wednesday, August 16,
14 2017. William G. Harris, Professional Member,
15 Chairman, called the meeting to order at 10:47 a.m.
16 The Pledge of Allegiance was recited. Roll call was
17 taken. A quorum was noted to be present.

18 ***

19 [Chairman Harris welcomed the Board's newest member,
20 Sharon Maitland, Esquire, Office of Attorney General,
21 Bureau of Consumer Protection Representative.]

22 ***

23 Evacuation Announcement

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

1 ***

2 MR. RISH:

3 The State Board of Funeral Directors
4 held an Executive Session to conduct
5 quasi-judicial deliberations from 9:30
6 a.m. to approximately 10:40 a.m. to
7 discuss items 2 through 6 inclusive on
8 the agenda, as well as items 9 through
9 11; items 12, 13, 14, 15 and 16 through
10 18.

11 ***

12 Approval of Minutes of the May 24, 2017 meeting

13 CHAIRMAN HARRIS:

14 At this time, we'll begin with the
15 approval of the Minutes of May 24, 2017
16 meeting. If there are no changes or
17 alterations, I would ask for a motion to
18 approve those minutes.

19 MR. NEELY:

20 So moved.

21 CHAIRMAN HARRIS:

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

23 MR. BALDWIN:

24 Second.

25 CHAIRMAN HARRIS:

1 All in favor, signify by saying aye.

2 Motion carries. Thank you.

3 [The motion carried unanimously.]

4 ***

5 Report of Prosecutorial Division

6 [Kenneth Suter, Esquire, Board Prosecutor, presented

7 Consent Agreements and Orders for File No.

8 17-48-06535, File No. 17-48-06536, File No.

9 17-48-06668, File No. 16-48-13023, and File No. 15-48-
10 12709.]

11 ***

12 Report of Board Counsel

13 [Wesley Rish, Esquire, Board Counsel, recommended

14 motions with regard to the proposed Consent Agreements

15 and Orders discussed during Executive Session.]

16 ***

17 MOTIONS

18 MR. RISH:

19 The first matter is Item Number 2 on

20 the Board's agenda, File No.

21 17-48-06535.

22 Based upon discussions in Executive

23 Session, I would recommend a motion

24 approving the Consent Agreement and

25 Order.

1 CHAIRMAN HARRIS:

2 Do we have a motion?

3 MS. RODRIGUEZ:

4 So moved.

5 CHAIRMAN HARRIS:

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

7 MR. BALDWIN:

8 Second.

9 CHAIRMAN HARRIS:

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

13 [The motion carried unanimously. The Respondent's
14 name is Lydia Pelzer Kirkland, F.D.]

15 ***

16 MR. RISH:

17 The next matter is Item Number 3. It's
18 File No. 17-48-06536.

19 Based upon discussions in Executive
20 Session, I would recommend a motion
21 approving the Consent Agreement and
22 Order.

23 MR. NEELY:

24 So moved.

25 CHAIRMAN HARRIS:

1 Motion and a second. All in
2 favor, signify by saying aye. Any
3 opposition?

4 [The motion carried unanimously. The Respondent's
5 name is C. Frederick Bowser, F.D.]

6 ***

7 MR. RISH:

8 The next matter is Item Number 5. It's
9 File No. 16-48-13023.

10 Based upon discussions in Executive
11 Session, I would recommend a motion
12 rejecting the Consent Agreement as too
13 lenient.

14 MR. BALWIN:

15 So moved.

16 CHAIRMAN HARRIS:

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

18 MR. NEELY:

19 Second.

20 CHAIRMAN HARRIS:

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

24 [The motion carried unanimously.]

25 ***

1 MR. RISH:

2 The next matter is Item Number 6. It's
3 File No. 15-48-12709.

4 Based upon discussions in Executive
5 Session, I would recommend a motion
6 approving the Consent Agreement and
7 Order.

8 CHAIRMAN HARRIS:

9 I will make that motion as Chairman.
10 Do we have a second?

11 MR. NEELY:

12 Second.

13 CHAIRMAN HARRIS:

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

17 [The motion carried unanimously. The Respondent's
18 name is James Kelly Funeral Home.]

19 ***

20 [Wesley Rish, Board Counsel, referred Board members to
21 the Status of Cases for August 2017 and Status of
22 Regulations for August 2017 for its review. A short
23 meeting to discuss the regulations will be held
24 immediately following the public meeting. He invited
25 members of the public to join the meeting.]

1 ***

2 MR. RISH:

3 The next matters I have are actually
4 Items 9 through 11 inclusive.

5 Based upon discussions in Executive
6 Session, I would recommend a motion
7 delegating to a Hearing Examiner the
8 matters of Commonwealth of
9 Pennsylvania, Bureau of Professional
10 and Occupational Affairs vs. Brian
11 Arthur Strauch, File No. 15-48-11972;
12 the matter of Commonwealth of
13 Pennsylvania, Bureau of Professional
14 and Occupational Affairs vs.
15 Pennsylvania Cremation Services, LLC,
16 File No. 15-48-11963; and Commonwealth
17 of Pennsylvania, Bureau of Professional
18 and Occupational Affairs vs.
19 Pennsylvania Cremation Society, File
20 No. 15-48-11962.

21 CHAIRMAN HARRIS:

22 Do we have a motion?

23 MS. RODRIGUEZ:

24 So moved.

25 CHAIRMAN HARRIS:

1 We have a motion. 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. Any
7 opposed?

8 [The motion carried unanimously.]

9 ***

10 MR. RISH:

11 The next matter is Item Number 12.
12 It's the Commonwealth of Pennsylvania,
13 Bureau of Professional and Occupational
14 Affairs vs. Robert C. Klimke, File No.
15 17-48-06534.

16 Based upon discussions in Executive
17 Session, I would recommend a motion
18 granting the Motion to Deem Facts
19 Admitted.

20 CHAIRMAN HARRIS:

21 Do we have a motion?

22 MR. NEELY:

23 So moved.

24 CHAIRMAN HARRIS:

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

1 MS. RODRIGUEZ:

2 Second.

3 CHAIRMAN HARRIS:

4 Motion and a second. All in
5 favor, signify by saying aye. Any
6 opposed? If not, motion carries.
7 Thank you.

8 [The motion carried unanimously.]

9 ***

10 MR. RISH:

11 The next matter is Item Number 13.
12 It's the application of Johns Funeral
13 Service, LLC.

14 Based upon discussions in Executive
15 Session, I would recommend a motion
16 provisionally denying the application.

17 MS. MAITLAND:

18 So moved.

19 CHAIRMAN HARRIS:

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

21 MR. NEELY:

22 Second.

23 CHAIRMAN HARRIS:

24 Motion and a second. All in
25 favor, signify by saying aye. Any

1 opposed?

2 [The motion carried unanimously.]

3 ***

4 MR. RISH:

5 The next matter is Item 14, which is a
6 ten-day request from the Finegan
7 Funeral Home.

8 Based upon discussions in Executive
9 Session, I would recommend a motion
10 approving the application and directing
11 Board staff to issue a letter to the
12 Finegan Funeral Home regarding the
13 ten-day requirement.

14 MR. BALDWIN:

15 So moved.

16 CHAIRMAN HARRIS:

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

18 MR. NEELY:

19 Second.

20 CHAIRMAN HARRIS:

21 Motion and a second. All in
22 favor, signify by saying aye. Any
23 opposed?

24 [The motion carried unanimously.]

25 ***

1 MR. RISH:

2 The next matter is the application for
3 temporary supervisor submitted by John
4 M. Sunday, F.D.

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

8 MR. BALDWIN:

9 So moved.

10 CHAIRMAN HARRIS:

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

12 MR. NEELY:

13 Second.

14 CHAIRMAN HARRIS:

15 Motion and a second. All in
16 favor, signify by saying aye. Any
17 opposed?

18 [The motion carried unanimously.]

19 ***

20 Report of Commissioner

21 [Ian Harlow, Commissioner of Professional and
22 Occupational Affairs, reported that the PALS project
23 is on schedule and on budget.]

24 ***

25 Report of Board Chairman

1 [William G. Harris, Professional Member, Chairman,
2 announced his reappointment for another five years as
3 Board Chairman.]

4 ***

5 Report of Board Administrator

6 [Heidy M. Weirich, Board Administrator, noted the 2018
7 Funeral Board Meeting dates.]

8 MS. WEIRICH:

9 I'd like a motion to approve them.

10 MR. NEELY:

11 So moved.

12 CHAIRMAN HARRIS:

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

14 MS. RODRIGUEZ:

15 Second.

16 CHAIRMAN HARRIS:

17 Motion and a second. All in
18 favor, signify by saying aye. No
19 opposition.

20 [The motion carried unanimously.]

21 ***

22 MS. WEIRICH:

23 The second matter is for the Board to
24 consider sending myself and possibly
25 another Board member to the 2018 Annual

1 Meeting of the Funeral Conference,
2 which will be held February 27 to March
3 1, 2018, in New Orleans.

4 CHAIRMAN HARRIS:

5 Do we have a motion?

6 MS. RODRIGUEZ:

7 So moved.

8 CHAIRMAN HARRIS:

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

10 MS. MAITLAND:

11 Second.

12 CHAIRMAN HARRIS:

13 Motion and a second. All in
14 favor, signify by saying aye. Any
15 opposed.

16 [The motion carried unanimously.]

17 ***

18 Continuing Education Report

19 [Chairman Harris and Ms. Rodriguez noted their review
20 of the continuing education applications.]

21 CHAIRMAN HARRIS:

22 I would make a motion that we accept
23 those applications from the
24 Pennsylvania Funeral Directors
25 Association (PFDA), the Selected

[There being no further business, the State Board of Funeral Directors meeting adjourned at 11:13 a.m.]

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.



Adam Beck,
Minute Clerk
Sargent's Court Reporting
Service, Inc.

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STATE BOARD OF FUNERAL DIRECTORS
REFERENCE INDEX
August 16, 2017

TIME	AGENDA
9:30	Executive Session
10:40	Return to Open Session
10:47	Official Call to Order/Pledge of Allegiance
10:47	Roll Call
10:49	Evacuation Announcement
10:50	Approval of Minutes
10:50	Report of Prosecutorial Division
11:01	Report of Board Counsel
11:04	Motions
11:07	Report of Commissioner
11:08	Report of Chairperson
11:09	Report of Board Administrator
11:10	Continuing Education Report
11:12	Miscellaneous
11:13	Adjournment

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