

AGENDA

CONNECTICUT BOARD OF EXAMINERS OF EMBALMERS AND FUNERAL DIRECTORS

Thursday, February 4, 2016 at 9:30 AM
Department of Public Health
410 Capitol Avenue, Hartford, CT
Third Floor – Hearing Room

CALL TO ORDER

I. OPEN FORUM

II. MINUTES

Review and approval of the minutes from the December 1, 2015 meeting.

III. DEPARTMENT OF PUBLIC HEALTH UPDATES

Investigations Update

Gary Griffin, Investigations Supervisor, DPH

IV. NEW BUSINESS

V. FACT FINDING

Andre F. Baker, Jr., Embalmer - Petition No. 2012-490

Baker Funeral Services, Inc. - Petition No. 2012-491

ADJOURN

The Department of Public Health is an equal opportunity provider and employer.

*If you require aid/accommodation to participate fully and fairly,
please contact the Public Health Hearing Office at 860-509-7566*

The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on December 1, 2015 at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut in the third floor Hearing Room.

BOARD MEMBERS PRESENT: Darrell L. McClam, Embalmer - Chairman
Gerald Bosak, Jr., Embalmer
Frank W. Carmon, IV, Embalmer
Agnes Pier

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Gary Griffin, Department of Public Health
Jeffrey A. Kardys, Board Liaison
Alfreda Gaither, Hearing Officer

The meeting convened at 9:30 a. m.

I. EXECUTIVE SESSION - PENDING LITIGATION

CHRISTOPHER PANNESE v STATE OF CONNECTICUT; STATE OF CONNECTICUT DEPARTMENT OF PUBLIC HEALTH; CONNECTICUT BOARD OF EXAMINERS OF EMBALMERS AND FUNERAL DIRECTORS, ET AL.

Mr. Bosak made a motion, seconded by Mr. Carmon, to enter executive session to discuss pending litigation, with Assistant Attorney General Kerry Colson, in which Board members have been named as defendants. The motion passed unanimously and the Board entered executive session from 9:31 a.m. until 9:36 a.m. No motions were made and no votes were taken during executive session.

Following executive session Mr. Bosak made a motion, seconded by Mr. McClam, that the Board accept a settlement recommended by Attorney Colson. The motion passed unanimously.

II. MINUTES

The June 2, 2015 minutes were reviewed and approved on a motion by Mr. Carmon, seconded by Mr. Bosak.

III. NEW BUSINESS

A. License Reinstatement Review – Robert Wallace, License #001992

An application for license reinstatement for Robert Wallace was presented by Frank Manna, Office of Practitioner Licensing and Certification.

Ms. Pier made a motion, seconded by Mr. Carmon, to recommend reinstatement of Mr. Wallace's license. The motion passed unanimously.

B. Schedule Meeting Dates for 2016

The following meeting dates have been scheduled for 2016:

February 4, 2016

April 12, 2016

June 2, 2016

September 13, 2016

November 10, 2016

All meetings will be scheduled for 9:30 a.m., at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut.

IV. DEPARTMENT OF PUBLIC HEALTH UPDATES

Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that two cases were dismissed since the June 2015 meeting and five new cases were opened. There are thirteen cases currently in various stages of investigation by the Department.

V. OFFICE OF LICENSURE REGULATION AND COMPLIANCE

Scott DeMarco – Petition No. 2012-1025

All State Cremation and Funeral Care, LLC – Petition No. 2012-1026

Matthew Antonetti, Principal Attorney, DPH presented Consent Orders in the referenced matters. Neither respondent nor his attorney was present.

Ms. Pier made a motion, seconded by Mr. Bosak, to approve the Consent Orders. The motion failed. Following discussion the Board unanimously voted to reject the Consent Orders as written.

Ms. Pier made a motion, seconded by Mr. Bosak, recommending that in addition to the reprimand and six month probation the proposed Consent Order for Mr. DeMarco be modified such that the required coursework include a course pertaining to the rules and regulations established by Federal Trade Commission (FTC) relating to funeral goods and services and that the civil penalty be increased to \$5000.00; and that in addition to the reprimand, the proposed Consent Order for All State Cremation and Funeral Care be modified by increasing the civil penalty to \$5000.00. The motion passed unanimously.

A hearing regarding the Statement of Charges in these matters will be scheduled for February 4, 2016 in the event a Consent Order is not adopted.

VI. ADJOURNMENT

There was no further business and the meeting was adjourned at 10:10 a.m. on a motion by Mr. Bosak, seconded by Ms. Pier.

Respectfully submitted,

Darrell L. McClam - Chairman
Board of Examiners of Embalmers and Funeral Directors