

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on January 28, 2010 at the Department of Public Health Complex, Capitol Avenue, Hartford, Connecticut in Conference Room F on the second floor

BOARD MEMBERS PRESENT: Daniel P. Jowdy, Embalmer
Gerald Bosak, Jr., Embalmer
Peter Hansen, Embalmer
John B. Sterry, Jr.

BOARD MEMBERS ABSENT: James Donohue

ALSO PRESENT: Jeffrey A. Kardys, Board Liaison
Jennifer Filippone, Section Chief, Department of Public Health
Gary Griffin, Department of Public Health

The meeting convened at 9:40 a.m.

I. MINUTES

The minutes from the December 1, 2009 meeting were reviewed. Mr. Bosak made a motion, seconded by Mr. Sterry to approve the minutes. The motion passed unanimously.

II. OPEN FORUM

The Board entertained a question regarding whether there is a requirement for holding rooms for deceased in convalescent homes and a question pertaining to Briarwood College's use of permission slips, signed by families, to allow mortuary students to be involved in the embalming process.

III. CHAIR UPDATES

None

IV. DEPARTMENT OF PUBLIC HEALTH UPDATES

A. Jennifer Filippone, Section Chief, Department of Public Health reported on a meeting attended by Mr. Jowdy and representatives from the Attorney General's Office, Department of Consumer Protection (DOCP) and the Connecticut Funeral Directors Association to discuss pre-need issues. The DOCP oversees pre-need issues with assistance from the Assistant Attorney General. Questions regarding pre-need should be addressed to the DOCP.

B. Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that there are eighteen cases currently in various stages of investigation by the Department. Five additional cases have been referred to the Department's Legal Office for further review.

V. LEGAL OFFICE BUSINESS

A. Jeffrey Meyer, Embalmer – Petition No. 2009-0617-030-006

Diane Wilan, Staff Attorney, Department of Public Health presented a Motion for Summary Suspension in the referenced matter. Jeffrey Meyer was present with Attorney John Droney. Attorney Droney spoke in opposition to the Summary Suspension motion.

Mr. Hansen made a motion, seconded by Mr. Bosak, to deny the Motion for Summary Suspension in that the allegations against Mr. Meyer do not rise to a level of immediate threat to public safety or welfare. The motion passed unanimously.

A hearing on the Statement of Charges in this matter will be scheduled.

B. Edward Toohey, Embalmer – Petition No. 2009-0521-030-002

James T. Toohey and Son Funeral Home – Petition No. 2009-0521-056-001

Diane Wilan, Staff Attorney, Department of Public Health presented a Motion for Summary Suspension in each of the referenced matters. Neither Mr. Toohey nor a representative of the James T. Toohey and Son Funeral Home was present or represented.

Mr. Hansen made a motion, seconded by Mr. Bosak, to deny each Motion for Summary Suspension in that the allegations do not rise to a level of immediate threat to public safety or welfare. The motion passed unanimously.

A hearing on the Statement of Charges in each matter will be scheduled for March 16, 2010.

C. Brain Delton, Embalmer – Petition No. 2009-20091357

Diane Wilan, Staff Attorney, Department of Public Health presented an Interim Consent Order in the referenced matter. Mr. Delton was not present or represented.

Mr. Sterry made a motion, seconded by Mr. Bosak, to approve the Interim Consent Order, which suspends respondent's license until this matter is resolved. The motion passed unanimously.

Mr. Jowdy signed the order.

VI. ADJOURNMENT

There was no further business and the meeting was adjourned at 10:45 a.m.

Respectfully submitted,

Daniel Jowdy, Chairman
Board of Examiners of Embalmers and Funeral Directors

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 June 17, 2010 at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut in Office of Health Care Access Hearing Room on the third floor.

BOARD MEMBERS PRESENT: Daniel P. Jowdy, Embalmer
Gerald Bosak, Jr., Embalmer
James Donohue
Peter Hansen, Embalmer
John B. Sterry, Jr.

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Jeffrey A. Kardys, Board Liaison
Jennifer Filippone, Section Chief, Department of Public Health
Gary Griffin, Department of Public Health

The meeting convened at 9:37 a.m.

I. MINUTES

The minutes from the January 28, 2010 meeting were reviewed. Mr. Hansen made a motion, seconded by Mr. Bosak, to approve the minutes. The motion passed unanimously.

II. CHAIR UPDATES

None

III. DEPARTMENT OF PUBLIC HEALTH UPDATES

A. Jennifer Filippone, Section Chief, Department of Public Health reported on legislation regarding crypt and mausoleum liners. Public Act 10-117 Section 48 requires placing any body entombed in a crypt or mausoleum in a zinc-lined or plastic container (made of acrylonitrile butadiene styrene (ABS)) or, if the cemetery permits, a non-rusting or ABS sheeting tray. The act requires the use of a nationally accepted composite instead of ABS. The use of zinc-lined containers remains unchanged under the act.

B. Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that there are seventeen cases currently in various stages of investigation by the Department. Fourteen additional cases have been referred to the Department's Legal Office for further review.

IV. NEW BUSINESS

Edward G. Conway - Request for approval of employment pursuant to § 20-211-17

Mr. Sterry made a motion, seconded by Mr. Bosak, to approve Mr. Conway's request to engage in other employment while working as an apprentice embalmer. The motion passed unanimously.

V. LEGAL OFFICE BUSINESS

A. Edward Toohey, Embalmer – Petition No. 2009-0521-030-002

Diane Wilan, Staff Attorney, Department of Public Health presented a Motion to Withdraw Statement of Charges in this matter. Mr. Toohey passed away on March 6, 2010.

Mr. Sterry made a motion, seconded by Mr. Hansen, to grant the motion to withdraw. The motion passed unanimously. Mr. Jowdy signed the order.

B. Brain Delton, Embalmer – Petition No. 2009-20091357

Ellen Shanley, Staff Attorney, Department of Public Health presented a Consent Order in the referenced matter. Mr. Delton was present without representation.

Mr. Donohue made a motion, seconded by Mr. Hansen, to approve the Consent Order, which places respondent's license on probation for four years. The motion passed unanimously. Mr. Jowdy signed the order.

C. Jeffrey Meyer, Embalmer – Petition No. 2009-0617-030-006

Diane Wilan, Staff Attorney, Department of Public Health presented a Motion for Summary Suspension in the referenced matter. Respondent was present with Attorney John Droney.

Mr. Sterry made a motion, seconded by Mr. Donohue, to approve the Consent Order, which imposes a \$2500.00 civil penalty. The motion passed unanimously. Mr. Jowdy signed the order.

VI. ADJOURNMENT

There was no further business and the meeting was adjourned at 10:04 a.m.

Respectfully submitted,

Daniel Jowdy, Chairman
Board of Examiners of Embalmers and Funeral Directors

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BOARD MEMBERS PRESENT: Daniel P. Jowdy, Embalmer
Gerald Bosak, Jr., Embalmer
James Donohue
Peter Hansen, Embalmer
John B. Sterry, Jr.

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Jeffrey A. Kardys, Board Liaison
Jennifer Filippone, Section Chief, Department of Public Health
Gary Griffin, Department of Public Health

The meeting convened at 9:37 a.m.

I. MINUTES

The minutes from the January 28, 2010 meeting were reviewed. Mr. Hansen made a motion, seconded by Mr. Bosak, to approve the minutes. The motion passed unanimously.

II. CHAIR UPDATES

None

III. DEPARTMENT OF PUBLIC HEALTH UPDATES

A. Jennifer Filippone, Section Chief, Department of Public Health reported on legislation regarding crypt and mausoleum liners. Public Act 10-117 Section 48 requires placing any body entombed in a crypt or mausoleum in a zinc-lined or plastic container (made of acrylonitrile butadiene styrene (ABS)) or, if the cemetery permits, a non-rusting or ABS sheeting tray. The act requires the use of a nationally accepted composite instead of ABS. The use of zinc-lined containers remains unchanged under the act.

B. Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that there are seventeen cases currently in various stages of investigation by the Department. Fourteen additional cases have been referred to the Department's Legal Office for further review.

IV. NEW BUSINESS

Edward G. Conway - Request for approval of employment pursuant to § 20-211-17

Mr. Sterry made a motion, seconded by Mr. Bosak, to approve Mr. Conway's request to engage in other employment while working as an apprentice embalmer. The motion passed unanimously.

V. LEGAL OFFICE BUSINESS

A. Edward Toohey, Embalmer – Petition No. 2009-0521-030-002

Diane Wilan, Staff Attorney, Department of Public Health presented a Motion to Withdraw Statement of Charges in this matter. Mr. Toohey passed away on March 6, 2010.

Mr. Sterry made a motion, seconded by Mr. Hansen, to grant the motion to withdraw. The motion passed unanimously. Mr. Jowdy signed the order.

B. Brain Delton, Embalmer – Petition No. 2009-20091357

Ellen Shanley, Staff Attorney, Department of Public Health presented a Consent Order in the referenced matter. Mr. Delton was present without representation.

Mr. Donohue made a motion, seconded by Mr. Hansen, to approve the Consent Order, which places respondent's license on probation for four years. The motion passed unanimously. Mr. Jowdy signed the order.

C. Jeffrey Meyer, Embalmer – Petition No. 2009-0617-030-006

Diane Wilan, Staff Attorney, Department of Public Health presented a Consent Order in the referenced matter. Respondent was present with Attorney John Droney.

Mr. Sterry made a motion, seconded by Mr. Donohue, to approve the Consent Order, which imposes a \$2500.00 civil penalty. The motion passed unanimously. Mr. Jowdy signed the order.

VI. ADJOURNMENT

There was no further business and the meeting was adjourned at 10:04 a.m.

Respectfully submitted,

Daniel Jowdy, Chairman
Board of Examiners of Embalmers and Funeral Directors

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on September 14, 2010 at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut in the Hearing Room on the third floor.

BOARD MEMBERS PRESENT: Daniel P. Jowdy, Embalmer - Chairman
Gerald Bosak, Jr., Embalmer
James Donohue
Peter Hansen, Embalmer
John B. Sterry, Jr.

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Jeffrey A. Kardys, Board Liaison
Jennifer Filippone, Section Chief, Department of Public Health
Gary Griffin, Department of Public Health

The meeting convened at 9:37 a.m.

I. MINUTES

The minutes from the January 28, 2010 meeting were reviewed. Mr. Bosak made a motion, seconded by Mr. Hansen, to approve the minutes as edited. The motion passed unanimously.

II. OPEN FORUM

John Zaleski spoke regarding the issue of unlicensed establishments advertising cremation services.

III. CHAIR UPDATES

Mr. Jowdy reported that the system for electronic death certificates maybe on hold due to budget constraints.

IV. DEPARTMENT OF PUBLIC HEALTH UPDATES

A. Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that there are twenty-two cases currently in various stages of investigation by the Department. Twelve additional cases have been referred to the Department's Legal Office for further review.

Mr. Jowdy asked that the Department of Public Health look in to the issues raised by Mr. Zaleski during open forum.

V. NEW BUSINESS

A. License Reinstatement Review – Jason Caratozzolo

Frank Manna, Department of Public Health presented a license reinstatement application for John Caratozzolo. Mr. Hansen made a motion, seconded by Mr. Bosak, to recommend license reinstatement provided Mr. Caratozzolo successfully passes the law examination, the practical examination and becomes compliant with continuing education requirements. The motion passed unanimously.

B. Health Assistance intervention Education Network for Connecticut Health Professionals – (HAVEN)

Maureen Dinnan, Executive Director provided the annual update regarding the Haven Program. Over 200 licensed professionals are enrolled in the program at this time. No embalmers or funeral directors are currently enrolled.

VI. LEGAL OFFICE BUSINESS

A. Robert Palmer, Embalmer – Petition No. 2008-0429-030-004

Diane Wilan, Staff Attorney, Department of Public Health presented a Consent Order in the referenced matter. Mr. Palmer was present with Attorney Michael Sorenson. Following discussion Mr. Donohue made a motion, seconded by Mr. Bosak to approve the Consent Order. The motion passed unanimously. Mr. Jowdy signed the Order.

B. Brenda Ortiz, Embalmer – Petition No. 2008-1215-030-009
Community Funeral Chapels – Petition No. 2008-1215-056-009

Diane Wilan, Staff Attorney, Department of Public Health presented a Consent Order in the referenced matters. Ms. Ortiz was present with Attorney David Felieu. Following discussion Mr. Hansen made a motion, seconded by Mr. Bosak, to deny the Consent Orders. The motion passed unanimously.
The hearing in this matter will be rescheduled to October 14, 2010.

VII. ADJOURNMENT

There was no further business and the meeting was adjourned at 10:29 a.m.

Respectfully submitted,

Daniel Jowdy, Chairman
Board of Examiners of Embalmers and Funeral Directors

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on December 7, 2010 at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut in the Hearing Room on the third floor.

BOARD MEMBERS PRESENT: Daniel P. Jowdy, Embalmer - Chairman
James Donohue
Peter Hansen, Embalmer
John B. Sterry, Jr.

BOARD MEMBERS ABSENT: Gerald Bosak, Jr., Embalmer

ALSO PRESENT: Jeffrey A. Kardys, Board Liaison
Jennifer Filippone, Section Chief, Department of Public Health
Gary Griffin, Department of Public Health

The meeting convened at 9:37 a.m.

I. MINUTES

The minutes from the September 14, 2010 meeting were reviewed. Mr. Hansen made a motion, seconded by Mr. Donohue, to approve the minutes. The motion passed unanimously.

II. OPEN FORUM

There was discussion regarding Continuing Education programs being offered by Litton College and the Connecticut Funeral Directors' Association

III. DEPARTMENT OF PUBLIC HEALTH UPDATES

A. Electronic Death Certificates

Carol Mangiafico, Vital Records Section provided the Board with an update regarding implementation of electronic death certificates. The Department of Public Health (DPH) and the Department of Information Technology are currently working on security protocols. It is anticipated that preliminary testing will begin in February followed by live testing until April. The target date for implementation is April 24, 2011. There will be state wide training for this program.

B. Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that there are nineteen cases currently in various stages of investigation by the Department. Fourteen additional cases have been referred to the Department's Legal Office for further review.

IV. NEW BUSINESS

A. License Reinstatement Review – Kevin Gallagher

Frank Manna, Department of Public Health presented a license reinstatement application for Kevin Gallagher. Mr. Hansen made a motion, seconded by Mr. Bosak, to recommend license reinstatement provided Mr. Gallagher successfully passes the law examination, the practical examination and becomes compliant with continuing education requirements. The motion passed unanimously.

B. Schedule Meeting Dates for 2011

The following meeting dates have been scheduled for 2011:

January 27, 2011

March 24, 2011

June 16, 2011

September 27, 2011

December 8, 2011

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

V. LEGAL OFFICE BUSINESS

A. James T. Toohey and Son Funeral Home – Petition No. 2009-0521-056-001

Diane Wilan, Staff Attorney, Department of Public Health presented a Consent Order in the referenced matter. Ellen Toohey was present on behalf of the Funeral Home.

Following discussion Mr. Donohue made a motion, seconded by Mr. Sterry to approve the Consent Order which imposes a \$5000.00 civil penalty and a 1 year probation. The motion passed unanimously. Mr. Jowdy signed the Order.

B. Brian S. Delton, Embalmer – Petition No. 2010-5635

Ellen Shanley, Staff Attorney, Department of Public Health presented a Motion for Summary Suspension in the referenced matter. Brian Delton was present with Attorney Robert Weinstein. Attorney Weinstein spoke in opposition to the Summary Suspension motion.

Mr. Jowdy made a motion, seconded by Mr. Sterry, to deny the Motion for Summary Suspension in that the allegations against Mr. Delton do not rise to a level of immediate threat to public safety or welfare. The motion passed unanimously.

A hearing on the Statement of Charges in this matter will be scheduled for January 27, 2011.

C. Wayne Buckmiller, Funeral Director – Petition No. 2010-10

Ellen Shanley, Staff Attorney, Department of Public Health presented a Consent Order in the referenced matter. Respondent was present on with Attorney Danielle Rado.

Following discussion Mr. Donohue made a motion, seconded by Mr. Sterry to approve the Consent Order which imposes a \$2000.00 civil penalty and a reprimand. The motion passed unanimously. Mr. Jowdy signed the Order.

D. Buckmiller Brothers Funeral Homes, Inc. – Petition No. 2009-1231-056-013

Ellen Shanley, Staff Attorney, Department of Public Health presented a Consent Order in the referenced matter. Wayne Buckmiller was present on behalf of the Funeral Home.

Mr. Hansen made a motion, seconded by Mr. Donohue, to enter executive session to a written request for legal advice from the Board to Hearing Officer Olinda Morales. The motion passed and the Board entered executive session from 10:45 a.m. to 11:05 p.m. No motions were made and no votes taken during executive session.

Following executive session, Mr. Hansen made a motion, seconded by Mr. Donohue, to deny the Consent Order as written, with a recommendation that the proposed Order be modified to require a period of monitoring for at least one year.. The motion passed unanimously.

VI. ADJOURNMENT

There was no further business and the meeting was adjourned at 11:10 a.m.

Respectfully submitted,

Daniel Jowdy, Chairman
Board of Examiners of Embalmers and Funeral Directors