

**FUNERAL DIRECTOR EXAMINING BOARD
MEETING MINUTES
November 6, 2012**

Present: Tom Bradley, Brian Langendorf , Dean Stensberg

Present by phone: Kristen Piehl, Michele Moore, Pat Thornton

Staff: Mojgan Hall, Executive Director; Pam Stach, Legal Counsel; David Carlson, Bureau Assistant; and other Department staff

Brian Langendorf, Board Chair, called the meeting to order at 9:32 a.m. A quorum of 5 members was confirmed.

ADOPTION OF AGENDA

Amendments

- Changed agenda references for Division of Enforcement to Division of Legal Services and Compliance.

MOTION: Tom Bradley moved, seconded by Michele Moore, to adopt the agenda as amended. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Michele Moore moved, seconded by Pat Thornton, to approve the minutes of July 10, 2012 as published. Motion carried unanimously.

Kristin Piehl left the meeting at approximately 10:20 a.m. (lost cell phone connection).

BOARD DISCUSSION

DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS

Discussion and Action Related to Delegating Authority to Board/Department Liaisons

MOTION: Thomas Bradley moved, seconded by Michele Moore, to have the Board delegate authority to the Board Credentialing Liaison, or alternate, and the Board Chair, to review and approve any new or renewal applications for individuals or establishments that do not meet all requirements for licensure or where there may be questions regarding the application that need further review.

MOTION: Thomas Bradley moved, seconded by Dean Stensberg, to allow the Executive Director for the Board to electronically send any documents resulting from the board meeting that require the Chair's signature, to the Chair for review and approval for the Executive Director to sign on the Chair's behalf.

CREDENTIALING MATTERS

Discussion and Action Related to License Renewals and Prep Rooms

MOTION: Thomas Bradley moved, seconded by Dean Stensberg, to approve the following language to be placed on the DSP website:

Per WI Stats 445.105 (2m) and (2s), beginning June 2013, in order to renew a funeral establishment permit, the funeral director in charge of the funeral establishment may not be the funeral director in charge of more than three funeral establishments and at least one of the funeral establishments in which he/she is funeral director in charge of must have a preparation room. A preparation room can be shared by only three funeral establishments and the funeral director in charge must be the funeral director in charge of all three funeral establishments. A funeral director in charge is a person who has full charge, control and supervision of all funeral directing and embalming services at the funeral establishment.

Motion carried unanimously.

CONVENE TO CLOSED SESSION

MOTION: Michele Moore moved, seconded by Thomas Bradley, to convene to closed session to deliberate on cases following hearing (s. 19.85(1) (a), Stats.; consider closing disciplinary investigation with administrative warning (s. 19.85(1)(b), Stats. and 440.205, Stats., to consider individual histories or disciplinary data (s. 19.85 (1)(f), Stats.; and, to confer with legal counsel (s. 19.85(1)(g), Stats.). Roll Call Vote: Tom Bradley - yes; Brian Langendorf - yes; Michele Moore - yes; Kristen Dean Stensberg - yes; Pat Thornton - yes. Motion carried unanimously. Open session recessed at 11:33 a.m.

Dean Stensberg left the meeting at 12:40 p.m.

RECONVENE TO OPEN SESSION

MOTION: Michele Moore moved, seconded by Thomas Bradley, to reconvene in open session at 12:58 p.m. Motion carried unanimously.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Dean Stensberg moved, seconded by Thomas Bradley, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matter of 10 FDR 004 – Mark A Vandekolk. Motion carried unanimously.

CASE CLOSINGS

MOTION: Michele Moore moved, seconded by Pat Thornton , to close Case 10 FDR 004, Tiffany Foster, for prosecutorial discretion (P3), as recommended by the Division of Legal Services and Compliance. Motion carried unanimously.

- MOTION:** Michele Moore moved, seconded by Pat Thornton, to close Case 10 FDR 004, Schauer & Schumacher Funeral Home, for lack of jurisdiction (L2), as recommended by the Division of Legal Services and Compliance. Motion carried unanimously.
- MOTION:** Michele Moore moved, seconded by Pat Thornton, to close Case 10 FDR 004, Lisa Martens, for insufficient evidence to prosecute, as recommended by the Division of Legal Services and Compliance and issue a letter of education. Motion carried unanimously.
- MOTION:** Michele Moore moved, seconded by Pat Thornton, to close Case 12 FDR008 for insufficient evidence, as recommended by the Division of Legal Services and Compliance. Motion carried unanimously.

MONITORING

Attorney G. Brian Brophy and his client Frank Bifulk appeared in closed session to speak on behalf of Bifulk's petition for removal of limitations on his license.

- MOTION:** Thomas Bradley moved, seconded by Dean Stensberg, to grant Frank Bifulk's request for removal of limitations and to grant him a full and unrestricted license. Motion carried unanimously.
- MOTION:** Dean Stensberg moved, seconded by Thomas Bradley, to remove the limitations and grant full and unrestricted licenses to Robert Kratz and Lori McConochie and to the Kratz-Smedema Funeral Homes (license numbers 78-1670 and 78-1589). Motion carried unanimously.

ADJOURNMENT

- MOTION:** Thomas Bradley moved, seconded by Michele Moore, to adjourn the meeting at 1:03 p.m. Motion carried unanimously.