

**STATE OF MAINE**  
**BOARD OF FUNERAL SERVICE**

*Minutes of September 11, 2007 Board Meeting*

Members Present: Robert Barnes, Chair; Normand Lambert, Hervey Clay, Bethel Shields, John Dunn, Jennifer Minkowitz and Ernest Marriner

Others Present: Penny Vaillancourt, Administrator; Jack Richards, Assistant Attorney General; Jennifer Mooney, Board Clerk.

Members Absent:

**CALL TO ORDER**

Robert Barnes, Chair, called the meeting to order at 9:05 a.m.

**OLD BUSINESS**

**A. APPROVAL OF MINUTES**

In a motion by Normand Lambert and seconded by Ernest Marriner, the minutes from the August 14, 2007 meeting were approved as amended.

**Vote: 6 in favor (1 abstained – Jennifer Minkowitz)**

**NEW BUSINESS**

**A. COMPLAINT RE-PRESENTATION**

**2007-FUN-3296**

The board tabled this complaint on April 10, 2007, and requested additional information. Specifically, the board requested a copy of the death certificate, a copy of the embalming report, and additional information regarding the condition of the deceased prior to embalming.

After a full review and discussion of the materials presented, a motion was made by Normand Lambert and seconded by John Dunn to dismiss this complaint with a letter of guidance to be sent to the funeral home and responsible practitioner emphasizing the necessity to check and re-check the condition of the deceased prior to conducting funeral services. The letter of guidance will be placed in the licensee's file for a period of one (1) year.

**Vote: 6 in favor (1 recusal – Hervey Clay)**

**B. COMPLAINT PRESENTATION**

**2007-FUN-3586**

A complaint was filed against a licensee for failure to disclose criminal convictions on his application for licensure. After a full review a motion was made by Ernest Marriner and seconded by Bethel Shields to offer the licensee a consent agreement with the following terms: admission to the violation, and a formal warning.

**Vote: 6 in favor (1 recusal – Hervey Clay)**

**C. LICENSE APPLICATION REVIEW**

**Wade T. Clukey, Funeral Attendant**

An applicant failed to disclose criminal conviction information on an attendant application. After a full review and discussion of the issues, a motion was made by John Dunn and seconded by Normand Lambert to deny the application for licensure based on failure to fully disclose criminal conviction information.

**Vote: 7 in favor**

**James Beaton, Funeral Practitioner**

An application for licensure as a funeral practitioner was presented to the board based upon the trainee apprenticeship having been completed in the state of New Hampshire.

After a full review and discussion a motion was made by Hervey Clay and seconded by John Dunn to approve the application for licensure upon passage of the state laws, rules and regulations examination.

**Vote: 7 in favor**

**D. CORRESPONDENCE – KNOWLTON, HEWINS, ROBERTS FUNERAL HOME**

Ms. Lynn Roberts Reed sent correspondence to the board concerning a complaint that had been filed against the funeral home where she is employed and part owner. Specifically, the complaint had been dismissed by the board at an earlier meeting. However, Ms. Reed was concerned with the complaint process and the presentation of the events that had occurred. Ms. Reed felt that the presentation of the events that had occurred which resulted in the complaint being filed against the home were inaccurate.

**E. REVIEW OF 2006-2007 CEU AUDITS**

The board conducted a continuing education audit.

**F. APPROVAL OF CONTINUING EDUCATION PROGRAMS**

A motion was made by Normand Lambert and seconded by John Dunn, to approve the following continuing education program(s) as reviewed by the Continuing Education Committee:

1. Matthews Cremation Div. – approved for 5 hour(s);
2. NFDA – approved for 13 hour(s);
3. Funeral Review.Com, LLC – approved for 2 hour(s) of online study;
4. International Order of the Golden Rule – approved for various hours and dates;
5. Selected Independent Funeral Homes – approved for 13 hour(s); and
6. MFDA – approved for 7 hours.

**Vote: Unanimous**

Approval letters will be mailed out by the board clerk.

**OTHER BUSINESS**

**CHAIR'S REPORT – ROBERT BARNES**

Robert Barnes gave the board an update.

**ADMINISTRATOR'S REPORT – PENNY VAILLANCOURT**

Penny Vaillancourt provided the board with a financial update and a licensee report.

**ADJOURN**

There being no further business, in a motion by Normand Lambert and seconded by Bethel Shields, the Board voted unanimously to adjourn at 10:20 a.m.

Respectfully submitted,

Jennifer Mooney  
Board Clerk