

STATE OF MAINE
BOARD OF FUNERAL SERVICE

Minutes of December 12, 2007 Board Meeting

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

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

Members Absent: John Dunn

CALL TO ORDER

Robert Barnes, Chair, called the meeting to order at 9:06 a.m.

OLD BUSINESS

A. APPROVAL OF MINUTES

In a motion by Normand Lambert and seconded by Jennifer Minkowitz, the minutes from the September 11, 2007 meeting were approved as amended.

Vote: 6 in favor

NEW BUSINESS

A. LICENSURE DENIAL HEARING – Licensed Practitioner

The license denial hearing in the matter of Steven D. Jandreau commenced at 9: 30 a.m. and concluded at 11:18 a.m.

After review and discussion of the evidence presented, Bethel Shields made a motion to deny the appeal. Jennifer Minkowitz seconded the motion.

Vote: 5 in favor (1 recused – Normand Lambert)

B. COMPLAINT PRESENTATION

2007-FUN-3881

A complaint was filed against a licensee for failure to comply with the continuing education requirements.

After a full review and discussion of the materials presented, a motion was made by Bethel Shields and seconded by Normand Lambert to offer the licensee a consent agreement with the following terms: licensee agrees to accept a formal warning, admission to failure to comply with the ceu requirements and licensee must complete 3 hours prior to renewing his license by 2/29/08 and the 3 hours cannot be done through in-house courses/programs

Vote: 5 in favor (1 recusal – Hervey Clay)

2007-FUN-3915

A complaint was filed against a licensee alleging unprofessional conduct against the licensee regarding the viewing of the deceased and the financials.

After a full review a motion was made by Ernest Marriner and seconded by Normand Lambert to dismiss the complaint for lack of a violation(s).

Vote: 5 in favor (1 recusal – Hervey Clay)

C. COMPLAINT RE-PRESENTATION

2006-FUN-2911

A complaint was filed against a licensee for failure to transfer a mortuary trust account to another licensee in a timely matter. At the board's June 2007 meeting a motion was made to offer the licensee a consent agreement with the following terms: admission to the violating the board's laws and rules regarding timely transfers of mortuary trust accounts and a formal warning.

After a full review and discussion of the materials presented, a motion was made by Jennifer Minkowitz 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: 5 in favor (1 recusal – Hervey Clay)

D. CEU APPROVAL REQUESTS

A motion was made by Bethel Shields and seconded by Jennifer Minkowitz, to approve the following continuing education program(s) as reviewed by the Continuing Education Committee:

1. Hospice Foundation of America – approved for 2 online ceu hour(s) and 2.5 live broadcast ceu hour(s);
2. Cape School – approved for 2 web-based ceu hour(s);
3. The Conference – approved for 13.5 ceu hour(s) various programs;
4. MFDA – approved for 3 hour(s);
5. International Cemetery Assoc – approved for ... hour(s); and
6. 100% Education – approved for 2 online ceu hour(s) and 2 online ceu hour(s);
7. Batesville Casket Company – approved 1 program for 9 ceu hour(s) and 1 program for 3 ceu hour(s);
8. Total Compliance – approved 3 programs for 2 online ceu hour(s) each;
9. Meadow Hill Co – approved for 1.5 ceu hour(s);
10. New England Institute at Mount Ida College – approved for 5 ceu hour(s);
11. 360Training.com – approved for various online programs for a total of 6 ceu hour(s);
12. FDA – approved for 2 ceu hour(s);
13. ICCFA – approved for 13 ceu hour(s);

December 12, 2007
Page Three

CEU Approvals cont.

14. MFDA – approved change in presenters
15. Selected Independent Funeral Homes – approved for 1 in-house ceu hour(s)

Vote: Unanimous

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 Bethel Shields and seconded by Normand Lambert, the Board voted unanimously to adjourn at 12:24.m.

Respectfully submitted,

Jennifer Mooney
Board Clerk