

**FUNERAL DIRECTOR EXAMINING BOARD
MEETING MINUTES
MARCH 21, 2012**

Present: Brian Langendorf and Pat Thornton

Present by
Teleconference: Tom Bradley and Michele Moore

Not Present: Kristen Piehl and Dean Stensberg

Staff: Dan Williams, Executive Director; Yolanda McGowan, Legal Counsel; Michelle Solem, Bureau Assistant; and other Department staff

Guests: Adam Raschlca, Scott Peterson and Ted Jackan

Brian Langendorf, Board Chair, called the meeting to order at 9:45 a.m. A quorum of 4 members was confirmed.

ADOPTION OF AGENDA

MOTION: Michele Moore moved, seconded by Pat Thornton, to adopt the agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES

MOTION: Tom Bradley moved, seconded by Pat Thornton, to approve the minutes of November 8, 2012 as published. Motion carried unanimously.

EXECUTIVE DIRECTOR MATTERS

Dan Williams introduced himself as the interim Executive Director.

Brian Langendorf appointed himself, Pat Thornton and Tom Bradley to the screening panel and will address the remainder of the Board appointments at the next meeting.

Dan Williams conducted the annual policy review

**PRESENTATION OF PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS
BY THE DIVISION OF ENFORCEMENT**

The Board did not seek any presentations.

BOARD DISCUSSION

LEGISLATION/ADMINISTRATIVE RULE MATTERS

- a. Discussion of Scope Statement Regarding Wis. Stat. § 445.105 (2m). Yolanda McGowan told the Board that 2011 AB 547 included a definition of "Funeral Director In-Charge". The legislation made the need for a scope statement irrelevant.
- b. Yolanda McGowan indicated that 2011 AB 523 did not make it out of the Assembly but that it might be brought forth again in the next session. This bill addresses a relationship between Funeral Establishments and Cemeteries.
- c. Ms. McGowan also indicated that 2011 SB 453 removes the "Certificate of Good Standing" and requires that a Funeral Director be affiliated with a funeral home in order to be licensed.
- d. Yolanda McGowan addressed an issue between the rules of Funeral Director Rules and the rules of Department of Workforce Development (DWD). DWD considers 32 hours as full time whereas the Funeral Director Rules require no less than 40 hours in 2 consecutive weeks. The Board discussed the difference between the requirements. Scott Peterson commented that there is a U.S. Department of Labor standard that might play a role in any possible change. The Board decided not to make a change.

CLOSED SESSION

MOTION: Pat Thornton moved, seconded by Michele Moore, 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: Pat Thornton - yes; Michele Moore - yes; Brian Langendorf - yes; and Tom Bradley - yes. Motion carried unanimously. Open session recessed at 10:23 a.m.

RECONVENE TO OPEN SESSION

MOTION: Pat Thornton moved, seconded by Michele Moore, to reconvene in open session at 11:12 a.m. Motion carried unanimously.

Kristen Piehl joined the meeting during closed session.

VOTING ON ITEMS CONSIDERED/DELIBERATED IN CLOSED SESSION

PROPOSED STIPULATIONS, FINAL DECISIONS AND ORDERS

MOTION: Pat Thornton moved, seconded by Michele Moore, to adopt the Findings of Fact, Conclusions of Law, Stipulation and Order, in the matters of 11 FDR 003 – John K. Krueger and Krueger Family Funeral Home, 11 FDR 003 and 11 FDR 008 – Karen L Gauerke, 11 FDR 008 – Stephen J. Schmidt and Schmidt & Bartelt, Inc. and 11 FDR 010 – Lori L. McConochie, Robert J. Kratz and Kratz-Smedema Funeral Home. Motion carried unanimously.

CASE CLOSINGS

MOTION: Pat Thornton moved, seconded by Michele Moore, to close the following cases according to the recommendations by the Division of Enforcement:

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| a. 10 FDR 019 | e. 11 FDR 013 |
| b. 11 FDR 001 | f. 11 FDR 016 |
| c. 11 FDR 003 | g. 11 FDR 020 |
| d. 11 FDR 004 | |

Motion carried unanimously.

MONITORING

MOTION: Kristen Piehl moved, seconded by Michele Moore, to deny the petition for full licensure received from Frank Lance Bifulk until he is in full compliance with the all current Board orders and require Mr. Bifulk submit current release authorizations to Drs. Furguson, Bleek and all other treating professionals since 2009 and further to authorize the monitoring liaison to demand an appearance. Motion carried unanimously.

APPLICATION MATTERS

MOTION: Pat Thornton moved, seconded by Michele Moore, grant approval of Theodore Jackan to sit for the Funeral Director Exam. Motion carried unanimously.

ADJOURNMENT

MOTION: Tom Bradley moved, seconded by Michele Moore, to adjourn the meeting at 11:16 a.m... Motion carried unanimously.