



VIRTUAL/TELECONFERENCE
FUNERAL DIRECTORS EXAMINING BOARD
Virtual, 4822 Madison Yards Way, Madison
Contact: Adam Barr (608) 266-2112
August 30, 2022

The following agenda describes the issues that the Board plans to consider at the meeting. At the time of the meeting, items may be removed from the agenda. Please consult the meeting minutes for a record of the actions of the Board.

AGENDA

9:30 A.M.

OPEN SESSION – CALL TO ORDER – ROLL CALL

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of May 17, 2022 (4-7)**
- C. Introductions, Announcements and Recognition
- D. Reminders: Conflicts of Interest, Scheduling Concerns**
- E. Administrative Matters – Discussion and Consideration**
 - 1) Department, Staff and Board Updates
 - 2) Board Members – Term Expiration Dates
 - a. Adams, A. Dawn – 7/1/2023
 - b. Al-Sager, Aziz K. – 7/1/2025
 - c. Eernisse, Marc A. – 7/1/2022
 - d. Hoehne, Mary – 7/1/2025
 - e. Lengell, Eric – 7/1/2016
 - f. Schinkten, Joseph B. – 7/1/2023
- F. Legislative and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration**
 - 1) Pending and Possible Rulemaking Projects
- H. COVID 19 – Discussion and Consideration**
- I. Discussion and Consideration of Items Added After Preparation of Agenda:
 - 1) Introductions, Announcements and Recognition
 - 2) Administrative Matters
 - 3) Election of Officers
 - 4) Appointment of Liaisons and Alternates
 - 5) Delegation of Authorities

- 6) Education and Examination Matters
- 7) Credentialing Matters
- 8) Practice Matters
- 9) Administrative Rule Matters
- 10) Legislative and Policy Matters
- 11) Liaison Reports
- 12) Board Liaison Training and Appointment of Mentors
- 13) Informational Items
- 14) Division of Legal Services and Compliance (DLSC) Matters
- 15) Presentations of Petitions for Summary Suspension
- 16) Petitions for Designation of Hearing Examiner
- 17) Presentation of Stipulations, Final Decisions and Orders
- 18) Presentation of Proposed Final Decisions and Orders
- 19) Presentation of Interim Orders
- 20) Petitions for Re-Hearing
- 21) Petitions for Assessments
- 22) Petitions to Vacate Orders
- 23) Requests for Disciplinary Proceeding Presentations
- 24) Motions
- 25) Petitions
- 26) Appearances from Requests Received or Renewed
- 27) Speaking Engagements, Travel, or Public Relation Requests, and Reports

J. Public Comments

CONVENE TO CLOSED SESSION to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85(1)(b), 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.).

K. Division of Legal Services and Compliance Matters

1) Monitoring Matters

- a. Kellie Summerville, Funeral Director Apprentice – Requesting Full Licensure
(8-20)

L. Deliberation of Items Added After Preparation of the Agenda

- 1) Education and Examination Matters
- 2) Credentialing Matters
- 3) DLSC Matters
- 4) Monitoring Matters
- 5) Professional Assistance Procedure (PAP) Matters
- 6) Petitions for Summary Suspensions
- 7) Petitions for Designation of Hearing Examiner
- 8) Proposed Stipulations, Final Decisions and Orders
- 9) Proposed Interim Orders
- 10) Administrative Warnings
- 11) Review of Administrative Warnings
- 12) Proposed Final Decisions and Orders
- 13) Matters Relating to Costs/Orders Fixing Costs
- 14) Case Closings
- 15) Board Liaison Training

- 16) Petitions for Assessments and Evaluations
- 17) Petitions to Vacate Orders
- 18) Remedial Education Cases
- 19) Motions
- 20) Petitions for Re-Hearing
- 21) Appearances from Requests Received or Renewed

M. Consulting with Legal Counsel

RECONVENE TO OPEN SESSION IMMEDIATELY FOLLOWING CLOSED SESSION

N. Vote on Items Considered or Deliberated Upon in Closed Session, if Voting is Appropriate

O. Open Session Items Noticed Above Not Completed in the Initial Open Session

ADJOURNMENT

NEXT MEETING: NOVEMBER 15, 2022

MEETINGS AND HEARINGS ARE OPEN TO THE PUBLIC, AND MAY BE CANCELLED WITHOUT NOTICE.

Times listed for meeting items are approximate and depend on the length of discussion and voting. All meetings are held virtually unless otherwise indicated. In-person meetings are typically conducted at 4822 Madison Yards Way, Madison, Wisconsin, unless an alternative location is listed on the meeting notice. In order to confirm a meeting or to request a complete copy of the board's agenda, please visit the Department website at <https://dsps.wi.gov>. The board may also consider materials or items filed after the transmission of this notice. Times listed for the commencement of disciplinary hearings may be changed by the examiner for the convenience of the parties. Requests for interpreters for the hard of hearing, or other accommodations, are considered upon request by contacting the Affirmative Action Officer at 608-266-2112, or the Meeting Staff at 608-266-5439.

**VIRTUAL/TELECONFERENCE
FUNERAL DIRECTORS EXAMINING BOARD
MEETING MINUTES
MAY 17, 2022**

PRESENT: A. Dawn Adams, Aziz Al-Sager, Marc Eernisse, Eric Lengell, Joseph Schinkten

EXCUSED: Mary Hoehne

STAFF: Adam Barr, Executive Director; Jon Derenne, Legal Counsel; Dana Denny, Administrative Rules Coordinator; Katlin Schwartz, Bureau Assistant; and other Department Staff

CALL TO ORDER

Joseph Schinkten, Chairperson, called the meeting to order at 9:32 a.m. A quorum was confirmed with five (5) members present.

ADOPTION OF AGENDA

MOTION: Marc Eernisse moved, seconded by Aziz Al-Sager, to adopt the Agenda as published. Motion carried unanimously.

APPROVAL OF MINUTES OF FEBRUARY 15, 2022

MOTION: Aziz Al-Sager moved, seconded by A. Dawn Adams, to approve the Minutes of February 15, 2022 as published. Motion carried unanimously.

ADMINISTRATIVE MATTERS

Appointment of Liaisons and Alternates

LIAISON APPOINTMENTS	
Credentialing Liaison	Aziz Al-Sager <i>Alternate:</i> Marc Eernisse
Monitoring Liaison	Joseph Schinkten <i>Alternate:</i> Marc Eernisse
Professional Assistance Procedure (PAP) Liaison	Joseph Schinkten <i>Alternate:</i> Mary Hoehne
Legislative Liaison	Marc Eernisse <i>Alternate:</i> Joseph Schinkten
Education and Examination Liaison	A. Dawn Adams <i>Alternate:</i> Marc Eernisse

Travel Authorization Liaison	Joseph Schinkten <i>Alternate: Eric Lengell</i>
Screening Panel	A. Dawn Adams, Aziz Al-Sager, Mary Hoehne <i>Alternate: Joseph Schinkten</i>

**BOARD CHAIR MEETING AND OPTIONS TO ADDRESS DEPARTMENT
RESOURCES**

MOTION: Marc Eernisse moved, seconded by Aziz Al-Sager, to request the Legislature authorize the Department to hire additional staff using its existing fee revenue as well as increasing staff pay and benefits using the same fee revenue, in order to allow the Department to provide the level of service that licensees and the public expect and deserve. Motion carried unanimously.

ADMINISTRATIVE RULE MATTERS

Review Preliminary Rule Draft: FD 1, Relating to Apprenticeship and Renewal

MOTION: Aziz Al-Sager moved, seconded by Joseph Schinkten, to authorize the Chairperson (or other member) (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) to approve the preliminary rule draft of FD 1, relating to apprenticeship and renewal, for posting of economic impact comments and submission to the Clearinghouse. Motion carried unanimously.

CLOSED SESSION

MOTION: Eric Lengell moved seconded by Marc Eernisse, to convene to closed session to deliberate on cases following hearing (s. 19.85(1)(a), Stats.); to consider licensure or certification of individuals (s. 19.85(1)(b), Stats.); to consider closing disciplinary investigations with administrative warnings (ss. 19.85 (1)(b), 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.). Joseph Schinkten, Chairperson, read the language of the motion. The vote of each member was ascertained by voice vote. Roll Call Vote: A. Dawn Adams-yes; Aziz Al-Sager-yes; Marc Eernisse-yes; Eric Lengell-yes; and Joseph Schinkten-yes. Motion carried unanimously.

The Board convened into Closed Session at 11:09 a.m.

DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS

Administrative Warnings

20 FDR 005 – F.L.B., G.F.C.S.

MOTION: Marc Eernisse moved, seconded by Joseph Schinkten, to issue an Administrative Warning in the matter of F.L.B., G.F.C.S., DLSC Case Number 20 FDR 005. Motion carried unanimously.

Case Closings

MOTION: Aziz Al-Sager moved, seconded by Eric Lengell, to close the following DLSC Cases for the reasons outlined below:

1. 19 FDR 012, 19 FDR 022 – J.C., C.C. – No Violation
2. 20 FDR 014 – D.J., J.F.F.H.C. – Prosecutorial Discretion (P3)
3. 21 FDR 007 – J.W., R.U.K.F.H. – Prosecutorial Discretion (P2)
4. 21 FDR 013 – R.E., E.L.F.H. – Prosecutorial Discretion (P3)

Motion carried unanimously.

Proposed Stipulation and Final Decision and Order

19 FDR 012, 19 FDR 022 – Cynthia L. Schweitzer, Integrity Funeral Services

MOTION: Aziz Al-Sager moved, seconded by A. Dawn Adams, to refer the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Cynthia L. Schweitzer, Integrity Funeral Services, DLSC Case Numbers 19 FDR 012, 19 FDR 022 back to DLSC for further consideration and action. Motion carried unanimously.

RECONVENE TO OPEN SESSION

MOTION: A. Dawn Adams moved, seconded by Marc Eernisse, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 11:54 a.m.

VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

MOTION: Marc Eernisse moved, seconded by Aziz Al-Sager, to affirm all motions made and votes taken in Closed Session. Motion carried unanimously.

(Be advised that any recusals or abstentions reflected in the Closed Session motions stand for the purposes of the affirmation vote.)

ADJOURNMENT

MOTION: Marc Eernisse moved, seconded by A. Dawn Adams, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 11:59 a.m.

DRAFT