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**HYBRID (IN-PERSON/VIRTUAL)  
FUNERAL DIRECTORS EXAMINING BOARD  
Room N208, 4822 Madison Yards Way, Madison  
Contact: Will Johnson (608) 266-2112  
May 14, 2024**

*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. Be advised that board members may attend meetings designated as "Hybrid" in-person or virtually.*

**AGENDA**

**9:30 A.M.**

**OPEN SESSION – CALL TO ORDER – ROLL CALL**

- A. Adoption of Agenda (1-3)**
- B. Approval of Minutes of February 13, 2024 (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 – 7/1/2027
    - b. Al-Sager, Aziz K. – 7/1/2025
    - c. Casey, Stephen P. – 7/1/2026
    - d. Hoehne, Mary – 7/1/2025
    - e. Schinkten, Joseph B. – 7/1/2027
- F. Legislative and Policy Matters – Discussion and Consideration
- G. Administrative Rule Matters – Discussion and Consideration (8-9)**
  - 1) Pending or Possible Rulemaking Projects (9)
- H. New Methods for Disposition of Human Remains – Discussion and Consideration (10)**
- 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) Public Health Emergencies
- 14) Informational Items
- 15) Division of Legal Services and Compliance (DLSC) Matters
- 16) Presentations of Petitions for Summary Suspension
- 17) Petitions for Designation of Hearing Examiner
- 18) Presentation of Stipulations, Final Decisions and Orders
- 19) Presentation of Proposed Final Decisions and Orders
- 20) Presentation of Interim Orders
- 21) Petitions for Re-Hearing
- 22) Petitions for Assessments
- 23) Petitions to Vacate Orders
- 24) Requests for Disciplinary Proceeding Presentations
- 25) Motions
- 26) Petitions
- 27) Appearances from Requests Received or Renewed
- 28) 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) **Proposed Stipulations, Final Decisions and Orders**
  - a. 23 FDR 018 – Thomas Jelacic, Jelacic Funeral Home (11-16)
- 2) **Case Closings**
  - a. 23 FDR 023 – G.F.C.S. (17-20)

#### **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: AUGUST 27, 2024**

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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://dps.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, or the Meeting Staff at 608-267-7213.

**VIRTUAL/TELECONFERENCE  
FUNERAL DIRECTORS EXAMINING BOARD  
MEETING MINUTES  
FEBRUARY 13, 2024**

**PRESENT:** A. Dawn Adams, Stephen Casey, Mary Hoehne, Joseph Schinkten

**EXCUSED:** Aziz Al-Sager

**STAFF:** Will Johnson, Executive Director; Joseph Ricker, Legal Counsel; Jake Pelegrin, Administrative Rules Coordinator; Tracy Drinkwater, Board Administrative Specialist; and other Department Staff

**CALL TO ORDER**

Joseph Schinkten, Chairperson, called the meeting to order at 9:40 a.m. A quorum was confirmed with four (4) members present.

**ADOPTION OF AGENDA**

**MOTION:** Stephen Casey moved, seconded by Mary Hoehne, to adopt the Agenda as published. Motion carried unanimously.

**APPROVAL OF MINUTES OF NOVEMBER 14, 2023**

**MOTION:** Stephen Casey moved, seconded by Mary Hoehne, to approve the Minutes of November 14, 2023, as published. Motion carried unanimously.

**ADMINISTRATIVE MATTERS**

**Election of Officers**

*Slate of Officers*

**NOMINATION:** Stephen Casey nominated the 2023 slate of officers to continue in 2024. All officers accepted their nominations.

Will Johnson, Executive Director, called for nominations three (3) times.

The Slate of Officers was elected by unanimous voice vote.

<b>2024 ELECTION RESULTS</b>	
<b>Chairperson</b>	Joseph Schinkten
<b>Vice Chairperson</b>	A. Dawn Adams
<b>Secretary</b>	Mary Hoehne

**Appointment of Liaisons and Alternates**

<b>LIAISON APPOINTMENTS</b>	
<b>Credentialing Liaison(s)</b>	Aziz Al-Sager <i>Alternate: Mary Hoehne</i>
<b>Monitoring Liaison (s)</b>	Joseph Schinkten <i>Alternate: A. Dawn Adams</i>
<b>Professional Assistance Procedure (PAP) Liaison(s)</b>	Joseph Schinkten <i>Alternate: Mary Hoehne</i>
<b>Legislative Liaison(s)</b>	Joseph Schinkten <i>Alternate: Stephen Casey</i>
<b>Education and Examination Liaison(s)</b>	A. Dawn Adams <i>Alternate: Stephen Casey</i>
<b>Travel Authorization Liaison(s)</b>	Joseph Schinkten <i>Alternate: Mary Hoehne</i>
<b>Screening Panel</b>	A. Dawn Adams, Aziz Al-Sager, Mary Hoehne <i>Alternate: Joseph Schinkten</i>

**Delegation of Authorities**

**Review and Approval of 2023 Delegations**

**MOTION:** Stephen Casey moved, seconded by Joseph Schinkten, to reaffirm all delegation motions from 2023 as reflected in the agenda materials. Motion carried unanimously.

**Document Signature Delegations**

**MOTION:** Joseph Schinkten moved, seconded by Stephen Casey, in order to carry out duties of the Board, the Chairperson (or in absence of the Chairperson, the highest-ranking officer or longest serving board member in that succession) has the ability to delegate signature authority for purposes of facilitating the completion of assignments during or between meetings. The members of the Board hereby delegate to the Executive Director, Board Counsel or DPD Division Administrator, the authority to sign on behalf of a board member as necessary. Motion carried unanimously.

## Delegation to Department Attorneys to Approve Duplicate Legal Issue

**MOTION:** Stephen Casey moved, seconded by Mary Hoehne, to delegate authority to Department Attorneys to approve a legal matter in connection with a renewal application when that same/similar matter was already addressed by the Board and there are no new legal issues. Motion carried unanimously.

## Monitoring Delegations

### Delegation of Authorities for Monitoring

**MOTION:** Mary Hoehne moved, seconded by Stephen Casey, to adopt the “Roles and Authorities Delegated for Monitoring” document as presented in the February 13, 2024, agenda materials. Motion carried unanimously.

### CLOSED SESSION

**MOTION:** Joseph Schinkten moved seconded by Mary Hoehne, 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; Stephen Casey-yes; Mary Hoehne-yes; and Joseph Schinkten-yes. Motion carried unanimously.

The Board convened into Closed Session at 10:12 a.m.

## DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS

### Proposed Stipulation and Final Decision and Order

***19 FDR 009, 19 FDR 020, 19 FDR 021, 20 FDR 006, 20 FDR 007, 20 FDR 011, 21 FDR 014, 22 FDR 009, and 22 FDR 010 – Jimmy D. Davis Jr., JD Davis Enterprises LLC DBA JD Davis Funeral Home, and JD Davis Enterprises DBA JD Davis Funeral Home***

**MOTION:** Stephen Casey moved, seconded by Mary Hoehne, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Jimmy D. Davis Jr., JD Davis Enterprises LLC DBA JD Davis Funeral Home, and JD Davis Enterprises DBA JD Davis Funeral Home, DLSC Case Numbers 19 FDR 009, 19 FDR 020, 19 FDR 021, 20 FDR 006, 20 FDR 007, 20 FDR 011, 21 FDR 014, 22 FDR 009, and 22 FDR 010. Motion carried unanimously.

## Case Closings

- MOTION:** Stephen Casey moved, seconded by Joseph Schinkten, to close the following DLSC Cases for the reasons outlined below:
1. 23 FDR 003 – K.F.H.C.S.I., M.K., K.F.H.C.S., J.W. – Insufficient Evidence (IE).
  2. 23 FDR 005 & 23 FDR 006 – J.D., J.D.E.L.D.J.D.F.H, J.D.E.L.D.J.D.F.H. – Prosecutorial Discretion (P7).
  3. 23 FDR 011 – B.G.F.S, B.M.G, & C.G – No Violation (NV).
- Motion carried unanimously.

## Deliberation on Proposed Final Decision and Orders

*Cynthia L. Schweitzer and Integrity Funeral Services, Respondents –  
DHA Case Number SPS-23-0019/DLSC Case Numbers 19 FDR 012 and  
19 FDR 022*

- MOTION:** Stephen Casey moved, seconded by Joseph Schinkten, to delegate Al Rohmeyer, Department Chief Legal Counsel, the authority to preside over and resolve DHA Case Number SPS-23-0019/DLSC Case Numbers 19 FDR 012 and 19 FDR 022. Motion carried unanimously.

### RECONVENE TO OPEN SESSION

- MOTION:** Stephen Casey moved, seconded by Mary Hoehne, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 10:36 a.m.

### VOTE ON ITEMS CONSIDERED OR DELIBERATED UPON IN CLOSED SESSION

- MOTION:** Stephen Casey moved, seconded by Mary Hoehne, 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:** Stephen Casey moved, seconded by Mary Hoehne, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:38 a.m.

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Jake Pelegrin Administrative Rules Coordinator		<b>2) Date when request submitted:</b> 5/2/24 Items will be considered late if submitted after 12:00 p.m. on the deadline date which is 8 business days before the meeting	
<b>3) Name of Board, Committee, Council, Sections:</b> Funeral Directors Examining Board			
<b>4) Meeting Date:</b> 5/14/24	<b>5) Attachments:</b> <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	<b>6) How should the item be titled on the agenda page?</b> Administrative Rule Matters – Discussion and Consideration 1. Pending or possible rulemaking items	
<b>7) Place Item in:</b> <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session	<b>8) Is an appearance before the Board being scheduled?</b> <i>(If yes, please complete <a href="#">Appearance Request</a> for Non-DSPS Staff)</i> <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if required:</b> N/A	
<b>10) Describe the issue and action that should be addressed:</b>  Attachments: -FD Rules Chart			
<b>11)</b> <i>Jake Pelegrin</i>		Authorization 5/2/24	
Signature of person making this request		Date	
Supervisor (if required)		Date	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)		Date	
<b>Directions for including supporting documents:</b> 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			



**Funeral Directors Examining Board**

<b>Clearinghouse Rule Number</b>	<b>Scope #</b>	<b>Scope Expiration</b>	<b>Code Chapter Affected</b>	<b>Relating clause</b>	<b>Current Stage</b>	<b>Next Step</b>
22-088	100-21	5/1/2024	FD 1	Apprenticeships and Renewal	Adoption Order published and rule is effective as of Jan 1, 2024.	

**State of Wisconsin  
Department of Safety & Professional Services**

**AGENDA REQUEST FORM**

1) Name and Title of Person Submitting the Request:  <b>Joe Schinkten, Chair</b>		2) Date When Request Submitted: <b>5/8/2024</b>  Items will be considered late if submitted after 4:30 p.m. and less than: <ul style="list-style-type: none"> <li>▪ 10 work days before the meeting for Medical Board</li> <li>▪ 14 work days before the meeting for all others</li> </ul>	
3) Name of Board, Committee, Council, Sections:  <b>Funeral Directors Examining Board</b>			
4) Meeting Date:  <b>5/14/2024</b>	5) Attachments: <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	6) How should the item be titled on the agenda page?  Discussion on new methods for disposition of human remains.	
7) Place Item in: <input checked="" type="checkbox"/> Open Session <input type="checkbox"/> Closed Session <input type="checkbox"/> Both	8) Is an appearance before the Board being scheduled?  <input type="checkbox"/> Yes ( <a href="#">Fill out Board Appearance Request</a> ) <input checked="" type="checkbox"/> No	9) Name of Case Advisor(s), if required: <b>N/A</b>	
10) Describe the issue and action that should be addressed:			
11) <b>Authorization</b>			
Signature of person making this request		Date	
Supervisor (if required)		Date	
William H. Johnson		5/8/24	
Executive Director signature (indicates approval to add post agenda deadline item to agenda)    Date			
Directions for including supporting documents: 1. This form should be attached to any documents submitted to the agenda. 2. Post Agenda Deadline items must be authorized by a Supervisor and the Policy Development Executive Director. 3. If necessary, Provide original documents needing Board Chairperson signature to the Bureau Assistant prior to the start of a meeting.			