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**VIRTUAL/TELECONFERENCE**  
**FUNERAL DIRECTORS EXAMINING BOARD**  
**Virtual, 4822 Madison Yards Way, Madison**  
**Contact: Will Johnson (608) 266-2112**  
**August 29, 2023**

*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 16, 2023 (4-6)**
- 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 (7-8)**
  - 1) Update: Preliminary Rule Draft FD 1, Relating to Apprenticeships and Renewal
  - 2) Pending or Possible Rulemaking Projects
- H. License Presentation – 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) 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) **Case Closings (9-25)**
  - a. 21 FDR 009 – S.F.H. (9-16)
  - b. 22 FDR 015 – S.F.H. (17-21)
  - c. 23 FDR 014 – J.R., R.F.C.C.M.O.C.R.C.G.I. (22-25)
- 2) **Proposed Stipulation and Final Decision and Order (26-45)**
  - a. 17 FDR 007 and 19 FDR 005 – Tajai Turner, and Grace Memorial Funeral & Cremation Services (26-37)
  - b. 21 FDR 010 – Todd Jarvis (38-45)
- 3) **Monitoring Matters (46-61)**
  - a. Kenneth Kurtz, Jr., Funeral Director – Requesting Modification of Monitoring Order

#### **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 14, 2023**

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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.

**HYBRID (IN-PERSON/VIRTUAL)  
FUNERAL DIRECTORS EXAMINING BOARD  
MEETING MINUTES  
MAY 16, 2023**

**PRESENT:** A. Dawn Adams (*via Zoom*), Stephen Casey, Eric Lengell, Joseph Schinkten

**EXCUSED:** Aziz Al-Sager, Mary Hoehne

**STAFF:** Will Johnson, Executive Director; Joseph Ricker, 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 9:52 a.m. A quorum was confirmed with four (4) members present.

**ADOPTION OF AGENDA**

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

**APPROVAL OF MINUTES OF FEBRUARY 14, 2023**

**MOTION:** Joseph Schinkten moved, seconded by Stephen Casey, to approve the Minutes of February 14, 2023 as published. Motion carried unanimously.

**INTRODUCTIONS, ANNOUNCEMENTS AND RECOGNITION**

**MOTION:** Joseph Schinkten moved, seconded by Stephen Casey, to recognize and thank Eric Lengell for his years of dedicated service to the Board and State of Wisconsin. Motion carried unanimously.

**ADMINISTRATIVE RULE MATTERS**

**Final Rule Draft and Legislative Report: CR 22-088, Relating to Apprenticeship and Renewals**

**MOTION:** Eric Lengell moved, seconded by Stephen Casey, to approve the Legislative Report and Draft for Clearinghouse Rule 22-088, relating to Apprenticeship and Renewal, for submission to the Governor's Office and Legislature. Motion carried unanimously.

## CLOSED SESSION

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

The Board convened into Closed Session at 10:31 a.m.

### DIVISION OF LEGAL SERVICES AND COMPLIANCE MATTERS

#### Administrative Warnings

**MOTION:** Joseph Schinkten moved, seconded by Stephen Casey, to issue an Administrative Warning in the following DLSC Cases:

1. 22 FDR 014 – A.M.R., S.R.F.H.
2. 22 FDR 014 – C.A.R.
3. 23 FDR 007 – C.F.S.I.U.
4. 23 FDR 007 – J.P.
5. 23 FDR 007 – M.C.B.

Motion carried unanimously.

#### Proposed Stipulation and Final Decision and Order

##### *21 FDR 016 – Jeffrey R. Beede, Evergreen Funeral Home/Wisconsin Cremation Services*

**MOTION:** Eric Lengell moved, seconded by Joseph Schinkten, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Jeffrey R. Beede, Evergreen Funeral Home/Wisconsin Cremation Services, DLSC Case Number 21 FDR 016. Motion carried unanimously.

##### *22 FDR 011 – Kenneth P. Kurtz, Jr.*

**MOTION:** Eric Lengell moved, seconded by Stephen Casey, to adopt the Findings of Fact, Conclusions of Law and Order in the matter of disciplinary proceedings against Kenneth P. Kurtz, Jr., DLSC Case Number 22 FDR 011. Motion carried unanimously.

### **RECONVENE TO OPEN SESSION**

**MOTION:** Eric Lengell moved, seconded by Stephen Casey, to reconvene into Open Session. Motion carried unanimously.

The Board reconvened into Open Session at 10:57 a.m.

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

**MOTION:** Joseph Schinkten moved, seconded by Stephen Casey, 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 Eric Lengell, to adjourn the meeting. Motion carried unanimously.

The meeting adjourned at 10:59 a.m.

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

**AGENDA REQUEST FORM**

<b>1) Name and title of person submitting the request:</b> Dana Denny, Administrative Rules Coordinator		<b>2) Date when request submitted:</b> 8/16/2023 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> 8/29/23	<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. Update: Preliminary Rule Draft FD 1, Relating to Apprenticeships and Renewal 2. Pending or Possible Rulemaking Projects a. Rule Project Chart	
<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 <Appearance Name(s)> <input checked="" type="checkbox"/> No	<b>9) Name of Case Advisor(s), if applicable:</b> N/A	
<b>10) Describe the issue and action that should be addressed:</b>  <b>Attachments:</b> Rule Project Chart  (Board Rule projects can be Viewed Here if Needed: <a href="https://dps.wi.gov/Pages/RulesStatutes/PendingRules.aspx">https://dps.wi.gov/Pages/RulesStatutes/PendingRules.aspx</a> )			
<b>11) Authorization</b>			
			8/16/23
Signature of person making this request			Date
Supervisor (Only required for post agenda deadline items)			Date
Executive Director signature (Indicates approval for post agenda deadline items)			Date
<b>Directions for including supporting documents:</b> 1. This form should be saved with any other documents submitted to the <a href="#">Agenda Items</a> folders. 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**  
**Rule Projects (updated 8/16/23)**

<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	Assembly and Senate Standing Committee Review	JCRAR Review