

FILED WITH THE BOARD
OF MORTUARY SCIENCE

ON September 24, 1996

DEBORAH T. PORITZ
ATTORNEY GENERAL OF NEW JERSEY

By: John DeCicco
Deputy Attorney General
Division of Law - 5th Floor
124 Halsey Street
P.O. Box 45029
Newark, New Jersey 07101
Telephone (201) 648-3453

CERTIFIED TRUE COPY

STATE OF NEW JERSEY
DEPARTMENT OF LAW & PUBLIC SAFETY
DIVISION OF CONSUMER AFFAIRS
STATE BOARD OF MORTUARY SCIENCE

IN THE MATTER OF SUSPENSION OR
REVOCATION OF THE LICENSE OF

WILLIAM J. KAHLERT, M.D.
License No. JPO3724

Administrative Action

AND THE REGISTRATION OF
JOHN W. MEHLENBECK
FUNERAL HOME
License No. JB0053

CONSENT ORDER

TO PRACTICE MORTUARY SCIENCE
AND TO OPERATE A REGISTERED
MORTUARY IN THE STATE OF
NEW JERSEY

This matter was opened to the New Jersey State Board of Mortuary Science (hereinafter the "Board") by way of an Administrative Complaint filed on behalf of the Attorney General by John DeCicco, Deputy Attorney General. The complaint alleges in three (3) counts that respondents, William J. Kahlert and the John W. Mehlenbeck Funeral Home: (1) were not compliant with the Board's Final Decision and Order of April 29, 1996; (2) engaged in the unauthorized practice of Mortuary Science; and (3) converted funds deposited by a consumer in a pre-need or advance trust account to their own benefit and use. These actions were alleged to constitute unlawful conversion in violation of N.J.S.A. 2A:102-13 and 16; fraud, deception and misrepresentation; professional

misconduct; failure to comply with the statutes and regulations administered by the Board; and incapability of discharging the functions of licensees in a matter consistent with the public health safety welfare, all in violation of N.J.S.A. 45:1-21(b), (e), (h) and (I).

On September 17, 1996, respondents appeared before the Board in furtherance of a public hearing on the complaint. At that time a settlement was reached which is detailed below. Said settlement was placed on the record by the Deputy Attorney General and respondent Kahlert. Respondent Kahlert, under oath, agreed to the terms of the settlement as set forth below.

Respondent desiring to resolve this matter without the necessity of a formal proceeding; and it appearing that respondent has read the terms of the within Order and, understands its meaning and effect and consents to be bound by same; and it further appearing that the within Order adequately protects the public health safety and welfare; and therefore it appearing that good cause exists for the entry of the within Order,

IT IS THEREFORE, on this *24th* day of *September* 1996,
ORDERED AND AGREED that:

1. Respondent Kahlert's license to practice Mortuary Science in the State of New Jersey is revoked with prejudice as of September 17, 1996. Respondent Kahlert may never reapply for a license to practice Mortuary Science in the State of New Jersey.

2. The registration of the John W. Mehlenbeck Funeral Home is revoked with prejudice as of September 17, 1996.

3. Respondent Kahlert shall pay a civil penalty for the unauthorized practice of Mortuary Science in the cases of M.D. and A.G. in the amounts of \$2,500.00 each, for a total of \$5,000.00.

4. The civil penalty in paragraph 3 herein is to be aggregated with the penalty set forth in the Board's prior Order of

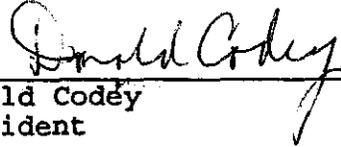
April 29, 1996 for a total penalty of \$17,000. Respondent Kahlert shall be able to make installment payments of \$500.00 per each month, commencing in October of 1996 and concluding at such time as the civil penalty is paid.

5. Respondent Kahlert shall remove the sign in front of the John W. Mehlenbeck Funeral Home and any other indicia from the building indicating that a registered funeral home by that name was located on the premises.

6. Failure to comply with any provisions of this Order will result in further disciplinary action by the Board as deemed appropriate.

NEW JERSEY STATE BOARD OF
MORTUARY SCIENCE

By: _____


Donald Codéy
President

I have read the above Order
and agreed to its terms.
I agreed to bound by this
order and consent to its
entry by the Board of
Mortuary Science.



William S. Kahlert
On behalf of himself and
the John W. Mehlenbeck Funeral Home

Witnessed on 9/24/96 by

John De Cicco

