

State Board of Mortuary Science of New Jersey

February 6, 2001

Open Session Meeting Minutes

IN ATTENDANCE

Gerald P. Scala, Esq., President, Public Member
Donald P. Codey, Secretary
Peter P. Horvath
Marius R. Lombardi, Government Member
Bernadette Stoecker-Rossi
Kevin G. Quinn
John DeCicco, Esq., Public Member (left 1:30 P.M.)
Charles D. Sidun

ALSO ATTENDING

Paul C. Brush, Executive Director
Jodi C. Krugman, Deputy Attorney General
Sabrina Riles, Secretarial Assistant

EXECUTIVE DIRECTORS REPORT

- A) Mr. Brush reported that seven (7) complaints were received in January.
- B) Mr. Brush reported the Jurisprudence Examination has been scheduled for February 26, 2001.
- C) Mr. Brush reported that on February 12th, Lincolns Birthday, and February 19th, Washingtons Birthday, the Board offices will be closed.
- D) The next monthly meeting is scheduled for Tuesday, March 6, 2001.
- E) Mr. Brush reported the International Conference of Funeral Service Examining Boards annual convention is being held April 7 - 10, 2001 in Clearwater, Florida. Mr. Scala, and Mr. Codey will attend with Mr. Brush. On motion made by Mr. DeCicco, seconded by Mr. Lombardi, the Board voted to approve their attendance at the conference. All voted in favor of the motion. Mr. Brush expenses will be paid for by the ICFSEB.

APPROVAL OF MINUTES

October 31, 2000 - On motion made by Mr. Horvath, seconded by Mr. Quinn, the Board voted to approve the minutes. All voted in favor of the motion.

INTERN REGISTRATIONS

Annette M. York, Introcaso Angelo Funeral Home, Jersey City
Marjorie H. McClure, Waitt-Nelms Funeral Home, Morganville

NEW INSTALLATIONS

James Funeral Home, Perth Amboy/Idona S. James, Mgr.

Serenity Funeral Home, Inc., Pleasantville/Mary A. Abdur-Rasheed, Mgr.
Anne L. Murdock Funeral Service, Inc., Clinton/Anne L. Murdock, Mgr.

CONTINUING EDUCATION

A) Credentials Committee Report. On motion made by Mr. DeCicco, seconded by Mr. Sidun, the Board voted to accept the attached report. All voted in favor of the motion.

CORRESPONDENCE

A) New Jersey Cemetery Board public session minutes October 12, 2000. This was for the Boards information only.

B) New Jersey Cemetery Board public session agenda October 14, 2000. This was for the Board information only.

C) Death Care Business Advisor article regarding the New York State Funeral Directors Association opposing legal challenges to New York law banning funeral home and cemetery affiliations. This was for the Boards information only.

D) Death Care Business Advisor article regarding New Jersey Division of Consumer Affairs suit against CMS Mid-Atlantic Inc., for bait and switch. This was for the Boards information only.

LICENSING MATTERS

A) Letter from executive director to licensees who have not completed continuing education requirements for renewal period 3/1/01 - 2/28/03. This was for the Boards information only.

B) Edward F. Sakowicz, #JP2880; request for waiver of continuing education requirements. On motion made by Mr. DeCicco, seconded by Ms. Stoecker-Rossi, the Board determined to deny his request. All voted in favor of the motion.

C) Donald Brown, #JP2178; request for waiver of continuing education requirements. On motion made by Mr. DeCicco, seconded by Ms. Stoecker-Rossi, the Board determined to deny his request. All voted in favor of the motion.

D) Carolyn Whigham - request for reinstatement of her license to practice mortuary science. Mr. DeCicco recused himself from discussion of this matter. The Board reviewed a request for reconsideration of its decision not to reinstate her license which had been made at the January 9, 2001 meeting. On motion made by Mr. Sidun, seconded by Mr. Quinn, the Board voted to sustain its previous decision and also inform Ms. Whigham that it would not consider a request for reinstatement prior to August 29, 2003. Voting in favor of the motion: Mr. Sidun, Mr. Quinn, Mr. Codey, Mr. Lombardi, Ms. Stoecker-Rossi, Mr. Scala. Voting against: Mr. Horvath. Mr. DeCicco recused. The motion passed.

REGULATORY MATTERS

A) National Funeral Directors Association letter regarding trusting policy for preneed funds. This was for the Boards information only. The Board directed staff to acknowledge their letter and enclose a copy of the Board preneed regulations.

OPEN DISCIPLINARY MATTERS

A) Penalties from the following uniform penalty letters have been paid.

#00-86 Flock Funeral Home, Long Branch; failure to obtain signature of consumer on Statement of Funeral Goods and Services Selected; penalty \$1,500.00.

#00-79 G. Keenen OBrien Funeral Home, Inc., Bayonne; funeral home inspection violation; penalty \$100.00.

#00-10 Joseph P. Horan Funeral Directors, Trenton; failure to immediately provide a Statement of Funeral Goods and Services Selected; penalty \$1,500.00.

#00-77 Paul A. McDonough Funeral Home, Inc., Belmar, Statement of Funeral Goods and Services Selected not in compliance; penalty \$1,500.00.

PUBLIC COMMENTS

None.

EXECUTIVE SESSION - 11:15 A.M. Motion made by Mr. Horvath, seconded by Ms. Stoecker-Rossi to go into executive session to discuss consumer complaints and/or conduct investigative inquiries. All voted in favor of the motion. The results of these deliberations will be made known when and if the Board determines to initiate disciplinary or other law enforcement action. If the Board determines to issue uniform penalty letters, that action will be taken in public session immediately after the executive session.

1:50 P.M. Motion to adjourn Mr. Sidun, seconded by Mr. Horvath. All voted in favor of the motion.

The following Uniform Penalty letters were approved:

#00-31 Eternity Funeral Service, Garfield, NJ - violation of **N.J.A.C.** 13:36-1.9 Statement of Funeral Goods and Services not in compliance; penalty

\$1,500.00.

#00-53 Damiano Funeral Home, Long Branch, NJ - violation of **N.J.A.C.** 13::36.10, allowing unlicensed person to make final disposition; Reprimand.

Campbell Funeral Chapel, Inc., Trenton, NJ - violation of **N.J.A.C.** 13:36-5.1(b) Statement of Funeral Goods and Services not in compliance; penalty \$1,500.00.

Donald R. Codey
Secretary

Date



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