

# State Board of Mortuary Science of New Jersey

December 4, 2001

## Open Session Meeting Minutes

### IN ATTENDANCE

Gerald P. Scala, Esq., President, Public Member  
Donald P. Codey, Secretary  
Peter P. Horvath  
Charles D. Sidun (left at 3:30 p.m.)  
John DeCicco, Esq., Public Member (left at 1:30 p.m.)  
Marius R. Lombardi, Government Member (arrived at 10:40 a.m.)  
Bernadette Stoecker-Rossi

### ABSENT

Kevin G. Quinn

### ALSO ATTENDING

Paul C. Brush, Executive Director  
Jodi C. Krugman, Deputy Attorney General  
Sunil Raval, Deputy Attorney General  
Sabrina Riles, Secretarial Assistant  
Africa Lee, Computer Operator Assistant

### EXECUTIVE DIRECTOR'S REPORT

- A) Mr. Brush reported that four (4) complaints were received in November.
- B) The Board newsletter will be posted on the Board's website in addition to being mailed.
- C) The next monthly Board meeting will be on January 8, 2002.
- D) Mr. Brush and Board members expressed their condolences to Mr. Codey on the passing of his brother, Eugene, a licensed funeral director.

### APPROVAL OF MINUTES

August 7, 2001 - On motion made by Mr. Horvath, seconded by Mr. DeCicco, the Board voted to approve the minutes. All voted in favor of the motion.

September 6, 2001 - On motion made by Mr. DeCicco, seconded by Ms. Stoecker-Rossi, the Board voted to approve the minutes. All voted in favor of the motion.

October 2, 2001 - On motion made by Ms. Stoecker-Rossi, seconded by Mr. Horvath, the Board voted to approve the minutes. All voted in favor of the motion.

## **INTERN REGISTRATIONS**

Alexis J. Dabney, Carl Miller FH, Camden  
Sylvia Saxton, Cotton Funeral Service, Orange  
Torrey L. Tillery, Woody "Home For Funerals", Orange  
Vincent Caiola, Introcaso Angelo FH, Jersey City  
Gail Cunningham, Campbell Funeral Chapel, Trenton  
David L. Hernandez, Jr., Waitt-Nelms FH, Morganville  
Mark Whittaker, The Kimble FH, Princeton  
Jennifer Atkinson, Pancoast FH, Vineland

## **NEW LICENSEES**

Wayne Marston  
Christopher LaBree  
Karen Leber  
Antoinette Cuoco  
Thomas C. Kenny

## **NEW INSTALLATIONS**

None.

## **CONTINUING EDUCATION**

A) Credentials Committee Report. On motion made by Mr. Horvath, seconded by Ms. Stoecker-Rossi, the Board voted to accept the attached report. All voted in favor of the motion.

## **CORRESPONDENCE**

A) New Jersey Cemetery Board public session minutes September 13, 2001. This was for the Board's information only.

B) New Jersey Cemetery Board public session minutes November 1, 2001. This was for the Board's information only.

## **LICENSING MATTERS**

A) Mr. Brush reported that due to the transition to the new licensing system, all funeral home registrations that were due to expire December 31, 2001 have been extended to March 1, 2002. The notice is posted on the Board's website. This was for the Board's information only.

## **DISCIPLINARY MATTERS**

A) #00-31 Eternity Funeral Services LLC, Garfield, - uniform penalty letter for violation of N.J.A.C. 13:36-1.9(a); penalty \$750.00 paid November 7, 2001. This was for the Board's information only.

B) #01-17 Stephen J. Priola Parsippany Funeral Service, Lake Hiawatha - uniform penalty letter for violation of N.J.A.C. 13:36-5.12(c); penalty \$250.00 paid November 5, 2001. This was for the Board's information only.

C) #00-52 - Higgins & Bonner Echo Lake Funeral Home, Inc., Elizabeth - uniform penalty letter for violation of N.J.A.C. 13:36-1.9(f); penalty \$1,500.00; additional information submitted by complainant. The Board determined to move this matter to the executive session.

## **REGULATORY MATTERS**

A) Executive Commission on Ethical Standards adoption of N.J.A.C. 19:61 and adopted new rule N.J.A.C. 19:61-7. DAG Krugman reviewed the adopted regulations and their impact on the Board.

B) Mr. Brush reported that a caller to the office asked about the propriety of the funeral director holding cremated remains or a dead body until payment has been received. Mr. Scala opined that the funeral director does not have the right to do so; however, he determined to refer the matter to the Regulations Committee for review.

C) DAG Krugman discussed the issue of the funeral director's responsibilities to the next of kin where the spouse of the decedent arranges to bring the body to the funeral home and then does not go to the funeral home to make arrangements. Subsequently, the children attempt to make arrangements. The children should either obtain a waiver from the spouse or obtain a court order giving them authority to make arrangements. Absent those actions, however, the funeral director must make a reasonable effort to locate the spouse. This matter was also referred to the Regulations Committee for review.

## **PUBLIC COMMENTS**

None.

## **EXECUTIVE SESSION**

10:00 a.m. - Motion made by Mr. DeCicco, 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.

The following disciplinary actions were taken in executive session:

1) #00-52 Higgins & Bonner Echo Lake Funeral Home, Elizabeth - uniform penalty letter for violation of N.J.A.C. 13:36-1.9(f); penalty \$1,500.00 rescinded.

2) #01-33 Campbell Funeral Chapel, Inc., Trenton - uniform penalty letter for violation of N.J.A.C. 13:36-5.1(c); penalty \$1,500/00 rescinded.

3) Campbell Funeral Chapel, Inc., Trenton - The board voted to issue a uniform penalty letter for violation of N.J.A.C. 13:36-1.9(c), inclusion of a contract on the Statement of Funeral Goods and Services that is not in compliance with the regulation; penalty \$1,000.00.

4) Carmen F. Spezzi, #3139 and Christine O. Spezzi, #3674, preceptors for Carmen Spezzi, Jr. and Meaghan Spezzi, interns. The Board voted to issue a uniform penalty letter imposing a penalty of \$500.00 to each preceptor for allowing the interns to file monthly reports of embalmments and funerals that were improperly prepared.

