

**AGENDA (Revised)**

**CONNECTICUT BOARD OF EXAMINERS OF EMBALMERS  
AND FUNERAL DIRECTORS**

**Tuesday, May 1, 2007 at 9:30 AM**  
Department of Public Health  
410 Capitol Avenue, Hartford, CT  
Conference Room F – Second Floor

**CALL TO ORDER**

**I. MINUTES**

Review and approval of the minutes from the January 11, 2007 and January 18, 2007 meetings.

**II. NEW BUSINESS**

- A. Reinstatement Application – Brace Carpenter  
*Stephen Carragher, Health Program Supervisor, DPH*
- B. Request to become practical examiner  
*Mark T. Kalinowski, Embalmer*

**III. DEPARTMENT OF PUBLIC HEALTH UPDATES**

Investigations Update  
*Gary Griffin, Investigations Supervisor*

**IV. LEGAL OFFICE BUSINESS**

- A. Clifton Petteway – Petition No. 2006-0120-000-003  
*Presentation of Cease and Desist Consent Order – Diane Wilan, Staff Attorney*
- B. Reverend S. P. Petteway – Petition No. 2006-0120-000-004  
*Presentation of Cease and Desist Consent Order – Diane Wilan, Staff Attorney*

**V. SCHEDULE HEARING DATES**

Petteway Funeral Home – Petition No. 2006-0120-056-002

**ADJOURN**

*The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.*

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on January 11, 2007 at the Department of Public Health, 410 Capitol Avenue, Conference Room A/B, Building 470, Hartford, Connecticut.

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**BOARD MEMBERS PRESENT:** Celia Pinzi, Embalmer - Chairperson  
James Donohue  
Peter Hansen, Embalmer  
Daniel P. Jowdy, Embalmer - *via telephone*

**BOARD MEMBERS ABSENT:** John B. Sterry

**ALSO PRESENT:** Jeffrey A. Kardys, Board Liaison  
Gary Griffin, DPH  
Diane Wilan, Staff Attorney, DPH  
Ellen Shanley, Staff Attorney, DPH  
Kathleen Boulware, Public Health Services Manager, DPH  
Emily Melendez, Assistant Attorney General  
Jane Comerford, Assistant Attorney General

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Chairperson Celia Pinzi called the meeting to order at 9:30 a.m.

**I. MINUTES**

The minutes of the November 14, 2006 meeting were reviewed. Mr. Hansen made a motion, seconded by Mr. Donohue, to approve the minutes as corrected. The motion passed unanimously

**II. NEW BUSINESS**

A. An Act Concerning Patient Protection and Health Care Practitioner Security Fund  
Stanley Peck, Section Chief, Legal Office, Department of Public Health (DPH) provided an overview of legislation proposed by the Department of Public Health which would establish a confidential program for impaired health care practitioners; provide funding for DPH consultants and provide funding to the DPH for medical record management in situations in which a practitioner has abandoned a practice. Mr. Peck stated that this legislation would result in a \$10.00 surcharge added to annual license renewals with the monies deposited in a designated fund. Mr. Donohue made a motion, seconded by Mr. Hansen, to support the proposed legislation and to authorize Ms. Pinzi to send a letter of support to the legislature if requested. The motion passed with all in favor.

**III. LEGAL OFFICE BUSINESS**

A. National Cremation Service – Petition Nos. 2004-1112-056-008; 2005-1214-056-024  
Stanley Peck, Section Chief, Legal Office Department of Public Health and Staff Attorney Diane Wilan presented a Consent Order in the this matter. Harvey Bollinger, was present for SCI of Connecticut along with Attorney Jeffrey Zyjeski. Assistant Attorney General Emily Melendez was present to provide counsel to the Board.  
Mr. Hansen made a motion, seconded by Mr. Donohue, to enter executive session to obtain legal advice from the Assistant Attorney General. The motion passed and the Board went into executive session from 10:05 a.m. until 10:20 a.m.

Following executive session Mr. Hansen made a motion, seconded by Mr. Donohue, to accept the Consent Order. The motion passed with Mr. Hansen and Mr. Donohue voting in favor. Ms. Pinzi was opposed. Ms. Pinzi signed the Order on behalf of the Board.

B. SCI CT Funeral Service d/b/a/ Leo Gallagher & Sons Funeral Home –  
Petition Nos. 2004-0630-056-010; 2005-1209-056-021

Stanley Peck, Section Chief, Legal Office Department of Public Health and Staff Attorney Diane Wilan presented a Consent Order in the this matter. Harvey Bollinger, was present for SCI of Connecticut. Michele Balzano was present on behalf of the licensee along with Attorney Jeffrey Zyjeski. Assistant Attorney General Emily Melendez was present to provide counsel to the Board. Mr. Hansen made a motion, seconded by Mr. Donohue, to accept the Consent Order. Thomas Gallagher spoke on behalf of the Funeral Home and answered questions from the Board. Following discussion Mr. Donohue voted in favor of accepting the Consent Order, Mr. Hansen and Ms. Pinzi were opposed.

Mr. Peck requested information as to what revisions to the proposed Order would be more acceptable to the Board. Mr. Hansen commented that the issue in this case of an unembalmed body being kept for a period of five months requires a remedy more sever than that which was proposed.

C. SCI CT Funeral Service d/b/a/ Newkirk & Whitney Funeral Home  
Petition No. 2005-1209-056-020

Stanley Peck, Section Chief, Legal Office Department of Public Health and Staff Attorney Diane Wilan presented a Consent Order in the this matter. Harvey Bollinger and Jeanette Rosiek were present for the licensee along with Attorney Jeffrey Zyjeski. Assistant Attorney General Emily Melendez was present to provide counsel to the Board.

Mr. Donohue made a motion, seconded by Mr. Hansen, to accept the Consent Order. The motion passed with Mr. Hansen and Mr. Donohue voting in favor. Ms. Pinzi was opposed. Ms. Pinzi signed the Order on behalf of the Board.

D. Thomas Gallagher - Petition No. 2005-0630-030-009

Stanley Peck, Section Chief, Legal Office Department of Public Health and Staff Attorney Diane Wilan presented a Consent Order in the this matter. Mr. Gallagher was present with Attorney Jeffrey Zyjeski. Harvey Bollinger, was present for SCI of Connecticut. Assistant Attorney General Emily Melendez was present to provide counsel to the Board.

Mr. Donohue made a motion, seconded by Mr. Hansen, to accept the Consent Order. Following discussion Mr. Donohue voted in favor of accepting the Consent Order, Mr. Hansen and Ms. Pinzi were opposed.

E. Michele Balzano - Petition No. 2005-1214-056-016

Stanley Peck, Section Chief, Legal Office Department of Public Health and Staff Attorney Diane Wilan presented a Consent Order in the this matter. Ms. Balzano was present with Attorney Jeffrey Zyjeski. Harvey Bollinger, was present for SCI of Connecticut. Assistant Attorney General Emily Melendez was present to provide counsel to the Board.

Mr. Donohue made a motion, seconded by Mr. Hansen, to accept the Consent Order. Following discussion Mr. Donohue voted in favor of accepting the Consent Order, Mr. Hansen and Ms. Pinzi were opposed.

F. Jonathan White - Petition No. 2005-1214-030-020

Stanley Peck, Section Chief, Legal Office Department of Public Health and Staff Attorney Diane Wilan presented a Consent Order in the this matter. Mr. White was present with Attorney Jeffrey Zyjeski. Harvey Bollinger, was present for SCI of Connecticut. Assistant Attorney General Emily Melendez was present to provide counsel to the Board.

Mr. Donohue made a motion, seconded by Mr. Hansen, to accept the Consent Order.

Mr. Christopher Palumbo was present to answer questions from the Board.

Following discussion Mr. Donohue voted in favor of accepting the Consent Order, Mr. Hansen and Ms. Pinzi were opposed.

G. Jeanette Rosiek - Petition No. 2005-1209-030-015

Stanley Peck, Section Chief, Legal Office Department of Public Health and Staff Attorney Diane Wilan presented a Consent Order in the this matter. Ms. Rosiek was present with Attorney Jeffrey Zyjeski. Harvey Bollinger, was present for SCI of Connecticut. Assistant Attorney General Emily Melendez was present to provide counsel to the Board.

Ms. Pinzi made a motion, seconded by Mr. Donohue, to accept the Consent Order

The motion passed unanimously. Ms. Pinzi signed the Order on behalf of the Board.

H. Dalton Zahner - Petition No. 2005-0412-030-007

Stanley Peck, Section Chief, Legal Office Department of Public Health and Staff Attorney Diane Wilan presented a Consent Order in the this matter. Mr. Zahner was present with Attorney Jeffrey Zyjeski. Harvey Bollinger, was present for SCI of Connecticut. Assistant Attorney General Emily Melendez was present to provide counsel to the Board.

Ms. Pinzi made a motion, seconded by Mr. Donohue, to accept the Consent Order

The motion passed unanimously. Ms. Pinzi signed the Order on behalf of the Board.

I. Christopher Palumbo - Petition No. 2005-1214-030-021

Stanley Peck, Section Chief, Legal Office Department of Public Health and Staff Attorney Diane Wilan presented a Consent Order in the this matter. Mr. Palumbo was present with Attorney Jeffrey Zyjeski. Harvey Bollinger, was present for SCI of Connecticut. Assistant Attorney General Emily Melendez was present to provide counsel to the Board.

Ms. Pinzi made a motion, seconded by Mr. Hansen, to approve the Consent Order provided respondent submits proof to the Department and the Board that a refund of refrigeration charges were provided to the family.

The motion passed unanimously. Ms. Pinzi signed the Order on behalf of the Board.

Mr. Jowdy joined the meeting via telephone conference at 12:25 p.m.

J. Petteway Funeral Home - Petition No. 2006- 0120-056-002

Ms. Pinzi recused herself in this matter and Mr. Hansen chaired the meeting.

Diane Wilan Staff Attorney, Department of Public Health presented a Motion for Summary Suspension. Clifton Petteway owner of the funeral home, Lillard Lewis, manager of the funeral home and Reverend Stanley Petteway were present on behalf of the home but were not represented by counsel. Assistant Attorney General Jane Comerford was present to provide counsel to the Board.

Following discussion and comments from Mr. Petteway, Reverend Petteway and Mr. Lewis Mr. Donohue made a motion, seconded by Mr. Jowdy, to grant the motion for summary suspension.

The motion passed with all in favor except Ms. Pinzi who was recused. Mr. Hansen signed the Summary Suspension Order. A hearing is scheduled for January 23, 2007.

Mr. Jowdy left the meeting and Ms. Pinzi rejoined the meeting at 1:10 p.m.

- K. Kevin Riley - Petition No. 2006- 0427-030-006  
Coventry Funeral Home - Petition No. 2006- 1206-056-012  
Hartford Trade Service – Petition No. 2006-0427-056-007

Ellen Shanley Staff Attorney, Department of Public Health presented a Motion for Summary Suspension in the referenced matters.. Kevin Riley was present with Attorney John Droney. Assistant Attorney General Jane Comerford was present to provide counsel to the Board. Respondent filed a Motion to Dismiss the Summary Suspension Application.

Argument was heard from Attorneys Shanley and Droney.

The Board expressed concern that due to volume of information alleged and presented, more time is necessary for the Board to review this information.

Ms. Pinzi made a motion, seconded by Mr. Hansen, to table this matter to a meeting to be scheduled for January 18, 2007. The motion passed unanimously

#### **IV. ADJOURNMENT**

Mr. Donohue made a motion, seconded by Mr. Hansen, to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 2:04 p.m.

Respectfully submitted,

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Celia Pinzi, Chairperson  
Board of Examiners of Embalmers and Funeral Directors

*The following minutes are draft minutes which are subject to revision and which have not yet been adopted by the Board.*

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on January 18, 2007 at the Department of Public Health, 410 Capitol Avenue, Conference Room A/B, Building 470, Hartford, Connecticut.

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**BOARD MEMBERS PRESENT:** Celia Pinzi, Embalmer - Chairperson  
James Donohue  
Peter Hansen, Embalmer  
Daniel P. Jowdy, Embalmer  
John B. Sterry

**BOARD MEMBERS ABSENT:** None

**ALSO PRESENT:** Jeffrey A. Kardys, Board Liaison

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Chairperson Celia Pinzi called the meeting to order at 9:31 a.m.

**I. LEGAL OFFICE BUSINESS**

Kevin Riley - Petition No. 2006- 0427-030-006

Coventry Funeral Home - Petition No. 2006- 1206-056-012

Hartford Trade Service – Petition No. 2006-0427-056-007

Ellen Shanley, Staff Attorney, Department of Public Health presented a Motion for Summary Suspension in the referenced matters. Kevin Riley was present with Attorney John Droney.

Assistant Attorney General Jane Comerford was present to provide counsel to the Board.

Mr. Jowdy indicated that he has done business with respondent in the past and asked if he should be recused. Neither the Department of Public Health nor respondent objected to Mr. Jowdy hearing this matter.

Respondent made a request that Mr. Hansen be recused due to potential business competition. Mr. Hansen indicated that although he would be able to remain objective and unbiased in hearing these matters, he would recuse himself.

Mr. Hansen left the meeting at 9:42 a.m.

Argument was heard from Attorney Droney and Attorney Shanley on respondent's motion to dismiss summary suspension applications. Attorney Droney presented numerous letters in support of respondent. Mr. Donohue made a motion, seconded by Ms. Pinzi, to deny respondent's motion to dismiss the summary suspension applications. The motion to deny passed unanimously.

Mr. Donohue made a motion, seconded by Ms. Pinzi, to grant the Department's motion for Summary Suspension of respondent's embalmer license.

Mr. Sterry made a motion, seconded by Mr. Donohue, to enter executive session to obtain legal advice from the Assistant Attorney General. The Board entered executive session from 10:20 a.m. to 10:35 a.m.

Following executive session the Board heard additional argument from Attorneys Shanley and Droney. Mr. Riley also addressed the Board.

The Board voted unanimously not to grant the Department's motion for Summary Suspension of respondent's embalmer license.

Mr. Donohue made a motion, seconded by Mr. Sterry, to grant the Department's motion for Summary Suspension of the inspection certificate of Coventry Funeral Home. The Board heard argument from Attorneys Shanley and Droney. Mr. Riley also addressed the Board. The Board voted unanimously not to grant the Department's motion for Summary Suspension of the inspection certificate of Coventry Funeral Home.

Mr. Donohue made a motion, seconded by Mr. Sterry, to grant the Department's motion for Summary Suspension of the inspection certificate of Hartford Trade Service. Mr. Riley addressed questions the Board. The Board voted unanimously not to grant the Department's motion for Summary Suspension of the inspection certificate of Hartford Trade Service.

The Board scheduled hearings in the referenced matters for February 8, 2007 and March 6, 15 and 29, 2007.

## **II. ADJOURNMENT**

Mr. Donohue made a motion, seconded by Mr. Jowdy, to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 11:15 a.m.

Respectfully submitted,

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Celia Pinzi, Chairperson  
Board of Examiners of Embalmers and Funeral Directors