

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on January 27, 2009 at the Department of Public Health Complex, 410 Capitol Avenue, Hartford, Connecticut in Conference Room A/B, Cafeteria Building.

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

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Jeffrey A. Kardys, Board Liaison
Gary Griffin, DPH
Diane Wilan, Staff Attorney, DPH

Chairperson Celia Pinzi called the meeting to order at 9:38 a.m.

I. MINUTES

The minutes from the December 2, 2008 meeting were reviewed. Mr. Sterry made a motion, seconded by Mr. Hansen, to approve the minutes. The motion passed.

II. CHAIR UPDATES

- Electronic Death Certificates may be available by October 2009.
- Lupoli Funereal Home – This establishment has closed. The inspection certificate expired on June 2008 and has not been renewed. The State of Connecticut, Department of Consumer Protection is investigating this home to determine if there are any problems with pre-need funeral contracts. The Department of Public Health will also review this matter.

III. DEPARTMENT OF PUBLIC HEALTH UPDATES

Proposed Legislation for 2009

Jennifer Filippone, Section Chief, Office of Practitioner Licensing and Investigation, Department of Public Health reported on proposed legislation.

Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that there are 10 cases currently in various stages of investigation by the Department. 4 additional cases have been referred to the Department's Legal Office for further review.

IV. NEW BUSINESS

Hartford Trade Service – Petition No. 2006-0427-056-00

The Board reviewed a request from Kevin Riley in which he asks for a payment schedule of \$250.00/month to pay the \$10,000.00 civil penalty ordered pursuant to the December 2, 2008 Memorandum of Decision.

Ms. Pinzi made a motion seconded by Mr. Sterry to allow payment of the civil penalty pursuant to the following schedule:

- \$2500.00 due February 2, 2009
- \$2500.00 due April 1, 2009
- \$2500.00 due May 1, 2009
- \$2500.00 due July 1, 2009

The motion passed unanimously.

V. ADJOURNMENT

Mr. Sterry made a motion, seconded by Mr. Jowdy, to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 10:30 a.m.

Respectfully submitted,

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

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on April 23, 2009 at the Department of Public Health Complex, 410 Capitol Avenue, Hartford, Connecticut in Conference Room A/B, Cafeteria Building,

BOARD MEMBERS PRESENT: Daniel P. Jowdy, Embalmer
Gerald Bosak, Jr., Embalmer
James Donohue
Peter Hansen, Embalmer
John B. Sterry, Jr.

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Jeffrey A. Kardys, Board Liaison
Gary Griffin, DPH
Diane Wilan, Staff Attorney, DPH

Mr. Jowdy called the meeting to order at 9:30 a.m.

Mr. Bosak was welcomed to his first meeting as a Board member.

The Board expressed its thanks to Celia Pinzi for her dedicated service to the Board, the Department of Public Health, and the citizens of Connecticut since her appointment as chairperson in July 1995. Ms. Pinzi's term as a Board member ended on April 16, 2009.

I. MINUTES

The minutes from the January 27, 2009 meeting were reviewed. Mr. Hansen made a motion, seconded by Mr. Sterry, to approve the minutes. The motion passed with all in favor except Mr. Bosak who abstained.

II. DEPARTMENT OF PUBLIC HEALTH UPDATES

Proposed Legislation for 2009

Jennifer Filippone, Section Chief, Office of Practitioner Licensing and Investigation, Department of Public Health reported on proposed legislation.

Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that there are 8 cases currently in various stages of investigation by the Department. 4 additional cases have been referred to the Department's Legal Office for further review.

III. NEW BUSINESS

A Memoranda of Decision

Michelle Balzano - Petition No. 2005-1209-030-016

Mr. Hansen made a motion, seconded by Mr. Sterry, to adopt the Memorandum of Decision, which suspends respondent's license for a period of 90 days. The motion passed with all in favor except Mr. Bosak who abstained. Mr. Hansen signed the order on behalf of the Board.

SCI Connecticut Funeral Service

d.b.a. Leo Gallagher & Son Funeral Home - Petition No. 2005- 1209-056-021

Mr. Hansen made a motion, seconded by Mr. Jowdy, to adopt the Memorandum of Decision, which imposes a civil penalty of \$25, 000.00 and places the funeral homes license on probation for one year. The motion passed with all in favor except Mr. Bosak who abstained. Mr. Jowdy signed the order on behalf of the Board.

IV. OLD BUSINESS

Hartford Trade Service – Petition No. 2006-0427-056-00

Board Liaison Jeffrey Kardys reported that respondent in this matter has not complied with payment of the civil penalty ordered by the Board.

Mr. Donohue made a motion, seconded by Mr. Sterry, to request that the Office of the Attorney General take action to enforce the \$10,000.00 civil penalty ordered pursuant to the Board's December 2, 2008 Memorandum of Decision. The motion passed with all in favor except Mr. Bosak who abstained.

Colonial Funeral Home – Petition No. 2005-0927-056-015

Paul Moraski – Petition No. 2005-0927-030-013

Board Liaison Jeffrey Kardys reported that the Connecticut Supreme Court heard respondent's appeals. The Supreme Court ruled on April 21, 2009, to uphold the Superior Court decision dismissing respondent's appeals of the Board's September 12, 2006 Memoranda of Decision in these matters.

Mr. Hansen made a motion, seconded by Mr. Sterry, to request that the Office of the Attorney General take action to enforce the \$50,000.00 civil penalty imposed on Colonial Funeral Home. The motion passed with all in favor except Mr. Bosak who abstained. Mr. Jowdy made a motion, seconded by Mr. Sterry to request the Office of the Attorney General to take any necessary steps, in conjunction with the Department of Consumer Protection, to ensure that Mr Moraski and Colonial Funeral Home have complied with Connecticut General Statutes §§ 20-222c and 42-200 regarding any prepaid funeral service contracts that respondents sold to clients. The motion passed unanimously.

V. ADJOURNMENT

Mr. Sterry made a motion, seconded by Mr. Jowdy, to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 10:05 a.m.

Respectfully submitted,

Daniel Jowdy, Chairman
Board of Examiners of Embalmers and Funeral Directors

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on June 2, 2009 at the Department of Public Health Complex, 410 Capitol Avenue, Hartford, Connecticut in Conference Room C, Second Floor,

BOARD MEMBERS PRESENT: Daniel P. Jowdy, Embalmer
Gerald Bosak, Jr., Embalmer
James Donohue
Peter Hansen, Embalmer
John B. Sterry, Jr.

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Jeffrey A. Kardys, Board Liaison
Gary Griffin, DPH
Diane Wilan, Staff Attorney, DPH
Darren Cunningham, Assistant Attorney General
Frank Manna, Department of Public Health

Mr. Jowdy called the meeting to order at 9:30 a.m.

I. MINUTES

The minutes from the April 23, 2009 meeting were reviewed. Mr. Hansen made a motion, seconded by Mr. Sterry, to approve the minutes. The motion passed unanimously.

II. DEPARTMENT OF PUBLIC HEALTH UPDATES

Jennifer Filippone, Section Chief, Office of Practitioner Licensing and Investigation, Department of Public Health reported regarding Briarwood College and the accreditation of its mortuary science program.

Funeral Director licensure was discussed with Ms. Filippone, specifically the requirement of a practical examination. Ms. Filippone will report back to the Board regarding this issue.

Board Liaison Jeffrey Kardys reported that correspondence has been sent to the Assistant Attorney General requesting that they take action to enforce the civil penalty set forth in the matter of Paul Moraski, Embalmer and in the matter of Hartford Trade Service.

Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that there are eight cases currently in various stages of investigation by the Department. Four additional cases have been referred to the Department's Legal Office for further review.

Mr. Griffin also reported on ownership and management changes at various funeral homes.

III. NEW BUSINESS

A. License Reinstatement Review – Bruce Swan, Embalmer

Frank Manna, Department of Public Health, Office of Practitioner Licensing presented a reinstatement application for Bruce Swan.

Following review Mr. Hansen made a motion, seconded by Mr. Sterry, to recommend reinstatement conditional upon Ms. Swan passing of the State Law examination, the embalming practical examination and being current with continuing education requirements. The motion passed unanimously.

IV. LEGAL OFFICE BUSINESS

Jeffrey Meyer, Embalmer – Petition No. 2008-0731-030-005

Diane Wilan, Staff Attorney, Department of Public Health presented a Motion for Summary Suspension in the referenced matter. Jeffrey Meyer was present with Attorney John Droney. Assistant Attorney General Darren Cunningham was present to provide counsel to the Board. Respondent filed an objection to the Summary Suspension motion.

Argument was heard from Attorneys Wilan and Droney.

Mr. Hansen made a motion, seconded by Mr. Donohue, to enter executive session to obtain legal advice from Assistant Attorney General Cunningham. The motion passed and the Board entered executive session from 10:30 a.m. until 10:55 a.m. No motions were made and no votes were taken in executive session.

Following additional discussion with Attorneys Wilan and Droney, Mr. Hansen made a motion, seconded by Mr. Donohue, to again enter executive session to obtain additional legal advice from Assistant Attorney General Cunningham. The motion passed and the Board entered executive session from 11:00 a.m. until 11:10 a.m. No motions were made and no votes were taken in executive session.

Following executive session Mr. Donohue made a motion, seconded by Mr. Sterry, to deny the motion for Summary Suspension in that the allegations against Mr. Meyer do not rise to a level of immediate threat to public safety or welfare. The motion passed unanimously.

A hearing in this matter will be scheduled for June 18, 2009 and June 23, 2009.

V. ADJOURNMENT

Mr. Hansen made a motion, seconded by Mr. Sterry, to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 11:19 a.m.

Respectfully submitted,

Daniel Jowdy, Chairman
Board of Examiners of Embalmers and Funeral Directors

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on September 1, 2009 at the Department of Public Health Complex, Capitol Avenue, Hartford, Connecticut in Conference Room A/B, Building 470,

BOARD MEMBERS PRESENT: Daniel P. Jowdy, Embalmer
Gerald Bosak, Jr., Embalmer
James Donohue
Peter Hansen, Embalmer

BOARD MEMBERS ABSENT: John B. Sterry, Jr.

ALSO PRESENT: Jeffrey A. Kardys, Board Liaison
Jennifer Filippone, Section Chief, Department of Public Health
Gary Griffin, Department of Public Health
Diane Wilan, Staff Attorney, DPH
Daniel Shapiro, Assistant Attorney General

Mr. Jowdy called the meeting to order at 9:40 a.m.

I. MINUTES

The minutes from the June 2, 2009 meeting were reviewed. Mr. Hansen made a motion, seconded by Mr. Bosak, to approve the minutes. The motion passed unanimously.

II. CHAIR UPDATES

Mr. Jowdy reported that he received a letter from State Representative Janice Giegler outlining the 2009 legislative changes relating to embalmers, funeral homes and cemeteries.

III. DEPARTMENT OF PUBLIC HEALTH UPDATES

Jennifer Filippone, Section Chief, Office of Practitioner Licensing and Investigation, Department of Public Health reported that the Department is looking into the issue of a reciprocal agreement with the State of New Jersey. An update will be provided at the next meeting.

Ms. Filippone also reported that licensing fees may increase as part of the new State budget.

SCI Connecticut Funeral Service

d.b.a. Leo Gallagher & Son Funeral Home - Petition No. 2005- 1209-056-021

Kathleen Boulware, RN, Practitioner Investigations Unit, Department of Public Health reported discussed the probation monitoring requirements in this matter. The Department's Inspector will make monthly and quarterly visits to the funeral home during the one-year period of probation. The Board concurs with this proposal.

IV. NEW BUSINESS

A. Student Embalmers

Activities of student embalmers were discussed. Pursuant to § 20-212 registered student embalmers working under the supervision of a licensed embalmer may do removals of unprepared bodies. Pursuant to § 20-224 student embalmers shall register as apprentices with the Department of Public Health. Students may engage in funeral directing and embalming activities under the direction of a licensed embalmer/funeral director provided they are in an accredited educational program. There is no prerequisite that a student have work experience prior to enrolling in an embalmer/funeral director program. Clarification of this issue may be discussed at the Briarwood conference in October.

B. Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that there are eleven cases currently in various stages of investigation by the Department. Three additional cases have been referred to the Department's Legal Office for further review. Mr. Griffin also reported on ownership and management changes at various funeral homes.

C. Health Assistance interVention Education Network for Connecticut Health Professionals – (HAVEN)

Maureen Dinnan, Executive Director provided the annual update regarding the Haven Program.

Currently there are no embalmers or funeral directors enrolled in the program. There are 152 individuals representing other licensed professions enrolled in the program.

D. Practical Examiners

Mr. Hansen made a motion, seconded by Mr. Bosak, that John Zaleski and Richard Koza be added to the list of examiners for the embalmer practical examination. The motion passed unanimously.

E. Memoranda of Decision

Leonard Holtz - Petition No. 2006- 0427-030-006

Mr. Hansen made a motion, seconded by Mr. Donohue, to adopt the Memorandum of Decision, which imposes a reprimand and a \$2500.00 civil penalty. The motion passed unanimously.

Mr. Jowdy signed the order.

V. LEGAL OFFICE BUSINESS

Dunn Funeral Home – Petition No. 2008-0731-056-006

Diane Wilan, Staff Attorney, Department of Public Health presented a Consent Order in the referenced matter. Jeffrey Meyer and Attorney John Dronney were present for respondent. Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board. Mr. Donohue made a motion, seconded by Mr. Bosak, to adopt the Consent Order. The motion passed unanimously. Mr. Jowdy signed the order.

Jeffrey Meyer, Embalmer – Petition No. 2008-0731-030-005

Diane Wilan, Staff Attorney, Department of Public Health presented a Consent Order in the referenced matter. Jeffrey Meyer was present with Attorney John Droney. Assistant Attorney General Daniel Shapiro was present to provide counsel to the Board.

Mr. Donohue made a motion, seconded by Mr. Hansen, to adopt the Consent Order. During discussion the Board commented that a period of suspension is warranted in this matter.

The Board unanimously voted in opposition to approval of the Consent Order.

The Board suggests that in addition to the terms in the proposed Consent Order that period of suspension for a period of 30 – 60 days would be appropriate.

VI. ADJOURNMENT

Mr. Hansen made a motion, seconded by Mr. Sterry, to adjourn the meeting. The motion passed unanimously. The meeting was adjourned at 10:58 a.m.

Respectfully submitted,

Daniel Jowdy, Chairman
Board of Examiners of Embalmers and Funeral Directors

The Connecticut Board of Examiners of Embalmers and Funeral Directors held a meeting on October 20, 2009 at the Department of Public Health Complex, Capitol Avenue, Hartford, Connecticut in Conference Room F on the second floor

BOARD MEMBERS PRESENT: Daniel P. Jowdy, Embalmer
James Donohue
Peter Hansen, Embalmer

BOARD MEMBERS ABSENT: John B. Sterry, Jr.
Gerald Bosak, Jr., Embalmer

ALSO PRESENT: Jeffrey A. Kardys, Board Liaison
Jennifer Filippone, Section Chief, Department of Public Health
Gary Griffin, Department of Public Health
Diane Wilan, Staff Attorney, DPH

Mr. Jowdy called the meeting to order at 9:32 a.m.

I. MINUTES

The minutes from the September 1 2009 meeting were reviewed. Mr. Hansen made a motion, seconded by Mr. Donohue, to approve the minutes. The motion passed unanimously.

II. CHAIR UPDATES

None

III. DEPARTMENT OF PUBLIC HEALTH UPDATES

A. Jennifer Filippone, Section Chief, Department of Public Health asked that discussion regarding a potential reinstatement hearing be tabled until the December 1, 2009 meeting. Ms. Filippone also reported that the issue regarding reciprocal agreements has been sent to the Assistant Attorney General for advice.

B. Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that there are ten cases currently in various stages of investigation by the Department. Three additional cases have been referred to the Department's Legal Office for further review.

Mr. Griffin also reported on ownership and management changes at various funeral homes.

IV. LEGAL OFFICE BUSINESS

Jeffrey Meyer, Embalmer – Petition No. 2008-0731-030-005

Diane Wilan, Staff Attorney, Department of Public Health presented a Consent Order in the referenced matter. Jeffrey Meyer was present with Attorney John Droney.

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

The motion passed unanimously. Mr. Jowdy signed the Order

V. **ADJOURNMENT**

There was no further business and the meeting was adjourned at 9:40 a.m.

Respectfully submitted,

Daniel Jowdy, Chairman
Board of Examiners of Embalmers and Funeral Directors

The **Connecticut Board of Examiners of Embalmers and Funeral Directors** held a meeting on December 1, 2009 at the Department of Public Health Complex, Capitol Avenue, Hartford, Connecticut in Conference Room F on the second floor

BOARD MEMBERS PRESENT: Daniel P. Jowdy, Embalmer
James Donohue
Peter Hansen, Embalmer

BOARD MEMBERS ABSENT: Gerald Bosak, Jr., Embalmer
John B. Sterry, Jr.

ALSO PRESENT: Jeffrey A. Kardys, Board Liaison
Jennifer Filippone, Section Chief, Department of Public Health
Gary Griffin, Department of Public Health

Mr. Jowdy called the meeting to order at 9:30 a.m.

I. MINUTES

The minutes from the October 20, 2009 meeting were reviewed. Mr. Hansen made a motion, seconded by Mr. Donohue to approve the minutes. The motion passed unanimously.

II. CHAIR UPDATES

Mr. Jowdy announced that the first 30 minutes of each meeting will be devoted to an open forum to allow licensees and/or the public to address the Board.

Jane Comerford, Assistant Attorney General was present to discuss the issue of pre-need and the use of insurance to fund pre-need accounts.

III. DEPARTMENT OF PUBLIC HEALTH UPDATES

A. Jennifer Filippone, Section Chief, Department of Public Health suggested that an informal work group comprised of a Board member, the Connecticut Funeral Directors Association and the Department of Public Health be formed to have discussions regarding a definition of "Funeral Services" in Connecticut.

B. Investigations Update

Gary Griffin, Investigation Supervisor, Department of Public Health reported that there are ten cases currently in various stages of investigation by the Department. Three additional cases have been referred to the Department's Legal Office for further review.

IV. NEW BUSINESS

A. Memoranda of Decision

Eugene Lupoli, Embalmer - Petition No. 2007-1231-030-005

Mr. Hansen made a motion, seconded by Mr. Donohue, to adopt the Memorandum of Decision revoking the license of Mr. Lupoli and imposing a civil penalty of \$20,000.00. The motion passed unanimously. Mr. Jowdy signed the Order.

Lupoli Brothers, Inc. – Petition No. 2007-1231-056-005

Mr. Donohue made a motion, seconded by Mr. Hansen, to adopt the Memorandum of Decision revoking the funeral home license of Lupoli Brothers, Inc. The motion passed unanimously. Mr. Jowdy signed the Order.

B. Schedule Meeting Dates for 2010

The following meeting dates have been scheduled for 2010:

January 28, 2010

March 16, 2010

June 17, 2010

September 14, 2010

October 14, 2010

December 7, 2010

All meetings will be scheduled for 9:30 a.m., at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut.

V. ADJOURNMENT

There was no further business and the meeting was adjourned at 10:45 a.m.

Respectfully submitted,

Daniel Jowdy, Chairman
Board of Examiners of Embalmers and Funeral Directors