

AGENDA

CONNECTICUT BOARD OF EXAMINERS OF EMBALMERS AND FUNERAL DIRECTORS

Thursday, July 28, 2016 at 9:30 AM

Department of Public Health
410 Capitol Avenue, Hartford, CT
Third Floor – Hearing Room

CALL TO ORDER

I. OPEN FORUM

II. MINUTES

Review and approval of the minutes from the May 12, 2016 meeting.

III. DEPARTMENT OF PUBLIC HEALTH UPDATES

Investigations Update

Gary Griffin, Investigations Supervisor, DPH

IV. NEW BUSINESS

A. License Reinstatement Application

- Anthony Lucibello (embalmer license # 002422)

V. MEMORANDA OF DECISION

Andre F. Baker, Jr., Embalmer - Petition No. 2012-490

Baker Funeral Services, Inc. - Petition No. 2012-491

VI. OFFICE OF LEGAL COMPLIANCE

A. Luke DiMaria, Embalmer – Petition Nos. 2014-948; 2015-1402

Presentation of Consent Order – Diane Wilan, Staff Attorney, DPH

B. Abbey Funeral Home and Cremation Servicer – Petition No. 2014-947

Presentation of Consent Order – Diane Wilan, Staff Attorney, DPH

ADJOURN

The Department of Public Health is an equal opportunity provider and employer.

*If you require aid/accommodation to participate fully and fairly,
please contact the Public Health Hearing Office at 860-509-7566*

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 May 12, 2016 at the Department of Public Health, 410 Capitol Avenue, Hartford, Connecticut in the third floor Hearing Room.

BOARD MEMBERS PRESENT: Darrell L. McClam, Embalmer – Chairman
Gerald Bosak, Jr., Embalmer
Frank W. Carmon, IV, Embalmer
Agnes Pier

BOARD MEMBERS ABSENT: None

ALSO PRESENT: Jeffrey A. Kardys, Board Liaison
Gary Griffin, Department of Public Health
Alfreda Gaither, Hearing Officer

The meeting convened at 10:09 a.m.

I. OPEN FORUM

None

II. MINUTES

The April 12, 2016 minutes were reviewed and approved on a motion by Mr. Bosak, seconded by Mr. Carmon.

III. OFFICE OF LEGAL COMPLIANCE

Joseph R. Rubino – Petition No. 2016-146

Presentation of Consent Order – Ellen Shanley, Staff Attorney, DPH

Ellen Shanley, Staff Attorney, DPH presented a Reinstatement *Consent* Order in this matter.

Respondent was represented by Attorney Brad Malicki.

Mr. Carmon made a motion, seconded by Ms. Pier, to approve the Consent Order. The motion passed unanimously. Mr. McClam signed the Order which reinstates Mr. Rubino's license and imposes a one year period of probation if he should become and owner or manager of a funeral service business.

IV. FACT-FINDING

Scott DeMarco, Embalmer - Petition No. 2012-1025

All State Cremation and Funeral Care, LLC - Petition No. 2012-1026

Hearing Officer Alfreda Gaither was present to provide counsel to the Board.

As for the Statement of Charges in the matter of Scott DeMarco the Board found that paragraphs 1 – 7 were proven. Paragraph 8 regarding delivering bodies directly to Oak Grove Crematory was proven. Paragraph 8 regarding the failure to wrap and wash or embalm seven bodies was not proven.

Ms. Pier made a motion, seconded by Mr. Bosak, that Mr. Demarco's license be place on probation for a period of one year with practice supervision and that he is assessed a civil penalty in the amount of \$5000.00. In addition, Mr. Demarco is to complete fours of course work in ethics and four hours of course work pertaining the Federal Trade Commission regulations. The motion passed with all in favor except Mr. McClam who was opposed.

As for the Statement of Charges in the matter of All State Cremation and Funeral Care, LLC, the Board found that paragraphs 1 – 4 were proven.

Ms. Pier made a motion, seconded by Mr. Bosak, that the inspection certificate for All State Cremation and Funeral Care, LLC be placed on probation for a period of one year and that a civil penalty in the amount of \$5000.00 be imposed. The motion passed with all in favor except Mr. McClam who was opposed.

Memoranda of Decision will be drafted and reviewed at a future meeting.

V. ADJOURNMENT

There was no further business and the meeting was adjourned at 10:55 a.m.

Respectfully submitted,

Darrell L. McClam - Chairman
Board of Examiners of Embalmers and Funeral Directors