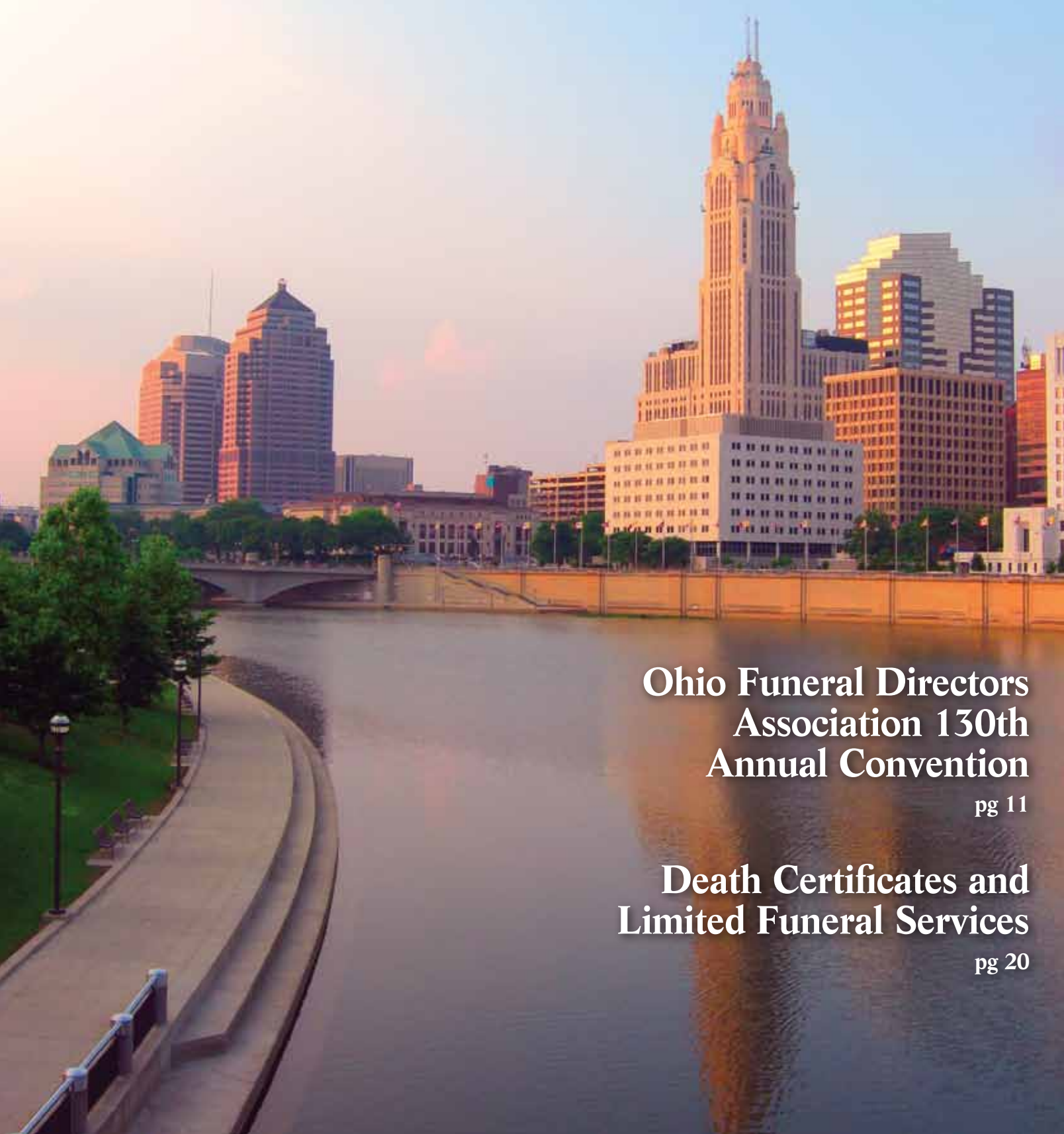


The Buckeye Director

A publication of the Ohio Funeral Directors Association

Spring 2010



Ohio Funeral Directors Association 130th Annual Convention

pg 11

Death Certificates and Limited Funeral Services

pg 20

“By using Astral caskets, we were able to save our families over \$33,000 and add over \$57,000 back into our business last year”

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The Buckeye Director

Volume 2 • Issue 1

The Ohio Funeral Directors Association

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OFDA Mission Statement

To represent and support our membership by promoting professional standards and excellence in funeral service.



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The Buckeye Director Magazine Schedule

The schedule for all contributors to adhere to for future publications is as follows:
June publication deadline is April 13, 2010

If your copy is not received by the deadline date, it will not be published. We feel it necessary to impose these restrictions in order to better serve our members.

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Another Year...

As my year as president ends, I consider my service to OFDA as rewarding, educational, productive and challenging. Probably all of you who have served on the Executive Board of OFDA have experienced the same feelings, maybe at different levels.



Thomas Fleming

Our year began with the highs and lows, mostly lows, of the activity of our Master Trust and the challenge to keep our trust in a positive mode for our membership. Our Master Trust Committee is a diligent and dedicated group of persons that consistently made correct decisions to maintain our trust on the positive side through very turbulent economic times. I must commend Ken Cahall and his committee on their work to keep the OFDA Master Trust a very viable instrument for the membership.

Even though we were on an off year for CEUs and our attendance was lower, I feel that the 2009 convention was a success. It was a year when much of the logistics of the convention changed, with the location of exhibits and meeting rooms moving to the convention center. Our speakers were excellent, and our motorcycle raffle netted nearly \$9,000 for the OFDA Education Foundation. I know the 2010 convention will be a great success.

Our OFDA Web site has changed its looks and has become an even more magnificent tool for the membership. Much of those enhancements need to be credited to Bob Shank Jr., our IT guru, who has developed the Web site into a great resource to our membership. Please go to the Web site and use it; it belongs to you.

It was always an honor for me to represent the OFDA membership at the many NFDA func-

tions we attended. I also felt, at those functions, that NFDA and many state associations respected OFDA. That's a credit to our membership and our progressiveness as an association.

The district meetings went well, as the officers, regional directors, Steve, Melissa and Bob Shank Jr. got out to all of those meetings. We shared changes, news and updates with the membership. I want to thank my Executive Board for taking the time to attend those meetings, even though it is our obligation.

As this year has passed, as well as my many previous years of involvement with OFDA, I am still learning and adapting to the many continuous changes we are experiencing in the funeral industry, and as society dictates, that will be forever.

I want to acknowledge and thank the staff members at OFDA for their dedicated work and support throughout the year. I also want to acknowledge and thank the people who make the commitment to serve OFDA, the people who make this association a success, the Executive Board, the regional directors, the district presidents and officers and all the committee members. Thanks to all of you for making the position of president much easier.



Stephen J. Gebhart

Repair, Rebuild and Return

Peggy Noonan, one-time speechwriter for President Reagan and current columnist for *The Wall Street Journal*, is one of my favorite journalists.

At the beginning of this year, she wrote a column that I would like to share with our members. As she discussed the start of a new year and a new decade, she suggested it would be good if the national watchwords for this new start could be **Repair, Rebuild and Return**. She further stated we have been through a very difficult 10 years, but she stressed they were not the worst ever! We have had worse decades in the history of our country.

Peggy further stated she believed the main reason for the trouble in the last 10 years was that most of our institutions acted as if they had “forgotten their mission, forgotten what they were about, what their role and purpose was, what they existed to do.” This statement made me think whether this was true in relation to funeral service, to OFDA and to individual funeral homes throughout our state.

OFDA's mission statement is **Promoting Excellence in Funeral Service**. I know everyone involved at OFDA, volunteers and staff members, work daily to provide excellent service to our members. But we need to ask if we are doing everything we can to make this mission statement a reality.

Do we provide necessary information to our members in a timely manner? Are our programs relevant to funeral directors and funeral service today? Do we respond timely and accurately to member requests for information?

I believe we are doing a good job for our members, but if we don't ask the tough questions, how can we get better at our mission? And if we find weakness in our services, we need to move quickly to **Repair, Rebuild and Return** so OFDA remains a meaningful resource for funeral service in Ohio.

How about your firm? Are you doing everything possible to make sure the families you serve have meaningful, healing experiences when they trust you to take care of their loved ones?

I know it is much more difficult today to serve families, meet all imposed government regulations, adequately train and staff your business and compete in today's marketplace. But maybe the real answer for everyone in funeral service today is to see how each of us (with our little piece of the total picture) can work together to **Repair, Rebuild and Return** this

great profession wherever we find it necessary to do so.

Peggy Noonan, in her article, gives us one way we can start this process. She encourages us to begin by doing the one thing that our current society is reluctant to do — take personal responsibility for our firms, our association and our profession.

She further asks, “Do you remember the mission? Do you remember why you went to work there; what you meant to do, what the institution meant to you when you viewed it from the outside years ago, and hoped to become part of it?”

Lets all recommit ourselves in this decade to the values of funeral service and to the mission and ministry of serving families.



OFDA DISTRICT 1 MEETING SCHEDULE

March 24, 2010

3:00-6:00 p.m. (three hours)
Annual OSHA Update
The Barn Restaurant
Archbold, Ohio

April 14, 2010

4:00-6:00 p.m. (two hours)
Foxfield Preserve
The Barn Restaurant
Archbold, Ohio

The above programs have been pre-approved for the listed Continuing Education hours by the Ohio Board. All programs have been submitted to the Indiana State Board as well. I have not received confirmation on the Indiana pre-approval yet.

Gary M. Burr, CFSP
Secretary/Treasurer
OFDA District 1

MARCH

- 8-10 NFDA Advocacy Summit, Washington, D.C.
- 16 Master Trust Committee Meeting, OFDA Headquarters
- 16 Executive Committee Meeting, OFDA Headquarters
- 16 OFDA Legislative Reception, Vern Riffe Buliding, Third Floor Lobby, Downtown Columbus

APRIL

- 20 Master Trust Committee Meeting, OFDA Headquarters
- 26-29 130th OFDA Convention, Columbus Convention Center

- 26 Insurance Seminar, Hyatt Regency
- 26 Master Training, Hyatt Regency
- 26 Executive Committee Meeting, Hyatt Regency
- 26 Night at Huntington Park, Columbus Clippers Versus Toledo Mud Hens
- 27 Board of Directors Meeting, Hyatt Regency
- 27 Past Presidents Dinner, Hyatt Regency
- 27 CCMS Alumni Reception, Columbus Convention Center



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by Janet Blankenship, Resource Coordinator

Do you need to update the resources you have available for you, your staff members and/or the families you serve? Take a look at the items below published by Companion Press in 2009.

Healing Your Grieving Body – 100 Physical Practices for Mourners

Simple mind-body tips and activities to help you care for yourself when you are grieving

Alan D. Wolfelt, PhD, and Kirby J. Duvall, MD, \$11.95

Healing Your Grieving Soul – 100 Spiritual Practices for Mourners

Spiritual activities to help you through your loss

Alan D. Wolfelt, PhD, \$11.95

The Handbook for Companioning the Mourner – Eleven Essential Principles

Designed to spread the companioning philosophy among everyone who walks alongside mourners — counselors, hospice caregivers, funeral home staff members, friends and family members to continue to transform our mourning avoidant North American culture into one that embraces the normal, necessary and transformative journey through grief.

Alan D. Wolfelt, PhD, \$15.95

The Understanding Your Suicide Grief Trilogy

Alan D. Wolfelt, PhD

- *Understanding Your Suicide Grief – Ten Essential Touchstones for Finding Hope and Healing Your Heart*, \$14.95
- *The Understanding Your Suicide Grief Journal – Explaining the Ten Essential Touchstones*, \$14.95
- *The Understanding Your Suicide Grief Support Group Guide – Meeting Plans for Facilitators* – \$12.95

Be sure to check the “Resources” link at www.ofdaonline.org to find the newest resources and/or special pricing available.

Save the Date May 13 and 14, 2010

Resilience: Overcoming Adversity

Implications for the Helping Professions

MetroHealth Medical Center
Scott Auditorium
2500 MetroHealth Drive
Cleveland, Ohio

Sponsored by:

The MetroHealth System
Pastoral Care Department &
Busch Funeral and Crematory Services

To receive education credits, participants must register each day and complete evaluation forms.

Keynote Speakers

Froma Walsh, PhD; Martin Antony, PhD; Robert Wicks, PsyD; and Regina Barreca, PhD

Conference Objectives:

Participants will be able to:

- Explore the concept of resilience and its application with individuals and families
- Analyze the impact of social anxiety and perfectionism
- Outline strategies for preventing and limiting secondary stress
- Experience the value of humor in strengthening human relationships
- Explore the potential and benefits (necessity) of resilience in today’s world

Who Should Attend?

Social workers, nurses, psychologists, counselors, funeral directors, clergy, physicians, chemical dependency professionals and educators

Contact MetroHealth Medical Center — drossbach@metrohealth.org — for more information.

Reminder: Have you returned the “grief camp” information for your community? If not, please send information to the OFDA Resource Center, janet@ofdaonline.org, call 800-589-6332 or fax 800-507-1465.

WILLIAM C. WAPPNER

Installed as 2009-10 President of National Funeral Directors Association

William C. Wappner, CFSP, was elected president of the National Funeral Directors Association (NFDA). Wappner, owner of Wappner Funeral Directors in Mansfield, Ohio, was installed as NFDA president during the President's Mardi Gras Ball, which marked the end of the 2009 NFDA International Convention & Expo in Boston, Massachusetts. Bill is also a past president of OFDA.

Additional members of the 2009-10 NFDA Executive Board who were elected and installed during the NFDA convention include: President-elect Patrick E. Lynch, Lynch & Sons Funeral Directors, Clawson, Michigan; Treasurer Randall L. Earl, CFSP, Brintlinger and Earl Funeral Homes, Decatur, Illinois; Secretary Robert "Bob" T. Rosson Jr., CFSP, CPC, Waller Funeral Home, Oxford, Mississippi; Immediate Past President John D. Reed Sr., CFSP, CPC, Dodd & Reed Funeral Home and Adams-Reed

Funeral Home, Inc., Webster Springs and Cowen, West Virginia; At-Large Rep. (2008-10) Robert "Robby" L. Bates, CFSP, Bates Family Funeral Home, DeKalb, Texas; At-Large Rep. (2008-10) J. Michael Krill, CFSP, Krill Funeral Service, Edgerton, Ohio; At-Large Rep. (2009-11) Jzyk S. Ennis, MPA, CFSP, Ridout's Trussville Chapel, Birmingham, Alabama; and At-Large Rep. (2009-11) Mark Mortimore, Mortimore Funeral Home, Inc., Thermopolis, Wyoming.

NFDA is the world's leading funeral service association, serving 19,000 individual members who represent more than 10,200 funeral homes in the United States and internationally. From its headquarters in Brookfield, Wisconsin, and its Advocacy Division office in Washington, D.C., NFDA informs, educates and advocates to help members enhance the quality of service they provide to families. For more information, visit www.nfda.org.



NFDA President Bill Wappner along with OFDA officers/staff: Mark Merz, CFSP; Steve Gehlert; Tom Fleming; John Evans, CFSP; Terry Reardon and Walt Lindsey, CFSP, at the Caddyshack Revisited, President-Elect Party during the NFDA Convention in Boston.



The 2009-10 National Funeral Directors Association Executive Board. Back row, from left: At-large Representative Jzyk S. Ennis, At-large Representative J. Michael Krill, NFDA CEO Christine Pepper, At-large Representative Robert L. Bates, At-large Representative Mark Mortimore, and NFDA General Counsel T. Scott Gilligan. Front row, from left: Treasurer Randall L. Earl, President-elect Patrick E. Lynch, President William C. Wappner, Immediate Past President John D. Reed and Secretary Robert T. Rosson.

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OFDA

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Lighting the Way



APRIL
27, 28 & 29
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CONVENTION AT A GLANCE

MONDAY, APRIL 26

7:00 a.m.-5:00 p.m.
Insurance Continuing Education Seminar
Instructors – FDLIC
Ten hours of insurance continuing education credits, pending approval
Hyatt Regency

8:00 a.m.-4:00 p.m.
Master Training Seminar
Presented by OFDA Education Committee
Six hours of CEU
Hyatt Regency

5:00-9:30 p.m.
A Night at Huntington Park
Columbus Clippers vs. Toledo Mud Hens
Join us for an in-the-park buffet dinner (hot dogs, bratwurst, pulled barbeque chicken, coleslaw, baked beans, chips, cookies and sodas) located on the Club Level Patio (on the first-base side.) Dinner begins at 5 p.m. and game time is 6:35 p.m. Reserved seating is on the Club Level. **A limited number of tickets (50) are available.** The buffet dinner is compliments of American Coach Sales, (Cleveland) and American Livery Services, Inc. (Cleveland, Cincinnati and Columbus). There will also be transportation available from the Hyatt to Huntington Park compliments of American Livery Services, Inc.

TUESDAY, APRIL 27

10:00 a.m.-7:00 p.m.
Registration
Hall C, Columbus Convention Center

Noon-4:30 p.m.
General Session, Committee Award Recognition, Service of Remembrance, NFDA Update, OFDA State of the Association, Keynote Speaker
Dave Dravecky
Hall C, Columbus Convention Center
Three hours of CEU

4:30-7:30 p.m.
Exhibition Hours
Hall C, Columbus Convention Center

5:00-7:00 p.m.
Welcome Reception
Hall C, Columbus Convention Center

7:30-9:30 p.m.
CCMS Alumni Reception
Attention, Cincinnati College of Mortuary Science alumni! CCMS will be hosting an Alumni Reception — “Honoring the Decades.” **All CCMS alumni** are invited to reminisce with your peers and colleagues.

During the evening, CCMS will recognize individuals graduating in the years: 2000, 1990, 1980, 1970, 1960 or 1950. Come and enjoy hors d’oeuvres compliments of the college and beverages (one drink ticket per person) compliments of Cincinnati Equitable Insurance Company.

The reception is in conjunction with the Ohio Funeral Directors Association Annual Convention and Exhibition being held at the Greater Columbus Convention Center. The reception will take place on Tuesday, April 27, from 7:30-9:30 p.m. in Meeting Rooms C110 and 111 across from Hall C where the OFDA Convention will take place.

WEDNESDAY, APRIL 28

6:45-7:00 a.m.
Beverage Break for Early Bird Attendees
Taft Room, First Floor, Hyatt Regency

7:00-8:00 a.m.
Early Bird Programs (3)
Taft Rooms, First Floor, Hyatt Regency
One hour of CEU

7:00 a.m.-4:00 p.m.
Registration
Hall C, Columbus Convention Center

8:30 a.m.-Noon
General Session, 50-Year Award Recognition, Recognition of OFDA Past Presidents, Keynote Speaker Kay Frances
Hall C, Columbus Convention Center
Two hours of CEU

Noon-1:30 p.m.
Complimentary Lunch on Exhibit Floor
Hall C, Columbus Convention Center

Noon-4:00 p.m.
Exhibition Hours
Hall C, Columbus Convention Center

5:30-6:00 p.m.
Installation of Officers
Taft Room, First Floor, Hyatt Regency

6:00-6:30 p.m.
President’s Celebration Cocktail Reception
Taft Room, First Floor, Hyatt Regency

6:30-9:30 p.m.
Tony ’n Tina’s Wedding
Taft Room, First Floor, Hyatt Regency
A “Honeymoon” gift certificate, compliments of National Mortuary Shipping, for a three-day, two-night trip to New York City, Chicago or Las Vegas with a \$1,500 value, valid until December 31, 2010, will be given away.

THURSDAY, APRIL 29

9:30 a.m.-1:30 p.m.
Registration
Hall C, Columbus Convention Center

9:30 a.m.-Noon
Exhibition Hours
Hall C, Columbus Convention Center

11:00 a.m.-Noon
Complimentary Lunch on Exhibit Floor
Hall C, Columbus Convention Center

12:30-2:45 p.m.
Keynote Speakers Julie Burn and Poul Lemasters
Meeting Rooms C220-222
Columbus Convention Center
Two hours of CEU



2010 CONVENTION KEYNOTE SPEAKERS

TUESDAY, APRIL 27

The Worth of a Man

Dave Dravecky, former major-league pitcher and author



In “The Worth of a Man” presentation, Dave Dravecky chronicles and shares his life story. From his days in Little League as a boy with a dream to become a major-league ballplayer to seeing that dream come true when he was called up to the major leagues with the San Diego Padres, Dave faced one obstacle after another — but he never quit. Even when he faced a career-ending tumor in his pitching arm — he kept coming back.

Hear his inspirational story of his miraculous baseball comeback, the end of his baseball career and the eventual amputation of his pitching arm — the one thing in his life that he felt gave him worth.

Be encouraged as you hear how he overcame the discouragement and depression after losing his arm. Hear how he discovered what his true worth was and what he is doing with his life today that has brought meaning and purpose — another major comeback in life.

WEDNESDAY, APRIL 28

Stress Management and Humor: A Serious Undertaking

Kay Frances, “The GRIN Reaper”



Kay Frances, MBA, believes that maintaining a good sense of humor and managing our stress is vital to our health and well-being. In our frenzied world, we need to be reminded to “lighten up, stress less and take care of ourselves.” Not only is it important to let the “little things” go in our daily lives, but Kay also believes that humor is vitally important in the most serious matters in life, such as illness and death.

People in the service industry, such as funeral directors, often get so caught up in the day-to-day stresses of this challenging calling that they forget to look after themselves! In this session, you can sit back, relax, learn a little and laugh a lot. Participants will examine some of the stressors that they and their peers face in the funeral profession and in their roles as husbands, wives, fathers and mothers.

In this interactive session, Kay combines empirical evidence with personal anecdotes to illustrate the necessity of taking care of ourselves. She’s never far from her standup comedy roots and enjoys helping people laugh while they learn. Kay is equally adept at showing people the time of their lives while still giving them important information to help them in their work and their lives. Healthy people who manage their stress are happier, more efficient and more productive!

Having been through the loss of both of her parents, Kay has a deep respect and appreciation for the work that funeral directors do from the family’s perspective. She has also delved into the writings of Thomas Lynch to better familiarize herself with the inner workings of the profession. Additionally, she has interviewed several members of our organization about the types of stressors they encounter that are unique to this profession. You’ll leave this session energized with an ACTION PLAN to better meet the challenges you face and have a great time in the process!

THURSDAY, APRIL 29

We Don’t Want a Funeral ... We Want a Cremation, and Direct Cremation and a Direct Lawsuit

Julie A. Burn, CCRÉ, CSE, and Poul Lemasters, Esq., ICCFA



Join two of ICCFA’s cremation coaches, Julie A. Burn, CCRÉ, CSE and Poul Lemasters, Esq. as they examine some of the most critical factors affecting the cremation market today. Julie’s session, “We Don’t Want a Funeral ... We Want a Cremation,” will review the wants and needs of the cremation-oriented consumer and demonstrate effective ways to add value to the arrangement conference. Dispelling some common myths about cremation families, Burn will teach you how to develop rapport with these consumers and work together to create meaningful tributes.



Today, more than ever, cremation providers cannot shortcut procedures without increasing their potential liability. In the “Direct Cremation and a Direct Lawsuit” session, Poul Lemasters, ICCFA’s cremation counsel, will identify procedures to

help reduce cremation liability. Overall, Poul’s presentation will: lay out an outline for model cremation procedures; identify, through example, common problems with poor procedures; and provide steps to implement and follow through on cremation procedures.



2010 CONVENTION EXHIBITORS (As of February 4, 2010)

Accent Drapery Co.
Affordable Supply Company
American Coach Sales
American Livery Services, Inc.
Astral Industries, Inc.
Aurora Casket Company, Inc.
Bass-Mollett Publishers, Inc.
Batesville Casket Co.
BestSoles, Massaging Insoles
Board of Embalmers & Funeral Directors of Ohio
Casualty Clean-Up
Cincinnati College of Mortuary Science
Cincinnati Equitable Life Insurance Company
Clark Grave Vault
Classic Metal Vaults, Inc.
Columbian Financial Group
ConnectingDirectors.com
Continental Computer Corp.
Crematory Manufacturing & Service, Inc.
CT Communications Message Center
Custom Air Trays
Deaton-Kennedy Company
Department of Veterans Affairs, National Cemetery Administration
Donate Life Ohio
Doric Vault Dealers of Ohio
Eckels
Ethel Maid
Event by Wire
Farnsworth Gowns
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FuneralNet
Funeral Directors Answering Service
Funeral Directors Life Insurance Company
Funeral Management Service, Inc.
Gemstone Memorials
Hi-Tek Distributors – Southern Craft Mfg.
Homesteaders Life Company
Inman Shipping Worldwide
International Cemetery, Cremation and Funeral Association
L.C.B.A.
Matthews Casket Company
Meadow Hill – Thumbies
Messenger
Mid-America College of Funeral Service
National Association of Professional Organizers
National Funeral Directors Association
National Mortuary Shipping
Oberers Flowers
Ohio Department of Health Office of Vital Statistics
Ohio Embalmers Association
Passages International, Inc.
Pierce Companies
Pittsburgh Institute of Mortuary Science
Precious Memories
Professional Cars, Inc.
Riviera Tailors, LTD.
Roberts & Downey Chapel Equipment
Safety and Environmental Solutions, LLC
ShivaShade
Southland National Insurance Corp.
SRS Computing Solutions
State Auto Insurance Companies
Stuart Burial Vaults
Terradise Computer Systems, Inc.
The Champion Company
The Dodge Company
The Granville Investment Group, Inc.
Unity Financial Life Insurance Company
Vantage Products Corp.
Walnut Creek Caskets
Whitehall Medical Supply
Wilbert Burial Vaults of Ohio
WoodMiller Urns
Yamaha Corporation of America
Zane Casket Company

ANNUAL MEETING

The Annual Meeting of the Ohio Funeral Directors Association will be held during the Convention at the Columbus Convention Center in Hall C on Tuesday, April 27, 2010.

OFDA Committees Need You!

OFDA's strength is truly in its members. We need committed and interested individuals for the 2010-2011 OFDA committee assignments. A list of committees is available at www.ofdaonline.org, or call Diana at the OFDA office at 614-486-5339 or 800-589-6332. If you are interested in serving on a committee for the 2010-2011 year, please submit a letter to the attention of President-elect Terry Reardon, and send the letter to OFDA, c/o Diana O'Neal, 2501 North Star Road, PO Box 21760, Columbus, OH 43221.



RECOGNITION OF OFDA COMMITTEE MEMBERS AND 50-YEAR LICENSEES

OFDA members are recognized for volunteering on an OFDA Committee for five consecutive years. This year, we would like to acknowledge:

Terry Andryc, Toledo
Convention Committee

Jon Neeper, Lima
OSHA/EPA Committee

Jane Ludlow, CFSP, Cincinnati
Scholastic Assistance Committee

Trey Daring, Bellefontaine
Young Funeral Directors Committee

Rick Kaufhold, Dayton
Young Funeral Directors Committee

SECOND FIVE-YEAR COMMITTEE AWARDS

Walt Lindsey, CFSP, Loudonville
Master Trust Committee

Thomas A. Routsong, CFSP, Kettering
Legislative Committee

Gene Wood, Gallipolis
Master Trust Committee

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Mabel R. Schermesser, Akron
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John Watkins, Sylvania
Charles Wellman, Circleville



NOMINATING COMMITTEE REPORT

Meet the Candidates

The OFDA Nominating Committee wanted to give the membership the opportunity to see and learn about the slate of candidates to be voted on at the annual OFDA Convention in April. The Nominating Committee met on January 20, 2010, and voted to recommend the following:



For the Position of President-Elect
John W. Evans, CFSP, Evans Funeral Home, Norwalk

John is a licensed funeral director and embalmer in Ohio and California. He was raised in Absarokee, Montana, and attended Cypress College of Mortuary Science in California. He then moved in 1996 to his wife's hometown of Norwalk, after receiving his bachelor's in business and management. He briefly worked for Carriage Services in Norwalk and York Group Casket Company and Groff Funeral Home, Sandusky. In 2000, he partnered in Norwalk at Evans & Groff Funeral

Home until 2005, when he and his wife, Jennifer, took full ownership. Together, they have seen their business grow with pre-need and at-need families. John has been active with his church, civic groups, chamber of commerce and the Knights of Columbus. He has also been active as a member of the OFDA Mortuary Response Team, the Firelands Funeral Director Association and OFDA District 17. John is currently a member of the OFDA Education, Master Trust, Member Services, Finance and Task Force committees. John is the current OFDA treasurer.



For the Position of Treasurer
Mark A. Merz, CFSP, Neville Funeral Home, Toledo

A graduate of the Cincinnati College of Mortuary Science, Mark is currently employed as a location manager for Neville Funeral Home Reynolds Corners Chapel. For nearly 20 years, Mark has demonstrated his commitment to both funeral service and to his community. For the past three years, he has served as the Northwest regional director for OFDA, where he has also been actively involved in the Constitution and Bylaws,

Membership and Task Force committees. He has been appointed by two sitting mayors to the Lucas County Cemetery Commission, serving as treasurer. Mark has served proudly as trustee, vice president, president-elect and president of the Northwest Ohio Funeral Directors Association, District #6, and he has served on the Board of the Eleanor Kahle Senior Center as vice president, president-elect and president. Mark has served the northwest Ohio region both locally and at the state level. Mark is the current OFDA secretary.



For the Position of Secretary
Anthony J. Quahliero Jr., Kirila Funeral Home, Struthers

Anthony is the first non-owner of the Mahoning-Trumbull and Columbiana County Funeral Directors Association to hold the office of president. He is a native of New Castle, Pennsylvania, and has lived in Struthers for many years. He is the current OFDA Northeast regional director. He is married to the former Melanie J. Beil, and he has three children and five stepchildren. He attended Westminster College and Slippery Rock University and graduated from Pittsburgh Institute of Mortuary Science. He has been a licensed funeral director and embalmer in Ohio and Pennsylvania for almost 30

years. He is a member of the Ohio Funeral Directors Mortuary Response Team, where he serves as the administrative officer; he is a member of the federal government's Disaster Mortuary Operational Response Team serving on the Family Assistance Team; he is a member of the Struthers Rotary Club, where he served as a past president and as a assistant district governor for Rotary District 6650; he is a member of the Wolves Den VI in Youngstown; he is a member of the Struthers Knights of Columbus; and currently serves the president of the Struthers School Foundation for Educational Excellence. He has served in many other service clubs and is very active in various local community projects.



**For the Position of President
Terry Reardon, Higgins-Reardon Funeral Home, Inc., Youngstown**

Terry is currently president-elect and will automatically assume the president's position.



**For the Position of Southeast Regional Director
Chris Williams, CFSP, Woodsfield, Ohio**

- Began in funeral service after high school at Rush Funeral Homes, Clarington and Sardis, Ohio
- Attended Pittsburgh Institute of Mortuary Science in 1999 with an associate's degree in specialized business in funeral service management and was class president
- Received bachelor's degree from West Virginia University in 2002
- Received funeral director/embalmer: West Virginia licensure in 2000, Pennsylvania licensure in 2001 and Ohio licensure in 2003
- Received CFSP certification in 2002
- Currently working at Watters Funeral Home, Woodsfield, Ohio, and Brubach-Watters Funeral Home, Summerfield, Ohio

- Past president of Woodsfield Kiwanis Club; Board member of Monroe County Health Department; Board member of Monroe County Board of MR/DD; member of Woodsfield United Methodist Church; Board member of River High School Alumni Association, Hannibal, Ohio; member of the Ohio Embalmers Association; member of American Society of Embalmers; member of NFDA; member of Clarington Masonic Lodge #597 F&A.M.; member of Woodsfield Order of Eastern Star #268

Chris is the current OFDA Southeast regional director and will be running for a second term.

**For the Position of Northwest Regional Director
John Castillo, Forth-Dorfmeyer Mortuary, Inc.,**
is currently serving out the remainder of the term vacated by Mark Merz, CFSP, when he became the

OFDA secretary. A new regional director will be elected by the membership for the next two-year term 2010-2012, at a later date.

**For the Position of Northeast Regional Director
Anthony Quahliero** will serve out the remainder of his current term. A new Northeast regional

director will be elected after the results of the election are confirmed at the Convention in April.

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SERVICE OF REMEMBRANCE

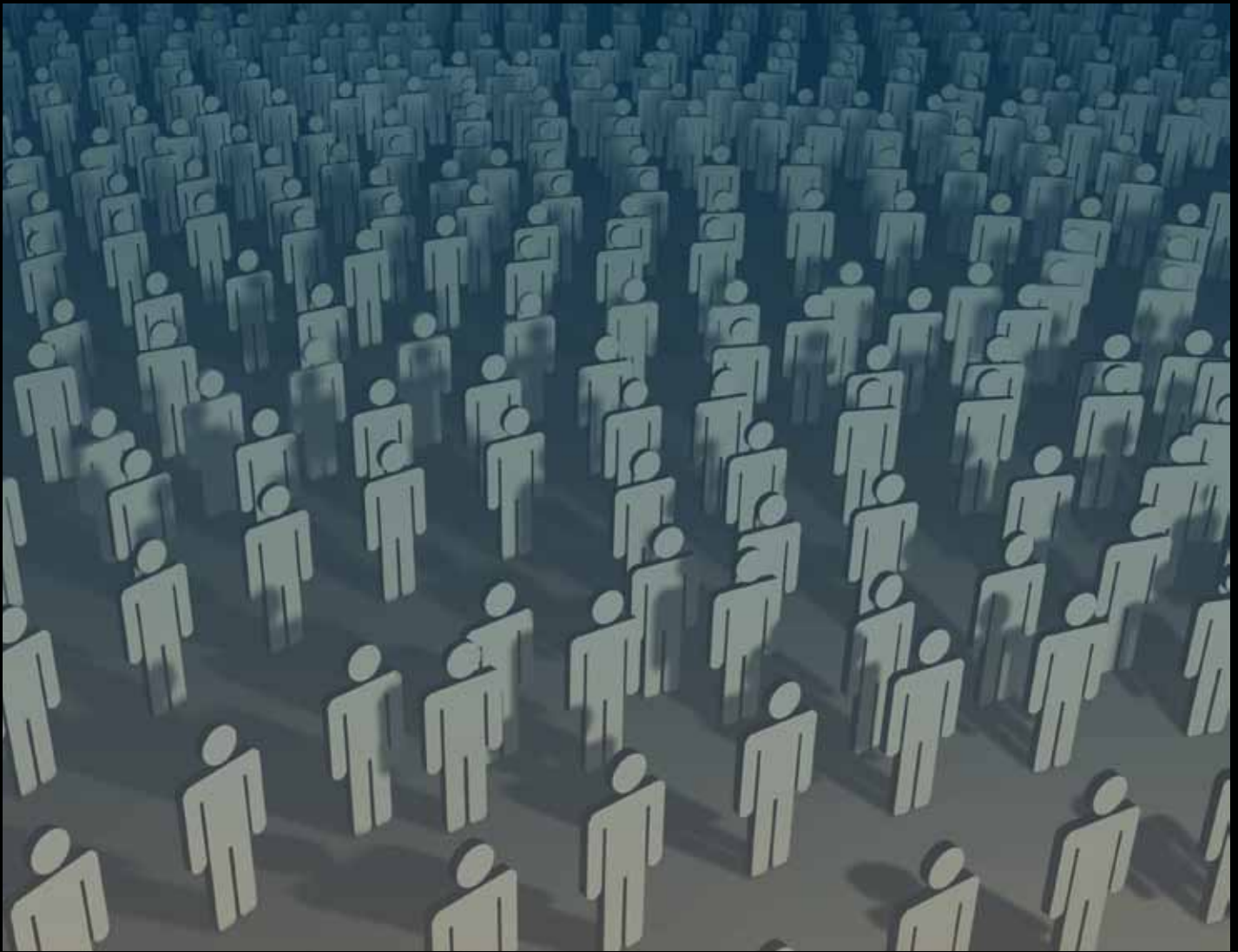
A traditional event of the convention is the Service of Remembrance. OFDA pays tribute to all members and their immediate family members who have died during the year. The Service of Remembrance will be held on Tuesday, April 27, beginning at 12:30 p.m. The service will be held in Hall C, located at the Columbus Convention Center. Immediately following the service, OFDA will host a reception for the families attending the Service of Remembrance.

Listed are the individuals who will be remembered during the service (as of January 22) If you know of someone we've missed, please call Diana O'Neal at the OFDA office at 614-486-5339 or 800-589-6332. She can also be reached via e-mail at diana@ofdaonline.org.

John E. Alspach, Van Wert
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Richard E. "Dick" Barkdull, Shelby
Hugh A. Baumgardner, Kinsman
Margaret L. "Margy" Becker, Struthers
James M. Biondo, Twinsburg
William Dallas Black Sr., Byesville
Susan J. "Susie B" Blevins-Thomas, Warren
Kenneth O. Bolin, Zanesville
Edgar D. "Ed" Bonham, Lima
Robert J. Brucker Sr., Newark
Katherine H. Carey, Cleveland
David L. Cox, Beaver
Raymond E. Davis, Austintown
William Thompson Donlon, Cleveland
Donald E. Edgington, Hillsboro
Sidney Epstein, Sioux Falls, South Dakota
Erma Lois Frantz, Beavercreek
Patricia A. Frederick, Cincinnati

Mildred S. Gale, Independence
Thomas Charles Hoening, Fostoria
Pat Hollingshead, Urbana
D. Patrick "Pat" Kenney, Springfield
Charles L. "Chuck" Kirkpatrick, Mansfield
Nancy Louise (Traunero) Kiser, Tiffin
Cecil M. "Lee" "Butch" Lemasters, Benwood, West Virginia
Bill Vinton Lieurance, Wilmington
Walter H. Lindsey Jr., Willard
Joan McClurkin, Girard
Charles Atlee Myers, Willard
Dorothy M. Mylott, Boca Roton, Florida
Kathleen "Kathy" Radel, Naples, Florida
Marjorie Anne Roberts, Logan
Frank J. Savage Jr., Massillon
John B. "Jack" Schrader, Alliance
Robert W. "Bob" Shoemaker, Columbus
Mary Ann (Busch) Synk, Cleveland
Franklin D. Van Hove, Ashland
Edna L. Vornholt, Otterbein





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Death Certificates and Limited Funeral Services

by T. Scott Gilligan, OFDA General Counsel



Scott Gilligan

OFDA previously printed an article on families who request a funeral home to provide limited services. For example, a member of a particular religious sect may direct the funeral home to pick up the body from the place of death and then transport it to a place of worship, where members of the church will clean the body, prepare it for burial, and then carry out the burial. In other cases, the funeral home services may be limited to embalming the body, with the family performing the remainder of the services on their own.

With a growing influx of ethnic groups into Ohio and an increase in the con-

cept of home funerals where families carry out most of the steps in the disposition process, these requests are no longer that unusual. To protect funeral homes faced with these types of requests for limited services, OFDA makes available on its Web site a form entitled "Acknowledgement Regarding the Purchase of Limited Services or Goods." This form lists the specific services that the family hires the funeral home to perform and, more importantly, spells out that the funeral home will not be responsible for performing any other services other than those specified on the form.

Against this background, another important issue has arisen in Ohio regarding the signature of a death certificate when a funeral home is performing only limited services. The Ohio Board of Embalmers and Funeral Directors recently posed

the following questions to the Office of Vital Statistics of the Ohio Department of Health:

- By signing a death certificate, what is the funeral director signing?
- Is the funeral director stating the funeral director performed the funeral service or met with the family or had direct involvement?
- Can a funeral director sign a death certificate if the funeral director had no involvement/contact with the funeral/final disposition?

In responding to these issues, the legal department for the Department of Health stated that Section 3705.16 of the Ohio Revised Code authorizes a funeral director to sign a death certificate if he or she is in charge of the final disposition of the remains. The legal counsel then cited Section 4705.01(J), which defines final

disposition to mean “the interment, cremation, removal from the state, donation, or other authorized disposition of a dead body or fetal death.”

Putting together the two statutes, it was the opinion of the legal counsel that a funeral director who signs a death certificate must be in charge of the decedent’s final disposition. In other words, if there is no relationship between the funeral director and the final disposition of the remains, Section 3705.01 of the Ohio Revised Code does **not** provide the funeral director with the statutory authority to sign the death certificate.

While the opinion of the legal counsel for the Department of Health is not binding law, it would be accorded weight by the courts and by the Ohio Department of Embalmers and Funeral Directors. Therefore, it would be advisable for funeral directors who are hired to perform limited services not to sign the death certificate unless they are in charge of or carry out the final disposition of the body.

For example, if the family asks a funeral director to pick up a body, embalm it and then deliver it to a private residence, where the family would conduct the funeral and

where a funeral director picks up a body and prepares it for shipment out of state, he or she could legally sign the death certificate. Even though the funeral director

While the opinion of the legal counsel for the Department of Health is not binding law, it would be accorded weight by the courts and by the Ohio Department of Embalmers and Funeral Directors.

take the body to the cemetery, the funeral director should not be the signatory on the death certificate. The funeral director could assist the family in filling out and filing the death certificate, but it should be a family member and not the funeral director who signs the death certificate.

Please note, in this regard, “final disposition” includes removal of the body from the state. Therefore, in those instances

in that case is not carrying out the burial or cremation of the body, the funeral director is arranging for its removal from the state, which is a “final disposition” for purposes of a death certificate.

OFDA members with questions regarding this issue may contact Scott Gilligan at 513-871-6332.





WILLIAM DALLAS BLACK SR., 85, of Byesville, died peacefully, surrounded by his family at his home at 9:30 p.m. on Monday, November 2, 2009. He battled heart problems and heart disease since he was 38 years old.

He was born March 24, 1924, in Byesville, son of the late Elba G. “EB” Black and Ruth (Britton) Black.

He was the president of his 1940 Byesville High School class. After three attempts to enlist during World War II, he went to work in the war industry at Timken Roller Bearing. He later worked for 30 years at the former Ekco Housewares in Byesville, where, with only a high school diploma, he worked his way up from a journeyman tool-and-die worker to plant manager.

Bill possessed a beautiful tenor voice and sang at all his grandchildren’s weddings. He loved to golf and was a former member of the Cambridge Country Club and the Wildfire Senior Golf League. He was a two-term member and a past president of the Byesville Council. He was also the former president of the Byesville Village Board of Education. He was an original member of the first Rolling Hills School Board and was very proud of negotiating the purchase of the entire campus for \$20,000. He was a life member of the B.P.O.E. #448.

He was strong in his beliefs and called himself a baptized Christian. In addition to his parents, he was preceded in death by his beloved

sister, Wanda Jean; an infant brother, Richard; and his brother-in-law, Bill Goodright. He is survived by his wife of 66 years, Nadine Ann (Goodright) Black, whom he married September 5, 1943.

His oldest son, William Dallas Black Jr., and his wife, Sandy, of Senecaville and their children, Kirk (and Stesha) Black of Atlanta, Kristen (and Bill) Epperson of Byesville and Jon Black of Cambridge; Bill and Sandy’s grandchildren, Korey, Kyle, Kollen, Kenzie, Dallas and Elly Black; Mallory, Madyson, Mayzie and Max Epperson; and Bill and Sandy’s great-grandchildren, Saige and Olivia Black, all survive.

His second son, Philip “Tip” Black, and his wife, Mary Lou, of Byesville and their children, Doug (and Tammy) Black of Montgomery, Alabama, Trent (and Jude) Black of Byesville, Trevor (and Jennifer) Black of Senecaville and Drew Black of Pleasant City; and Philip and Mary Lou’s grandchildren, Cage, Trey, Wade, Parker, Davis, Addy, Sidney, Boston, Easton, Camden, Reed and Hudson Black, all survive.

His daughter, Mary Frances Palmer, and her husband, Harold, of Zanesville and their children, Leigh Ann Sims of Dublin and Bethany (and Ollie) Alldritt of Powell; and Mary and Harold’s grandchildren, Lyndsay Sims, Will Sims, Sophie Alldritt and Dane Alldritt, all survive.

He is also survived by his sister and helping caregiver, Susan (and Gene) Dyer of Walhonding; his brother-in-law and sister-in-law, Dick and Jo Goodright, of Wooster, with whom they traveled extensively; his

brother-in-law, Gene Goodright, of Byesville; his brother-in-law, David (and Bev) Young, of Cambridge; his sister-in-law, Martha Johnson, of Cambridge; his sister-in-law, Jean Goodright, of Eugene, Oregon; numerous nieces, nephews and cousins; and his special caregivers, Penny, Darlene and Cindy.

JAMES M. BIONDO, 82, of Twinsburg, a longtime Cleveland-area funeral director and U.S. Army veteran, died Monday, January 11, 2010. Beloved husband for 59 years of Julia A. (née Dinardo); loving father of James P. (Linda) and Robert V.; devoted brother of Emily Fantine, Theresa Embrescia and the late Andrew and Dominic; and dear uncle of many nieces and nephews.

KENNETH O. BOLIN, 97, of Zanesville, longtime funeral director and embalmer serving Zanesville and surrounding areas since 1935, died Saturday, October 24, 2009, at his home. He was born June 19, 1912, in Springfield, Illinois, a son of the late Gershom and Ann M. Franklin Bolin.

He graduated from Lash High School and attended Ohio University. Kenneth almost went to school with Dr. Slater to become an osteopath. The turning point in Ken's life was when his brother Russell was tragically killed in an automobile accident. This then turned him to funeral service. He then graduated from the Cleveland College of Embalming and returned to Zanesville to start his career with the Mader-Peoples Funeral Home in 1932. Ken's son, Russell M. Bolin, joined him in the business in 1948. Ken was the owner and operator of the Bolin-Dierkes Funeral Home at the time of his death. While in college in Athens, he played in Sammy Kaye's first band. Later, he went on the road with his brother's band, Russ Bolin and the Cotton Pickers.

Ken was a member of Immanuel United Church of Christ and LaFayette Lodge #79 F&AM; he was the oldest living past monarch of Amrou Grotto #45; and he was a member of Aladdin Shrine, Zavi Shrine, Scottish Rite Valley of Cambridge, F.O.P.A Lodge #16, the Ohio Funeral Directors Association, the Ohio Funeral Directors Association District 13, the National Funeral Directors Association and the Optimist Club.

Surviving are his son and daughter-in-law, Russell M. and Marie Bolin of Zanesville; two granddaughters, Pamela (Ron) Derry of Baltimore and Trudy (Mike) Matz of Zanesville; five great-grandchildren, Chad (Melissa) Derry, Brad (Kristina) Derry, Krista Derry, Kyle Sowers and Kelsey Sowers; and three great-great-grandchildren. In addition to his parents, he was preceded in death by his wife, Bula M. Smith Bolin, who died November 24, 2004; and three brothers, Russell M. Bolin, Donald W. Bolin and Harold W. Bolin.

Ken's philosophy in life was: "When people come to me, I believe I MUST give the best service that I possibly can to help lighten their burden and grief."

SIDNEY EPSTEIN, age 95, died Saturday, November 7, 2009. Sidney was the father of OFDA Past President Henry Epstein and the owner of the Louis Memorial Chapel in Kansas City, Missouri, the Epstein Memorial Chapel in Columbus, Ohio, and Hodroff-Epstein Memorial Chapels Minneapolis and St. Paul, Minnesota.

Sidney was born on January 16, 1914, in New York City, New York, to Samuel and Tillie (Hirsch) Epstein. Sidney graduated from West

Orange New Jersey High School in 1931. Following high school, he joined the Air Corps and infantry during World War II and was ranked as a staff sergeant. Sidney and Judee Koplów were united in marriage on January 23, 1944, in West Orange, New Jersey. They have been residents of Sioux Falls for more than 65 years. Sidney opened Sid's Crown Liquor in December 1947, owning it for close to 62 years. Sid's is the oldest liquor store in South Dakota. He traveled extensively through Europe and Israel.

Sidney was a member of numerous clubs and associations such as: Mt. Zion Temple, Lions Club, American Legion, Forty and Eight, Masonic Lodge, Legion of Honor, El Riad Shrine, Scottish Rite, High 12, Elks Club, Sioux Falls Symphony, South Dakota Retailers Association, YMCA, Westward Ho Country Club, AARP, Bnai Brith, Center for Active Generations, American Italian Club (honorary members) and the Sioux Falls Chamber of Commerce.

Grateful for having shared his life are his son, Henry (Clarice) Epstein, Overland Park, Kansas; daughters Robi (Paul) Damyan and Barbara Epstein, both of St. Louis, Missouri; his grandchildren, Dr. Teri (Jason) Bretz; Michael (Rebecca) Epstein; and Trevor, Martin and Sara Damyan; and his great-grandchildren, Halle and Evan Bretz and Livia Epstein. His wife, Judee; a sister Rose Friedman; and his brother, Irving, preceded him in death.

ERMA LOIS FRANTZ, 79, passed away Wednesday, November 11, 2009, at Heartland of Beavercreek Nursing Home. Mrs. Frantz was the mother of funeral director/embalmer Jeff Frantz of Tobias Funeral Home, Beavercreek.

She is preceded in death by her husband, Donald E. Frantz Sr., her grandsons Brian Doll and Michael Herbert; her sister Sandra Betz; and her brother, Lowell Schweitzer. She is survived by her daughters and son-in-law Cathy and Pete Doll and Pam Herbert; her sons and daughters-in-law the Rev. Donald Frantz II and Sue and Jeffrey Frantz Sr. and Lisa; her sister Doris Stocker; her grandchildren Stephanie, Beth and her husband, Craig, Kim and her husband, Nick, Jenny, Debbie, Chris, Andy and his wife, Sarah, and Jeff II; and her great-grandchildren, Braeden, Parker, Mike and Cole.

She graduated from South High School in Columbus, Franklin University and Glenville State College. She was a member of the Tri-State Chapter Studebaker Driver's Club.

CHARLES ATLEE MYERS, age 92, of Willard and formerly of Greenwich, died Monday, November 9, 2009, at Hillside Acres Nursing Home, Willard, after a short illness. Atlee was born August 5, 1917, in Shiloh, Ohio, son of the late Flossie (Arnold) and Howard P. Myers. Atlee grew up in Ripley Township and Greenwich, where he was a 1935 graduate of Greenwich High School. He graduated from the Cleveland School of Embalming in 1939. He served in the U.S. Navy during World War II in the South Pacific. Atlee and his father owned and operated the Greenwich Vault Works. Atlee did concrete and masonry work in the area for many years. He also worked for several area funeral homes. He and his wife, Anne, owned and operated the Myers Funeral Home and Ambulance Service in Greenwich from 1959 until 1977. After retirement, they lived in Willard, wintered in Lake Placid, Florida, and later Sebring, Florida, and spent summers in Greenwich, New London Reservoir Park and later Monroeville. Atlee was a member

of the Greenwich American Legion, a former member of Greenwich Rotary Club, a former member of the Greenwich Masons and a 50-year member of the Ohio Funeral Directors Association and the Firelands and Lorain County Funeral Directors associations and had been a member of the Greenwich United Methodist Church. He had been a former mayor of Greenwich in the 1950s. Atlee enjoyed gardening, playing cards, golf and traveling.

He is survived by his daughter, Charee (Thomas) Walcher of Sandusky, Ohio, and Lake Placid, Florida; his son, Vance (Cathy) Myers of Monroeville; his grandchildren, Debbie (John) Linn of Oxford, Michigan, Robin (David) Cassidy of North Fairfield, Julie (Brandon) Chandler of Sandusky, Holly (Keith) Alto of Lorain, Brandon (Nichol) Myers of Savannah, Brooke Myers of Columbus, Jessica Myers of Monroeville; six great-grandchildren; three sisters-in-law, Marie Farnsworth of Ashland, Dorothy Barre (Jim) Nichols of Greenwich and Janet (Ted) Faur of San Antonio, Texas; and several nieces and nephews. He was preceded in death by his wife of 67 years, Anne Myers, in 2009.

DOROTHY M. MYLOTT (NÉE McCORMICK) of Boca Raton, Florida, passed away on November 12, 2009. Mrs. Mylott was the mother of OFDA Past President James Mylott. Dear mother of James Flynn Mylott (and his wife, Leslye), Robert T. Mylott, Karen Morgan (and her husband, Patrick, deceased), Maura Farrell (and her husband, John) and Dennis Mylott (and his wife, Peggy); loving grandmother of 20; and great-grandmother of 21.

KATHLEEN “KATHY” (NÉE SOLLINGER) RADEL of Naples, Florida, and Petoskey, Michigan, died December 31, 2009. Best friend of Henry J. Radel Jr. Beloved mother of Henry J. “Trey” (Amy) Radel III and Michael J. (Colleen) Radel. Cherished sister of Mimi (Jack) Crotty and Michael (Verona) Sollinger. Devoted grandmother of Luke Henry Radel. Also survived by numerous other family and friends. Memorials may be made to the Luke Henry Radel Education Fund, c/o any Fifth Third branch. She was a big part and office manager of Radel Funeral Home for more than 20 years.

MARJORIE ANNE ROBERTS, 69, passed away Friday, December 25, 2009, at her residence surrounded with her loved ones in Logan, Ohio. Born September 3, 1940, in Cleveland, Ohio, she was the daughter of the late Noel B. and Mary Dolores “Doe” (Kemper) Green.

Marjorie was a graduate of Rushcreek Memorial High School in Bremen, Ohio. She received a bachelor’s degree in education from Ohio University in 1966. Her first teaching assignment was in 1966, when she was hired as a fourth-grade teacher at West Elementary School in Logan, Ohio. In the early 1980s, Mrs. Roberts traveled between Green and Union Furnace Elementary in Logan, Ohio. From 1981 to 1994, she taught Title I remedial reading groups at East Elementary. At that time, she also traveled to Central Elementary to teach Title I remedial reading and picked up a few students from St. John Catholic School. From 1994 to 2002, she taught reading recovery and remedial reading groups at West Elementary School in Logan, Ohio. She thoroughly enjoyed and loved her 35 years of being a teacher. After retirement, Marjorie joined her husband and her brother-in-law in operation of the family funeral home.

Marjorie was a member of St. John Catholic Church and a member of the St. Mary Ladies Auxiliary #115, where she had served as treasurer for a number of years. She was a former member of the St. John school board and also served as a Sunday school teacher. Marjorie had also volunteered for numerous PTA and community organizations and greatly enjoyed her volunteering at the Bowen House.

Marjorie loved most of all to spend time with her family and friends. Her favorite pastime was traveling with her family and friends to 46 states. She was dedicated to praying the rosary and attending Mass every week. She enjoyed playing the violin and taking daily walks with her dear friend, Susie Hughes, genealogy research, golfing, bowling, playing the accordion, attending Logan sporting events and, of course ... eating at Pizza Crossing.

She is survived by her loving husband of 36 years, Thomas “Tim” Earl Roberts; her son, Trent A. Roberts; her two daughters, Aimee C. (Michael) Corby and Kerri A. Roberts; her two grandchildren, Noel C. and Emma C. Corby; her brother, Gerald H. “Jerry” (Mary) Green; her sister-in-law Virginia “Sue” Roberts; her brother-in-law, Dr. Larry (Lynn) Roberts; her four nieces, Laurie (Galen) Stiverson, Anne M. (Alan) Hill, Yancey V. Roberts, and Lesley K. (Eric) Matson; her three nephews, Jeffrey Green, Steven (Jennifer) Green, and Michael J. Roberts; her dear friend, Susie (Ernie) Hughes; and numerous cousins. Besides her parents, she is preceded in death by an infant child and by her brother-in-law, David Lee Roberts (2006).





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Avoiding Cremation Liability

by T. Scott Gilligan, OFDA General Counsel



Scott Gilligan

State Police and public health officials are investigating a local funeral home after it apparently cremated the remains of the wrong person. A grieving family learned that their 95-year-old great-grandmother had been cremated when they found a stranger's body in her casket, and a Connecticut funeral home is being investigated in the incident. Relatives of Aurelie Tuccillo noticed the wrong body when they arrived at the Buckmiller Brothers Funeral Home in Prospect for calling hours Tuesday night. It was a tough Christmas for the Tuccillo family of Waterbury. Their mother and grandmother, Aurelie Tuccillo, 95, passed away on Christmas Eve. Her body was taken to Buckmiller Brothers Funeral Home in Prospect. When the family arrived for her wake Tuesday night, they were shocked to find another woman's body in Tuccillo's casket. When Ralph Tuccillo attended his mother's wake in Prospect Tuesday night, he found a nightmare that could have come straight out of a horror flick: The woman in the casket wasn't his mother. His 95-year-old mother, Aurelie Germaine Tuccillo of Prospect, had been cremated by mistake, and another body was lying in her place at the Buckmiller Brothers Funeral Home (January 1, 2010, AP wire story).



Think of the anguish, humiliation and economic harm that will be suffered by any funeral home that finds itself in the unfortunate situation that this Connecticut funeral home did over the last week of 2009. Imagine an article in your local newspaper like this one quoted above from a Connecticut newspaper. Or picture your funeral home being the target of numerous Internet comments lampooning your carelessness as business as usual in the funeral industry.

How do you avoid this nightmare? It all comes down to following basic due diligence when handling cremation cases.

Good due diligence starts with having and using a detailed and well-written cremation authorization form like that offered by OFDA on its Web site. That cremation form, which addresses each of the 17 items that ORC Section 4717.24 requires to be in a cremation authorization, lays out a roadmap for a funeral home to avoid cremation liability. However, that form is only effective if a funeral director

and the authorizing agent completely fill out the form and closely follow the procedures outlined therein.

While all of the disclosures in the form are important, three of them are critical to avoiding cremation liability. The first, and the one that would have saved Buckmiller Brothers Funeral Home, is found in the very first section. It requires that the decedent be positively identified prior to cremation. Identification is either done by the authorizing agent viewing the body, the authorizing agent appointing a personal representative to view the body or the authorizing agent authorizing the funeral home to photograph the remains and identifying the photograph.

Under no circumstances should a funeral home proceed with a cremation without positive identification. It is required by Ohio law, and it is a fundamental protection for the funeral home. Never waive this requirement, even if the family refuses to identify the body. "No identification, no cremation" must be your policy.

The second critical disclosure in the cremation authorization form is the identification of the authorizing agent and his or her claim to the right of disposition. Ohio's right of disposition law lists, in order of priority, 11 classes of individuals who hold the right of disposition. In sections 3 and 4 of OFDA's model cremation authorization form, the authorizing agent represents to the funeral home what classification the authorizing agent is. Furthermore, the authorizing agent represents to the funeral home that there is no one in a superior or equal position to the authorizing agent or, if there is, that a reasonable effort has been made to locate such person, that such search has been unsuccessful and that the authorizing agent has no reason to believe that the person with the superior or equal priority right would object to the cremation.

Any funeral home that receives this type of written representation has statutory immunity against a lawsuit if it turns out that the authorizing agent has misrepresented his or her status or the identity or whereabouts of other relatives with a superior or equal priority right. Under ORC Section 2108.86, a funeral director who relies in good faith upon a written declaration of an authorizing agent cannot be subject to criminal or civil liability or disciplinary action by the

State Board if the written declaration signed by the authorizing agent turns out to be false or incomplete. Because the immunity only applies if the declaration by the authorizing agent is **written**, it is necessary to fill out this section of the cremation authorization form in order to enjoy the immunity against lawsuits.

with the cremated remains. Additionally, funeral homes should not deviate from the disposition instructions spelled out in the cremation authorization form unless the authorizing agent gives the funeral home written and signed instructions that alter the original disposition directions.

Under no circumstances should a funeral home proceed with a cremation without positive identification. It is required by Ohio law, and it is a fundamental protection for the funeral home.

The third critical disclosure in the cremation authorization form is Section 12 regarding the ultimate disposition of the cremated remains. Funeral homes often find themselves in the middle of a dispute over cremated remains because they did not compel the family to make decisions regarding who is entitled to the cremated remains when filling out the cremation authorization form. It is better to address this issue prior to cremation and to have explicit written instructions as to what is to be done

Cremation is the most significant liability risk that most funeral homes face. By using OFDA's cremation authorization form and closely following the procedures it spells out, a funeral home can substantially reduce its liability risk.

OFDA members with questions regarding this article may contact Scott Gilligan at 513-871-6332.



Have You Introduced Yourself to Your LEMA?

by Barb Garrison, MS, CHMM, President, Safety and Environmental Solutions, LLC

LEMA stands for Local Emergency Management Agency, and if you haven't sat down with representatives from your county LEMA, you may be doing a disservice to your community. Why? Because, as the name implies, LEMAs are the entities charged with emergency planning efforts at the local level, and funeral service is a very important part of planning when it comes to natural or human-made disasters that result in mass fatalities.

Now, what are the chances that a mass-fatality event will occur in your community? Who can say? Ohio is a pretty "safe" state when it comes to natural disasters, but we're not immune to them. According to the state of Ohio's Hazard Mitigation Plan, tornadoes, severe weather/winter storms, landslides and floods top the list of natural disasters that could lead to mass fatalities in our state. And what about human-made disasters, like terrorist attacks? Some people may think of Ohio as a pretty "ho-hum" kind of state, but there are some key financial, military and research operations in our state that might easily be on a terrorist group's target list.

So, how do LEMAs plan for emergencies in your community? It's actually a very methodical, logical progression.

1. **Perform a Hazard Analysis** – A hazard analysis or hazard assessment is performed to identify what types of hazards might occur and how they will impact the local area. Then, emergency planners estimate how likely or frequently each hazard might occur.
2. **Conduct a Capability Assessment** – This assessment helps determine how prepared a community is to respond to the hazards that were identified in the hazard analysis. The capability assessment is used to identify the response and recovery strengths, identify response and recovery gaps that exist and identify how the community will respond to and overcome these gaps.
3. **Review Existing Plans/Procedures** – After the completion of the first two analyses, responders and planners will know the hazards posed and will have assessed their ability to respond to them. Agencies

will also have reviewed their procedures for responding to emergencies and disasters. The county's emergency operations plan (EOP) and procedures review group will help prioritize and delegate the work needed to develop or update the EOP and the procedures of response organizations.

4. **Organize a Planning Team** – Experience shows that plans are not used if they are prepared by only one person or one agency. A community must use the experience and knowledge of each response and support group that is active during an emergency in order to effectively accomplish this task. And this should include representatives from the funeral industry! As a plan is written and revised, team members should solicit and receive feedback from personnel in their respective organizations.
5. **Create/Revise the Plan** – As a community changes, so will the way in which disasters may impact it and how the community will respond to emergencies and disasters. To prevent the community from being unprepared, plans must continually be used, reviewed and evaluated. A plan must contain a process that brings officials together to read and review its content. This review should be completed on a regular basis. Ohio law states that counties are required to conduct this process annually. Federal Emergency Management Agency guidance recommends reviewing pieces of the plan at given times so that the work is evenly divided and easier to accomplish. This review will also keep the plan fresh in the minds of local agencies.

The time to plan for a mass fatality event is before it happens! If you haven't been a part of the emergency planning process in your community, it's time for you to pull up a chair and join the conversation with your LEMA. For the name of the LEMA director in your county, follow this link: http://eoc.ema.state.oh.us/OpsCenter/Contacts/OEMATelephoneDirectory/CountyDirectorList_web.aspx.



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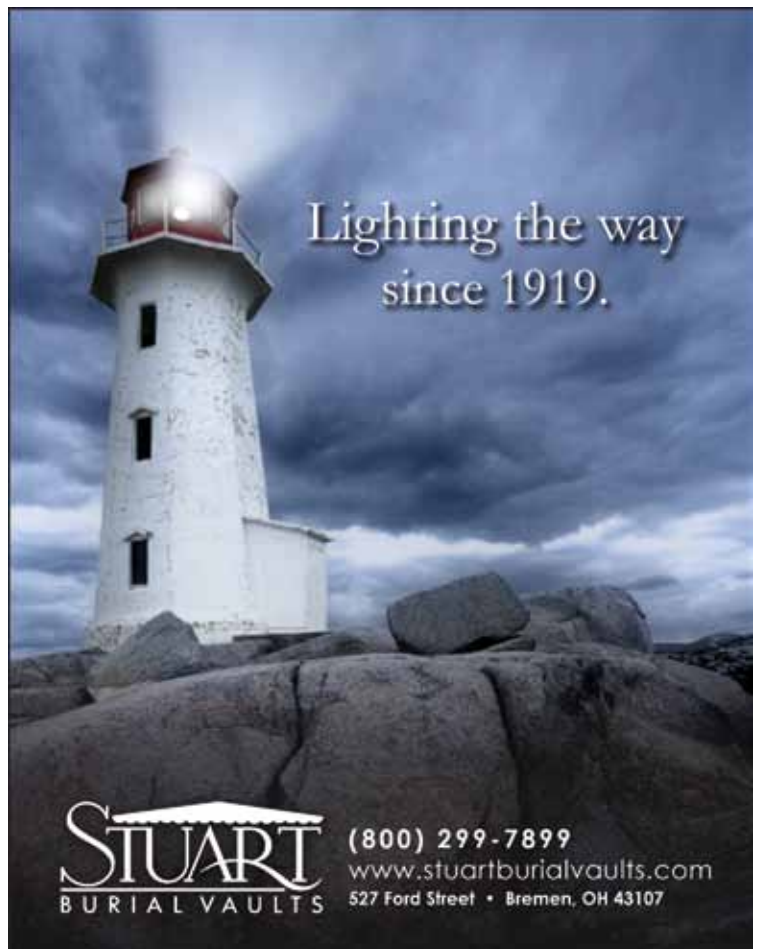
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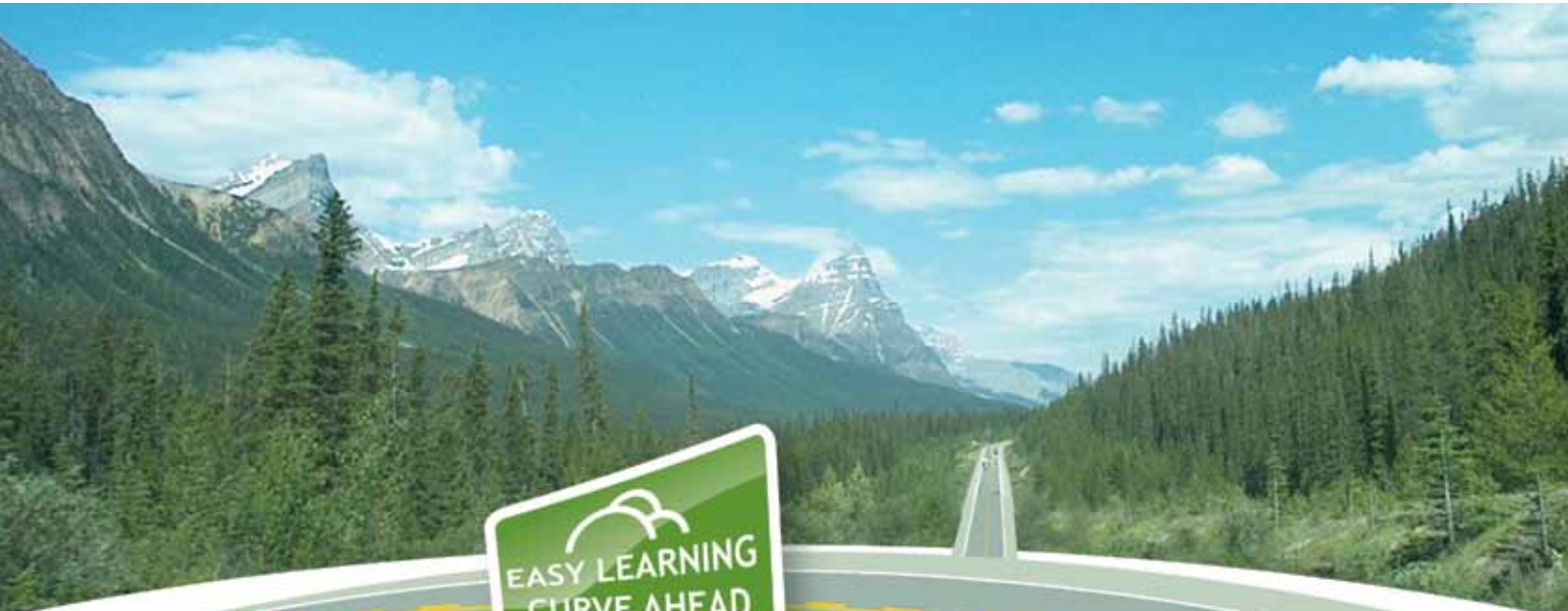
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