

CFB Advocate

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CONTACT US:

Cemetery and Funeral Bureau

1625 North Market Blvd.
Suite S-208
Sacramento, CA 95834

Tel (916) 574-7870
Fax (916) 928-7988
www.cfb.ca.gov
email cfb@dca.ca.gov

or

Department of Consumer Affairs
Consumer Information Center
(800) 952-5210

Welcome!

If it's after business hours or on a weekend, but you need immediate answers, you may be able to find them on our Web site, www.cfb.ca.gov, which contains many helpful tools, including the laws and regulations overseen by the Cemetery and Funeral Bureau. Required forms are downloadable, including the *Authorization for Disposition With or Without Embalming*, as are *FAQs* that provide answers to questions such as who has the right to make decisions and what to do with unclaimed cremated remains.

License Specific Code Reference Sheets for each license, which can be found under "Enforcement" then "Forms," outline the most common violations found on inspections. You can use our e-mail address, emailcfb@dca.ca.gov, for any questions you can't find answers to (we will respond during our regular business hours).

Another tool the Bureau recommends to ensure that your establishment is in full compliance is a "courtesy inspection," which you can request without being penalized for violations. Don't wait for an unannounced routine inspection by our staff; be proactive and schedule a courtesy inspection, especially if you have had major staff changes or have overhauled your General Price List (GPL) or Casket Price List (CPL) or have switched from physically displayed caskets to photographic only displays (or vice versa).

Licensees can schedule a courtesy inspection by sending a written request to Deputy Bureau Chief Lisa Moore, 1625 North Market Boulevard, Suite S-208, Sacramento, CA 95834. Be sure to include the name, license number, and address of the location you would like inspected, as well as the name and phone number of the manager or contact person for the business. Ms. Moore will review your request and assign it to a Field Representative who will contact you to schedule a date and time for the inspection.





Staff announcements

Rick Wallinder retired as Bureau Chief on November 5, 2010. While we were sad to see him go, we certainly couldn't deny that after 30 years of State service, Rick deserved a chance to sleep in for a change. He'll be keeping busy in his retirement with his beautiful granddaughter, his kayak, and his band.



Bev Augustine

Please join the Cemetery and Funeral Bureau staff by ringing in the new year with our new Chief, Bev Augustine. Before becoming our Bureau Chief, Bev was appointed by Governor Arnold Schwarzenegger to the position of DCA's Deputy Director, Strategic Planning and Organizational Development in February 2008. In that position, she was responsible for developing and overseeing the department's strategic plan; assisting DCA's boards and bureaus with strategic planning; implementing the Department's workforce and succession planning efforts; developing recruitment and retention policy; and developing the training program. Prior to this appointment she served as the Deputy Director of the Consumer and Community Relations Division from July 2004 to February 2008, in which she was responsible for the Department's call center, consumer complaint assistance, outreach to consumers, and the department's consumer publications.

Bev began her career at DCA as a Graduate Student Assistant in 1986 in the public affairs office. She has also worked at the State Board of Equalization and the California Department of Education. She has several years of experience in public relations, employee recruitment and evaluation, writing and editing, performance measurement, and strategic planning. She served on the Schwarzenegger Administration's California Performance Review in 2004. In December 2006, she was awarded the State Personnel Board's Hero Award for her work on a team that evaluated the effectiveness of the human resources office at the California Department of Corrections and Rehabilitation.

Bev holds a bachelor of arts degree in English from California State University, Sacramento, and a master of arts degree in linguistics from San Francisco State University.

Advisory Committee

The Bureau held an Advisory Committee Meeting on October 28, 2010, in Sacramento. The meeting was well attended by both consumers and licensees. Committee Members Andy Bryant, Royce Ann Ruhkala Burks, Anthony Wallace, Virgil County, and George Prather were in attendance; six Advisory Committee Members were unable to attend, and another, Betty Youngren, announced her retirement at the meeting. Bureau Chief Rick Wallinder also announced his imminent retirement at the meeting.

The agenda items covered several areas, including a discussion of proposed changes to Funeral Rules and Regulations, and a discussion of draft cemetery maintenance standards language. In an effort to encourage frank discourse on the issues, members of the audience were encouraged to participate in the discussion on the agenda items. Several timely and relevant remarks were made on proposed changes

to Funeral Rules and Regulations. The most spirited debate, however, came during the portion of the meeting devoted to the draft cemetery maintenance standards language. Consensus at the end of the discussion was that the issue would need to be revisited, possibly by a focus group of cemetery licensees.

On February 28, 2011, the Bureau thanked the Advisory Committee Members for their service and began the process of soliciting new members for its Advisory Committee. Please join the Bureau in expressing gratitude for the time, commitment, and expertise contributed to the Advisory Committee by Glenn Bower, Andy Bryant, Royce Ann Ruhkala Burks, Linda Cooke, Virgil County, Merrill Mefford, Lisa Messina, George Prather, Steve Schacht, Eva Shaw, Anthony Wallace, Felicia Winston, and Betty Cooper Youngren.

Join our e-mail list

Want to know when the next newsletter is available, or when new regulations are up for public comment? Go to the Cemetery and Funeral Bureau's Web site, www.cfb.ca.gov, go to the left-hand margin under "Quick Hits," and select "Join Our E-mail List."

The CFB uses this subscriber list service to notify anyone who is interested in receiving e-mail alerts about major updates to the Bureau's Web site, for example, when:

- Regulations are implemented or released for public comment.
- Bureau newsletters are published.

- Agendas about public meetings are released.
- Questions and answers about new laws are added.
- Actions from bureau meetings are available.

There is no charge for this service.

To confirm your identity, an e-mail message requesting confirmation will be sent to the e-mail address you provide. Please follow the instructions in that message. (Note: It is your obligation to keep your e-mail address current on this list.)



New Advisory Committee

The Cemetery and Funeral Bureau (Bureau) is in the process of establishing a new Advisory Committee (Committee). The Committee will be composed of three public members and four industry members. A “public member” is an individual with a background in consumer protection, hospice, coroner employee, consumer advocacy groups, or similar field. An “industry member” is a licensee of the Bureau or a member of an association or trade with experience in cemetery, cremation, and/or funeral issues. The Bureau anticipates a one-year appointment term for Committee members, with appointments to a second-term at the discretion of the Director of the Department of Consumer Affairs. Members of the Committee serve at the pleasure of the

Director, and appointments to the Committee are not considered employment with the State of California. Members serve on a volunteer basis and do not receive salary or benefits. As a volunteer appointee, it is possible to be reimbursed at the state government rate for transportation costs to Committee meetings. Once the new members have been empanelled, they will be listed in the “Advisory Committee” section of www.cfb.ca.gov under “Quick Hits”. The Bureau anticipates holding meetings twice a year in Sacramento. Although no meetings have been scheduled at this time, we hope to hold the first meeting of the new Advisory Committee before June 30, 2011.

Cemetery maintenance standards workshop

Based upon the Advisory Committee’s recommendation during its last meeting, the Bureau asked interested cemetery licensees and members of the public in January to participate in a workshop to discuss the drafting of language for cemetery maintenance standards as required by Business and Professions Code Section 9612. The Bureau would like to thank those individuals who submitted an RSVP and attended our Cemetery Maintenance Standards Workshop in Sacramento on March 22, 2011. This workshop was only one step in the process toward drafting the required regulation. For more information on the process required to enact regulations, visit the Web site for the Office of Administrative Law www.oal.ca.gov.

Attention licensees: tips on submitting renewal payments

The Bureau would like to remind you that when you submit renewal payments, you cannot combine funeral and cemetery renewals. For instance, if you are renewing an embalmer license at the same time as a cemetery manager license, you must include a separate check for each. Please do not make copies of the renewal notices; we must receive the original copy. Separate part 1 from part 2, fold along the dotted line between part 2 and part 3, and insert in the provided envelope with the Bureau's P.O. Box address visible in the envelope window. Part 1 is for your records; please do not submit it to the Bureau.

For funeral establishments, cemeteries, and crematories, if the information printed on the renewal application is incorrect, please complete the

appropriate form found on the Bureau's Web site www.cfb.ca.gov. Making changes on the renewal application will delay processing.

If you require a duplicate copy of a license renewal, please submit a separate request (do not mail the request with your renewal). A duplicate request must specify if you need an "original wall" (8½ x 11) or "renewal" license (4 x 8½). The fee for a duplicate license on the funeral side is \$40, and the cemetery side is \$25 per duplicate. Please mail your request for duplicate to:

CEMETERY AND FUNERAL BUREAU
P.O. Box 989003
WEST SACRAMENTO, CA 95798-9003

Duplicate license requirements

Did you know that you must request a duplicate renewal license for each business that you manage each time you renew your license, if you are the designated licensed manager for more than one location?

To order additional renewal licenses for each facility, simply send a written request stating your name, license number and the quantity of licenses needed. Please include the duplicate fees of \$40 each for a funeral director or \$25 each for cemetery and crematory managers. Be sure to include your license number and name and address with the request. Do not send your request for duplicate with your renewal application.

Please submit the request for your duplicate licenses to:

CEMETERY AND FUNERAL BUREAU
P.O. Box 989003
WEST SACRAMENTO, CA 95798-9003

Still have questions? Call us at (916) 574-7870 and ask to speak with one of our Licensing Unit staff.



Disciplinary actions

Below are the Cemetery and Funeral Bureau enforcement actions from January to October 2010. Please contact Bureau staff at (916) 574-7870 with any questions.

| LICENSEE/APPLICANT | CASE # | DEC TYPE | DECISION | EFFECTIVE DATE |
|--|-------------|-------------|-------------------|----------------|
| Eternal Rest Mortuary Directors - ACC FD 1811 | A1 2007 505 | Adp Dec | Revoked | 1.13.10 |
| Tina Chu SOI - CES application denied | A1 2008 223 | Default | Denied | 2.09.10 |
| Samuel Brown ACC - AE 13113 FDR 1093 | A1 2005 320 | Default | Revoked | 2.19.10 |
| Keith Warfield ACC - FDR 2031 | A1 2007 292 | Stipulation | Probation | 3.05.10 |
| Evergreen MemorialCare Inc. AMD PET/REV - COA 524 | I 2017 | Stipulation | Probation | 3.11.10 |
| Tony Soo Hoo PET/REV - CEM 251 | I 2017 | Stipulation | Probation | 3.11.10 |
| Miguel Del Valle ACC - AE 13099 | A1 2009 178 | Default | Revoked | 4.29.10 |
| Glen Haven Memorial Park ACC - COA 18 | A1 2007 292 | Stipulation | Probation | 5.07.10 |
| Sholom Memorial Park Acc - COA 122 | A1 2007 292 | Stipulation | Probation | 5.07.10 |
| Caren Harville ACC - CEM 109 | A1 2007 292 | Stipulation | Probation | 5.07.10 |
| Sacramento-Stockton Mortuary Transport Inc. - unlicensed | IC 2009 52 | Adp Dec | Affirmed | 5.26.10 |
| Robert Hough SOI - FDR* | A1 2008 190 | Stipulation | Probation | 5.30.10 |
| Julie Whitaker ACC - AE 13105 | A1 2009 453 | Default | Revoked | 6.06.10 |
| Timothy Gaffney ACC - CES 40622 | A1 2009 74 | Stipulation | Surrender | 7.10.10 |
| Guadalupe Memorial Chapel & Mortuary ACC - FD 1425 | A1 2008 253 | Adp Dec | Revoked | 7.10.10 |
| Jose Chavez ACC - FDR 750 | A1 2008 253 | Adp Dec | Revoked | 7.10.10 |
| Ruckers Mortuary ACC - FD 1188 | A1 2007 436 | Stipulation | Probation | 7.31.10 |
| Joel Rucker ACC - FDR 1370 | A1 2007 436 | Stipulation | Probation | 7.31.10 |
| Michael Wright ACC - FDR 1440 | A1 2007 436 | Stipulation | Probation | 7.31.10 |
| Michael Wright ACC - AE 12820 | A1 2007 436 | Stipulation | Probation | 7.31.10 |
| Billy Taft, Sr. ACC - FDR 3270 | A1 2007 436 | Stipulation | Probation | 7.31.10 |
| Billy Taft, Sr. ACC - AE 13015 | A1 2007 436 | Stipulation | Probation | 7.31.10 |
| Steward-Pearce Mortuary ACC - FD 1537 | A1 2009 151 | Adp Dec | Revoked | 7.31.10 |
| Carl Steel ACC - FDR 1886 | A1 2009 151 | Adp Dec | 30/day Suspension | 7.31.10 |
| All Brass Memorial Chapel ACC - FD 1922 | A1 2007 292 | Adp Dec | Surrender | 9.01.10 |
| Melanie Martinsen ACC - FDR 2561 | A1 2008 85 | Default | Revoked | 9.02.10 |
| W.D. Agape Funeral Home LLC SOI - FD application denied | A1 2009 267 | Adp Dec | Denial | 9.06.10 |
| Marvin Barroquillo SOI - CES application denied | A1 2009 156 | Adp Dec | Denial | 10.08.10 |
| Marvin Barroquillo SOI - CES application denied | A1 2009 157 | Adp Dec | Denial | 10.08.10 |
| Richard Encarnacion SOI AE** | A1 2009 214 | Adp Dec | Probation | 10.15.10 |

*License to be issued and immediately placed on probation upon successful completion of examination.

** Certification to be issued and immediately placed on probation upon successful completion of application requirements.

ACC= Accusation
REV=Revoke/Revocation

SOI= Statement of Issues
AMD=Amend(ed)

PET= Petition
ADP DEC= Adopted Decision