*UNAPPROVED*

# VIRGINIA BOARD OF FUNERAL DIRECTORS AND EMBALMERS
# FORMAL ADMINISTRATIVE HEARING

| May 2, 2016 | Department of Health Professions<br>9960 Mayland Drive, Suite #300 | Henrico, Virginia |
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| **CALL TO ORDER:** | A panel of the Board was called to order at 12:25 p.m. |
| **MEMBERS PRESENT:** | Frank Walton, FSL, Chair<br>Tommy Slusser, FSL<br>Louis Jones, FSL<br>Larry Omps, FSL<br>Paul Welch, FSL |
| **MEMBERS ABSENT:** | Junius Williams, Citizen Member<br>Ibrahim Moiz, Citizen Member<br>Blair Nelsen, FSL<br>Connie Steele, FSL |
| **BOARD COUNSEL:** | Erin Barrett, Assistant Attorney General |
| **DHP STAFF PRESENT:** | Lisa R. Hahn, Executive Director<br>Missy Currier, Deputy Executive Director<br>Kathy Petersen, Discipline Manager<br>Jennifer Challis, Senior Investigator |
| **OTHERS PRESENT:** | Maranda Barbour |
| **COURT REPORTER:** | Andrea Pegram, Certified Court Reporter |
| **PARTIES ON BEHALF OF COMMONWEALTH:** | Emily Tatum, Adjudication Specialist |
| **MATTER SCHEDULED:** | **Robert B. McClenny**<br>**License No.: 0502-900049**<br>**Case No.: 161361** |
| **ESTABLISHMENT OF A QUORUM:** | With five (5) members of the Board present, a quorum was established. |

**DISCUSSION:** Ms. McClenny appeared before the Board in accordance with the Board's Amended Notice of Formal Hearing dated March 29, 2016.

The Board received evidence and sworn testimony from the parties called by the Commonwealth and Mr. McClenny, regarding the matters as set forth in the Statement of Particulars.

**CLOSED SESSION:** Upon a motion by Tommy Slusser, and duly seconded by Larry Omps, the Board voted to convene a closed meeting at 1:29 p.m., pursuant to §2.2-3711.A(27) of the Code of Virginia, for the purpose of deliberation to reach a decision in the matter of Robert McClenny, FSL. Additionally, he moved that Ms. Hahn, Ms. Barrett, Ms. Currier, and Ms. Petersen attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations.

**RECONVENE:** Upon a motion by Paul Welch, and duly seconded by Larry Omps, the Board voted to re-convene at 1:50 p.m.

**CERTIFICATION:** Mr. Slusser certified that the matters discussed in the preceding closed session met the requirements of §2.2-3712 of the Code of Virginia, the Board reconvened in open session.

**DECISION:** Upon a motion by Mr. Omps, and duly seconded by Mr. Jones, the Board moved to place Ms. McClenny's license on PROBATION for one year with certain terms and conditions.

**VOTE:** The vote was unanimous.

**ADJOURNMENT:** The Board adjourned at 1:54 p.m.

*The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decisions of this formal hearing panel.*

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| Frank Walton, Chair | Lisa R. Hahn, Executive Director |
| Date | Date |