

UNAPPROVED
VIRGINIA BOARD OF FUNERAL DIRECTORS & EMBALMERS
FORMAL ADMINISTRATIVE HEARING
May 8, 2014 – 1:00 P.M.

The Virginia Board of Funeral Directors and Embalmers convened on May 8, 2014, at the Department of Health Professions, 9960 Mayland Drive, 2nd Floor, Training Room 1 (ABC), Henrico, Virginia.

BOARD MEMBERS PRESENT: Junius Williams, President
Paul Welch, FSL
Louis Jones, FSL
Connie Steele, FSL
Walter Bell, Citizen Member

BOARD MEMBERS ABSENT: Eric Wray, FSL
Bob Oman, FSL

DHP STAFF PRESENT: Lisa R. Hahn, Executive Director
Lynne Helmick, Deputy Executive Director
Kathy Petersen, Discipline Operations Manager
Missy Currier, Board Operations Manager/Compliance Manager
Jan Willis, Adjudication Specialist
Ron Houser, Senior Investigator

MEMBERS FROM THE OFFICE OF THE ATTORNEY GENERAL PRESENT: Erin Barrett, Assistant Attorney General, Board Counsel
Wayne Halbleib, Sr. Assistant Attorney General

COURT REPORTER: Farnsworth Taylor Reporting

CALL TO ORDER The Formal Administrative Hearing of the Board was called to order at 1:30 p.m.

ESTABLISHMENT OF A QUORUM: With five (5) members of the Board present, a quorum was established.

MATTER SCHEDULED: **David Sloan, II, FSL**
License Number: 0502-900762
Case Number: 147801

DISCUSSION: Mr. Sloan was not present at the hearing and was not represented by counsel. The Board proceeded with the hearing in Mr. Sloan's absence as the Notice of Hearing dated April 14, 2014, was mailed to his

address of record, by regular USPS first class mail and UPS Overnight Shipment mail.

Mr. Williams ruled that adequate notice was provided to Mr. Sloan.

The Board proceeded and received evidence and sworn testimony from the Commonwealth's witnesses regarding the matters as set forth in the Statement of Particulars.

CLOSED SESSION: Upon a motion by Mr. Welch, and duly seconded by Mr. Jones, the Board voted to convene a closed meeting 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 David J. Sloan, II, FSL. Additionally, Mr. Welch moved that Ms. Hahn, Ms. Currier and Ms. Barrett attend the closed meeting because their presence in the closed meeting was deemed necessary and would aid the Board in its deliberations. The Board convened into closed session at 2:00 p.m.

OPEN SESSION: Mr. Welch certified that the matters discussed in the preceding closed session met the requirements of § 2.2.-3712 of the *Code of Virginia*; Mr. Jones seconded the certification and the Board re-convened open session at 2:31 p.m.

ACTION: Ms. Barrett read the Findings of Fact and Conclusion of Law. Upon a motion by Ms. Steele and duly seconded by Mr. Welch, the Board adopt the Findings of Fact and Conclusion of Law, as read by Ms. Barrett.

Upon a motion by Mr. Jones and duly seconded by Mr. Welch, the Board Ordered that the right of David J. Sloan, II, F.S.L. to renew or reinstate his license as a funeral service licensee is SUSPENDED for not less than two years.

It was further ORDERED that Mr. Sloan shall be assessed a monetary penalty of One Thousand Five Hundred Dollars (\$1,500.00), said penalty to be paid to the Board by certified check or money order within twelve (12) months from the date the Order is entered.

VOTE: The vote was unanimous.
The decision shall be effective upon the entry by the Board of a written Order stating the findings, conclusions, and decision of this formal hearing panel.

Junius Williams, President

Lisa R. Hahn, Executive Director

Date

Date