

**APPROVED**  
**VIRGINIA BOARD OF FUNERAL DIRECTORS & EMBALMERS**  
**FORMAL ADMINISTRATIVE HEARING**  
**JANUARY 17, 2012**

The Virginia Board of Funeral Directors and Embalmers convened on January 17, 2012, at the Department of Health Professions, 9960 Mayland Drive, 2<sup>nd</sup> Floor, Board Room 2, Henrico, Virginia.

**BOARD MEMBERS PRESENT:** Robert B. Burger, Jr., FSP, President  
Junius H. Williams, Jr., Secretary-Treasurer  
Mike Leonard, FSP  
Bob Oman, FSP  
Chris Vincent, FSP  
Eric Wray, FSP  
Walter S. Bell, Citizen Member

**DHP STAFF PRESENT:** Lisa R. Hahn, Executive Director  
Lynne Helmick, Executive Deputy Director  
Kathy Petersen, Discipline Operations Manager  
Missy Currier, Board Operations Manager  
Tammie Jones, Adjudication Specialist  
Marta Ishmael, Senior Investigator

**MEMBERS FROM THE OFFICE OF THE ATTORNEY GENERAL PRESENT:** Howard Casway, Senior Assistant Attorney General, Board Counsel  
James Schliessmann, Assistant Attorney General

**RESPONDENT'S COUNSEL :** Isaac McBeth, Esq. of Hirschler Fleischer

**OTHERS PRESENT:** Miriam AbdRahmaan, FSP  
Robert D. Baker, FSP

**COURT REPORTER:** Crane-Snead & Associates

**CALL TO ORDER** The Formal Administrative Hearing of the Board was called to order at 3:58 p.m.

**ESTABLISHMENT OF A QUORUM:** With seven (7) members of the Board present, a quorum was established.

**MATTER SCHEDULED:** **Phillip Bell, Sr., FSP**  
**License Number: 0502-730043**  
**Case Number: 133970**

**DISCUSSION:**

Mr. Bell appeared before the Board in accordance with the Notice and Statement of Particulars dated November 4, 2011. Mr. Bell was represented by Isaac McBeth, Esq. of the law firm Hirschler Fleischer.

The Board received evidence and sworn testimony regarding the matters as set forth in the Statement of Particulars.

**CLOSED SESSION:**

Upon a motion by Mr. Wray, and duly seconded by Mr. Oman, 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 Mr. Bell. Additionally, Mr. Wray moved that Ms. Hahn, Ms. Currier, and Mr. Casway 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 6:34 p.m.

**OPEN SESSION:**

Having certified that the matters discussed in the preceding closed session met the requirements of 2.2.-3712 of the *Code of Virginia*, the Board re-convened open session at 7:06 p.m.

**ACTION:**

Upon a motion by Mr. Williams, and duly seconded by Mr. Oman, the Board found that there existed no clear and convincing evidence to support findings of any violation of the laws and regulations governing funeral service providers set out in the Notice of Formal Hearing. The motion carried.

**VOTE:**

The vote was unanimous, with seven (7) affirmative votes.

**ADJOURNMENT:**

The Board adjourned at 7:08 p.m.

*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.*

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Robert Burger, Jr., FSP, President

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Lisa R. Hahn, Executive Director

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Date

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Date