

Funeral Directors

NEWSLETTER

Spring 2004



Commonwealth of Pennsylvania

Edward G. Rendell
Governor

Pedro A. Cortés
Secretary of the Commonwealth

Basil L. Merenda
*Commissioner,
Bureau of Professional and
Occupational Affairs*

Scott J. Messing
*Deputy Commissioner,
Bureau of Professional and
Occupational Affairs*

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Department of State directly at
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Message from the Board Chairman

by Joseph A. Fluehr III, FD

Let me first say it is truly an honor and privilege to serve as a member and now chairman of the State Board of Funeral Directors. I would like to take this opportunity to thank James O. Pinkerton, FD, for his dedication to the Board as former chairman and Janice H. Mannal, FD, for her insight as vice chair. We look forward to their continued counsel on this Board. Finally, I'd like to thank Andrew Mamary, FD, for his years of distinguished service to this Board, the profession and the Commonwealth.

As I assume the position of chairman, let me assure you that this Board has the commitment and fortitude to stay the course to serve and protect the consumer.

The 2004-2006 renewal period has passed. I hope everyone renewed their appropriate licenses and were able to utilize the on-line renewal capability.

Act 48 of 2000 requires all licensees to complete six hours of continuing education. Continuing education will become a requirement of renewing your license upon final promulgation of regulations. All licensees will be notified in writing when the requirement becomes effective. In the meantime, please visit our Department website at www.dos.state.pa.us or refer to your state and local association newsletters for updates. Also, be informed that Act 46 of 2003 requires the various professional licensing boards to suspend a license for non-payment of taxes.

Many challenges lie ahead and the Board is prepared to do its part. We look forward to working with the Commissioner of Professional and Occupational Affairs, Board counsel and the Board administrator, to protect the public interest.

Notes from the Board

BOARD APPROVAL OF STATEMENTS OF FUNERAL GOODS AND SERVICES

The Board's regulation at 49 Pa. Code § 13.204(a) requires that a licensee utilize a written agreement form that has been reviewed and approved by the Board. The Board has delegated this review and approval to Board counsel. The purpose of this article is to explain how this review is conducted.

Upon receipt of a request for review, Board counsel first compares the proffered form to the requirements of 49 Pa. Code § 13.204 (relating to written agreement) to confirm that the form provides for the date of making arrangements, the date of death and the name of the deceased as well as identification and signa-

ture of the person making the arrangements with the licensee. Board counsel also verifies that the professional services identified at 49 Pa. Code § 13.204(b), cash advances described at 49 Pa. Code § 13.204(c) and information about interest on delinquent accounts required by 49 Pa. Code § 13.204(e) are included in the form. In reviewing form statements of funeral goods and services, Board counsel also verifies that the name of the licensee, as provided in the funeral home's license, is included. Sole proprietorship and partnership funeral homes, if not operating under the individual funeral director's names, must include those individual names. Section 8 of the Funeral Director Law. Also, a restricted business corporation, widow/widower or estate or pre-1935 corporation licensee must include the supervisor's name. 49 Pa. Code § 13.193.

This review also applies to form preneed statements of funeral goods and services. Additionally, for these forms, Board counsel verifies that the form agreement reflects whether an additional service fee or arrangement fee is charged. 49 Pa. Code § 13.224(f).

While Board counsel will verify compliance with all provisions of the Funeral Director Law and regulations promulgated by the Board, this article has included only those provisions that most commonly have led to refusal to approve form statements of funeral goods and services.

Review is typically completed within one week after Board counsel has received a request to review a form statement of funeral goods and services. Board counsel will notify the licensee in writing whether

Notes from the Board...Continued

the proffered form complies with the Funeral Director Law and Board regulations. Should Board counsel refuse to approve a form, the licensee is free to revise the form and request additional review.

CONTINUING EDUCATION

By Act 48 of 2000, the General Assembly authorized the Board to require licensed funeral directors to successfully complete continuing education of at least 6 hours in each biennial renewal period. The Board will promulgate regulations to implement this requirement. It is envisioned that the first renewal period during which continuing education must be pursued is from February 1, 2004, through January 31, 2006. For the renewal period from February 1, 2006, through January 31, 2008, the Board will not renew the license of a funeral director, first licensed before February 1, 2002, until that funeral director has successfully completed at least 6 hours of continuing education. The Board's regulations will implement procedures for obtaining credit for continuing education, as well as for becoming an authorized provider of continuing education.

On September 13, 2003, the Board published proposed regulations in the Pennsylvania Bulletin (<http://www.pabulletin.com/secure/data/vol33/33-37/1791.html>). The Board received comments from the Pennsylvania Funeral Directors Association and the Independent Regulatory Commission (<http://www.irrc.state.pa.us/download/235611-13-03comments.pdf>). The Board has considered these comments and is revising the proposed regulations for final promulgation. Additional information about the status of the regulations can be found on the IRRC website (<http://www.irrc.state.pa.us/docket.PDF>). When finally promulgated, the continuing education regulations, like all regulations of the Board, will be available on the internet (<http://www.pacode.com/secure/data/049/chapter13/chap13toc.html>).

LIMITED LICENSE

The General Assembly, in Act 48 of 2000, authorized the Board to enter into agreements with the licensing authorities of other states to issue limited licenses to funeral directors licensed in those other states. With a limited license in Pennsylvania, a funeral director from another state would be authorized to enter into Pennsylvania for the purpose of removing, transporting and burying dead human bodies and directing funerals, but would not be authorized to maintain an establishment or to hold himself out as a funeral director in Pennsylvania. Pennsylvania funeral directors would be permitted to engage in the similar activities in states with which the Board has entered into an agreement. The Board is currently preparing regulations to implement the issuance of limited licenses.

The Board has entered into agreements with the licensing authorities in New Jersey and Delaware concerning limited licenses. A funeral director licensed in Pennsylvania is now authorized to enter into New Jersey for removal or burial, consistent with the provisions of New Jersey law, without being licensed by New Jersey. A funeral director licensed in Pennsylvania must apply for and receive a courtesy card from Delaware in order to remove a body or conduct a burial in Delaware, consistent with the provisions of Delaware law. A funeral director licensed in New Jersey or Delaware may apply for a limited license in Pennsylvania.

The Board is continuing to discuss similar agreements with the licensing authorities of New York and West Virginia. Maryland has chosen not to enter in a limited license agreement with Pennsylvania. Although Ohio does not

have provisions in its law to authorize this type of practice, its licensing authorities are working to encourage its legislature to enact such provisions.

ADVERTISING FUNERAL HOME EMPLOYEES

By regulation, the State Board of Funeral Directors requires that "individuals whose names are used in advertising shall be living and hold active licenses registered with the Board." 49 Pa. Code § 13.194. This regulation, by its strict terms, would prohibit a funeral home from listing an unlicensed staff person on the funeral home's stationery, even though the stationery accurately describes the staff person's position and in no way suggests that the staff person is a licensed funeral director. However, a state violates its licensees' commercial free speech rights under the First Amendment by prohibiting truthful and not misleading advertising of lawful activity, unless there is a substantial state interest and the prohibition directly advances that interest without being more extensive than necessary. *Central Hudson v. Public Service Comm'n of New York*, 447 U.S. 557, 100 S.Ct. 2343 (1980).

Historically, the Board has not enforced § 13.194 in a way that would prohibit the truthful and not misleading identification of unlicensed funeral home staff as engaged in lawful activity. At its meeting on December 3, 2003, the Board reiterated its view that it cannot enforce this regulation, consistent with the First Amendment, in a way that would prohibit the truthful and not misleading identification of unlicensed funeral home staff as engaged in lawful activity. Accordingly, a funeral home may identify an unlicensed staff person in its advertising, so long as the advertising accurately identifies the staff person's position and in no way suggests that the staff person is a licensed funeral director.

Disciplinary Actions

The following is a chronological listing of formal disciplinary or corrective measures taken by the board from January - December 2003. Each entry includes the name of the respondent, the respondent's address with the Board, as well as the licenses and registrations that were suspended or revoked; the sanction imposed; a brief description of the basis for the disciplinary or corrective measure; and the effective date.

Every effort has been made to ensure that the following information is correct. However, these actions and their effective dates should not be relied upon without verification from the Board office. Official confirmation of the current status of a license or registration can be obtained by writing to the State Board of Funeral Directors, P.O. Box 2649, Harrisburg, PA 17105-2649.

Harry B. Palmer, license numbers **FD-013566-L** and **FS-013566-L**, of Philadelphia, Philadelphia County, was assessed a public reprimand and \$2,000.00 civil penalty, because he was guilty of unprofessional conduct by allowing funerals to be held at an unlicensed facility. (1/8/03)

Larrie A. Derman, license number **FD-010307-L**, of Tyrone, Blair County, was suspended for a minimum of 6 months and ordered to pay a civil penalty of \$2000 and to successfully complete continuing education, for committing professional misconduct by failing to place preneed funds into a trust or escrow account and creating false supporting documentation. (1/10/03)

Michael J. Kovacs, Jr., license numbers **FD-012650-L** and **FS-012650-L**, of Springfield, Delaware County, was assessed a public reprimand and a \$5,000.00 civil penalty because he arranged and conducted funerals at an establishment that was not licensed. (3-5-03)

Fred M. Molly, license number **FD-013575-L**, of Pittsburgh, Allegheny County, was suspended for a minimum of 2 years and ordered to pay a civil penalty of \$2000

and to successfully complete continuing education, for failing to provide a statement of funeral goods and services with a total price, for embalming remains without written authorization, and for failing to provide funeral merchandise included on a statement of funeral goods and services. (3/07/03)

Perry Funeral Home, Inc., license number **FR-001089**, of Philadelphia, was ordered to pay a civil penalty of \$1,000 for operating prior to licensure. (4/4/03)

Stewart Wiley, unlicensed, of Philadelphia was ordered to pay a civil penalty of \$250 for practicing as a funeral director without a license. (4/10/03)

Robert B. Fryer, license number **FD-010089-L**, of Pittsburgh, Allegheny County, was ordered to pay a civil penalty of \$750 for making a false statement on an application to the Board. (4-10-03)

Stephen F. Oravitz, license numbers **FD-011890-L** and **FS-011890-L**, of Shenandoah, Schuylkill County, was assessed a public reprimand and \$250.00 civil penalty because he engaged in misconduct by failing to provide consumers with a general price list in accordance with Federal Trade Commission regulations. (6/11/03)

Jeffrey R. Hermanson, license number **FD-013718-L**, of Girard, Erie County, had charges of misconduct in the practice of the profession dismissed, based upon conducting funerals during the unlicensed transition period after the sole proprietor of a funeral home died and before the Board licensed the widow's establishment. (6-12-03)

Richard H. Heisey, license number **FD-010601-L**, of Lititz, Lancaster County, was ordered to pay a civil penalty of \$200, for failing to maintain his facility in compliance with Board regulations and failing to comply with federal OSHA standards concerning formaldehyde moni-

toring. (8/7/03)

Andrew A. Compagnola, license number **FD-011431-L**, of Philadelphia, Philadelphia County, was assessed a public reprimand and a \$500.00 civil penalty because he practiced funeral directing while his license was lapsed. (9/9/03).

Dean N. Tyler, of Pittsburgh, Allegheny County, was granted a license as a funeral director, subject to probation for two years, based upon finding that he is rehabilitated following his convictions for assault. (9-17-03)

Douglas A. Arner, license number **FD-012923-L** of Chester, WV was ordered to have a Public Reprimand placed on his permanent Board record, because Mr. Arner had disciplinary action taken against his license to practice funeral directing and embalming by the proper issuing authority of another state. (11-05-03)

Unethical or Unlicensed Activity

If you believe the practice or service provided by a licensed professional to be unethical, below an acceptable standard or out of the scope of the profession; or if you are aware of unlicensed practice, please call the Bureau of Professional and Occupational Affairs complaints hotline at:

In Pennsylvania:

1-800-822-2113

Out of State:

1-717-783-4854

A complaint form is available on the Department of State's internet site. **www.dos.state.pa.us**

Prompt Disposal of the Deceased Body

by Michelle T. Smey, Board Admin

At a recent meeting, the State Board of Funeral Directors discussed §13.184 of the regulations. This is the regulation requiring prompt disposal of a deceased body. The regulation states that:

“A funeral director shall promptly prepare and bury bodies which are entrusted to his funeral establishment for that purpose and may not allow the retention of a dead human body at his establishment or elsewhere for a total of more than 10 days without first obtaining special permission from the Board.”

The Board discussed how this regulation pertains in circumstances where a funeral director has been contacted after a body has already been deceased for 10 or more days. The Board has determined that, because a funeral director cannot control disposition of a body that has not been entrusted to the funeral director’s care, a funeral director is not required to seek special permission so long as final disposition is completed within 10 days of being entrusted with the body.

In any case, where a funeral director must, for any reason, hold a deceased body for more than 10 days, he/she must receive special permission from the Board. Contacting a board member to receive special permission and then notifying the board office in writing is still the only appropriate means to receive permission. The written notification to the board office must contain the following information:

1. Name of the deceased
2. Date of death
3. Condition of the body
4. Reason for delay
5. Expected date of interment
6. Name of board member contacted

If you have any questions regarding this matter, please contact the Board office.

Meet New Board Member Michael J. Yeosock

Michael J. Yeosock, the newest member of the State Board of Funeral Directors, was sworn in on January 7, 2004. Mr. Yeosock is one of five professional members on the Board.

Mr. Yeosock is a second generation licensed funeral director and owner of the Yeosock Funeral Home in Plains. He is married and has three children.

Mr. Yeosock attended Penn State University from 1953-1957 and graduated from Eckel’s College of Mortuary Science in Philadelphia in 1958. He has been the Secretary-Treasurer of the Luzerne County Funeral Directors for over 30 years and is an active member of the Pennsylvania Funeral Directors Association. He is active in his church and community.

APPLYING FOR A WIDOW OR ESTATE LICENSE

A widow, widower or estate license is available to the spouse or estate of a deceased licensed funeral director who operated a funeral establishment as a sole proprietor or in a partnership at the time of his/her death. In order to apply for a widow, widower or estate license, you must comply with Section 8 of the Funeral Director Law and §13.152 of the regulations. This regulation states that you must inform the Board of the intent to continue practice within 10 days of the deceased licensee’s death and that you must make application for the license within 30 days of the deceased licensee’s death. **Please contact the board office immediately after the death of a licensed funeral director if the widow, widower or estate wishes to apply to continue practice.**

Right-to-Know Act and Home Addresses

The Bureau of Professional and Occupational Affairs is sensitive to its licensees’ concerns about personal privacy. However, the Pennsylvania Right-to-Know Act, 65 P.S. § 66.1, mandates release of information contained in a “public record” stored by that agency if a member of the public requests it.

The Bureau wants you to know that it will take all reasonable steps to safeguard personal information contained in your licensure records. We realize that many of you use your home address on the licensure records maintained by the Bureau. However, given the uncertainty over what the Right-to-Know Act requires, neither the Bureau nor the board that issues your license can guarantee the confidentiality of the address shown on your licensing record. Therefore, we recommend that, if you have a personal security concern, you might want to consider what many of our licensees have already done: use a business address or box number as the official address on licensure records.

Also, with the arrival of the License 2000 computer system, you may indicate to the Board an address for release to the public that may be different from your home address.

To further protect your privacy and identity, the Bureau will only accept a request to change a licensee’s address if it is submitted in writing and includes the licensee’s social security number, license number and the old and new addresses.

Funeral Establishment Application Process

by Michelle T. Smey, Board Administrator

Applying for a new or changes to an existing funeral establishment often seems like a long and arduous process. This article will provide some information to help you with the process.

Section 8 of the Funeral Directors Act outlines the types of funeral establishments permitted to operate. They are:

1. Sole Proprietor funeral establishments are owned by a single licensed funeral director who also serves as the operator. Sole proprietors are not permitted to hire a funeral supervisor except in the case where there is also a branch establishment that the owner operates. The name of the establishment must be the name of the owner or the name of the predecessor funeral establishment.

2. Partnership funeral establishments are owned by two or more licensed funeral directors. Partnership funeral establishments are not permitted to hire a funeral supervisor. The name of the establishment must be the names of all partners or the name of the predecessor funeral establishment.

3. A Funeral Widow license can be issued to the widow/widower of a deceased licensed funeral director who operated a funeral establishment as a sole proprietor or in a partnership. The widow/widower must hire a licensed funeral director as a full-time funeral supervisor. The widow/widower may continue to own the establishment as long as he/she remains unmarried. The widow/widower must notify the board within ten days of the date of the death of the funeral director of his/her intent to continue practice at the funeral establishment and then must apply for the license within 30 days of the date of the death.

4. Funeral Estate licenses can be issued to the estate of a deceased licensed funeral director who operated a funeral establishment as a sole proprietor or in a partnership. The estate must hire a licensed funeral director as a full-time funeral supervisor. The estate license is valid for a period of three years and is subject to biennial renewal. The estate must notify the board within ten days of the date of the death of the funeral director of their intent to continue practice at the funeral establishment and then must apply for the license within 30 days of the date of the death.

5. A Restricted Business Corporation funeral establishment may be issued to a Pennsylvania corporation incorporated by one or more licensed funeral directors. Shareholders of the corporation can be licensed funeral directors, their spouses, children or grandchildren or a trust set up for the benefit of the spouse, children, and/or grandchildren. A licensed funeral director may

only hold shares or have proprietary interest in one funeral establishment. The incorporator of such corporation must be a licensed funeral director. The name of the corporation must be the name or names of one or more of the shareholders or the name of the predecessor funeral establishment. A licensed funeral director must be appointed or hired as a full-time funeral supervisor.

6. A Professional Corporation funeral establishment can only be issued to one or more licensed funeral directors. A licensed funeral director may only hold shares or have proprietary interest in one funeral establishment. The name of the corporation must be the name or names of one or more of the shareholders or the name of the predecessor funeral establishment. A licensed funeral director must be appointed or hired as full-time funeral supervisor.

7. A Branch funeral establishment license allows a sole proprietor, partnership, restricted business corporation or professional corporation to conduct business at one additional location provided that a licensed funeral director is appointed or hired as a full-time funeral supervisor.

An application is required from the board office if applying for a new funeral establishment, change of ownership, change of address or change of name. Applications are available on our website or by calling the board office. All applications require the following attachments:

1. Sample letterhead
2. Sample statement of goods and services (general price list is not acceptable)
3. Copy of notification to or confirmation from the telephone company for the listing

In addition, each application will specifically list the other attachments to be submitted with the application.

Restricted Business Corporations and Professional Corporations will require a name approval letter from the Board in order to obtain Articles of Incorporation from the Corporation Bureau. This must be requested in writing by mail or fax to the board office. Your request should include the name you wish to use and the owners of the corporation.

Once an application is received in the board office, it is reviewed within 7-21 days of receipt. If there is a deficiency in the information submitted, a discrepancy letter will be mailed to the person making application. If all information needed is received and approved, an inspection of the establishment will be ordered. An inspector will contact the funeral establishment owner or supervisor to schedule an inspection.

Funeral Establishment Application Process...Continued

All sections of an application must be completed as well as all listed attachments must be submitted. Any blank sections or missing attachments will be cited in the discrepancy letter and will delay the processing of the application.

A Funeral Supervisor Application must be submitted with all Restricted Business Corporation, Professional Corporation, Widow, Estate, and Branch Applications.

It is useful to have a current copy of the Funeral Directors Act and the regulations of the Board (Title 49, Chapter 13) when you are completing an establishment application. Section 8 of the Funeral Director's Act states how funeral establishments may be owned and operated. §13.91 through 13.163 of the regulations provide information on the required documentation to be submitted with the application (each application lists the required documents to be submitted). These publications are available on our website or by calling the board office.

If you have any unanswered questions while completing an application, please contact the board office for direction.

License Counts

Funeral Trainee	601
Funeral Intern	93
Funeral Director	3,858
Funeral Director, limited	93
Funeral Supervisor	1,207
Supervisor-Temp	3
Sole Proprietorship	542
Partnership	31
Widow	41
Estate	1
Restricted Business Corporation	718
Professional Corporation	93
Pre-35 Corporation	54
Branch	271

REMINDER

All funeral individual and establishment licenses, including sole proprietors, expired on February 1, 2004. If you have not received new licenses with the new expiration date of February 1, 2006, contact the board office for assistance.

Reminder Renew Your License Online!

If you choose to renew via the Internet, go to the Department's website at <http://www.dos.state.pa.us> and click on LicensePA (www.myLicense.state.pa.us). Then simply follow the instructions to renew your license online.

You are eligible to renew online if:

- You are currently in your license renewal period
- Your license is delinquent by no more than 30 days

First-time users will need the following information at hand:

- Pennsylvania License Number
- Renewal ID Number (located on the Renewal Application)
- Current mailing address
- Credit Card information
- Social Security Number
- E-mail address
- Continuing Education information

What is BEI?

by Thomas Bat, PCI and Edmund Booth, PCI both of the Scranton Regional Office

Perhaps as a licensee you already know that the Commonwealth of PA, Department of State, Bureau of Professional and Occupational Affairs (BPOA), provides administrative and legal support to 27 professional and occupational licensing boards and commissions. BPOA protects the health, safety, and welfare of the public from fraudulent and unethical practitioners. Professionals range from physicians and cosmetologists to accountants and funeral directors. However, many licensees are not aware of another Bureau in the Department of State that is equally important, the BUREAU OF ENFORCEMENT AND INVESTIGATION (BEI).

BEI is mandated by legislation to conduct investigations and enforce selected regulations of all 27 boards and commissions in Pennsylvania. BEI is able to accomplish this task through the use of Professional Conduct Investigators (PCIs), Regulatory Enforcement Inspectors (REI's), mortuary inspectors, and pharmacy inspectors.

What does a PCI do?

All of the cases PCIs investigate are complaint driven. All complaints against any licensee are filed through the BPOA's Complaints Office first, where legal staff determines whether the allegation, if true, would potentially constitute a violation of the respective licensing Act or regulations. If so, the Complaints Office will open a case and request BEI to conduct an investigation.

The PCI then conducts field interviews with the complainant, licensee, witnesses, and anyone else who has personal knowledge of the subject matter being examined. The PCI will collect and categorize all the documents that are pertinent to the case. If the need arises, the PCI will take photographs, verify records, serve subpoenas, and visit sites in order to accurately record any relevant facts. This information is submitted to a prosecuting attorney for that licensing board, who will make a decision as to whether to close the case or file appropriate charges. Those charges are filed via a document called an Order to Show Cause. The PCI may be called to testify as a witness at a formal hearing to present any information he or she personally gathered during the investigation.

If you are ever visited by a PCI, the most important thing to remember is that they are there not to determine whether you have committed a violation. Their job is to simply obtain your side of the story, so that a prosecutor has as much information as possible in order to make the appropriate charging decision.

What does an inspector do?

The Regulatory Enforcement Inspector (REI), mortuary inspector, and pharmacy inspector performs field inspection work to determine that a facility is in compliance with the laws, rules and regulations regarding professional and occupational licensing and other areas under the jurisdiction of the Secretary of the Commonwealth. The REI does routine and new business inspections for the Cosmetology, Barber, Real Estate and Motor Vehicle Boards. Typically, an inspector will make an appointment to do a new business inspection. All routine inspections, for obvious reasons, are unannounced.

When an inspector enters your place of business, it is to verify that your facility is in compliance with that particular board's rules and regulations. During the inspection, BEI will ask to see your current licenses, required equipment/material/devices and reference books, etc.

Does BEI have the authority to impose any disciplinary action?

When violations are discovered, the inspector may issue a citation (ticket) under Act 48 of 1993. The PA Legislature created Act 48 in an effort to streamline the disciplinary process for BPOA. Currently, citations may be issued for certain violations under the following boards: Barber, Cosmetology, Funeral, Pharmacy, Real Estate, Vehicle, Accountancy, Architect, Auctioneer, Engineering and Dentistry. Thus, there are occasions when a PCI may also issue a citation during the course of an investigation. By and large, however, most of the significant charging decisions are made by a BPOA prosecutor and are filed via an Order to Show Cause, as noted above.

An important thing for all licensees to remember is that during the course of an investigation/inspection, the PCI/inspector is gathering facts to be considered by the licensing board. Although BEI is not the ultimate decision maker in most instances, failure to cooperate with the PCI/REI is paramount to not cooperating with the mandates of the licensing board itself.

We hope this brief introduction gives you a better understanding of what to expect when a PCI or an inspector visits you. BEI maintains four regional offices, located in Harrisburg, Pittsburgh, Philadelphia, and Scranton. BEI employs approximately 75 PCIs and 28 inspectors to cover the 67 counties in Pennsylvania in an expeditious, professional, and customer oriented manner.

Meet Secretary Pedro A. Cortés

Pedro A. Cortés was nominated as Secretary of the Commonwealth by Gov. Edward G. Rendell on April 2, 2003 and was unanimously confirmed by the Senate on May 13, 2003, making him the first confirmed Hispanic Cabinet member in Pennsylvania history.

The Secretary of the Commonwealth administers the Department of State, a \$105 million-a-year state agency. The Department of State protects the public's health, safety and welfare by licensing nearly one million business, health and real estate professionals; maintaining registration and financial information for thousands of charities soliciting contributions from Pennsylvanians; overseeing Pennsylvania's electoral process; maintaining corporate filings; and sanctioning professional boxing, kick-boxing and wrestling in the Commonwealth.

By statute, the Secretary is a member of the Board of Property, the Board of Finance and Revenue, the State Athletic Commission, the Navigation Commission for the Delaware River and its Navigable Tributaries and the Pennsylvania Municipal Retirement Board. The Secretary is the keeper of the Great Seal of the Commonwealth and has the duty of authenticating government documents through the seal's use. Secretary Cortés is also the Commonwealth's Chief Election Officer.

Previously, Secretary Cortés was the Executive Director of the Pennsylvania Governor's Advisory Commission on Latino Affairs. As Executive Director, he made recommendations to the Governor and the administration on policies, procedures and legislation that enhanced the status of the Latino community in Pennsylvania. As the Governor's liaison to the Latino community, he ensured that state government was accessible, accountable and responsive to the needs of Latinos and that strategies and programs were developed to enhance the community's social and economic status.

Secretary Cortés has also served with the PA State Civil Service Commission and the PA Department of Public Welfare. For years, he has also been active with

numerous community and government related organizations.

Recently, Secretary Cortés was named as one of Hispanic Business Magazine's "100 Most Influential Hispanics in the United States" and was also tabbed by the Central Penn Business Journal as one of the top "Forty Under 40" business leaders in Central Pennsylvania. American Lawyer Media has also selected Secretary Cortés as a "Lawyer on the Fast Track," a distinction bestowed upon Pennsylvania lawyers under 40 years of age.

Secretary Cortés earned his Bachelor of Science in Hotel, Restaurant and Travel Administration from the University of Massachusetts, a Master in Public Administration from Penn State University and a Law Degree from Penn State Dickinson School of Law. He also holds a certificate in Public Sector Human Resources Management from Penn State University.

A native of Puerto Rico, Secretary Cortés has lived in Harrisburg since 1990. He is married to Lissette Lizardi-Cortés and they have a daughter Gabriela Paola.

Meet Commissioner Basil L. Merenda

Basil L. Merenda was appointed Acting Commissioner of the Bureau of Professional and Occupational Affairs by Governor Edward G. Rendell on January 5, 2004.

As Commissioner, he is responsible for overseeing the day-to-day functions of the Bureau of Professional and Occupational Affairs. The Bureau provides administrative support to the 27 professional licensing boards and commissions. Commissioner Merenda serves as the Governor's designee on 25 of the 27 professional licensing boards.

Prior to his appointment, Merenda served as Deputy Attorney General for the state of New Jersey, with emphasis on antitrust and financial crimes. He also served as legal counsel to the United Food and Commercial Workers Union Local 1776 in Norristown from 1987 to 1993.

A native of Philadelphia, Pennsylvania, Merenda earned a bachelor's degree in economics from Villanova University, a master's degree in economics from the University of Notre Dame and a law degree from Villanova University Law School.

He currently resides in Philadelphia.

Pine Street Offices Have Relocated

You could say the Bureau of Professional and Occupational Affairs has moved on to bigger and better things. Bigger and better offices, that is. The Bureau has relocated to Penn Center, the former Polyclinic Hospital, located at 2601 North Third Street, Harrisburg.

As in the past, license renewal applications are received at the new facility. Licensees may opt to renew in person or via mail or online with the ID number provided on their renewal application. The new facility also offers an additional renewal option method. PC access is available in the reception area for the purpose of license renewals.

The Prothonotary and Hearing Examiners' Offices, as well as the hearing rooms and board rooms, are also located in the new building. In addition, the prosecution and counsel divisions of the Office of General Counsel assigned to the Department of State Legal Office to serve the various licensing boards, together with the State Athletic Commission, the headquarters for the Bureau of Enforcement and Investigation, and the Harrisburg Regional Office for BEI are located in the Penn Center complex.

Board Members and Staff

Joseph A. Fluehr, III, Chairperson
Richboro, Bucks County

Michael D. Morrison, Vice Chairperson
Oil City, Venango County

Donald J. Murphy, Secretary
Camp Hill, Cumberland County

Janice H. Mannel
Philadelphia, Philadelphia County

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Pittsburgh, Allegheny County

Anthony Scarantino
Allentown, Lehigh County

Michael J. Yeosock
Plains, Luzerne County

Jodi L. Zucco, Deputy Attorney General
Harrisburg, Dauphin County

Basil L. Merenda
Acting Commissioner,
Bureau of Professional and Occupational Affairs

Thomas A. Blackburn, Esq.
Board Counsel

Michelle T. Smey
Board Administrator

Remaining 2004 Meeting Dates

April 7 May 5 June 2 July 7

August 4 September 1 October 6

November 3 December 1

P E N N S Y L V A N I A

State Board of
Funeral Directors

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