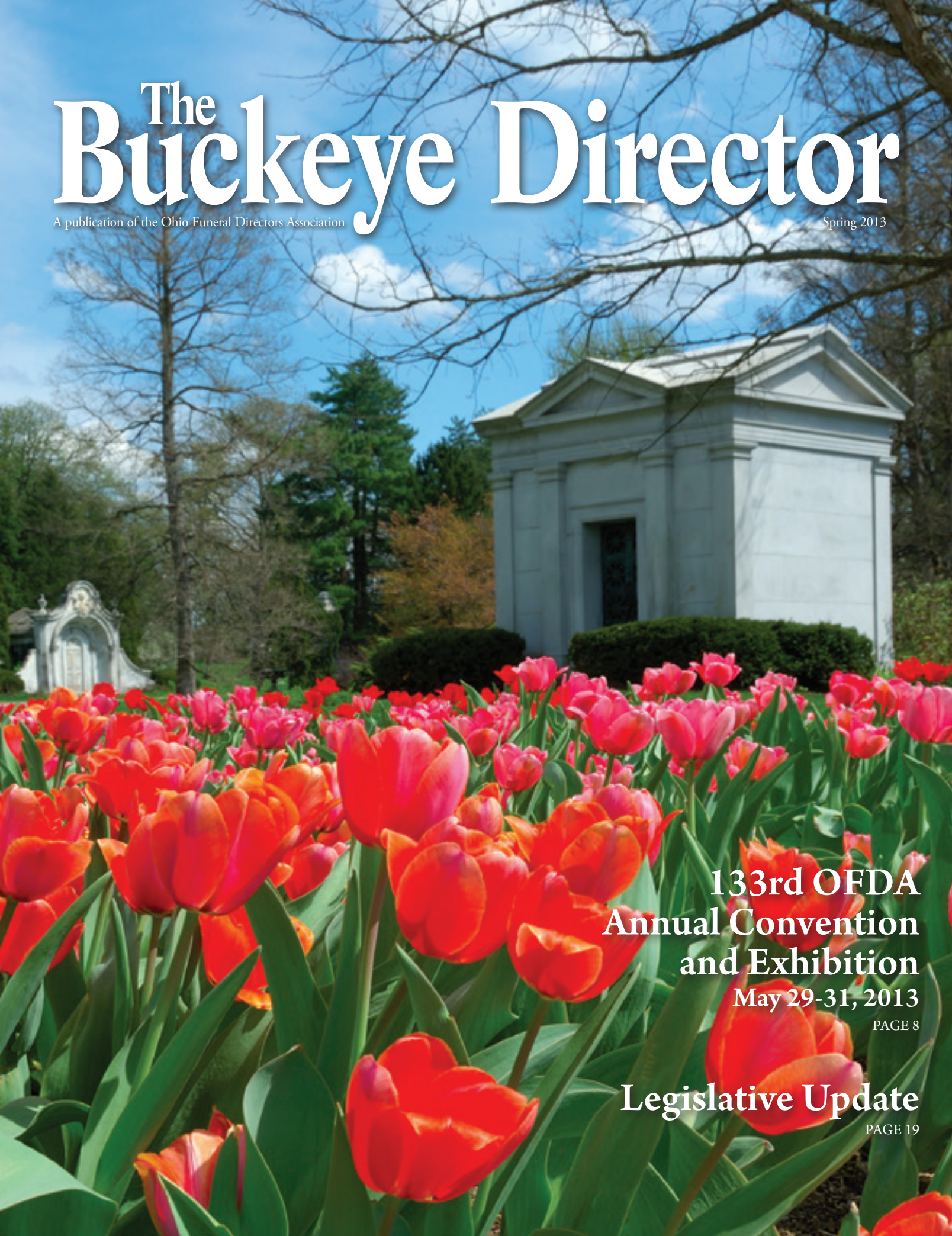


The Buckeye Director

A publication of the Ohio Funeral Directors Association

Spring 2013



**133rd OFDA
Annual Convention
and Exhibition**
May 29-31, 2013

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Legislative Update

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The Buckeye Director

Volume 5 • Issue 1

The Ohio Funeral Directors Association

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OFDA Mission Statement

To represent and support our membership by promoting professional standards and excellence in funeral service.



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Did You Know?

OFDA accepts articles written by our membership for possible publication in *The Buckeye Director*.

The deadline for future issues is as follows:

- April 12 for the June issue (subject to change)

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Mark Merz, CFSP

The Pinnacle of Service

Wow, I can hardly believe another year has come and gone so quickly. I've been told by many that time flies when you're having fun. Let me be the first to share with you this has been an incredible year filled with many opportunities of growth, both personally and professionally, but, even more importantly, it has been unbelievably humbling. I feel so fortunate and blessed to have had the opportunity to represent OFDA and its membership throughout our state as well as on a national level. I've really enjoyed having had the chance to travel all over this great state to bring your home districts our annual OFDA Update. It has afforded me a better understanding of how clearly diverse your individual markets can be. I take delight in gaining a better perspective of the importance of our legislative issues and how they closely impact and intertwine with our daily operations. This past December, it was my pleasure to provide Senate testimony on your behalf in support of HB 481 and actually witness Gov. John Kasich sign the bill into law. Along the way, I've been challenged to face some of my biggest fears head on, and, in doing so, I've gained a new appreciation for the day-to-day struggles and successes of not only our membership but those of our vendors as well. This journey has helped me undoubtedly understand the importance of working together in harmony so that we may all thrive and continue to grow together. As I reflect on this past year, I understand all these experiences have helped expand my insight into who I am as a person, and they have also clearly defined my role as a funeral director. I do not know if I have reached my career peak or not, but, if I have, I am glad I have done so alongside each and every one of you. For everyone I have met along the way, the friendships forged and the memories made, I am so grateful to have had this opportunity, and, because of you, I am a better person.

Many of you may have heard the quote "Adversity does not build character, it reveals it." Over the past few years, I have watched as funeral service has been challenged more than any time in recent history. These challenges and adversities have served as the vehicle to reveal our true character as funeral service professionals. For me personally, I never imagined our industry opening its doors to discount facilities, nor did I imagine families would ever compare prices over the telephone. Who would have ever dreamed of purchasing a casket at Costco or Sam's Club, let alone online? I don't need to tell any one of you, because you already know just how often this happens every day throughout America.

Ellen Glasgow is quoted as saying, "The difference between a rut and a grave is their dimensions." I know that today's young professionals struggle in choosing between their family commitments and responsibilities of giving back to our profession. Don't ever be afraid in giving back. It doesn't take a lot, but it is your responsibility to do so. You alone hold the power to shape future generations, to empower change and make differences in people's lives. Just as you hold the key to shape our future generations, so too does OFDA share in that responsibility. That is why we are all very excited about our 2013 Annual Convention, entitled Our Foundation • Our Commitment: Honor, Respect, Integrity and Service, coming this May! Whether you were part of the armed services or part of our OFDA family, this year's convention is intended to honor each person who contributes to the wealth of our industry as well as that of society. The OFDA staff, its officers and the convention committee are making history! They have taken on the huge endeavor to move our convention this spring from its former location of more than 30 years to our new location, the Hilton property at Easton, making our convention for the first time a family destination

event for all. The Hilton at Easton is regarded as one of Columbus' finest properties and top convention destinations throughout the state. It is a AAA Four-Diamond, full-service upscale facility that offers you an intimate atmosphere with plenty of opportunity for professional growth and networking among old friends and colleagues alike. Did I forget to say **FREE** parking for all? Yes, there are **NO** parking expenses to contend with this year! As at last year's convention, we will offer our members a series of diverse educational breakout tracks that will attract and engage members from all walks of life. All of this among Columbus' finest shopping mecca, the Easton Towne Center. Easton is packed full with more than 200 unique shopping, entertaining and dining venues. This is available to you as an OFDA member at an incredibly reasonable cost. As matter of fact, I will guarantee you Ohio provides its membership with one of the largest returns for such a small investment. Ask anyone! I know you've heard it a hundred times over that we have the finest and one of the largest state conventions nationwide, and I'm here to tell you it's a fact. Your only mistake is failing to take advantage of what Ohio has to offer you.

Wherever your career may take you, I implore you to get involved in both your community and your profession. It is important for you to remember that having a stake in your community's welfare will only ensure your success. Whether you think so or not, it is your responsibility to inspire and nurture others outside the walls of your funeral home. Personally, I believe each of us holds the keys to create positive change in funeral service. Our industry is just like society — ever-changing. The funeral experience as we knew it yesterday is not the same as today, nor will it remain the same tomorrow. I've heard it said that life is about change. The growth is optional, so please choose wisely.



Stephen J. Geblert

“Honesty and Integrity Are Not Matters of Degree”

I don't know who is credited with the quote above, but, when I read it recently, I thought how true it is and how desperately the world today needs men and women who exhibit the kind of *character* expressed in it.

As I started to explore the many ways we have to prove our character to the families we serve, I came across a book by John C. Maxwell that outlines the importance of character in our personal and professional lives. The book, *The 21 Indispensable Qualities of a Leader*, gives three basic tenets we all need to know about exhibiting positive character traits in our lives.

1. Character Is More Than Talk

Anyone can say he or she is honest and possesses integrity. What do our actions say? Do we do the right thing every time? Even when no one is looking? Even when it may cost us something? Remember, you can never separate a person's character from his or her actions.

2. Talent Is a Gift, but Character Is a Choice

We don't choose a lot of things in our life. We can't pick our talents or gifts,

but we can choose our character! Every time we make a decision to tell the truth or tell a lie, to keep a promise or break it because of the cost — every decision we make each and every day contributes to the kind of character we choose for ourselves.

3. In Reality, We Cannot Rise Above the Limitations of Our Character

Every day, it seems, we read stories of very successful people who commit acts that cost them jobs, relationships, reputations and stature. Although it is true we can recover and actually change our lives (see #2), the cost for poor character choices usually stays with us forever.

The really good news is that it is never too late to repair problems in the past and to improve character. Here are some ideas:

- *Search for the cracks* — examine areas where you may have cut corners in the past, or where you have compromised and broken promises. Take action to act differently in the future.
- *Face the music* — apologize when you need to — a sincere apology can work wonders in restoring broken relationships.

- *Rebuild* — we said earlier we choose our character; whatever happened in the past, plan today to create a plan to build up your character and reputation from now forward. Every time you choose to do the right thing, you begin to develop your character anew.

Maintaining a life that is marked by good character or rebuilding a life that is built on character is not easy. It takes commitment, courage, discipline and a deep desire to do the right thing, every time, at all costs!

But it is worth it to you, to your family, to your community and to your profession.

As Helen Keller said, “Character cannot be developed in ease and quiet. Only through experience of trial and suffering can the soul be strengthened, vision cleared, ambition inspired and success achieved.”

Let's commit to be men and women of extraordinary character. If we are, we will definitely leave the world a better place!



Calendar of Events

MARCH

- 19 Master Trust Committee Meeting, OFDA Headquarters
- 19 Executive Committee Meeting, OFDA Headquarters
- 19 Legislative Reception, Vern Riffe Building, Capitol Lobby
- 20 Master's Training Seminar, OFDA Headquarters

APRIL

- 16 Master Trust Committee Meeting, OFDA Headquarters
- 16 Executive Committee Meeting, OFDA Headquarters

MAY

- 27 OFDA Office Closed in Observance of Memorial Day
- 29-31 133rd OFDA Convention & Exhibition, Hilton Columbus at Easton
- 28 Master Training Seminar, Hilton
- 28 Insurance Seminar, Hilton
- 28 Executive Committee Meeting, Hilton
- 29 Board of Directors Meeting, Hilton
- 29 Past Presidents Dinner, Hilton

JUNE

- 11 MRT Golf Outing, Oakhaven Golf Club, Delaware
- 18 Master Trust Committee Meeting, OFDA Headquarters

- 18 Executive Committee Meeting, OFDA Headquarters

JULY

- 4 OFDA Office Closed for Holiday
- 14-17 NFDA Leadership Conference, Grand Summit Hotel at Canyons Resort, Park City, Utah
- 23 Master Trust Committee Meeting, OFDA Headquarters
- 23 Executive Committee Meeting, OFDA Headquarters
- 24 Board of Directors Meeting, OFDA Headquarters

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The 133rd OFDA Annual Convention and Exhibition

MAY 29-31, 2013

Hilton Columbus at Easton

2013 Convention at a Glance

TUESDAY, MAY 28, 2013

7:00 a.m.-5:00 p.m.

Insurance Educational Seminar

Instructors: Steve Jenkins, Director of Sales Development – FDLIC, and Kevin Gaffney, Regional Sales

Vice President – FDLIC

10 Hours of Insurance Continuing Education Credits

Hilton Columbus at Easton

8:00 a.m.-4:00 p.m.

Master's Training Seminar

Presented by OFDA Education Committee

Six Hours of CEU

Hilton Columbus at Easton

Join us at Easton for unveiling of the next generation of 2013 Cadillac funeral cars on Tuesday, May 28, 2013, hosted by American Coach Sales, Eagle Coach Company Cadillac Professional Vehicles (more information to come)

WEDNESDAY, MAY 29, 2013

9:00 a.m.-7:30 p.m.

Registration

11:30 a.m.-12:15 p.m.

Lunch (prior to Service of Remembrance)

Easton Grand Ballroom

12:15 p.m.-1:00 p.m.

Service of Remembrance

Easton Grand Ballroom

1:15 p.m.-1:30 p.m.

General Session: Call to Order: Introduction of District Presidents; Introduction of Regional Directors; Nominating Committee Report

Easton Grand Ballroom

1:30 p.m.-2:30 p.m.

NFDA Update, OFDA Update and OFDA

Executive Director's Message

Easton Grand Ballroom

2:30 p.m.-4:30 p.m.

"Leadership Isn't for Cowards"

Keynote Speaker: Mike Staver, CSP,

The Staver Group

Two Hours of CEU

Easton Grand Ballroom

4:30 p.m.-7:30 p.m.

Exhibition Hours

4:30 p.m.-7:30 p.m.

Welcome Reception

THURSDAY, MAY 30, 2013

6:30 a.m.-5:30 p.m.

Registration

8:00 a.m.-9:00 a.m.

"Embalming Best Practices"

Speaker: Robert G. Mayer, FBIE, Licensed Embalmer/Funeral Director, Author of *Embalming: History, Theory and Practice*

Juniper B & C

One Hour of CEU

8:00 a.m.-9:00 a.m.

"Become 'Best in Class' – Increase Your Revenue, Your Market Share and Your Brand Effectiveness"

Speaker: Nancy Lohman, Regional Director of Funeral Service Operations,

Stonemor's Lohman's Funeral Homes, Cemeteries & Cremation

Lilac Room

One Hour of CEU

8:00 a.m.-9:00 a.m.

"12 Things to Know About Consumer Behavior and the Psychology of Advertising"

Speaker: Cole Imperi, Graphic and Type Designer, Marketing Strategist and

Branding Consultant for Doth Brands

Magnolia Room

One Hour of CEU

9:00 a.m.-10:00 a.m.

"Benefits and Entitlements"

Speaker: Bill Zwicharowski, Mortuary Branch Chief, Dover Air Force Base

Port Mortuary

Juniper B & C

One Hour of CEU

9:00 a.m.-10:00 a.m.

"Arranging for Generations to Come"

Speaker: Kevin Gaffney, Regional Sales Vice President, FDLIC

Lilac Room

One Hour of CEU

9:00 a.m.-10:00 a.m.

"Customization – Unlimited Choices for Families"

Speaker: Terry School, President and Founder of The Davis Whitehall Co.

Magnolia Room

One Hour of CEU

10:15 a.m.-12:15 p.m.

"History, Eligibility Requirements for Burial and Inurnment, Types of Military Honors"

Keynote Speaker: Jack E. Lechner Jr., CFSP, Colonel (retired) U.S. Army –

Deputy Superintendent, Arlington National Cemetery

Easton Grand Ballroom

Two Hours of CEU

12:15 p.m.-12:30 p.m.

General Session: Call to Order:

Election of Officers

Easton Grand Ballroom

12:30 p.m.-2:00 p.m.

Awards Luncheon – Recognizing Committee Awards; CFSP; 25-Year and 50-Year

Award Recipients; OFDA Past Presidents and Installation of Officers

Easton Grand Ballroom

2:00 p.m.-5:30 p.m.

Exhibition Hours

6:00 p.m.-8:00 p.m.

President's Reception

Hilton Lounge/Outdoor Patio

FRIDAY, MAY 31, 2013

6:30 a.m.-12:30 p.m.

Registration

7:30 a.m.-9:00 a.m.

"Tragedy and Strategy: Dealing with an Event That 'Will Never Happen Here'"

Burr Funeral Home, Chardon & Monreal Company, Eastlake

Easton Grand Ballroom

One Hour of CEU

9:00 a.m.-11:00 a.m.

Exhibition Hours

11:00 a.m.-1:00 p.m.

"Funeral Customs of the World"

Keynote Speaker: Jzyk S. Ennis, MPA, CFSP, Instructor in the Funeral

Service Education Program at

Jefferson State Community College in Birmingham, Alabama

Easton Grand Ballroom

Two Hours of CEU

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Annual Meeting

The Annual Meeting of the Ohio Funeral Directors Association will be held during the Convention at the Hilton Columbus at Easton in the Easton Grand Ballroom on Wednesday, May 29, 2013.

OFDA Committees Need You

OFDA's strength is truly in its members. We need interested individuals for the 2013-2014 OFDA committee assignments. A list of committees is available at www.ofdaonline.org. If you are interested in serving on a committee for the 2013-2014 year, please submit a letter with the committees listed that you would like to join to the attention of President-elect Anthony Quahliero. Send the letter to OFDA, c/o Diana O'Neal, 2501 North Star Road, P.O. Box 21760, Columbus, OH 43221.

Recognition of OFDA Committee Members and 50-Year Licensees

OFDA members are recognized for volunteering on an OFDA committee for five consecutive years. This year, we would like to acknowledge:

Jim McKnight, Louisville
OSHA/EPA Committee

Jonathan Stuchell, Cincinnati
Scholastic Assistance Committee

Mark Whetstone, Vandalia
Mortuary Response Team Policy Board

Second Five-Year Committee Awards

Tami Baird, CFSP, Troy
Nominating Committee

Becky Bayliff, Cridersville
Mortuary Response Team Policy Board

John Evans, CFSP, Norwalk
Education Committee & Master
Trust Committee

Mike Gedert, Cincinnati
Convention Committee

Jane Ludlow, CFSP, Cincinnati
Legislative Committee

Pam Parramore, CFSP, Middletown
Constitution & Bylaws Committee

Terry Reardon, Youngstown
Master Trust Committee

Recognition of 50-Year Award Recipients

Zeryl R. Ashcroft, Fullerton
Danferd C. Avis, Olmsted Township
Robert C. Barnes, Eaton
James R. Bayliff, Tipp City
Lee H. Bierie, Powell
Sturgis H. Cheney, Troy
David R. Courtney, Youngstown
Frank C. Dawson, East Liverpool
Launey J. Dovin, Lorain
Wallace D. Lewellyn, Grove City
Charles A. Miller, Cincinnati
Thomas R. Neeld, Xenia
Carol A. Parobek, Aurora
J. Roger Primm, Ashland
Joseph D. Schiavone, Youngstown
Harry Shaw III, Columbus
Joseph G. Skerl, Brecksville
Charles J. St. John, Bedford
Edward Stofcheck, LaRue
Eugene J. Sujkowski Jr., Rossford
Raymond O. Wright, Grand Rapids





Service of Remembrance

A traditional event of the convention is the Service of Remembrance. OFDA pays tribute to all members and their immediate family members who have died during the year. The Service of Remembrance will be held on Wednesday, May 29, beginning with a light lunch at 11:30 a.m. The service will be held in the Easton Grand Ballroom, Hilton Columbus at Easton.

Listed are the individuals who will be remembered during the service (this list is as of January 31). If you know of someone we've missed, please call Diana O'Neal at the OFDA office at 614-486-5339 or 800-589-6332. She can also be reached via e-mail at diana@ofdaonline.org.

James W. Andryc, Saline, Michigan
 Cynthia A. "Cindy" Bayliff, Cridersville
 Charles R. "Chuck" Blessing, Aurora
 Robert Jesse Brooke, Peebles
 Linda "Jo" Cantrell, Enon
 Donald S. Chiles, Lima
 Betty Ann (Weaver) Combs, Zanesville
 Marion A. Crobaugh, Euclid
 George L. Custer, Alliance
 Ivan L. Davis, Grandview Heights
 Billy O. "Bill" Eley, Haines City, Florida
 Richard S. Eston, Cleveland
 (Sales Club Member)
 Marilyn L. Everist, Middleburg Heights
 Helen Farone, Cleveland
 Barbara Lorraine Foster,
 Juno Beach, Florida
 Geary Fraley, Covington
 John J. "Jack" Higgins, Poland
 Michael A. Hoefflinger, Oregon
 Richard J. Hoskinson, Zanesville
 Martha Jane Huntley, Vinton
 Dale E. Law, Delaware

Cynthia L. (Rossi) Lockney, Warren
 Jeanne (Mack) Meier, Lima
 LeRoy M. Meier, Lima
 M. Lorraine Melcher,
 Port Orange, Florida
 Loyal E. Monkemier, Sanborn, Iowa
 Barbara Ruth Neville, Toledo
 Rachael Ramsey-Bamonte,
 St. Leon, Indiana
 Mildred S. Richardson,
 College Corner, Indiana
 Paul E. Richardson,
 College Corner, Indiana
 Polly L. Roberts, New Lexington
 Robert "Bob" Sanders, Reynoldsburg
 Gerald "Jerry" Wylie Shroyer,
 New Albany
 James P. "Jim" Stevens, Bellefontaine
 Kay Storch, Brunswick, Georgia
 Nicholas R. "Nick" Vaniman, Eldorado
 Betty (Floyd) Wikoff, Harrison
 Joan J. Wood, Gallipolis

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Nominating Committee Report

MEET THE CANDIDATES

The OFDA Nominating Committee wanted to give the membership the opportunity to see and learn about the slate of candidates to be voted on at the annual OFDA Convention in May. The Nominating Committee met on January 16, 2013, and voted to recommend the following:

FOR THE POSITION OF PRESIDENT-ELECT



Joan Billman, CFSP, Funeral Director/H.R. Manager, Fleming & Billman Funeral Directors, Inc., Ashtabula, Jefferson and Geneva

A first-generation funeral director, Joan has been licensed since 1992, working alongside her husband, funeral director/embalmer Bob Billman. They purchased their first funeral home in Ashtabula from Jack W. Ross in 1995, Kennedy Funeral Home in Geneva in 1997 and then merged with Tom Fleming in Jefferson in 2005. They are also owner-partners in the Family Care Group, Inc., a funeral-service cooperative.

Joan served as president of District 19 for two years and as the Northeast regional director of OFDA. She has actively served on the Convention and Membership Services Committees of OFDA since 2006. Joan is the current chair of the OFDA Member Services Committee and the Constitution & Bylaws Committee. Joan is currently serving on the Board of Directors of LEADERSHIP Ashtabula County, of which she is a 1997 graduate, and has also served on many community boards, including Big Brothers/Big Sisters, Gilda's Club and many positions of leadership in the First United Methodist Church of Ashtabula. She has also been very active in various other local community projects, including school consolidation and new-build projects for her local school system. Bob and Joan have two adult sons, Chris and Nick. Joan currently serves as OFDA treasurer.

FOR THE POSITION OF TREASURER



Terry L. Palmer, CFSP, Fawcett Oliver Glass and Palmer Funeral Home, Chillicothe

Terry is a first-generation funeral director, beginning his career in funeral service in Chillicothe in 1971, working for a local funeral home. A 1975 graduate of Cincinnati College of Mortuary

Science, Terry was licensed in 1976 and returned to Chillicothe in 1978. He was employed by the Fawcett Oliver and Glass Funeral Home, and, in 1992, he assumed ownership of the firm. It is now known as the Fawcett Oliver Glass and Palmer Funeral Home. Terry's son and daughter-in-law are graduates of the Cincinnati College of Mortuary Science and have joined him in the business.

Terry has served as an officer in District 10 and currently serves as OFDA secretary. He also serves on the OFDA Finance and Audit, Membership and Task Force Committees. His professional memberships include NFDA, OFDA, the Ohio Embalmers Association and the Academy of Professional Funeral Service Practice. Terry's community activities include Trinity United Methodist Church, having served in several leadership positions; Scioto Lodge #6; F&AM; Chillicothe York Rite Masonic Bodies; Chillicothe Kiwanis Club; and the American Cancer Society, having served as board president and currently serving as president of the Ross County Volunteer Leadership Council.

Terry and his wife, Debra, have two sons, Andrew, of Dayton, and Jonathan and his wife, Kimberly, of Chillicothe.

FOR THE POSITION OF SECRETARY



Benjamin R. Easterling Jr., President/Owner, Swigart-Easterling Funeral Home, Canal Fulton

First-generation licensed funeral director and embalmer

Education

- Barberton City Schools (1955-1968)
- University of Kentucky (1968-1972)
- Pittsburgh Institute of Mortuary Science (1975-1976)

Employment

- Babcock & Wilcox Company (1973-1975)
- Campfield Hickman Collier Funeral Home, Barberton, Ohio (1973-1978)

- Swigart-Easterling Funeral Home, Canal Fulton, Ohio (1978-present) (ownership beginning in 1980)

Activities and Memberships

- Member, Legacy Christian Church, Clinton, Ohio
- Past president and current member, Northwest Touchdown Club
- Past president and current member, Canal Fulton Area Chamber of Commerce
- Past president and current member (Paul Harris Fellow), Canal Fulton Rotary
- Current member, Canal Fulton Library Board
- Former member, United Way Board of Western Stark County
- Former member, Northwest Stark Senior Citizens Center, Canal Fulton
- Member, Independent Finance Committee with the Northwest Local Schools
- Member, Community Advisory Board: Affinity Medical Center, Massillon
- Member, National #568 F&AM and Portage Chapter #202 RAM (Barberton)
- Member, OFDA (including districts 8 and 16) and NFDA
- Officer with OFDA #16: secretary/treasurer, 2003-2005; vice president, 2005-2007; president, 2007-2009
- North regional director, 2009 to present
- OFDA committees: Constitution & Bylaws, Legislative, Membership and Task Force

His family includes his wife, Belinda (Case) Easterling; his sons, Christopher (and his wife, Stefanie) and J.R. (and his wife, Tara); and two grandchildren, Brianna and Dylan.

FOR THE POSITION OF PRESIDENT



Anthony J. Quahliero Jr., Kirila Funeral Home, Struthers

Anthony is currently president-elect and will automatically assume the president's position.



by T. Scott Gilligan,
OFDA General
Counsel

Ohio Funeral Homes May Impose **Credit Card** **Surcharges as of January 27, 2013**

A seven-year class-action antitrust settlement involving Visa and MasterCard took another step toward resolution. More importantly, one aspect of the settlement allows funeral homes in Ohio and 39 other states to impose surcharges on consumers using credit cards as of January 27, 2013.

As has been previously reported, Visa and MasterCard have been sued in a class-action lawsuit involving the 7 million retailers that accept those credit cards. Visa and MasterCard have been accused of unlawfully conspiring to set the swipe fees that merchants pay the two credit card companies. Both companies have agreed to a \$7.2 billion settlement, the largest antitrust settlement in U.S. history. The proposed settlement requires the companies to pay the merchant class \$6 billion in restitution and agree to an eight-month reduction in swipe fees worth \$1.2 billion.

A key element to the settlement from the standpoint of funeral service would be Visa's and MasterCard's agreement to eliminate their prohibition against merchants imposing surcharges on consumers who pay with credit cards. Currently, Visa and MasterCard both prohibit merchants from imposing any type of surcharge against a consumer paying with a credit card. Because merchants are barred from imposing a surcharge, there is no way to recoup the 1.5 percent to 3 percent swipe fee that is paid to Visa and MasterCard by merchants. As part of the settlement, Visa and MasterCard will eliminate that prohibition and allow all merchants, including funeral homes, to impose swipe-fee surcharges on consumers.

Although the settlement was reached in April 2012, it could not take effect until it received approval of the federal district court. In October 2012, a hearing was held before the district court in New York on the fairness of the proposed settlement. A number of large retailers, such as Walmart and Home Depot, opposed the settlement, especially the provision that would protect Visa and MasterCard from any future antitrust claims based on swipe fees.

Despite the objections of the large retailers, the district court gave preliminary approval to the settlement. Moreover, the court instructed Visa and MasterCard to amend their surcharge policies by January 27, 2013. Visa and MasterCard are taking action to eliminate the surcharges even though the settlement has not yet received final approval.

Home Depot, which is opposed to the settlement, immediately sought relief from the U.S. 2nd Circuit Court of Appeals. It asked the court to order an expedited appeal of the settlement. The Court of Appeals declined to take any action until the district court has issued a final approval of the settlement. Only then will the 2nd Circuit Court of Appeals entertain an appeal.

Where does this leave funeral homes that wish to impose surcharges? The answer is, as of January 27, 2013, Visa and MasterCard are permitting merchants to impose credit card surcharges. However, before deciding to impose credit card surcharges, funeral homes should note the following restrictions, requirements and considerations:

- The 10 states of California, Colorado, Connecticut, Florida, Kansas, Maine, Massachusetts, New York, Oklahoma and Texas, which cover about 40 percent of the U.S. population, prohibit credit card surcharges by state law. Therefore, even though Visa and MasterCard will be eliminating the prohibition against credit card surcharges, funeral homes in those 10 states will be unable to impose credit card surcharges, since they are illegal under state law. Unless those laws are changed, funeral homes in those 10 states are still barred from imposing credit card surcharges.
- Prior to imposing a credit card surcharge, funeral homes must provide a 30-day written notice to Visa, MasterCard and their credit card banks or processors of their intent to add a surcharge. For Visa, merchants can submit a notification form by going to www.visa.com/merchantsurcharging. For MasterCard, merchants may go to www.mastercardmerchant.com to post the 30-day notice. After notifying Visa and MasterCard, notify the bank or financial institution that processes your credit cards of your intent to impose a surcharge.
- The surcharge may be imposed only upon credit cards and not debit cards. The amount of the surcharge may not exceed the amount of the swipe fee paid by the funeral home on the particular credit card. Therefore, funeral homes will need to know how much a swipe fee is on each card if they intend to fully recoup the full amount of the swipe fee.
- A merchant who decides to impose surcharges must post a notice of the surcharge at the point of entry into the place of business, at the point of sale and on the receipt given to the consumer. Online merchants must post the notice on their websites.
- As noted above, the notice of the surcharge must be printed on the receipt. The receipt must also itemize the dollar amount of the surcharge. For funeral homes imposing a surcharge, this would require adding a line item onto the Statement of Funeral Goods and Services Selected to record the amount of the surcharge.
- Each funeral home will have to make a decision regarding how the imposition of a surcharge may impact its consumers and the competitive position of the funeral home in its market. Funeral homes will also have to decide whether to apply the surcharge only on certain items, like cash advances, or whether to impose it across the board. Each funeral home will have to make its own business decision regarding the use of surcharges.

If any OFDA members have questions regarding credit card surcharges, they may contact OFDA General Counsel Scott Gilligan at 513-871-6332.



Dogs Make a Big Difference at Two Ohio Funeral Homes

Meet Woody and Wilson

DWAYNE R. SPENCE FUNERAL HOME, CANAL WINCHESTER – WOODY

by Dwayne R. Spence, CFSP

Woody has been such a calming effect for so many people this year that he has received a number of Christmas cards and messages on Facebook. A testament to the growing belief that animals, especially dogs, help children and adults cope with grief and its many ramifications is the recent events in Connecticut, in which several trained dogs were brought in to help the survivors cope with this tragedy. Woody has been trained, as should any dog used in this manner, to be obedient and kind to everyone he confronts here at the funeral home. His handler and partner, Lori McDonough, takes him home at night and weekends, and he comes to work each day to fulfill his role to ease visitors' apprehensions about the funeral-home environment. Woody is making a name for himself in our community, as he is now being asked to visit the local nursing homes, assisted-living facilities and the elementary schools. Funeral service faces many challenges and changes, and the addition of Woody as a care provider to our funeral home has given us an additional way to assist the many families we serve. He has been truly a blessing to us.

FAWCETT OLIVER GLASS AND PALMER FUNERAL HOME, CHILLICOTHE – WILSON

by Terry Palmer, CFSP

I have to admit that I was slow to embrace the idea of having a therapy dog in the funeral

home. But, after two years of having Wilson, our yellow Labrador retriever, with us, I can't imagine what it would be like without him as part of our staff.

My son and daughter-in-law, Jon and Kim, had been urging me to start a therapy-dog program for several years. After their graduation from CCMS in 2010, we began the process of selecting a dog and beginning the training.

Wilson was adopted from our local Humane Society shelter. When he arrived home, he was underweight, skittish and afraid of people with loud voices and of men who wore hats. What little information we were able to find out about his past indicated he had been abandoned and was foraging for food. We also saw indications he had been abused.

But, after several trips to our vet for treatment of an ear infection, vaccinations and checkups, he settled into our home life, and the change in him was amazing. My daughter-in-law began the training classes with Wilson, starting with basic and advanced citizenship classes and then with the therapy-dog certification class and examination. Wilson is certified by Therapy Dogs International.

Wilson is available to families during their time with us. He has been present at arrangement conferences, visitations and services. With a few exceptions, the response from families has been overwhelming positive. In addition, Wilson makes regular visits to area nursing and long-term care fa-

cilities, as well as presentations to schools and civic organizations.

I have so many stories about Wilson and his effect on people, ranging from his friendships with children to watching a man in a black suit get down on the floor and play with him. But I think that my favorite is the story of one of the first times Wilson was involved in an arrangements meeting. He had only been with us about four months at the time and hadn't even completed his training. During the meeting, the widow was overcome with emotion. Wilson got up from where he had been sitting, came over to the lady and simply put his head in her lap. He seemed to know instinctively what she needed.

Having Wilson as part of our staff has had a positive effect on our business. After Wilson joined our family, we were interviewed by our local newspaper and a television station. It's not uncommon for families to mention or to ask about Wilson, and the standing joke during visitations is the people who come through the door immediately ask where the dog is. "We came to see Wilson!"

I am a believer in the concept of having a therapy animal as part of our funeral home. It's not a simple matter, introducing a therapy animal; it takes dedication, commitment and a belief in the concept. Not every person who comes through your door will embrace the idea, and some of the negative comments we have received have been hurtful. But, overall, it has been a great experience that has helped us offer another bit of comfort to those we serve.



Employee ... or Independent Contractor?

by Barb Garrison, MS, CHMM, CCP, President, Safety & Environmental Solutions, LLC

I am frequently asked whether Occupational Safety and Health Administration (OSHA) regulations apply to independent contractors at funeral homes (e.g., trade embalmers). The short answer is “No,” but there are some important caveats and considerations. NOTE: I am NOT an attorney, so the following is based on my investigation and understanding of OSHA and Internal Revenue Service (IRS) regulation interpretation documents. Therefore, you should consult with your attorney to make any definitive decisions regarding the employment status of your staff.

First: Are the individuals to whom you are referring actually “independent contractors,” or are they employees? OSHA doesn’t provide a good definition of what an independent contractor is but says that this determination is based on whether an employer-employee relationship exists. If so, then you have employees. If not, you probably have independent contractors. Or you may have a combination of both. When questions about employment status arise, OSHA looks to certain “tests” used by the IRS to understand the nature of the employer-employee/business-independent contractor relationship. These tests revolve around behavior control, financial control and the relationship of the parties.

Behavior Control

If a business provides a worker with extensive instructions on how work is to be done (i.e., how, when or where to do the work; what tools or equipment to use; etc.), this suggests an employer-employee relationship. If a worker receives some instructions about what should be done but not HOW it should be done, he or she may be an independent contractor. Also, if the business provides a worker with training about required procedures and methods, this indicates that the business wants the work done in a certain way, and this again suggests an employer-employee relationship.

Financial Control

If a worker has control over the business aspects of the work he or she does, he or she may be an independent contractor. For example, if a

worker has a significant investment in his or her work, realizes a profit or loss from his or her work activities, and is not reimbursed for his or her expenses, this suggests that he or she is in business for himself or herself and are, thus, an independent contractor.

Relationship of Parties

How the business and workers perceive their relationship can help determine employment status. For example, if a worker receives benefits, such as insurance, pension or paid leave, this is an indication that he or she is an employee. If he or she does not receive benefits, he or she could be either an employee or an independent contractor. One of the best ways to spell out the intention of the relationship between a business and a worker is to prepare a written contract.

Second: If you determine that all the workers at your funeral home are independent contractors, then you are exempt from OSHA regulations, because OSHA only applies to businesses with employees. However, if even ONE of your workers is an employee, you would be responsible for complying with all the OSHA regulations that would be applicable to that employee.

Third: If your business is exempt from OSHA regulations, it does not mean that you can ignore unsafe behaviors or conditions in the workplace! If a worker becomes ill or is injured on the job, he or she can still seek compensation through the civil or criminal court systems.

For more information on establishing employment status, refer to the IRS’ Determination of Worker Status for Purposes of Federal Employment Taxes and Income Tax Withholding, and Publication 15-A, *Employer’s Supplemental Tax Guide*. For other health, safety or environmental questions, please contact me at 614-404-3384 or barb_garrison@sbcglobal.net.

Kudas

Fleming & Billman Funeral Directors Join Wear the Pink Campaign



Back row, from left to right, Katy White-Dreier, Bob Billman, Joan Billman and Tom Fleming; front row, from left to right, Kay Ann Brabender, Jody Billman and Alisa Nierzejewski

Fleming & Billman Funeral Directors of Ashtabula, Geneva and Jefferson are joining other funeral homes nationwide in the Wear the Pink campaign to increase awareness of breast cancer and show support for those fighting the disease. This year in the United States, about one in eight women will be diagnosed with breast cancer; 40,000 women will die from the disease. They are proud to be the first funeral home in Ohio and most of the northeast quadrant of the United States to participate in this effort.

As part of the Wear the Pink campaign, funeral home staff members “button up” in honor of an individual and family by wearing, in unison, a pink jacket during visitation and the funeral service. It’s an option funeral directors can offer families during the time of arrangement.

The campaign was introduced at the 2012 annual convention of the National Funeral Directors Association (NFDA) this past October in Charlotte. Owner-Directors Bob and Joan Billman returned from the convention excited about the concept. After sharing with partner Tom Fleming and other key

staff members, all felt this was a positive direction to support breast cancer locally.

“Personalization and service are key components in the ever-changing funeral industry,” says Joan Billman, co-owner. “Wear the Pink is a unique way for us to show support when providing service to families who have battled breast cancer.”

In addition to joining Wear the Pink, Fleming & Billman Funeral Directors will also be making a monetary donation to the Lake Health Foundation Breast Health Services Fund for every family the funeral home serves, regardless of cause of death. The Lake Health Foundation Breast Health Services Fund helps support services offered through Lake Health’s accredited Breast Health Center and patients who are diagnosed with breast cancer.

About Wear the Pink

Wear the Pink, LLC manufactures the high-quality pink wool blazers in the United States. They donate 12 percent of the proceeds from the sale of each blazer to the Funeral Service Foundation and the American Cancer Society, helping in continued research, development, awareness, grants and increased screening for breast cancer.

About Lake Health Foundation

Lake Health Foundation is the philanthropic affiliate of Lake Health. On behalf of the health system, the Foundation accepts contributions of cash and appreciated property. Donations are used to enhance patient care, including the support of projects that improve the facility, advance technology and expand programs. Support in the form of donations contributes to Lake Health’s ability to fulfill the health care needs of the community.

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NFDA Presents Meet the Mentors



It's a professional opportunity unlike anything else you've experienced. Fifty NFDA members who are licensed funeral professionals under the age of 40 were randomly selected the week of January 14 from a pool of entries received to learn from and talk with three of the profession's leading funeral directors.

The 50 individuals selected to attend will have access to three fantastic mentors. In addition, one night of lodging at the Emory University Conference Center Hotel, a reception and dinner the evening before the program, and continental breakfast and lunch the day of the program are all included. The Emory University Conference Center is right in the heart of the beautiful Emory University campus.

During the program, each mentor will present on his or her area of experience. Then the mentors will take part in a panel discussion, followed by roundtables where attendees and mentors can speak more in-depth on a variety of topics. All attendees will have a chance to interact personally with each mentor. One of the mentors is **Michael Schoedinger**, CFSP, CPC, the president of Schoedinger Funeral & Cremation Service in Columbus, Ohio, a funeral home with 15 locations that has been owned by his family for six generations.

Of the 50 individuals chosen to attend, three are from Ohio:

- Joshua Cioci – Cassaday-Turkle-Christian & Cremation Service
- Anne Geib – Linn-Hert-Geib Funeral Home & Crematory
- Veronica Thomas – Waite & Son Funeral Homes Brunswick Chapel

Congratulations.



Legislative Update

by T. Scott Gilligan, OFDA General Counsel, and John McGough, Lobbyist

OFDA accomplished a major legislative victory with the enactment of HB 481 on December 12, 2012. The bill, which was signed by Gov. Kasich on December 20, 2012, will take effect on March 22, 2013. Because HB 481 implements a number of changes to funeral and cremation practices, it is important for all OFDA members to be aware of these new provisions and, in some cases, to update forms to reflect the changes. Below we provide a summary of the new provisions enacted by HB 481.

Courtesy Cards. In 2010, OFDA heard from several of its members who had Kentucky funeral director licenses as well as Ohio funeral director licenses that they were being cited by the Kentucky Board for doing removals from Kentucky to their Ohio funeral homes. As a result, OFDA convened a joint meeting of the state funeral directors associations that border Ohio and hammered out a model courtesy-card law that would allow licensees to go into bordering states to perform limited funeral activities.

This model courtesy-card law was included in HB 481 and was enacted as divisions (B) through (E) of Section 4717.10 of the Revised Code. Those sections authorize the Board to issue courtesy-card licenses to funeral directors in bordering states that would allow them to file death certificates, obtain burial and cremation permits, and supervise and conduct funeral ceremonies and interments in Ohio. The Board may only issue courtesy-card licenses to funeral directors in bordering states that provide equal courtesy-card rights to Ohio funeral directors.

A courtesy card, which is only issued to an individual licensee and not to a funeral home, will **not** allow a funeral director from a bordering state to make funeral arrangements in Ohio, advertise funeral or disposition services in Ohio, enter into funeral contracts in Ohio, prepare or embalm deceased human remains in Ohio, or arrange or carry out disinterments in Ohio.

Similar courtesy-card laws have been enacted in Kentucky, Indiana and West Virginia. In states that require licensees to do removals, like Kentucky, the new laws will allow courtesy-card holders to remove bodies from the place of death and cross over state lines. Michigan will have courtesy-card legislation introduced in 2013. With the passage of HB 481, Ohio funeral directors will soon be able to apply for courtesy cards in Indiana, Kentucky and West Virginia. Additional information will be forthcoming on this new courtesy-card option.

Cremation Identification. In 2011, a Columbus funeral home had its funeral-home license

suspended for six months by the State Board when it cremated a deceased infant that had been misidentified by the Franklin County Coroner. The funeral home picked up the body from the coroner and failed to have the body identified by the family prior to taking it to the crematory. When it was discovered that the coroner had given the funeral home the wrong body, the State Board charged the funeral home with failure to identify a body prior to cremation and suspended its license for six months. That suspension compelled the owner to have to sell the funeral home.

The State Board defended its decision by finding that Section 4717.24 of the Revised Code imposes upon the funeral director arranging a cremation an absolute obligation to deliver the correct body to the crematory and to certify the identity of that body. HB 481 eliminates the imposition of this identification liability and instead substitutes a common-sense duty for the funeral home to arrange for the identification of a decedent prior to cremation. New Section



Signing of HB 481: Steve Gehlert, OFDA executive director; Rep. Bob Hackett (R), London, sponsor of HB 481; Stephanie Kaylor, Rep. Hackett's legislative aide; and Mark Merz, CFSP, OFDA president

4717.24(B) of the Revised Code further spells out that, in arranging for identification prior to cremation, the funeral home may have the authorizing agent identify the decedent's remains in person or through a photograph or any other visual image of the remains. If visual identification is not feasible, other possible identification means may be used, such as identification of scars, tattoos or physical deformities. The new statutory section also makes clear that a funeral home may rely upon an identification made through a coroner's office. As long as the funeral home arranges one of those forms of identification, it will not be liable for a misidentification.

With the change in identification procedures, OFDA will be revising its model cremation authorization form and will place it on the OFDA website prior to the March 22, 2013, effective date of HB 481. Funeral homes should review the form to ensure that the cremation authorization forms that they use on and after March 22, 2013, track the language of the new statute.

Inactive Licenses. Under current Chapter 4717 of the Revised Code, there is no mechanism by which a funeral director or embalmer may place his or her license on inactive status. Therefore, if a licensee leaves the practice and does not continue to pay

license fees and take the necessary continuing education courses, he or she may not reinstate his or her license at a later date without paying a draconian fee of \$50 for each month that each license was lapsed. For a funeral director/embalmer who wants to reinstate funeral director and embalmer licenses after five years away from the profession, reinstatement fees would total \$6,000.

A new inactive-status option has been added to Section 4717.05 by HB 481. It will allow a licensed funeral director or embalmer to request inactive status for his or her licenses by notifying the Board. As long as the funeral director's or embalmer's license is in good standing and the licensee is up to date on all applicable continuing education requirements, he or she may place his or her license(s) on inactive status. The licensee is exempt from continuing-education requirements while on inactive status and may reinstate the license by simply passing the Ohio law exams and paying a reactivation fee to the State Board of \$140 for each license being reactivated. However, once a licensee goes on inactive status, he or she may not reinstate his or her license for a minimum period of two years.

Emergency License. HB 481 added a new provision to Section 4717.12 of the Revised Code that would allow a licensee in another state to come into Ohio during a declared emergency or disaster and assist Ohio funeral directors and embalmers in dealing with a mass-fatality event.

Embalming or Refrigeration Time Limit. Currently, 30 states have requirements that a human body be embalmed, refrigerated or disposed of within a certain time period after death. Some states require one of these actions within 24 hours after death, while others extend it to 48 hours after death. Ohio currently does not have a provision that requires refrigeration, embalming or disposition within a certain time period.

The absence in Ohio law of any time requirement for embalming, refrigeration or disposition became

very evident in a recent case in which a body in northern Ohio suffered decomposition because the family would not agree to authorize embalming or disposition for several months. To address future cases, the State Board sought out a legislative solution. HB 481 adds a new requirement to Section 4717.13(A) that prohibits any person from holding a dead human body for more than 48 hours after the time of death unless the body is embalmed, placed in refrigeration at a constant temperature of less than 40 degrees or disposed of.

It is interesting to note that this provision applies not only to funeral homes but also to "any person" holding a body. Therefore, if a family wishes to arrange for the disposition of the remains of a deceased family member without using a funeral home, it will also be under the 48-hour time restriction.

Ohio funeral homes may want to reference this new requirement on their General Price Lists under the embalming section. If an Ohio funeral home does wish to add a provision, OFDA would recommend the following language be added at the end of the FTC's mandatory disclosure regarding embalming:

"Under Ohio law, a body must be embalmed or refrigerated at a constant temperature of less than 40 degrees if it is held longer than 48 hours between the time of death and the time of final disposition."

Miscellaneous Provisions. Over the past several years, OFDA and/or its members have confronted various technical inconsistencies or shortcomings in Ohio's funeral licensing laws. OFDA used HB 481 to address and rectify four of these issues:

1. *License for Transferred Funeral Home.* When a funeral home is sold, the new owner must apply for a license to operate the funeral home. During the gap between the filing of the application and the granting of the application by the State Board, it is not clear whether the funeral home is operating under the old license of the former owner or the license application of the new owner. HB 481 clarified in Section 4717.11 of the Ohio Revised Code that, following the transfer of ownership of a funeral home, the new owners may operate the funeral home as soon as they file an application. It is the filing of the application that allows the funeral home to continue to operate while awaiting approval of the new license.

2. *Funeral-Home Name.* In a recent case in Columbus, a trial judge ruled that an Ohio funeral home could not retain the name of a prior licensee in the funeral-home name unless that prior licensee had died. OFDA has corrected this error through HB 481 by changing the language of Section 4717.11(B)



of the Revised Code to clarify that the name of a licensed funeral director who was formerly in charge of the funeral home may be retained in the funeral home's name if the former licensee is no longer operating the funeral home because of death, resignation, employment termination, sale of the funeral home or any other reason.

3. *Cremation Liability.* Section 4717.30 of the Revised Code provides immunity to an operator of a crematory facility in case of certain acts or omissions that occur during the act of cremation. HB 481 expands the immunity provided by Section 4717.30 of the Revised Code to include not only the operator of a crematory but also the funeral director who arranges the cremation.

4. *Crematory Facility.* HB 481 made clarifications to Section 4717.06 of the Revised Code regarding the licensing of a crematory facility. It eliminated the provision that required a crematory to be in a separate area of a building. It also clarified that a crematory facility may be located in a funeral home, an embalming center, a cemetery building or any other building. Finally, it is also now clear that the license to operate a crematory facility shall only be issued to the person who is listed on the application as being actually in charge of the crematory facility.

Future Changes. While OFDA was successful in improving funeral and crematory laws through HB 481, it was not a total victory. HB 481, as proposed by OFDA in the Ohio House and Senate, included provisions that would have recognized alkaline hydrolysis as a legal form of disposition in Ohio and placed its licensing and regulation under the State Board. Unfortunately, these provisions were taken out of the bill because of opposition from the Catholic Conference of Ohio.

Alkaline hydrolysis is now legally authorized in nine states with other states looking to legalize the process in the near future. OFDA will continue to pursue measures to recognize alkaline hydrolysis as a lawful form of disposition in Ohio with licensing and regulation of alkaline hydrolysis facilities and operators under the State Board.

SB 294 – Omnibus Environmental Legislation Enacted into Law (Preserves Infectious-Waste Small-Generator Exemption)

Sen. Tim Schaffer introduced SB 294, which includes significant updates and changes to Ohio's environmental laws. With respect to the disposal of infectious wastes, the bill preserves the ability of infectious-waste generators (including funeral homes and embalming facilities) that produce fewer than 50 pounds of infectious waste in any one month to transport and dispose of such wastes in the same manner as solid wastes.

The bill has been signed into law by Gov. Kasich and became effective September 5, 2012.

State Board of Embalmers and Funeral Directors Proposes Several Fee Increases to Be Included in Upcoming Biennial State Budget

During the past few months, OFDA has been meeting with representatives of the State Board of Embalmers and Funeral Directors relating to updates to Ohio's funeral laws. Some of the issues may be considered as part of the next state biennial budget, which goes into effect on July 1, 2013.


One of the major priorities of the State Board is to increase licensure fees. According to the State Board, the fees have not been increased for 11 years. The additional funding would be used to hire two additional inspectors (there are currently two inspectors) so that all facilities can be inspected once a year. There are approximately 1,184 licensed funeral homes, 113 crematories and three embalming facilities. It is estimated that one inspector could inspect 325 facilities per year. Inspectors are also involved with investigations and apprentices.

Fees would increase by 25 percent for individual licenses and 50 percent for facility licenses. Below is a listing of the proposed fee increases:

- Initial and renewal for embalmer's and funeral director licenses: increase from \$140 to \$175
- Issuance of embalmer or funeral director registration: increase from \$25 to \$32
- Filing an embalmer or funeral director certificate of apprenticeship: increase from \$10 to \$13
- Application for embalmer or funeral director exam: increase from \$35 to \$44
- Initial and renewal of funeral-home license: increase from \$250 to \$375
- Reinstatement of embalmer or funeral director lapsed license: payment of renewal fee and penalty increase from \$50 to \$63 per month until reinstated
- Reinstatement of funeral home, embalming facility or crematory lapsed license: payment of renewal fee plus a penalty increase from \$50 to \$75 per month until reinstated with a maximum of \$1,000
- Initial and renewal for embalming facility or crematory license: increase from \$200 to \$300
- Issuance of a duplicate license: increase from \$4 to \$6

The State Board also recommends disbanding the Crematory Review Board as being duplicative of the authority the Board already has to regulate crematories.

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VALUE OF MEMBERSHIP

by Mark A. Merz, CFSP, OFDA President

As a member of the Executive Committee, I have had the wonderful opportunity to travel throughout the state of Ohio to visit your districts. I soon realized that each of you faces an array of challenges very specific to your market that corresponds to just how diverse each region and district are. Whether you are from Cleveland, Cincinnati, Youngstown or Lima, we all share a common thread in doing what's best for the families we serve. Funeral directors throughout Ohio have counted on our association to promote the funeral profession and raise the level of standards throughout the state. Many of you may not know that OFDA was organized more than 130 years ago by only 21 funeral directors. Today, we are made up of more than 900 members, representing 85 percent of all funeral homes in Ohio. Although it remains as one of the largest organizations of its kind, our principles of dedication, professionalism and compassion remain at the heart of today's association. Along the way, many of you have asked me what your OFDA membership actually offers you. So, with this in mind, I thought this may be the right time to explore just what benefits we all share in. OFDA is always searching for better ways to serve our members. Whether you're looking to promote the funeral industry or to fulfill your own firm's needs, OFDA can help you. We offer a wide variety of educational and funding mechanisms for not only you as a member but for your staff as well.

OFDA can provide you answers to common legal or human-resource issues. Employers Resource Association (ERA) is OFDA's trusted source for human resources, consulting, training, development, legal updates, news and information. The \$150 new member enrollment fee is waived for all OFDA participants. Members receive regular educational programs aimed to keep you and your staff up to date on current issues surrounding OSHA and EPA regulations. We are committed to personal and professional training and development by providing our members an annual first-rate convention, and we offer seminars scheduled throughout the year to keep you on the leading edge of the latest techniques and technology. OFDA's educational programs are specifically designed to help you earn continuing education units (CEUs) necessary for state licensing requirements. Membership entitles you to a 50 percent savings. Answering Service for Directors (ASD) leads the industry with answering services and call support for funeral professionals. Most recently, ASD received NFDA's Innovation Award for its mobile tools and its sophisticated, cutting-edge app. You may not be aware that ASD has extended a FREE eight-week trial period exclusive to our members. Take a moment and check out ASD's cost-effective and flexible plans that are sure to meet every budget.

Ohio's Preneed Master Trust program offers you security and peace of mind. It is one of the largest funeral trusts in the United States, offering competitive products for your preneed contracts with built-in consumer protection and an outstanding 2 percent minimum credit rating. You are assured to receive either a 2 percent minimum credit rating or the current market value on your investment, whichever is greater. In 2012, we received record deposits, and your investment during a 12-month period brought an incredible return of **13.02 percent!** A three-year investment netted our participants 8.86 percent, while a five-year period continued to provide 4.66 percent. These returns are amazing when you stop to consider today's economic climate! The Master Trust continues to be closely managed by JP Morgan Chase, the largest bank in the state of Ohio, and our Master Trust Committee meets monthly with not only our trustee, JP Morgan Chase, but also with our accountant and our third-party administrator (ASI), as well as with our legal counsel, to review and approve the investment strategy. If you're looking for a secure

method that provides you a great return on your investment, look no further than your backyard. In today's volatile marketplace, this alone demonstrates value in return for your membership dues. For those of you looking for an insurance product, I might suggest FDLIC, Funeral Directors Life Insurance Company, our preneed insurance partner. Rated by AM Best as an "A-" excellent rating, FDLIC was created by funeral-home owners and specifically designed for a funeral-home owner's long-term financial success. With representatives to meet your needs throughout the state of Ohio, FDLIC just might be what you're looking for in the preneed insurance arena.

Through the Benefit Trust, our self-insured health care program, you and your employees are offered affordable medical care, dental benefits, life insurance, vision and prescription drug plans designed to protect you and your family. Our workers' compensation plan, Careworks Consultants, provides dramatic cost-saving premiums — not to mention that, with our relationship with State Auto, you can obtain specialized property and casualty insurance at very competitive rates.

Many of you may not realize just how closely our legislative issues impact our day-to-day business operations. Legislatively speaking, OFDA makes sure issues important to you and our industry are always given special attention at both the state and national levels by skilled political lobbyists. This was most recently revealed this past December with the passage of HB 481, signed into law by Gov. John R. Kasich. Donations of any size are vital and always appreciated by our OFDA Political Action Committee. By doing so, you help ensure our industry's voice is being heard not only in Columbus but on Capitol Hill as well.

When you're planning a program for your community or school, coming up with ideas for support groups or simply looking to find specific resources for a family, look no further than the OFDA Resource Center. We offer DVDs, many available with guidebooks available for rental to funeral homes for use in programs. The NFDA Career Day Kit, *The Loaded Weapon* video for "Prom Promise" programs and the *Distracted Driving – In the Blink of an Eye* kit are especially popular tools for community outreach. Contact the OFDA Resource Center for your complete grief-related and professional needs.

OFDA continually strives to better communicate with its members on current issues affecting our profession. Whether through print in our quarterly news magazine, *The Buckeye Director*, or electronically by e-mail, news is readily available at your fingertips. Our website has received national praise not only for its design but also for its user-friendly maneuverability. It brings you commentary on relevant news affecting your profession, a current calendar of events, industry links and a members-only section designed to help your organization make better-informed decisions. Also available online are nearly a hundred valuable, task-specific forms designed by Scott Gilligan, nationally recognized legal counsel to NFDA and OFDA. Up-to-the-minute news alerts and event notices are now available on Twitter, and don't forget to "like" us on Facebook!

Although I have highlighted only a few of the countless services we offer to our members, for answers to specific questions or for additional member services, OFDA members enjoy easy access toll-free by calling 800-589-OFDA (6332), or you may keep abreast of what is trending throughout the state by simply checking out our website at www.ofdaonline.org.

Funeral Home Uses a Semi-Truck Hearse

by Bryan E. Chandler, Owner/Funeral Director,
Chandler Funeral Home & Cremation Service, Caldwell



I sat down in March 2012 to make arrangements with the family of a friend. This family had been a staple in our local community for many years and operated a thriving trucking company for as long as anyone can remember. The gentleman who had passed was very meticulous in keeping his equipment in perfect shape and was also an avid motorcyclist. It was very apparent that we needed to do something special in regards to his funeral service. After much discussion, it was decided that we would like to use one of his semis for a hearse in some way.

It just so happened that one of the deceased's best friends was a contractor, so, with his help and many hours of work, we were able to create a carpet-covered wooden frame that held the casket rollers inside of it. With the removal of the fifth wheel, the device attached perfectly to the frame of the semi. The next big decision was which semi to use. For many years, he purchased old semis and restored them to their prime. The last semi he had restored prior to his sickness was a gorgeous tan-colored semi. The family members decided this was the one they wanted to use.

The day of the funeral, we led the procession with the lead car, followed by his immacu-

late Harley-Davidson trike, driven by his best friend, then the semi with the casket secured to the back. Many of his drivers drove his other semis in the funeral procession. It was definitely something to see.

After the funeral, we removed the casket carrier device and placed it in the back room, really never expecting to use it again. To my surprise, in November of that same year, I made arrangements with a family from a neighboring town that had also owned and operated a trucking company for many years. After much discussion, the son had heard about the previous service where we used the semi for the hearse and asked that we do the same for his father. This time, we asked a close colleague to use his new truck and the last semi that the deceased drove to transport the casket to the cemetery.

The logistics of using semis for hearses did take some additional time and effort on our part, as well as several good friends and family members. However, I will say I think that small gesture made a memorable service for both families, as well as everyone else who attended the funeral services those days.

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James W. Andryc, 65, of Saline, Michigan, formerly of the Toledo area, passed from this life on Tuesday, December 11, 2012, in Ann Arbor, Michigan. Jim was the brother of Terrence Andryc, OFDA Northwest regional director. He was a 1975 graduate of the Cincinnati College of Mortuary Science and began his career in funeral service at the former Worth Clegg Funeral Home in Toledo. He was also an associate of the Walker Funeral Home in Toledo and the former Penrod-Miller Funeral Home in Wauseon. In 1988, he moved to Saline, Michigan, where he was a funeral director for the Robison-Bahnmler Funeral Home for 20 years before retiring due to ill health.

Surviving are his wife, Alice; his sons, Matthew (Sara) and Michael (Nicci) Andryc; his stepchildren, Rick (Lori) Wirt and Rachael (Jon) Weisenreder; four grandchildren; his brothers, Ronald Andryc, Bowling Green, Ohio, and Terrence (Karen) Andryc, Maumee, Ohio; and a host of nieces and nephews. His first wife, Vicky (Avy) Andryc, preceded him in death.

Cynthia A. "Cindy" Bayliff, age 75, of Cridersville, died at 2:40 a.m., Monday, December 3, 2012, at Lima Memorial Health Systems. She was born May 25, 1937, in Gallipolis, Ohio. She is the daughter of the late Champlin Franklin and Ruth Evelyn Spencer Tompkins. On July 5, 1957, she married John E. Bayliff, who survives.

Mrs. Bayliff was a retired registered nurse who worked at St. Rita's Hospital. She was a member of Cridersville United Methodist Church. After graduating in 1955 from Pomeroy High School, she attended Bethesda School of Nursing in Cincinnati and graduated from St. Rita's School of Nursing. She was a foster mother to 17 foster children.

Survivors include a son, Chris (Debra Garcia) Bayliff of Cridersville; two daughters, Valery (Gary Lee) Bayliff Fultz of Cridersville and Becky (Eric Pierson) Bayliff of Sidney; four grandchildren, Angela Knotts Stiggers, Lynsey (Dominic) Knepper, Blake Bayliff and Meredith Bayliff; three great-grandchildren, Tyla, Brooklyn and Dayrius Stiggers; a brother, J. Christopher (Barbara) Tompkins of Wadsworth, Ohio; and two stepsisters, Shirley Douthit of Pine Mountain, Georgia, and Nancy (Jack) Freitas of Huron, Ohio.

She was preceded in death by two children, Mark Newton Bayliff and Lisa Ann Bayliff; and her stepfather, Ralph Blauvelt.

Memorial contributions may be given to the Cridersville United Methodist Church, Cridersville Rescue Squad or Angels for Animals.

Charles R. Blessing, age 71, of Aurora, entered into rest January 7, 2013. Charles (Chuck) Blessing had been in the funeral business for more than 40 years. He began his career working in a funeral home when he was just 15 years old. He learned from the best to provide professional and caring service not found in the industry today. To say that he learned his profession from the "old school" is not an exaggeration, and he always maintained the high standards he developed as a young boy. His story is an interesting one. After his high school days, he became involved with Shell Oil Company and had several service stations in Lake County, Ohio. He earned his associate's degree while devoting many hours to his business. Being a true entrepreneur, he realized that his customers needed transportation while their automobiles were being serviced, so he started a leasing company. The leasing company was so successful that he began Blessing Limousine Service and, from there, transitioned back to the funeral business.

He served as a part-time Willoughby police officer for several years. He was the manager and funeral director of Blessing Funeral Home in Twinsburg and will be greatly missed by all of his employees.

He is the beloved husband of Daniele (Donna) (Ponikvar); the former husband of Judy A. (Reiter) Blessing; the loving father of Brian (Jody) and Debra (Blessing) Griesmer; the stepfather to Michelle (Ulrich) Chernikoff and Kelly Ulrich; the cherished grandfather of Chad and Morgan Blessing and Alex and Amanda Griesmer; the step-grandfather to Brandon and Sydney Chernikoff; and the brother of Clark Zaft and Carole (Richard) Bosich.

Linda "Jo" (Kilgore) Cantrell, age 69, of Enon, Ohio, went to be with the Lord on Wednesday, November 14, 2012, after a courageous battle with cancer. She was surrounded by family and friends.

Her passion for life was loving and supporting her family, especially her grandchildren. She was a "super fan" at most Fairborn Skyhawk activities, including golf, football, volleyball, cheerleading, basketball and choir. She was "grandma" to many and loved by all. She was a faithful servant and member of Fairborn Free Will Baptist Church.

She loved to cook gravy and biscuits for everyone, including the entire football team. She had a gift of caring and hospitality for all.

Jo is survived by her husband of 50 years, Darlie Cantrell of Enon, Ohio; her daughters and sons-in-law, Jennifer and Steve Hannaford and Leigh Anne and Stuart Snow, all of Fairborn; her grandchildren, Macy and Madison Musick, Jenna and Logan Snow, Kelli (Kevin) Tritschler, Stefanie (Nick)

Siemen and Laurie Hannaford; her great-grandchildren, Kayla and Kara Tritschler; her brothers and sisters, Loverna (Doc) Cantrell, Norman (Joanie) Kilgore, Mary Keeton, Dexter (Connie) Kilgore, Sam (Diane) Kilgore and Deloris (Mark) Richendollar; her sisters-in-law, Dorothy Howard and Lillie Cantrell; and a host of special nieces and nephews.

Jo was preceded in death by her parents, Dillard and Teddy (Slaven) Kilgore of Floyd County, Kentucky; and her brothers-in-law Paul Cantrell, Harold Keeton and Ted Cantrell.

Donald S. Chiles, 80, died at 9:15 a.m. on November 24, 2012, at his residence in Lima. He was born September 15, 1932, in Putnam County to Harold S. and Tressa Fern Marshall Chiles. On August 15, 1959, he married Betty L. Williams Chiles, who survives in Lima.

Mr. Chiles was a licensed funeral director and embalmer associated with Chiles-Laman Funeral and Cremation Services for 52 years. He was a lifetime member of the First Baptist Church, a member of the Allen County Sheriff's Mounted Posse, a 32nd-degree Mason in the Lima Lodge 205 Free and Accepted Masons, a member of American Legion Post 96, and a member of the Fraternal Order of Police Associates No. 8.

Survivors include four sons, Jerry R. (Sue) Chiles, Jay D. Chiles, Scott R. (Tammy) Chiles and Michael S. (Cheryl) Chiles, all of Lima; a daughter, Donna Sue (David) Peters of Elida; 12 grandchildren; 21 great-grandchildren; and a sister, Carol Ann Chiles, of Lima.

Memorial contributions may be made to First Baptist Church Building Fund or St. Rita's Hospice.

Marion A. Crobaugh, age 98, passed away peacefully December 18, 2012. Marion was born February 18, 1914, in Cleveland and was a longtime Euclid resident. She belonged to many clubs and civic organizations, including East Shore United Methodist Church, Eastern Star and the Euclid Art Association. She and her late husband, William, founded the Crobaugh Funeral Home in 1965, where she was active on a daily basis into her 90s. Her daughter Lynn Danaher is a funeral director, as well as her grandson Greg Danaher. Greg

operated their funeral home until it was sold after Mr. Crobaugh passed, and he now works out of Jakubs-Danaher with his dad, Mike, who used to attend many of the OFDA winter trips. Marion was instrumental in the family business and was always by her husband's side at meetings.

She is survived by her daughters, Kay Parziale of Chesterland and Lynn Danaher of Euclid; her grandchildren, Michael (Debbie) Parziale, Lori (Anthony) Breeden, Halle (Anthony) May, Gregory (Dawnn) Danaher and Kristen (Robert) Kinkopf; her 11 great-grandchildren; and her sister Katherine Swaney. Her husband, William; her son-in-law Joseph Parziale; her sister Doris Dietz; and her brothers, Herbert and Elroy Dietz, are deceased.

Memorials may be made to the Geauga County Dog Shelter, 12513 Merritt Road, Chardon, OH 44024.

Ivan L. Davis, 89, longtime resident of Grandview Heights, passed away January 6, 2013, at Riverside Methodist Hospital. He was born and raised in Oak Hill, Ohio, and was very proud of his Welsh heritage. He was a veteran of the U.S. Army, World War II. Ivan was a licensed funeral director for more than 60 years and president of the Deyo-Davis Funeral Home. He was a long-time member of First Baptist Church, Triangle Lodge #748 F.&A.M., Scottish Rite, the Aladdin Shrine, Beacon Chapter #593 O.E.S. and the Northwest Garden Club. Ivan was a charter member and past president of the Tri-Village Sertoma Club, where he truly enjoyed the many years of fellowship and community service.

He was preceded in death by his wife, Ruby; his infant daughter, Melinda Lou; his sisters, Arline, Mary Margaret, Ethel and his twin, Lucille; and his infant brother, David. He is survived by his children, Pamela Yun and Jeffrey (Jean) Davis; his grandsons, Jason (Katie) and Jesse (Fiona) Yun; Jonathan, James and Jared Davis; his great-granddaughter, Avani Yun; and his nieces, nephews and many friends.

Memorial contributions may be made to the Central Ohio Diabetes Association, 1100 Dennison Avenue, Columbus, OH 43201, or the First Baptist Church, 1185 Noe Bixby Road, Columbus, OH 43213. Online condolences may be made at www.deyodavis.com.

Ruth Anna "Annie" Farison, age 89, a native and lifelong resident of Forest, Ohio, died peacefully early Saturday morning, January 12, 2013, at the Marion Manor Nursing Home following a gradual decline in health.

On April 25, 1923, Annie was born in Forest, Ohio, the only child of the late Carl and Mildred (Spencer) Snider. She graduated from Forest High School, where she played basketball, in the class of 1941.

Shortly following graduation, Annie married her high school sweetheart, Harry B. Farison, on May 30, 1942, just before he left to serve in the Navy during World War II. She even joined him for a year of his service, while he was stationed in California. Together they shared more than 45 loving years of marriage and lovingly raised a son, Gene. Harry preceded her in death on October 20, 1987.

Returning home to Forest, Annie started as an operator for the local telephone company. She then worked for Moats Hardware Store, mainly operating their license plate bureau. Lastly, she served as a township clerk for the Jackson-Forest Ambulance District for nearly 15 years, until her retirement in the mid-1990s. All the while, she also helped her husband, Harry, run the Farison Insurance Agency in Forest.

A woman of faith, Annie was an active member of the Forest United Methodist Church, where she served on various committees and helped wherever it was needed. She also was a member of the Mother's Club in Forest and was a very active volunteer in the community. Since 1959, Annie and Harry enjoyed spending their summers at the lake in Port Clinton, Ohio, and spending their winters in Florida in the Sarasota and Bradenton areas. They were members of the Y Condo Association in Port Clinton, and Annie loved golfing with her friends during her time in Florida.

To say Annie, a "spring-cleaning fanatic," liked a clean house would be quite an understatement. She also enjoyed painting Tolle paintings and knitting afghans and blankets for her family and friends. Having never met a stranger, Annie was a very outgoing and social lady, loving to share story after story and brag over her family. She also loved playing games with her many friends, especially card games with their pinochle and euchre card clubs.

The apples of her eye were her grandchildren, cherishing every moment she spent with

them. She never missed any activity or game they participated in. More recently, she cherished her great-grandchildren too.

She will be dearly missed by her son and daughter-in-law, Gene and Jan Farison of Marion; her two grandchildren: Corrie (Chris) Viola of Mendham, New Jersey, and Scott (Celeste) Farison of Pittsburgh, Pennsylvania; her four great-grandchildren: Connor and Cecelia "CeCe" Viola and Nathan and Benjamin Farison; and many special friends.

Memorial contributions may be made to the Forest United Methodist Church, 111 East Dixon Street, Forest, OH 45843; the Jackson-Forest Ambulance District, 1699 Township Road 195, Forest, OH 45843; or the Marion Manor Nursing Home, c/o Activity Fund, 195 Executive Drive, Marion, Ohio 43302.

Barbara Ruth Neville, age 85, of Toledo, Ohio, wife of former OFDA President Ray C. Neville, died Wednesday, January 2, 2013, at Ebeid Hospice on the campus of Flower Hospital. Barb was born August 20, 1927, in Toledo, Ohio, to Erwin E. and Violet D. (Muswick) Gosda, and, on July 7, 1945, she married Raymond "Ray" C. Neville. In 1953, Barbara and her husband Ray opened Neville Funeral Home and Ambulance Service. The business flourished and became a landmark in the Reynolds Corners community. Recognizing a need in the Holland area, they opened their Southwest Chapel in 1976. Barbara was a member of Epiphany Lutheran Church, where she enjoyed singing in the church choir. She enjoyed traveling all around the world with her husband and their many friends. Barb was very proud of her husband and her family and thoroughly loved spending time with her grandchildren.

She is survived by her devoted husband of 67 years, Ray C. Neville; a daughter, Linda L. Neville; sons, Gale R. (Molly) Neville and Kenneth A. Neville; grandchildren, Heidi Herbster, Randy Neville, Robin Hennessey, as well as Carley and Thomas Grasberger; five great-grandchildren; a brother, Paul Gosda; a sister, Karen Fulkner. Barbara was preceded in death by her parents, Erwin and Violet; a daughter, Janet E. Grasberger, as well as her brother, Bud Gosda.

Memorial contributions may be made to either the American Cancer Society or to Ebeid Hospice Foundation.

Polly L. Roberts, 84, of New Lexington, Ohio, died at 1:56 p.m. on Saturday, January 12, 2013, at New Lexington Care and Rehabilitation Center. Polly was born September 12, 1928, in Fultonham, Ohio, to the late Carl and Ethel May Dickson Shaw.

Polly was a 1946 graduate of Lash High School, Zanesville, Ohio; she was an Ohio licensed funeral director and owned and operated with her late husband, William H. Roberts Jr., the former Roberts Funeral Home in New Lexington. She retired in 2010. She was a member of the First United Methodist Church of New Lexington and Carnation Chapter #167, Order of the Eastern Star, of New Lexington.

She is survived by her son, William H. Roberts, MD, and his wife, Barbara McGonagle, of Danville, Illinois; her granddaughter, Elizabeth Roberts of Washington, D.C.; and many other family members and friends.

In addition to her parents, Polly was preceded in death by her husband, William H. Roberts Jr. on May 6, 2011.

Memorial contributions may be made to a charity of one's choice.

Nicholas R. "Nick" Vaniman, 69, of Eldorado, Ohio, died Wednesday, October 24, 2012, at Kettering Medical Center in Kettering, Ohio.

Nick was born on November 25, 1942, in Dayton, Ohio, son of the late Robert L. and Annabelle (Arnett) Vaniman. He was a member of the Eaton High School Class of 1961. He farmed alongside his father, and, in 1973, they started the Vaniman Lumber & Pallet Co. In 1989, the name changed to J & N Products, which Nick operated until his retirement in 2000. He and his wife, Jill, are the owner-operators of the Bussard-Barnes-Vaniman Funeral Home in Eldorado.

Nick was a past member of the Eldorado Lions Club, served on the village Council for 18 years and served as president of the Board of Public Affairs in Eldorado. He enjoyed collecting and restoring two-cylinder John Deere tractors.

Nick is survived by his wife of 32 years, Carolyn Jill (Bussard) Vaniman; his children, Robin L. and Robert Brunk of Eldorado,

Tiana R. White of Eldorado and David A. and Christa White of Brookville, Ohio; his former stepchildren, Tommy E. and Tonya Hicks and family of Eaton, Ohio, and Samantha J. and Chris Alcorn and family of New Paris, Ohio; his sister, Nancy A. Hudson of Eaton; his nephew, Richard "Rick" and Patricia Hudson of Greenville, Ohio; his brother-in-law, Ronald M. Bussard of Eldorado; his niece, Jeanine K. Bussard of Greenville, Ohio; and his grandchildren, Samuel Ryder Nicholas Roberts and Sean Michael Van Roberts both of Eldorado, Ohio.

Memorial contributions may be made to the North Central Emergency Squad, P.O. Box 271, Eldorado, OH 45321. Condolences may be sent to the family via www.barnesfuneralhome.com.

It is with sadness and sorrow that I, **Robert "Bob" Sanders**, announce to all that my time here with you has ended, Friday, January 18, 2013, after my battle with lymphatic cancer. I was born March 12, 1955 in Greensburg, Pennsylvania, to the late Robert and Inez Sanders. I graduated from Gahanna Lincoln High School, class of 1973, and Cincinnati School of Mortuary Science, class of 1976. Following college, I worked briefly for a few different organizations before finally settling with Schoedinger Funeral Chapel and Cremation Services for more than 25 years. While there, I made lasting friendships, was a two-time winner of the Annual Chili Cook-Off and, most importantly, truly enjoyed coming into work each and every day. Some of my coworkers described me as being very helpful and said I had the ability of keeping them on task. They said I could sometimes be a little ornery but was generous, kind and always cared about the families we served. Personally, I am an old hippie at heart. In addition to work, I enjoyed working crossword puzzles, and I loved my cats and watching British comedy.

Memorial contributions may be made in my name to The Capital Area Humane Society, 3015 Scioto Darby Executive Court, Hilliard, OH 43026, or to Kobacker House, OhioHealth Foundation, 180 Broad Street, Columbus, OH, 43215.

Please, friends, don't be sad; the time for tears has passed. I am truly at peace, and I know where I'm going. I love all of you, and I thank you for sharing your lives with me. Sincerely, Bob.

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Newcomer Funeral Home & Crematory in Dayton Is Seeking Family Service Associates to Join Our Team!

Due to the continuous growth in our organization, Newcomer Funeral Homes in Dayton is seeking experienced professionals to join our team as family service associates. Our family service associates assist families in the pre-planning and funding of funerals through the purchase of a life insurance policy or utilizing other funding methods available through the company. FSAs may also assist families in purchasing memorial property and merchandise. Interested candidates must have a bachelor's degree and a life insurance license. Funeral directors are encouraged to apply! Newcomer offers an attractive benefits package, base salary and life balance. E-mail résumés to employment@nfsgi.com.

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