

STATE OF RHODE ISLAND
PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH
OFFICE OF HEALTH PROFESSIONS REGULATION
AND STATE BOARD OF FUNERAL
DIRECTORS/EMBALMERS

VS.

MENOCHÉ FUNERAL HOME, INC.

ORDER

Pursuant to Section 5-33.2 of the General Laws of the State of Rhode Island, 1956, as Amended, the above-captioned matter is before the Rhode Island Department of Health/State Board of Funeral Directors/Embalmers (hereinafter Department), relating to the professional performance of Menoché Funeral Home, Inc. (hereinafter Respondent). After consideration by the Department, and prior to an administrative hearing, it was agreed, by and between the parties, the following:

1. The Respondent is a licensed funeral establishment in the State of Rhode Island, whose license to practice in the State expired on or about 31 December 2000.
2. That at no point in time, subsequent thereto, has the Respondent filed for a renewal of its license.
3. That on or about June, 2001, and continuing, the Respondent abandoned, without cause, any and all of its contractual obligations with clients.
4. Said abandonment was done without any appropriate notice to any and all of the Respondent's clients relating to funeral contracts of any and all form.
5. Respondent did not properly maintain a separate escrow account for [so called] pre-need funeral contract deposits.
6. That the Conduct described in 3-5 above constitutes unprofessional conduct pursuant to Section 5-33.2.

Based on the forgoing the Rhode Island Department of Health enters the following Order:

1. The Respondent's license shall be revoked for a minimum of seven (7) years, commencing on 31 October 2002.
2. At the time the Respondent seeks reinstatement of the funeral establishment license, it shall submit documentation to the Board evidencing that it is capable and competent to engage in the practice of funeral directing/embalming. Such documentation shall be any information the Department deems appropriate at the time. In addition, Respondent must meet all education, training and examination requirements for licensure in effect at the time Respondent applies for licensure.
3. That should Respondent fail to comply with the terms of this Consent Order, Respondent shall be subject to further disciplinary sanctions.
4. That this Consent Order shall constitute a final disposition of the matters forming the basis hereof.

Entered as an Order of the Rhode Island Department of Health

Ordered this 6th day of November 2002.



DONALD C. WILLIAMS
Associate Director, Health Services Regulation