

BEFORE THE STATE BOARD OF EMBALMERS  
AND FUNERAL DIRECTORS  
STATE OF MISSOURI

STATE BOARD OF EMBALMERS,	)	
AND FUNERAL DIRECTORS	)	
	)	
	)	Petitioner,
	)	
v.	)	Case No.: EMB 11-004-PV
	)	
KATHERINE LEWIS-BOLCH	)	
	)	
	)	Respondent.

**FINDINGS OF FACT, CONCLUSIONS OF LAW AND  
DISCIPLINARY ORDER**

At its regularly schedule meeting on June 2, 2011, at approximately 3:00 p.m. and pursuant to notice described in the Findings of Fact, the State Board of Embalmers and Funeral Directors (Board) took up the probation violation complaint alleging that Katherine Lewis-Bolch (Lewis-Bolch) had failed to comply with the terms of her probation. The Board convened the hearing at the Division of Professional Registration, 3605 Missouri Boulevard, Jefferson City, Missouri.

The board appeared through Division of Professional Registration Legal Counsel Sharon Euler. Lewis-Bolch, despite receiving notice as described in the Findings of Fact below, did not appear and was not represented by counsel. Division of Professional Registration Legal Counsel Sarah Ledgerwood served as the board's legal advisor at the June 2, 2011 hearing, during deliberations and in the preparation of this order.

### Findings of Fact

1. The Board is an agency of the state of Missouri created and established by Section 333.151, RSMo<sup>1</sup>, for the purposes of executing and enforcing the provisions of Chapter 333, RSMo, and the portions of Chapter 436, RSMo, related to preneed funeral contracts.
2. Lewis-Bolch is an individual residing at 802 Citadel Drive, Weston, Missouri 64098.
3. Lewis-Bolch holds funeral director license number 007131. This license lapsed on May 31, 2010 when Lewis-Bolch failed to renew it.
4. Lewis-Bolch holds embalmer license number 007509. This license lapsed on May 31, 2010 when Lewis-Bolch failed to renew it.
5. The Board and Lewis-Bolch entered into the First Amended Settlement Agreement Between the Missouri State Board of Embalmers and Funeral Directors and Katherine Lewis-Bolch which Lewis-Bolch signed on September 21, 2010 and the Board signed on October 12, 2010 (Settlement Agreement). The Settlement Agreement became effective 15 days after the Board signed it.

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<sup>1</sup> All statutory references are to the Revised Statutes of Missouri (2000), as amended, unless otherwise indicated.

6. In the Settlement Agreement, the Board and Lewis-Bolch agreed that Lewis-Bolch's funeral director and embalmer licenses were subject to discipline due to Lewis-Bolch's agreed upon conduct that included forging doctor's names to death certificates, misrepresenting to crematories authority to cremate and failing to timely file death certificates.

7. In the Settlement Agreement, the Board and Lewis-Bolch agreed to a disciplinary order. The disciplinary order suspended Lewis-Bolch's funeral director and embalmer licenses for a period of one year and thereafter placed both licenses on probation for a period of five years subject to terms and conditions detailed in paragraph 77 of the Settlement Agreement.

8. The terms and conditions of discipline contained in paragraph 77 include:

- a. Lewis-Bolch shall timely renew her licenses, timely pay all fees required for license renewal and shall comply with all other requirements necessary to maintain her licenses in a current and active state. Settlement Agreement, paragraph 77B.
- b. Lewis-Bolch shall submit written reports to the Board by no later than January 1 and July 1 during each year of the Disciplinary Period stating truthfully whether there has been compliance with all terms and conditions of this Settlement. Settlement Agreement, paragraph 77H.

9. On April 27, 2011 the Board notified Lewis-Bolch of the June 2, 2011 probation violation. The Board sent notice of the hearing, including the time, date and location of the hearing, as well as a copy of the Probation Violation Complaint to Lewis-Bolch at her last known address on file with the Board. The Board sent the notice by certified mail. On May 2, 2011, the Board received the “green card” back from Lewis-Bolch which she signed affirming that she received the Notice of Probation Violation Hearing. Lewis-Bolch signed the “green card.”

10. During the June 2, 2011 hearing, counsel for the Board offered and the Board admitted the following exhibits:

- a. Exhibit 1: PROMO Licensing screen showing licenses
- b. Exhibit 2: Settlement Agreement
- c. Exhibit 3: Notice of Hearing

11. During the June 2, 2011 hearing, the Board heard testimony from the following witnesses on behalf of the Board: Sandy Sebastian, Executive Director.

#### Conduct Supporting Probation Violations

12. Lewis-Bloch’s funeral director and embalmer licenses lapsed on May 31, 2010 because Lewis-Bloch failed to renew them. To date, Lewis-Bloch has not renewed either her funeral director or embalmer license.

13. Lewis-Bloch has not timely paid all fees required for license renewal.

14. Lewis-Bloch has not taken steps to maintain her funeral director and embalmer licenses in current and active status.

15. Lewis-Bloch submitted no written compliance reports due to the Board on or before January 1, 2011. To date, Lewis-Bloch has not submitted the January 1, 2011 compliance report.

#### Conclusions of Law

16. The Board possesses jurisdiction over this matter pursuant to Section 324.042, RSMo, and pursuant to paragraphs 79 and 82 on pages 19 and 20 of the Settlement Agreement.

17. Section 324.042, RSMo, states:

Any board, commission, or committee within the division of professional registration may impose additional discipline when it finds after hearing that a licensee, registrant, or permittee has violated any disciplinary terms previously imposed or agreed to pursuant to settlement. The board, commission, or committee may impose as additional discipline any discipline it would be authorized to impose in an initial disciplinary hearing.

#### Violations of Probation

18. In the following ways, as set out in paragraphs 3 through 15 above, Lewis-Bolch violated paragraph 77B, of the Settlement Agreement:

- a. Lewis-Bolch failed to timely renew her funeral director license;
- b. Lewis-Bolch failed to timely renew her embalmer license;
- c. Lewis-Bolch failed to pay all fees required for her license renewal for both her embalmer and funeral director licenses;

- d. Lewis-Bolch failed to comply with all other requirements necessary to maintain her licenses in a current and active status.

19. As set out in paragraphs 3 through 15 above, Lewis-Bolch violated paragraph 77H of the Settlement Agreement by failing to submit her written report to the Board no later than January 1, 2011, stating truthfully whether there has been compliance with all terms and conditions of the Settlement Agreement.

#### Decision and Order

It is the decision of the State Board of Embalmers and Funeral Directors that Katherine Lewis-Bolch violated the terms of the Settlement Agreement Between the Missouri State Board of Embalmers and Funeral Directors and Katherine Lewis-Bolch which Lewis-Bolch signed on September 21, 2010 and the Board signed on October 12, 2010, effective 15 days after October 12, 2010, and Lewis-Bolch's funeral director and embalmer licenses are, therefore, subject to further disciplinary action.

The State Board of Embalmers and Funeral Directors orders that the funeral director license (license number 007131) and the embalmer license (license number 007509) of Katherine Lewis-Bolch are hereby **REVOKED**.

Effective the date of this Order, Lewis-Bolch shall no longer engage in the practice of funeral directing and embalming.

Lewis-Bolch shall immediately return all indicia of licensure to the State Board of Embalmers and Funeral Directors.

The Board will maintain this Order as an open and public record of the Board as provided in Chapters 333, 436, 610, and 324, RSMo.

Entered this 21<sup>st</sup> day of June, 2011.

**Missouri State Board of Embalmers and Funeral Directors**

Sandy Sebastian  
Sandy Sebastian, Executive Director