

# WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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**STATE OF WISCONSIN  
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD**

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<b>IN THE MATTER OF THE DISCIPLINARY</b>	<b>:</b>
<b>PROCEEDINGS AGAINST</b>	<b>:</b>
	<b>:</b>
<b>MARTIN PAGE FUNERAL HOME,</b>	<b>:</b>
<b>RESPONDENT.</b>	<b>: LS0407226FDR</b>

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**FINAL DECISION AND ORDER**

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Division of Enforcement Case No. 04 FDR 001

The parties to this action for the purposes of Wis. Stats. Sec. 227.53 are:

Martin Page Funeral Home  
100 Park Place  
Platteville, WI 53818

Funeral Directors Examining Board  
P.O. Box 8935  
Madison, WI 53708 8935

Department of Regulation and Licensing  
Division of Enforcement  
P.O. Box 8935  
Madison, WI 53708 8935

The parties in these matters agree to the terms and conditions of the attached Stipulation as the final decision of the matter(s), subject to the approval of the Funeral Directors Examining Board (Board). The Board has reviewed the Stipulation agreement annexed to this Final Decision and Order, and considers it acceptable. Accordingly, the Board adopts the attached Stipulation and makes the following:

**FINDINGS OF FACT**

1. Respondent Martin Page Funeral Home ("Respondent"), whose last known address of record with the Department of Regulation and Licensing ("Department") is 100 Park Place, Platteville, Wisconsin, 53818, is a licensed funeral establishment (#78-2363). Respondent was granted the license on January 17, 2003, pursuant to Wis. Stat. ch. 458. The license is current through May 31, 2005.

2. On or about August 1, 2001, Mr. Gregory R. Martin (funeral director license # 77-4988) and Mr. Taylor J. Page (funeral director license #77-4987) purchased Bifulk Funeral Home and Cremation Service, located at 100 Park Place, Platteville, Wisconsin, 53818, from Mr. Frank Bifulk. Mr. Martin and Mr. Page then renamed the establishment as the Martin Page Funeral Home, and began engaging in the business of a funeral director at that location on or about August 3, 2001.

3. In December of 2002 the Department received a complaint against Respondent and others (02 FDR 045). In the course of investigating the complaint it was discovered that Respondent was not licensed.

4. On or about January 9, 2003, Mr. Martin and Mr. Page were informed that Respondent was not licensed. Mr. Martin and Mr. Page stated that they were not aware that a new license needed to be obtained upon purchase of the funeral establishment, and had assumed that the facility was properly licensed.

5. On or about January 16, 2003, the Department received the application for Respondent's license, and said license was issued on January 17, 2003.

6. Section 445.105, Wis. Stats., provides that no person may "operate a funeral establishment unless a permit for each such establishment has been issued by the examining board..."

7. Section FD 1.08(3), Wis. Admin. Code, states that a "funeral establishment permit is not transferable from one premises to another or from one operator to another."

#### CONCLUSIONS OF LAW

1. The Wisconsin Funeral Directors Examining Board has jurisdiction to act in these matters pursuant to § 458.26, Stats.

2. The Wisconsin Funeral Directors Examining Board has authority to enter into this stipulated resolution of this matter pursuant to § 227.44(5), Stats.

3. The Respondent, by the conduct as set forth above violated § 445.105, Wis. Stats.

#### ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED:

1. Respondent, Martin Page Funeral Home, is REPRIMANDED for the conduct set out above.
2. Respondent shall, within 90 days of the date of this Order, pay to the Department of Regulation and Licensing costs of this proceeding in the amount of \$400.00, pursuant to § 440.22(2), Stats.
3. The payment required by this Order shall be mailed or delivered to:

Department Monitor  
Department of Regulation and Licensing  
Division of Enforcement  
1400 East Washington Ave.  
P.O. Box 8935  
Madison, WI 53708-8935  
Fax: (608) 266-2264  
Telephone: (608) 267-3817

4. Violation of any term or condition of this Order may constitute grounds for revocation of Respondent's license as a funeral establishment in Wisconsin. Should the Board determine that there is probable cause to believe that Respondent has violated the terms of this Order, the Section may order that Respondent's license be summarily suspended pending investigation of and hearing on the alleged violation.

The rights of a party aggrieved by this Decision to petition the Board for rehearing and to petition for judicial review are set forth on the attached "Notice of Appeal Information."

Dated at Madison, Wisconsin this 22<sup>nd</sup> day of July, 2004.

Rick Unbehaun  
Funeral Director Examining Board