

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD

IN THE MATTER OF THE DISCIPLINARY	:	
PROCEEDINGS AGAINST	:	
	:	FINAL DECISION AND ORDER
DAVID R. EDLING,	:	
EDLING TAYLOR FUNERAL HOME	:	LS0609282FDR
RESPONDENTS.	:	

Division of Enforcement Investigative Files # 03 FDR 005 and 03 FDR 008

The parties to this action for the purpose of Wis. Stats. sec. 227.53 are:

Edling Taylor Funeral Home
PO Box 56
389 State Road 70
Grantsburg, WI 54840

David R. Edling
PO Box 56
Grantsburg, WI 54840

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

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

PROCEDURAL HISTORY

The parties in this matter agree to the terms and conditions of the attached Stipulation as the final disposition of this matter, subject to the approval of the Wisconsin Funeral Directors Examining Board (“Board”). The Board has reviewed this Stipulation and considers it acceptable.

Accordingly, the Board in this matter adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

- Edling Taylor Funeral Home** is licensed in the State of Wisconsin as a Funeral Establishment, license # 78 2340. This license was first granted to it on 2/19/02 and is current through 5/31/07. The most recent address on file with the Department of Regulation and Licensing for this establishment is PO Box 56, 389 State Road 70, Grantsburg, WI 54840.
- David R. Edling** is licensed in the State of Wisconsin as a Funeral Director, license # 77 4541. This license was first granted to him on 12/11/80 and is current through 12/14/07. The most recent address on file with the Department of Regulation and Licensing for Mr. Skindingsrude is PO Box 56, Grantsburg, WI 54840. Mr. Edling is listed with the Department of Regulation and Licensing as owner of Edling Taylor Funeral Home.

3. On or about August 19, 2002, the Funeral Directors Examining Board (Board) issued a Final Decision and Order to David R. Edling and Edling Taylor Funeral Home, wherein the Board suspended Mr. Edling's Funeral Director license for 30 days and ordered him to pay a forfeiture of \$4,000.00 and costs in the amount of \$1,000.00. The discipline imposed was a result of Mr. Edling failing to renew the funeral establishment license and for failing to complete 15 hours of required continuing education.

4. On or about December 17, 2002, a Burnett County resident passed away. Mr. Edling did not file the decedent's death certificate until January 27, 2003. When the death certificate was filed on January 27, 2003, it contained several errors that needed to be corrected.

5. On or about October 4, 2002, a Wisconsin resident died. Mr Edling did not file the decedent's death certificate until February 7, 2003.

6. In a written statement that Mr. Edling submitted to the Department, Mr. Edling admitted that "there are many cases in which I may have a death certificate that is not filed on time."

7. On January 1, 2006, Mr. Edling's Funeral Directors license expired and was not renewed by him until February 14, 2006. Mr. Edling renewed his license after receiving a phone call from the Department alerting him that it had expired.

CONCLUSIONS OF LAW

1. The Wisconsin Funeral Directors Examining Board has jurisdiction to act in this matter pursuant to ch. 445, Wis. Stats., and is authorized to enter into the attached Stipulation pursuant to sec. 227.44(5), Wis. Stats.

2. Respondents **Edling Taylor Funeral Home** and **David R. Edling** have violated:

a. Wis. Admin. Code § FD 3.02(1), and (6), and Wis. Stats. §§ 69.18(1)(b), and 445.13(1)(1m)(a)(b) by failing to file death certificates within two days after the receipt of the medical certification.

b. Wis. Admin. Code § FD 3.02(9), by performing Funeral Director services during the time David Edling's funeral director's license was expired.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED, that the attached Stipulation is hereby accepted.

IT IS FURTHER ORDERED, that Respondents **Edling Taylor Funeral Home** and **David R. Edling**, license # 78 2340 and # 77 4541, be, and hereby is, **REPRIMANDED**.

IT IS FURTHER ORDERED that:

1. Respondent **David R. Edling**, within 120 days of the date of this Order, successfully **complete 8 hours of Department approved education regarding professional conduct, business ethics or legal aspects specifically relating to practice in the profession**, and submit proof of the same in the form of verification from the institution providing the education to the address stated below. None of the education completed pursuant to this requirement may be used to satisfy any continuing education requirements that are or may be instituted by the Board or the Department of Regulation and Licensing.

2. Respondents shall, jointly and severally pay COSTS in the amount of \$2,700.00.

3. Respondents shall, jointly and severally pay a FORFEITURE in the amount of \$2,000.00.

4. A down payment of **FIVE HUNDRED DOLLARS (\$500.00)** shall be submitted within thirty (30) days from the date of this order and six more payments of **SEVEN HUNDRED DOLLARS (\$700.00)** will be due every ninety (90) days from the previous payment until the full **FOUR THOUSAND SEVEN HUNDRED DOLLARS (\$4,700.00)** is paid. Payments shall be made by **certified check or money order**, payable to the Wisconsin Department of Regulation and Licensing and sent to:

Department Monitor
Division of Enforcement
Department of Regulation and Licensing
P.O. Box 8935, Madison, WI 53708-8935
Telephone (608) 261-7904, Fax (608) 266-2264

4. Violation of any of the terms of this Order may be construed as conduct imperiling public health, safety and welfare and may result in a summary suspension of Respondents' license. The Board in its discretion may in the alternative impose additional conditions and limitations or other additional discipline for a violation of any of the terms of this Order. In the event Respondents fail to timely submit any payment as ordered, or completes the required education, then the Respondents' licenses SHALL BE SUSPENDED without further notice or hearing until Respondents have complied with the terms of this Order.

5. This Order is effective on the date of its signing.

Dated this 28th day of September, 2006.

WISCONSIN FUNERAL DIRECTORS EXAMINING BOARD

By: J. C. Frazier
A member of the Board