

WISCONSIN DEPARTMENT OF REGULATION & LICENSING



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STATE OF WISCONSIN
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD

IN RE DISCIPLINARY PROCEEDINGS	:	
AGAINST	:	
	:	FINAL DECISION AND ORDER
JON C. HANSON,	:	
	:	LS0902042FDR
	:	
RESPONDENT.	:	

Division of Enforcement Case No. 07 FDR 023

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

Jon C. Hanson
7027 Four Mile Road
Franksville, WI 53126

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

PROCEDURAL HISTORY

A formal complaint has been filed in this matter. The parties in this matter agree to the terms and conditions of the attached Stipulation as the Order in this matter, subject to the approval of the Funeral Directors Examining Board. The Board has reviewed the Stipulation agreement annexed to this Order, and considers it acceptable. Accordingly, the Board adopts the attached Stipulation and makes the following:

FINDINGS OF FACT

1. Respondent Jon C. Hanson (“Hanson”), whose last known address of record with the Department of Regulation and Licensing (“Department”) is 7027 Four Mile Road, Franksville, WI 53126, and whose date of birth is January 27, 1959, is licensed as a funeral director (#77-4758). The license was first granted on February 16, 1987, and expired on December 14, 2007. Additionally, Mr. Hanson is licensed as an Agent for Burial Agreements (#107-319). The license as an Agent for Burial Agreements was first issued on November 28, 2000, and does not expire.
2. On December 15, 2006, Mr. Hanson was arrested.
3. Upon his arrest Mr. Hanson took a leave of absence from Hanson Funeral Home, and has abstained from returning to the premises. On or about June 8, 2007, Hanson Funeral Home was sold by Mr. Hanson to a third party, who is now operating the funeral home under a different name. On June 15, 2007, a funeral home permit was first granted to the new owner.
4. On December 18, 2007, a criminal Indictment was filed against Mr. Hanson. Subsequently, Mr. Hanson was convicted of one count of violating 18 USC § 2252A (a) (1), Transporting Child Pornography. Mr. Hanson’s parole conditions include no unsupervised contact with minors. It was not alleged that Mr. Hanson ever created any such material. Nor was it alleged that he has, in fact engaged in any physical contact with any child or their remains.
5. Per Wis. Admin. Code § RL 3.02, a number of acts or omissions are considered to be unprofessional conduct, including, “(1) Violating or aiding and abetting a violation or any state or federal law substantially related to the practice of funeral directing . . .”

6. Agents for burial agreements are governed by Wis. Stat. § 445.125.

7. Per Wis. Stat. § 445.13 (1), "... the examining board may... limit, suspend or revoke a license of a funeral director... or a permit... of a funeral establishment, and reprimand a funeral director... for any violation of... this chapter..."

CONCLUSIONS OF LAW

1. The Wisconsin Funeral Directors Examining Board has jurisdiction to act in these matters pursuant to Wis. Stat. § 445.13.

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

3. Violation of 18 USC § 2252A (a) (1) is substantially related to the practice of Funeral Directing and acting as an Agent for Burial Agreements, because both practices may involve contact with children of vulnerable families, which may provide opportunities for unsupervised contact with children or the remains of children.

ORDER

NOW, THEREFORE, IT IS HEREBY ORDERED that:

1. The licenses of **Jon C. Hanson** (#77-4758 and #017-319) shall be, and hereby are, **LIMITED** as follows: (a) Hanson's license as an agent for burial agreements shall be limited to prohibit any unsupervised contact with minors at any time. Ensuring that this provision is met shall require him to not visit any private home where a minor may be present. It shall further require that another employee of any funeral home that employs him shall be on the premises during any meeting with any clients. (b) Hanson's license as a funeral director shall be limited to prohibit him from having any unsupervised contact with minors or their remains. Ensuring this provision is met shall require that he be accompanied at all times by another employee of any funeral home that employs him whenever he provides services where he may come into contact with any minor or their remains. (c) Prior to renewing his license as a funeral director, and upon request of the Department of Regulation and Licensing at any time up to two years after the date of his release from imprisonment, Mr. Hanson, shall execute releases of all medical information related to the subject of his convictions, so that the Department of Regulation and Licensing may review that information to determine if the Funeral Directors Examining Board should modify these limitations. If so, then either Mr. Hanson or the Division of Enforcement may petition the court for modification of these limitations.

IT IS FURTHER ORDERED that:

2. **Jon C. Hanson** shall pay the costs of this disciplinary matter, in the amount of one thousand dollars (\$1,000.00) by the end of the year of the date of his employment by any funeral establishment licensed by the State of Wisconsin following his period of incarceration.

3. **Jon C. Hanson** shall surrender all indicia of licensure that are still in his possession. Indicia of licensure will be returned to him if he renews his license following his release from incarceration.

4. All indicia of licensure and other submissions required by this Order shall be mailed, delivered or otherwise transmitted 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

5. Case number 07 FDR 023 shall be, and hereby is, closed.

6. Violation of the limitations contained in paragraph 1 of this Order shall be considered conduct imperiling the health and safety and welfare of the public which imperatively requires the immediate and summary suspension of Jon C. Hanson's license #4758 and #017-319. In the event that Jon C. Hanson fails to timely submit payment of the costs as set forth above, his licenses

4758 and #017-319, **SHALL BE SUSPENDED**, without further hearing and without further Order of the Board, and said suspension shall continue until the full amount of said costs have been paid to the Department of Regulation and Licensing and the failure to pay the costs shall be considered a violation of this Order by the Board.

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

FUNERAL DIRECTORS EXAMINING BOARD

By: Connie Ryan
A Member of the Board

5/12/09
Date

STATE OF WISCONSIN
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD

IN RE DISCIPLINARY PROCEEDINGS	:	
AGAINST	:	
	:	STIPULATION
JON C. HANSON,	:	
	:	LS#0902042FDR
	:	
RESPONDENT.	:	

Division of Enforcement Case No. 07 FDR 023

It is hereby stipulated and agreed, by and between Jon C. Hanson, Respondent; Mark D. Richards, Attorney for Respondent; and Mark A. Herman, Attorney for Complainant, State of Wisconsin, Department of Regulation and Licensing, Division of Enforcement, as follows:

1. This Stipulation resolves a pending formal complaint against Respondent’s licensure by the Division of Enforcement (07 FDR 023). Respondent consents to the resolution of this matter by stipulation and without the hearing.
2. Respondent understands that by signing this Stipulation he voluntarily and knowingly waives his rights, including: the right to a hearing on the allegations against him, at which time the state has the burden of proving that there is probable cause to believe that continuing to allow Respondent to practice poses a threat to the health, safety or welfare of the public; the right to confront and cross-examine any witnesses against him; the right to call witnesses on his behalf; the right to testify himself; the right to seek review of any order of summary suspension and to present briefs or oral arguments to the officials who could remove the summary suspension; the right to have a formal complaint issued against him within 10 days of the issuance of the summary suspension; and all other applicable rights afforded to him under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and any other provisions of state or federal law.
3. Respondent has been provided with the opportunity to obtain legal counsel prior to signing this Stipulation.
4. Respondent agrees to the adoption of the attached Final Decision and Order by the Funeral Directors Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondent waives all rights to any appeal of the Board’s order, if adopted in the form as attached.
5. If the terms of this Stipulation are not acceptable to the Board, the parties shall not be bound by the contents of this Stipulation, and the matter shall then be returned to the Division of Enforcement for further proceedings. In the event that this Stipulation is not accepted by the Board, the parties agree not to contend that the Board has been prejudiced or biased in any manner by the consideration of this attempted resolution.
6. The parties to this Stipulation agree that the attorney or other agent for the Division of Enforcement and any member of the Funeral Directors Examining Board ever assigned as an advisor in this investigation may appear before the Board, without the presence of Respondent or his attorney, for purposes of speaking in support of this agreement and answering questions that any person may have in connection with the Board’s deliberations on the Stipulation. Additionally, any such Board advisor may vote on whether the Board should accept this Stipulation and issue the attached Interim Order.
7. Respondent is informed that should the Board adopt this Stipulation, the Board’s interim order is a public record and will be published in accordance with standard Department procedure.
8. The Division of Enforcement joins Respondent in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.

JON C. HANSON, Respondent
7027 Four Mile Road
Franksville, WI 53126

Date

MARK D. Richards,
Attorney for Respondent
Richards & Hall, S.C.
209 Eighth Street
Racine, WI 53403-1508

Date

MARK A. HERMAN
Attorney, Division of Enforcement
1400 East Washington Avenue
Madison, WI 53708-8935

Date