

WISCONSIN DEPARTMENT OF SAFETY AND PROFESSIONAL SERVICES



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STATE OF WISCONSIN
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ROBERT C. KARRMANN, WESTGOR
FUNERAL HOME (MENASHA) AND
WESTGOR FUNERAL HOME (NEENAH),
RESPONDENTS.

:
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: FINAL DECISION AND ORDER
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0005030

Division of Legal Services and Compliance Case No. 15 FDR 018

The parties to this action for the purpose of Wis. Stat. § 227.53 are:

Robert C. Karrmann
1140 Appleton Rd.
Menasha, WI 54952

Westgor Funeral Home
1140 Appleton Rd.
Menasha, WI 54952

Westgor Funeral Home
205 W. Doty Ave.
P.O. Box 128
Neenah, WI 54956

Wisconsin Funeral Directors Examining Board
P.O. Box 8366
Madison, WI 53708-8366

Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190
Madison, WI 53707-7190

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 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, Conclusions of Law and Order.

FINDINGS OF FACT

1. Respondent Robert C. Karrmann (DOB 05/01/1963) is licensed by the State of Wisconsin as a funeral director, having license number 5136-77, first issued on May 17, 1995 and current through December 14, 2017. Robert C. Karrmann's most recent address on file with the Wisconsin Department of Safety and Professional Services (Department) is 1140 Appleton Road, Menasha, Wisconsin 54952.
2. Respondent Westgor Funeral Home is permitted by the State of Wisconsin as a funeral establishment, having permit number 2179-78, first issued on March 26, 1998 and current through May 31, 2017. This permit was expired from June 1, 2015 through December 7, 2015. Westgor Funeral Home's most recent address on file with the Department is 1140 Appleton Road, Menasha, Wisconsin 54952.
3. Respondent Westgor Funeral Home is permitted by the State of Wisconsin as a funeral establishment, having permit number 424-78, first issued on November 1, 1942 and current through May 31, 2017. This permit was expired from June 1, 2015 through December 7, 2015. Westgor Funeral Home's most recent address on file with the Department is 205 West Doty Avenue, Post Office Box 128, Neenah, Wisconsin 54956.
4. Respondent Karrmann is identified in Department records as the funeral director in charge of both the Menasha and Neenah locations of Westgor Funeral Home at all times relevant to this matter.
5. Respondents performed 102 funeral services between June 1, 2015 and December 7, 2015.
6. In resolution of this matter, Respondents consent to the entry of the following Conclusions of Law and Order.

CONCLUSIONS OF LAW

1. The Wisconsin Funeral Directors Examining Board has jurisdiction to act in this matter pursuant to Wis. Stat. § 445.13, and is authorized to enter into the attached Stipulation pursuant to Wis. Stat. § 227.44(5).
2. By the conduct described in the Findings of Fact, Robert C. Karrmann violated Wis. Stat. § 445.105(1) and Wis. Admin. Code § FD 1.08(1) by conducting, maintaining, managing and operating a funeral establishment that did not hold a current permit issued by the board.
3. By the conduct described in the Findings of Fact, Robert C. Karrmann violated Wis. Stat. § 445.04(1) by conducting the business of a funeral director in a funeral establishment that did not hold a current permit issued by the board.
4. As a result of the above violations, Respondents Robert C. Karrmann and Westgor Funeral Home (license numbers 2179-78 and 424-78) are subject to discipline pursuant to Wis. Stat. § 445.13(1) and Wis. Stat. § 445.105(4).

ORDER

1. The attached Stipulation is accepted.
2. Respondent Robert C. Karrmann is hereby REPRIMANDED.
3. Respondents Westgor Funeral Home (license numbers 2179-78 and 424-78) are hereby REPRIMANDED.
4. Within 90 days from the date of this Order, Respondent Robert C. Karrmann shall pay one-half of the COSTS of this matter in the amount of \$300.00.
5. Within 90 days from the date of this Order, Respondents Westgor Funeral Home (license numbers 2179-78 and 424-78) shall pay one-half of the COSTS of this matter in the amount of \$300.00.
6. Payment of costs shall be made payable to the Wisconsin Department of Safety and Professional Services and sent to the Department Monitor at the address below:

Department Monitor
Division of Legal Services and Compliance
Department of Safety and Professional Services
P.O. Box 7190, Madison, WI 53707-7190
Telephone (608) 267-3817; Fax (608) 266-2264
DSPSMonitoring@wisconsin.gov
7. In the event Respondents fail to timely submit payment of the costs as ordered, Respondents' credentials (numbers 5136-77, 2179-78 and 424-78), or Respondents' right to renew their credentials, may, in the discretion of the Board or its designee, be SUSPENDED, without further notice or hearing, until Respondents have complied with payment of the costs.
8. This Order is effective on the date of its signing.

WISCONSIN FUNERAL DIRECTORS EXAMINING BOARD

by:


A Member of the Board

11.22.2016
Date

STATE OF WISCONSIN
BEFORE THE FUNERAL DIRECTORS EXAMINING BOARD

IN THE MATTER OF DISCIPLINARY
PROCEEDINGS AGAINST

ROBERT C. KARRMANN, WESTGOR
FUNERAL HOME (MENASHA) AND
WESTGOR FUNERAL HOME (NEENAH),
RESPONDENTS.

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STIPULATION

0005030

Division of Legal Services and Compliance Case No. 15 FDR 018

Respondents Robert C. Karrmann, Westgor Funeral Home (Menasha) and Westgor Funeral Home (Neenah) and the Division of Legal Services and Compliance, Department of Safety and Professional Services, stipulate as follows:

1. This Stipulation is entered into as a result of a pending investigation by the Division of Legal Services and Compliance. Respondents consent to the resolution of this investigation by Stipulation.

2. Respondents understand that by signing this Stipulation, Respondents voluntarily and knowingly waive the following rights:

- the right to a hearing on the allegations against Respondents, at which time the State has the burden of proving those allegations by a preponderance of the evidence;
- the right to confront and cross-examine the witnesses against Respondents;
- the right to call witnesses on Respondents' behalf and to compel their attendance by subpoena;
- the right to testify on Respondents' own behalf;
- the right to file objections to any proposed decision and to present briefs or oral arguments to the officials who are to render the final decision;
- the right to petition for rehearing; and
- all other applicable rights afforded to Respondents under the United States Constitution, the Wisconsin Constitution, the Wisconsin Statutes, the Wisconsin Administrative Code, and other provisions of state or federal law.

3. Respondents are aware of Respondents' right to seek legal representation and have been provided an opportunity to obtain legal counsel before signing this Stipulation.

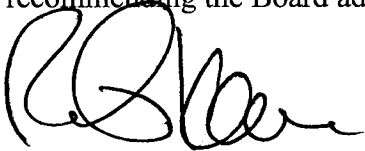
4. Respondents agree to the adoption of the attached Final Decision and Order by the Wisconsin Funeral Directors Examining Board (Board). The parties to the Stipulation consent to the entry of the attached Final Decision and Order without further notice, pleading, appearance or consent of the parties. Respondents waive 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 Legal Services and Compliance for further proceedings. In the event that the 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 Legal Services and Compliance and any member of the Board ever assigned as an advisor in this investigation may appear before the Board in open or closed session, without the presence of Respondents, for purposes of speaking in support of this agreement and answering questions that any member of the Board may have in connection with deliberations on the Stipulation. Additionally, any such advisor may vote on whether the Board should accept this Stipulation and issue the attached Final Decision and Order.

7. Respondents are informed that should the Board adopt this Stipulation, the Board's Final Decision and Order is a public record and will be published in accordance with standard Department procedure.

8. The Division of Legal Services and Compliance joins Respondents in recommending the Board adopt this Stipulation and issue the attached Final Decision and Order.



Robert C. Karrmann, Respondent
1140 Appleton Rd.
Menasha, WI 54952
License no. 5136-77

11/10/16

Date



Westgor Funeral Home, Respondent
By: Robert C. Karrmann
1140 Appleton Rd.
Menasha, WI 54952
Permit no. 2179-78

11/10/16

Date



Westgor Funeral Home, Respondent
By: Robert C. Karrmann
205 W. Doty Ave.
P.O. Box 128
Neenah, WI 54956
Permit no. 424-78

11/10/16

Date



Renee M. Parton, Attorney
Division of Legal Services and Compliance
P.O. Box 7190
Madison, WI 53707-7190

11/14/2016
Date