BEFORE THE BOARD OF MORTUARY SCIENCE EXAMINERS
OF THE STATE OF IOWA

IN THE MATTER OF:	)	**CASE NO. MS 03-08**
CRAIG WATTS, F.D. **Lic. # 104-02115**	)	
and	)	
WATTS FUNERAL HOME, INC. **Lic # 151 00118**	)	**CASE NO. MS 04-09**
Respondents.	)	**STATEMENT OF CHARGES**

COMES NOW the Complainant, Ella Mae Baird, and states:

1. The Complainant is the Administrator of the Iowa Board of Mortuary Science Examiners (Board) and files these charges on behalf of the Board solely in her official capacity.

2. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 156, and 272C (2003).

3. Craig Watts (Watts) was first licensed as a funeral director in Iowa on October 8, 1977. Watts was issued license number 104-02115.

4. Watts's license lapsed in July 1999, and was not reinstated until April 7, 2003. During the period of lapse, Watts continued to practice mortuary science at the Watts Funeral Home, Inc. in Montezuma, Iowa. Watts's license lapsed a second time in September 2003, and is currently in a lapsed status.

5. Pursuant to Iowa Code section 156.4(2) persons shall not engage in the practice of mortuary science unless licensed. Pursuant to 641 Iowa Admin. Code sections 101.13(2), 101.14(1), 102.6, and 103.2(4) funeral directors are prohibited from practicing mortuary science on a lapsed license, and are subject to discipline if they do perform acts requiring licensure after a license lapses and prior to reinstatement.

6. On December 11, 2003, the Board found probable cause to file the following charges: "Respondent engaged in a practice harmful or detrimental to the public by repeatedly practicing mortuary science on a lapsed license, in violation of Iowa Code sections 147.55(3) and (8), 156.4(2), 156.9(1) and (2)(d), and 272C.10(3) and (8), and 645

Iowa Admin. Code 101.13(2), 101.14(1), 102.6, and 103.2(4)"

7. On March 11, 2004, the Board accepted a Settlement Agreement and Consent Order which fully resolved all pending issues in this case.

8. Watts did not seek judicial review. The Board's March 11, 2004, Order is accordingly a final, unappealable order.

9. Pursuant to the terms of the Board's March 11, 2004, Order, Watts's funeral director license was suspended until he can demonstrate all of the following:

a. Respondent has taken all steps required to reinstate a lapsed license, as described in 645 Iowa Admin. Code 101.13.

b. Respondent has complied with the requirements of 645 Iowa Admin. Code 11.31.

c. In addition to all other requirements for reinstatement, Respondent has paid a civil penalty in the amount of $1,000.

10. Watts has failed to reinstate his license. If Watts's suspended license had been reinstated, the Board's Order provided for terms and conditions of a probationary period.

11. In direct violation of the Board's Order, Watts has repeatedly, flagrantly, and willfully provided mortuary science services on a suspended license.

12. On July 26, 2004, the Board found probable cause to charge Watts as follows:

COUNT I

Watts is charged with repeatedly violating an order of the Board imposing discipline in violation of Iowa Code section 272C.3(2)"a" (2003).

13. Watts Funeral Home, Inc. was first issued an establishment permit on July 7, 1997, License Number 151 00118.

14. Watts Funeral Home, Inc. has repeatedly allowed a funeral director to perform mortuary science services while holding a lapsed and/or suspended license, in violation of Iowa Code section 156.15(2)(b) and (c) (2003).

15. On July 26, 2004, the Board found probable cause to charge Watts Funeral Home, Inc. as follows:

COUNT II

Watts Funeral Home, Inc. repeatedly allowed a funeral director to perform mortuary science services while holding a lapsed and/or suspended license, in violation of Iowa Code section 156.15(2)(b) and (c) (2003).

WHEREFORE, the Complainant prays that a hearing be held in this matter and that the Board take such action as it deems appropriate under the law.

This statement of charges is approved by the board on July 27, 2004.