

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

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<b>IN THE MATTER OF:</b>	)	
	)	<b>CASE NO.    MS-03-002 and</b>
	)	<b>                 MS-03-007</b>
<b>THOMAS KENT LANGE, F.D.</b> <b>Lic. # 104-02162</b>	)	
	)	<b>STATEMENT OF CHARGES</b>
	)	

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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 (2001, 2003).
3. Thomas Kent Lange (Lange) was first licensed as a funeral director in Iowa on October 10, 1970. Lange was issued license number 104-02162. His license is current until September 15, 2005.
4. Lange operates a funeral home in Centerville, Iowa. He was the only licensed funeral director at the establishment during all times relevant to the charges.
5. The Board received two complaints in 2003, and additional information which raised issues with Respondent's compliance with Iowa law.
6. As relevant to these charges, the information suggested that Respondent repeatedly allowed an unlicensed employee to sign his name to pre-need contracts. Information produced during the course of the investigation, including an October 2004 investigative report, supported this allegation and also revealed that Respondent used a variety of prices when contracting with consumers, reflecting a fluid approach to pricing in violation of the Federal Trade Commission rules on price lists and pricing disclosures.
7. The Board found probable cause exists to charge the following offenses:

**Count 1**

Respondent repeatedly and knowingly aided, assisted, procured, advised and/or allowed persons to unlawfully practice mortuary science in Iowa, in violation of Iowa Code section 156.9(2)(c) (2001, 2003), and 645 Iowa Admin. Code 103.2(7)(a), (b), when he repeatedly allowed an unlicensed employee to sign his name to pre-need contracts in 2002 and 2003.

**Count 2**

Respondent repeatedly violated the Federal Trade Commission Rule on Funeral Industry Practices, 16 C.F.R. § 453.2 (price disclosures), as prohibited by Iowa Code sections 272C.10(3), and 156.9(d), and 645 Iowa Admin. Code 103.2(1)(c) and 103.2(7)(16), by charging consumers in 2002 and 2003 at variable prices for the same services in a manner inconsistent with price lists.

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.

**FINDING OF PROBABLE CAUSE**

On March 10, 2005, the Iowa Board of Mortuary Science Examiners found probable cause to file this Statement of Charges and to order a hearing be set in this case.

**This Statement of Charges is approved by the board on March 10, 2005.**