

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

IN THE MATTER OF:)	
)	
FRED EARL FREDREGILL, F.D.)	CASE NO. MS-03-012
License No. 104 02025)	
)	STATEMENT OF CHARGES
Respondent.)	

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 solely in her official capacity.
2. The Board has jurisdiction of this matter pursuant to Iowa Code chapters 17A, 156, and 272C (2003).
3. Fred Earl Fredregill (Respondent), a licensed funeral director, has operated an unlicensed funeral home establishment in Zearing, Iowa, for many years.
4. Respondent practiced mortuary science in an unlicensed establishment on multiple occasions from and after July 1, 1996 (the date Iowa law first required that the practice of mortuary science only be conducted from a licensed funeral establishment), until he secured an establishment permit in September, 2003.
4. Respondent's operation of an unlicensed funeral home establishment came to the Board's attention when it received a complaint in August, 2003, alleging that Respondent failed to embalm, cremate or inter human remains within 48 hours of death, as required by 645 Iowa Admin. Code 100.5(4)(a).
5. R.K. died on May 17, 2003, at 8:30 a.m. Respondent was apparently on vacation at the time and asked the hospital to hold the deceased. Respondent delivered the deceased in an unembalmed condition for cremation on May 19, 2003, at 4:30 p.m.
6. On December 11, 2003, the Board found probable cause to file the following charges:

Count I

Respondent engaged in a practice harmful or detrimental to the public by repeatedly conducting the practice of mortuary science from an unlicensed funeral establishment and by failing to embalm, inter or cremate human remains within 48 hours of death, in violation of Iowa Code sections 147.55(3) and (8), 156.4(1), 156.9(1) and (2)(d), 156.14(1), 156.15(1), and 272C.10(3) and (8), and 645 Iowa Admin. Code 103.2(1)(c), (h), and 103.2(2).

WHEREFORE, the Complainant requests 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 December 11, 2003, 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 December 11, 2003.