

# THE FUNERAL BOARD OF MANITOBA UNDER *THE FUNERAL DIRECTORS AND EMBALMERS ACT*

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IN THE MATTER OF: *The Funeral Directors and Embalmers Act C.C.S.M. c. E70*

IN THE MATTER OF: Allegations that Curtis Monkman, a funeral director (the "Licensee") contravened *The Funeral Directors and Embalmers Act*.

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## DISPOSITION AND REASONS

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Hearing Date: May 8, 2014

Case Number: 2013-10

Panel: Susan Boulter, Chair  
Robert Clarke  
Reverend Beth Rutherford

Licensee: Curtis Monkman

Counsel: Devin Johnston, for the Inspector

Board Inspector: John Delaney

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### Disposition:

- The Panel finds that the Licensee destroyed all of his records relating to a deceased person contrary to Section 12(1) of *The Funeral Directors and Embalmers Act* regulation.
  - The Panel orders that the Licensee pay \$750.00 fine for destroying records required to be kept and pay \$299.80 in costs.
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## REASONS

### Background

The Board received a complaint from \_\_\_\_\_ on July 24, 2013 alleging that she had received conflicting information from Curtis Monkman ("the Licencee") on the embalming of her mother. When the Board's Inspector inquired about the records on the decedent, the Licencee admitted that he had destroyed them when he relinquished the body to another funeral home.

The Inspector recommended that the Board hold a hearing concerning this matter. The Board directed that a hearing be held.

The hearing was held on May 8, 2014. The Licencee appeared and admitted to the breach.

The Licencee advised the Panel that he thought that since he was no longer providing funeral services to the decedent or the family, he did not have to keep the records. He acknowledged that this was a learning point for the future.

### Findings

It is important for funeral directors to keep records of their interaction with members of the public as set out in the Regulation. Such records assist the Board in investigating and oversight of funeral directors and serve to protect the interests of both members of the public and the profession. The Panel acknowledges that the Licencee was cooperative with the Inspector; was respectful to the Panel, and has 27 years of experience in the profession.

The Panel find that the Licencee destroyed records that should have been retained for no less than five years, as required under the Regulation. The Panel fines the Licencee \$750.00 and \$299.80 in costs.

June 26, 2014  
Date

Susan Boulter  
Susan Boulter, Chair

June 26, 2014  
Date

Robert Clarke  
Robert Clarke, Panel Member

June 26, 2014  
Date

Reverend Beth Rutherford  
Reverend Beth Rutherford, Panel Member

Under section 12(5) of *The Funeral Directors and Embalmers Act*, this decision may be appealed to the Court of Queen's Bench within 30 days after receipt of these reasons.