STATE OF RHODE ISLAND

AND PROVIDENCE PLANTATIONS

DEPARTMENT OF HEALTH

HEALTH SERVICES REGULATION

BOARD OF FUNERAL DIRECTORS AND EMBALMERS

VS.

ALFRED S. PENNINE

CONSENT ORDER

This matter is before the Board of Funeral Directors and Embalmers (hereinafter "Board") upon a request submitted by Alfred S. Pennine (hereinafter "Respondent"), that his funeral director/embalmer license, having been suspended, be reinstated. That on 3 May 2007, subsequent to an administrative hearing, Respondent's license to practice was suspended for a minimum of two (2) years for unprofessional conduct.

After consideration by the Board, it was agreed between the parties:

1. Respondent is a licensed funeral director/embalmer and able to conduct business under and by virtue of the laws of the State of Rhode Island.
2. Respondent admits to the jurisdiction of the Department and hereby agrees to remain under the jurisdiction of the Department.
3. Respondent has read this consent Order and understands that is a proposal of the Department and is subject to final approval by the Department. This Consent Order and the contents thereof are not binding on Respondent until final approval by the Department.

4. Respondent hereby acknowledges and waives:

   a) The right to appear personally or by counsel or both before the Department;

   b) The right to produce witnesses and evidence in his behalf at a hearing;

   c) The right to cross-examine witnesses;

   d) The right to have to have subpoenas issued by the Department;

   e) The right to further procedural steps except for those specifically contained herein;

   f) Any and all rights to appeal of this Consent Order.

5. This Consent Order shall become part of the public record of this proceeding once it is accepted by all parties and Respondent's license shall reflect that the status is "active probation".

6. Acceptance by the Respondent and approval by the Department of this Consent Order constitutes an admission of the facts contained herein.

7. Failure to comply with the Consent Order, once signed and accepted, shall subject the Respondent to further disciplinary action.

8. That the Respondent's license to practice as a funeral director/embalmer is reinstated and that Respondent shall serve at least a two (2) year period of probation subject to the terms and conditions set forth in this order.

9. That said probationary period shall commence upon the date of the execution of this Consent Order by all the parties and will abate for the duration of any period in which Respondent ceases to be employed as a funeral director/embalmer.

10. That should Respondent comply with the laws and regulations governing the practice of funeral directing/embalming during the period of probation and comply with the requirements of this Consent Order, he may apply to the Board for an unrestricted license to practice as a funeral director/embalmer.

11. That should Respondent fail to comply with the laws and regulations governing the practice of funeral directing/embalming and/or fail to comply with the terms of this Order, his license as a funeral director/embalmer shall be subject to suspension or other appropriate disciplinary action.

11-4-09

Date

Alfred S. Pennine

Approved this 4th day of November 2009.

Charles Alexandre

Charles Alexandre

Chief, Health Professions Regulation