

IN THE MATTER OF
VICTOR P. DODA, Jr.

License Number M00987

Board Case Numbers 13-003;
13-055; 13-056

* BEFORE THE MARYLAND
* STATE BOARD OF MORTICIANS
* AND FUNERAL DIRECTORS
*
*

PRE-CHARGE CONSENT ORDER

PROCEDURAL BACKGROUND

The Maryland State Board of Morticians and Funeral Directors (the "Board") and Victor P. Doda, Jr. (the "Respondent") owner operator and supervising mortician of the Charles L. Stevens Funeral Home, Inc., establishment license number E00230 and corporation license number C 00051, have agreed, in lieu of the Board's filing formal charges, to enter into to this Pre-Charge Consent Order (the "Order"). The Respondent waives his right to a hearing and agrees to be sanctioned by the Board. This Order is based upon the Board's belief that the Respondent violated provisions of the Maryland Morticians and Funeral Directors Act ("the Act"), Md. Code Ann., Health Occ. ("H.O.") §§ 7-101 et seq. (2009 Repl. Vol.), by acting in an unprofessional manner when, in the course of an interview, he initially told the Board's Investigator (the "Investigator") that he had not practiced mortuary science from the time his Maryland mortician license expired to its renewal when, in fact, he did practice on the expired license; after having been given time to do so, he failed to correct inspection deficiencies noted by the Board inspector; and by operating the

Charles L. Stevens Funeral Home, Inc. after both the corporation and establishment licenses expired. The Respondent was offered a Pre-Charge Complaint Resolution Conference. The Respondent met with Board representatives on January 9, 2013. This Order is the result of those discussions.

FINDINGS OF FACT

1. At all times relevant, the Respondent was and is licensed to practice mortuary science in the State of Maryland under license number M00987.
2. At all times relevant, the Respondent has been and continues to be the owner operator of and supervising mortician for the Charles L. Stevens Funeral Home, Inc., located in Baltimore City.
3. The Respondent's morticians license number M00987 which expired on March 30, 2012 was renewed April 6, 2012.
4. During the aforementioned period of the respondent practiced mortuary science without being licensed to do so. He continued operating the funeral home, continued to meet and make funeral arrangements with families.
5. The Respondent was not truthful when, in the course of an interview, he told the Investigator that there were no bodies on the premises during the aforementioned period. Later he admitted to having one body on the premises; then he said there were three; and finally he acknowledged that, in fact, there were five bodies on hand.
6. The Respondent has acknowledged that he "simply did not tell the truth," that he "panicked" when being interviewed by the Investigator.
7. The establishment and corporation licenses referenced above expired on November 30, 2012 and were not cleared by the Office of the Comptroller until December 11, 2012. The Respondent operated the unlicensed funeral home during this period in spite of the Board having issued a Cease and Desist.

Prior Discipline

8. On December 14, 2011, the Respondent entered into a Consent Order with the Board for failure to make required payment to make required payment to the Family Security Trust Fund.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that the Respondent is in violation of the Maryland Morticians and Funeral Directors Act, Health Occ. §§ 7-316(24) and (26) when he acted in an unprofessional manner by aiding and abetting the unauthorized operation of the Charles L. Stevens Funeral Home, Inc. and when he practiced mortuary science on an expired license in violation of H.O. § 7-501.

ORDER

ORDERED that the Respondent's license to practice mortuary science in Maryland shall be **SUSPENDED** for a period of five (5) days beginning 11/06 2013; and it is further

ORDERED that prior to the date suspension commences the Respondent shall provide the Board with the name of a Maryland licensed mortician who will function as the supervising mortician for the Charles L. Stevens Funeral Home, Inc. for the duration of the Respondent's suspension; and it is further

ORDERED that during the period of suspension the Respondent may not be involved in the day to day business of the Charles L. Stevens Funeral Home, Inc. and it is further

ORDERED that the Respondent shall be placed on **PROBATION** for a period of one (1) year to commence on the date his license is reinstated; and it is further

ORDERED that the Respondent shall return his Maryland mortician license number M00987 to the Board to be held for the duration of the period of suspension; and it is further

ORDERED that Respondent shall within one hundred and twenty days (120) of the effective date of this Order document to the Board that he has provided the community, excluding merchandise, five hundred dollars (\$500.00) in pro-bono funeral services; and it is further

ORDERED that the Respondent shall, within ninety (90) days from the effective of this Order, pay a fine to the Board in the amount of fine hundred dollars (\$500.00); and it is further

ORDERED that the Respondent shall, with in sixty (60) days form the effective date of this order, make an anonymous donation to the Family Security Trust Fund in the amount of five hundred (\$500.00) ; and it is further

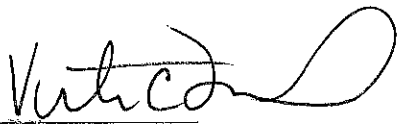
ORDERED that the Respondent shall be responsible for all costs incurred under this Order; and it is further

ORDERED that the Respondent shall comply with and practice within all statutes and regulations governing the practice of mortuary science and funeral direction in the State of Maryland; and it is further

ORDERED that any violation of the terms and conditions of this Order shall constitute unprofessional conduct in addition to any applicable grounds under the Act; and it is further

ORDERED that this Consent Order is a PUBLIC DOCUMENT as defined in Md. State Gov't Code Ann. §§ 10-611 et seq. (2009 Repl. Vol.).

Acceptance Date 11/5/13


Victor C. March, Sr.
President

CONSENT

I, Victor P. Doda, Jr., license number M00987, by signing this Consent, agree to the findings of fact and conclusions of law and further agree to be bound by the terms and conditions of the foregoing Pre-Charge Consent Order as a resolution to this matter. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

I acknowledge the validity and enforceability of this Pre-Charge Consent Order as if it were made after a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my behalf, and to all other substantive and procedural protections to which I am entitled by law. I also recognize that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing and I am also waiving any other legal remedies I may have regarding resolution of this matter.


I have had the opportunity to review this Pre-Charge Consent Order with an attorney of my choice and sign it voluntarily, understanding its terms, meaning and effect.

11/5/2013

Date




Victor P. Doda, Jr.


TAYLOR R. BOWMAN
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires May 17, 2014

NOTARY

STATE OF MARYLAND
COUNTY ~~(CITY)~~ OF Baltimore :

I hereby certify that on this 6th day of November, 2013, before me, a Notary Public of the State of Maryland and County/City aforesaid, personally appeared Victor P. Doda Jr. and made an oath in due form that the foregoing Consent was his voluntary act and deed.



Notary Public

TAYLOR R. BOWMAN
NOTARY PUBLIC STATE OF MARYLAND
My Commission Expires May 17, 2014

My commission expires: May 17th, 2014

ⁱ Includes but not limited to, meeting with families, making arrangements, and involvement with funeral services and cemetery services.