

**IN THE MATTER OF**  
**STEVEN ROGOWSKI**  
**License Number M01625**

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

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**CONSENT ORDER OF REPRIMAND**

On or about January 24, 2017, the Maryland State Board of Morticians and Funeral Directors (the “Board”) received a complaint regarding the mortuary science practice of Steven Rogowski (the “Respondent”). The Board subsequently requested a response from the Respondent, which he provided the Board on or about February 21, 2017. Based upon the complaint, the Respondent’s response, and the Board’s investigation, on April 4, 2017, the Board met with the Respondent, along with his attorney, in an attempt to settle the matter prior to the issuance of formal charges. As a result of that meeting, the Respondent and the Board agreed to the following Consent Order.

**FINDINGS OF FACT**

The Board finds that:

1. At all times relevant, the Respondent was licensed to practice mortuary science in the State of Maryland, license number M01625.
2. On or about January 20, 2017, Person A and Person B, both sisters and both the complainants in this matter, went to a funeral establishment in Hagerstown, Maryland (the “Establishment”). According to their complaint, the purpose of their visit was “to make arrangements for our brother.” According to the sisters, their father, prior to his death on January 2, 2017, requested to have the brother’s funeral arrangements made and paid for with the father’s

life insurance proceeds. The father also requested that his son have the same funeral arrangements he had, specifically embalming, viewing, and cremation.

3. Upon arrival at the Establishment, the sisters spoke to the Respondent regarding arrangements for their brother. According to the sisters, they discussed pricing, and the Respondent compiled the information for the obituary.

4. During their conversation, the sisters disclosed that their brother's wife and daughter had been cared for by the Establishment. According to the sisters, the Respondent asked how they passed away, and the sisters responded that they had passed away from AIDS. The sisters further disclosed that their brother also had AIDS.

5. According to the Respondent, their conversation continued for approximately 10-12 minutes afterwards as he continued to collect the requisite data for the obituary and the funeral arrangements.

6. After the data was collected, the Respondent stated that he went to the Establishment office to view the father's file to see his precise arrangements, so that he could duplicate those services for the brother.

7. Once in the office, the Respondent searched the filing cabinet for the father's file. At that point, according to the Respondent, the Establishment's Funeral Home Manager inquired as to what he was doing. The Respondent stated that he was assisting the sisters in making arrangements for their brother. The Respondent also disclosed to the Funeral Home Manager that the brother had AIDS. According to the Respondent, upon hearing this, the Funeral Home Manager told the Respondent that he was not to make the requested embalming and viewing

arrangements for the brother. According to the Respondent, a conversation ensued, but the Funeral Home Manager was resolute in not providing the requested embalming and viewing arrangements for the brother.

8. At that time, according to the Respondent, he left the office and told the sisters that he could not complete the type of arrangements requested and that he needed "more time." The sisters left the Establishment.

9. The facts and circumstances of this case are very troubling for this Board. In this case, the family came to this particular Establishment with a specific need. Furthermore, this family had a course of dealing with this particular Establishment, having had three family members cared for there. From the family's perspective, the Board understands why they complained to the Board about the Respondent's practice. They thought they were well on the way to finalizing funeral arrangements for their brother per their father's wishes, however after they mentioned that their brother was sick with AIDS, things appeared to change. Indeed, the Respondent was directed by his Funeral Home Manager not to provide the type of funeral care requested for this individual. While the Board is cognizant of the dynamics between managers and their subordinates, the Respondent had a responsibility to his own license and to his own profession to refuse to carry out directives that he knew to be contrary to the words and spirit of the Maryland Morticians and Funeral Directors Act. In the Board's opinion, the Respondent failed to uphold his professional responsibility by not continuing to assist the sisters with their arrangements for their brother and asking for "more time." As such, the Board finds the Respondent's conduct was unprofessional within the meaning of Md. Code Ann., Health Occ. § 7-

316(a)(27).

**CONCLUSIONS OF LAW**

Based on the foregoing findings of fact, the Board concludes that the Respondent violated Md. Code Ann., Health Occ. § 7-316(a)(20) (“Commits an act of unprofessional conduct in the practice of mortuary science”).

**ORDER**

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby:

**ORDERED** that the license of the Respondent to practice mortuary science in the State of Maryland is hereby **REPRIMANDED** and subject to the following terms and conditions:

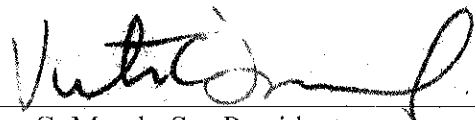
1. **In addition** to the continuing education units required by Section 7-314 of the Health Occupations Article and the Code of Maryland Regulations 10.29.05 *et seq.*, the Respondent shall complete a course, approved by the Board in advance, regarding **ETHICS IN THE PRACTICE OF MORTUARY SCIENCE**. The Respondent’s failure to submit to the Board satisfactory evidence of the completion of the aforementioned course within **SIX (6) MONTHS** from the effective date of this Order shall constitute unprofessional conduct and a violation of this Order.
2. The Respondent shall pay to the Board a monetary fine of **ONE THOUSAND DOLLARS AND ZERO CENTS (\$1000.00)** in full by money order or cashier’s check made payable to the Board and delivered personally or by certified mail to the Board within **ONE (1) YEAR** of the effective date of this Order. Failure to pay this monetary fine in full to the Board within **ONE (1) YEAR** of the effective date of this

Order shall constitute unprofessional conduct and a violation of this Order; and it is further

**ORDERED** that if the Respondent violates any of the terms and conditions of this Consent Order, the Board, in its discretion, after notice and an opportunity for an evidentiary hearing if there is a genuine dispute as to the underlying facts, or an opportunity for a show cause hearing otherwise, may impose any other sanction which the Board may have imposed in this case, including an probation, another reprimand, suspension, revocation and/or monetary penalty; and it is further

**ORDERED** that this document is a **PUBLIC DOCUMENT** under Md. Code Ann., General Provisions § 4-333(b).

5/10/2017  
Date

  
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Victor C. March, Sr., President  
Maryland State Board of Morticians and Funeral Directors

APR 19 2017

CONSENT

By this Consent, I acknowledge that I have read this Consent Order in its entirety and I hereby accept and submit to the foregoing Consent Order and its conditions. I acknowledge the legal authority and jurisdiction of the Board to initiate these proceedings and to issue and enforce this Consent Order. I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to legal counsel authorized to practice law in Maryland, to confront witnesses, to give testimony, to request subpoenas for witnesses, to call witnesses on my own behalf, to introduce testimony and evidence on my own behalf, and to all other substantive and procedural protections provided by law. I waive these rights, as well as any appeal rights under Maryland Code Annotated, State Government Article § 10-222.

I sign this Consent Order after having an opportunity to consult with an attorney, voluntarily and without reservation, and I fully understand and comprehend the language, meaning, terms, and effect of this Consent Order.

  
Steven Rogowski, M01625