

IN THE MATTER OF
SCOTT A. RUDDICK

License Number M00497

Board Case Number 13-109

* 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 Scott A. Ruddick. (the "Respondent") have agreed, in lieu of the Board's filing formal charges, to enter into 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.), specifically H.O. §7-316(a)(26) by acting in an unprofessional manner when he made misleading statements while in the course of providing a sworn statement to the Board's investigator regarding his handling of the purging body of Decedent A, Complainant A's loved one. ¹

In an effort to resolve this matter, the Board invited the Respondent and his attorney to participate in a Pre-Charge Complaint Resolution Conference (CRC) on April 10, 2013. The CRC panel reported the details of the CRC to a full quorum of the Board on May 8, 2013, at which time the Board approved the terms and conditions of this Order.

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 M00497.

2. At all times relevant, the Respondent has operated and is the supervising mortician for the Kirkley Ruddick Funeral Home, Glen Burnie Maryland.

3. When asked to provide an embalming report regarding Deceased A, the Respondent indicated that the firm does not prepare embalming reports when in fact the firm does prepare embalming reports.

4. When, over a period of more than 48 hours, confronted with an odor emanating from the purging remains of Decedent A, the Respondent's employees failed to properly dispose of waste material containing blood borne pathogens. .

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board finds that the Respondent violated H.O. §§7-316(a)(26) by acting in an unprofessional manner.

ORDER

ORDERED that the Respondent's license to practice mortuary science in Maryland shall be **SUSPENDED** for a period of seven (7) consecutive days beginning July 25, 2013 through and including August 1, 2013; and it is further

ORDERED that prior to commencement of suspension, the Respondent shall provide the Board with the name of a Maryland licensed mortician who will function as the supervising mortician for the Kirkley-Ruddick Funeral Home 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 Kirkley- Ruddick Funeral Home, including but not limited to: meeting with families, making arrangements, embalming, participating in viewings, services and interments;

¹ The identities of both Complainant A and Decedent A are maintained among the Board's records.

and it is further

ORDERED that with in thirty days (30) of the effective date ² of this Order the Respondent shall document to the Board that he has made restitution of funeral expenses to Mrs. Cathy West in the amount of three thousand seventeen dollars and fifty cents (\$3017.50); and it is further

ORDERED that within ninety (90) days of the effective date of this Order, the Respondent shall take and document completion of a Board approved OSHA course; and it is further

ORDERED that within ninety (90) days of the effective date of this Order the Respondent shall take and document completion of a Board approved ethics course; 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).

Acceptance Date 12/11/13



Victor C. March, Sr.
President

² The effective date is the date the Order is accepted by the Board.

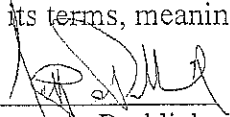
CONSENT

I, Scott A. Ruddick, License Number M00497, 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 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 own 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 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.

12-3-13
Date


Scott A. Ruddick

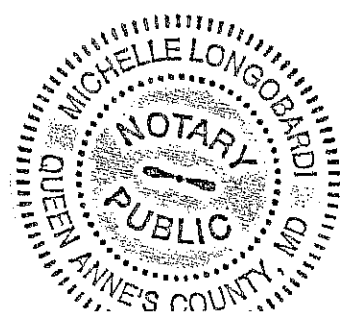
NOTARY

STATE OF MARYLAND

CITY/COUNTY OF Queen Anne's

I HEREBY CERTIFY that on this 3rd day of December, 2013, before me, a Notary Public of the State of Maryland and the City/County aforesaid, personally appeared Scott A. Ruddick, and made oath in due form of law that the foregoing Consent was his voluntary act and deed.

AS WITNESS my hand and notarial seal.



Nicholas J. Longo
Notary Public

My Commission Expires: 8/16/14