

BEFORE THE MORTUARY SCIENCE BOARD OF THE STATE OF IOWA

<p>IN THE MATTER OF</p> <p>JENNIFER SPIEKERMEIER 1201 WILD CAT LANE IOWA CITY, IA 52246</p> <p>RESPONDENT</p>	<p>CASE NO.: 22-0312</p> <p>SETTLEMENT AGREEMENT AND FINAL ORDER</p>
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COMES NOW the Iowa Board of Mortuary Science (“Board”) and Jennifer Spiekermeier (“Respondent”), pursuant to Iowa Code sections 17A.10(2), 272C.3(4), and 645 IAC 12.1, enter into this Settlement Agreement and Final Order.

1. **Iowa License.** Respondent was issued Iowa funeral director license number 94012 on October 21, 2019. Respondent’s Iowa funeral director license expired on May 15, 2023.

2. **Jurisdiction.** The Board has jurisdiction in this matter pursuant to Iowa Code § 156.

A. STIPULATIONS

2. **Practice Setting:** Respondent is an Iowa licensed funeral director who practiced in Bettendorf, Iowa, during the period of time relevant to these allegations.

3. **Statement of Charges:** On March 12, 2024, the Iowa Board of Mortuary Science authorized a Statement of Charges alleging Respondent (a) knowingly misrepresented a material matter to a prospective purchaser of funeral merchandise, furnishings, or services; (b) engaged in unethical conduct in that the Respondent sent photos of decedents to both adults and minors; and (c) engaged in unethical conduct in that the Respondent had a minor accompany her to observe her embalming a body.

4. **Factual Allegations:** Respondent disseminated unauthorized photos and videos of deceased individuals. Respondent had also had unauthorized individuals accompany her during the embalming of a decedent. Respondent further substituted her own fingerprint when a family requested a necklace of a decedent.

B. SETTLEMENT AGREEMENT

5. Respondent acknowledges that the allegations in the Statement of Charges, if proven in a contested case hearing, would constitute grounds for the discipline agreed to in this Order.

6. In order to resolve this matter without proceeding to hearing, Respondent agrees to the following conditions:

a. Respondent surrenders her Iowa funeral director's license.

b. Respondent shall pay a civil penalty in the amount of \$500.00.

7. In accepting this Settlement Agreement, Respondent acknowledges the following:

a. This Settlement Agreement is subject to the approval of the Board and will have no force or effect if it is not accepted by the Board.

b. Counsel for the State will present this Settlement Agreement to the Board *ex parte*.

c. I have the right to be represented by counsel in this matter.

d. I understand I have an opportunity to be heard and to contest the allegations against me in a formal hearing before the Board and that by waiving the formal hearing, I waive my right to challenge the allegations against me and all attendant rights, including the right to seek judicial review of the Board's actions.

e. Respondent does not admit the allegations contained in this agreement but enters into this Order for the sole purpose of resolving this matter to avoid the burden, expense, delay and uncertainties of a contested case hearing.

e. I waive my ability to review the investigative file in this case.

f. I understand this Settlement Agreement will be part of my permanent licensure file and may be considered by the Board in determining the nature and severity of any disciplinary action to be imposed in the event of any future violations.

g. I am voluntarily entering into this Settlement Agreement.

h. Failure to comply with the provisions of this Settlement Agreement shall be grounds for further disciplinary action pursuant to Iowa Code § 272C.3(2)(a).

i. Respondent understands the Board will report this Order to the National Practitioner Databank. The report to the database will reflect the language included in this Order.

k. Respondent further understands and acknowledges upon any future application she will be required to appear before the Board and prove by clear and convincing evidence (1) the circumstances which led to her revocation are no longer present and (2) that it is in the public interest for her license to be reinstated.

8. This Settlement Agreement constitutes discipline against Respondent and is the final agency action in a contested case pursuant to Iowa Code section 17A.10.

9. Failure to comply with the provisions of this Settlement Agreement shall be grounds for further disciplinary action pursuant to Iowa Code section 272C.3(2)(a).

10. This Settlement Agreement shall not preclude the Board from taking additional action against Respondent should Respondent violate laws, rules, or standards of practice administered by the Board in the future.

11. Periods in which Respondent does not practice, practices in another state, or fails to comply with the terms established in this Settlement Agreement shall not apply to the duration of this Settlement Agreement unless Respondent obtains written approval from the Board.
12. This Settlement Agreement and Final Order becomes a public record available for inspection and copying upon execution in accordance with the requirements of Iowa Code Chapters 17A, 22, and 272C.
13. This Settlement Agreement and Final Order is subject to approval of the Board. If the Board fails to approve this agreement it shall be of no force or effect to either party.
14. The Board's approval of this Settlement Agreement shall constitute a **Final Order** of the Board.

C. FINAL ORDER

WHEREFORE, the terms of this Settlement Agreement are agreed to by the Iowa Board of Mortuary Science and the Respondent.

IT IS THEREFORE ORDERED,

- A. The Board accepts the Respondent's surrender of her funeral director's license.
- B. Respondent shall pay a **CIVIL PENALTY** in the amount of \$500.00.

FOR THE RESPONDENT:

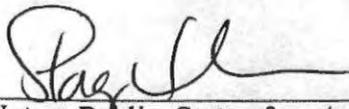
Voluntarily agreed to and accepted by Jennifer Spiekermeier on this 21 day of May, 2024.


By: Jennifer Spiekermeier, Respondent

State of Iowa
County of Scott

Signed and sworn to before me on this 21 day of May, 2024, by:




Notary Public, State of Iowa
Printed Name: Stacey Hankins
My Commission Expires: 2/2/25

FOR THE IOWA BOARD OF MORTUARY SCIENCE:

Voluntarily agreed to and accepted by the **IOWA BOARD OF MORTUARY SCIENCE**
on this 6 day of June, 2024.


Chair
Iowa Board of Mortuary Science

Copy to:

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