



December 1, 2014

QUARTERLY NEWSLETTER

Examination

The Alabama Board of Funeral Service has certified the following individuals with The Conference as having met the qualification to take the Alabama State Law Exam and the Alabama Funeral Director and/or Embalmer Exam:

April D. Chamblee	November E. Wren	Whitley P. Windham	Edith D. Gann
Cletis W. Turner	Joey P. Norris	Thaddeus J.Z. Douglas	Oddisius J. Curry
Sherri C. Fosbee	Jacquetta L. Jones	Austin M. Hillman	Teresa M. Schnur
Amy Sherer	Carlos Black	Cleophus M. King	

Once an individual has taken the exam and met all the requirements for licensure, they will appear before the Board for an interview and final approval for licensure.

The Conference

As stated in previous notices, the Alabama State Law, Funeral Director and Embalmer's exams will be given by The Conference through Pearson VUE testing centers at five locations statewide. The exam fees and applications are to be submitted by the applicant to The Conference. The state license fees, applications, and affidavits shall be submitted to the Board office.

The Conference: www.theconferenceonline.org

Phone: 479-442-7076

Pearson VUE:	Birmingham	Decatur	Dothan	Mobile	Montgomery
	205-982-2063	256-552-0667	334-671-7007	251-343-2601	334-271-8995

Board Meeting

The Board will hold its second regular meeting of fiscal year 2015 on **January 5, 2015 at 9:00 a.m.** in Room 106 of the Alabama State House. Matters or subjects not on the agenda are not guaranteed for discussion at the meeting. **Licensees who attend the quarterly board meeting will receive hour for hour CE Credits for attending.**

Interview

The following individuals will come before the Board on January 5, 2015 to interview for final approval for licensure:

Joel D. Davis	Desi M. Corley	Jacquetta L. Jones	Jeremy T. Scruggs
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Online Renewal

ONLINE RENEWAL is available for individual licensees and establishments by going to the Homepage of the Alabama Board of Funeral Service website and click on the “ONLINE RENEWAL” button. If customer support is needed in setting up a password/username, please contact Customer Support at 866.353.3468 or support@alabamainteractive.org. A valid credit card will be needed to complete the online renewal. There will be a 4% administration fee added to each license that is renewed using the online system. **The 4% fee is paid directly to Alabama Interactive (The company that handles all e-transactions for the State of Alabama). The 4% administration fee ONLY applies to online renewals.**

REMINDER

Anyone who has not renewed their funeral establishment, funeral director, embalmer or practical embalmer license, may still do so with a \$50.00 late penalty until March 31, 2015. If you fail to submit your paperwork and fee, including late penalty, for renewal by the March 31st deadline, the license(s) will be considered lapsed. At which time the establishment (s) or individual must cease operations and or practice. Any paperwork and fees received after the March 31st deadline must go before the Board for reactivation approval.



At its last meeting, the Board approved the following for licensure:

Funeral Director:

Kenna Marie Donnelly
Kamilah C. Johnson
Gary Edward Connick
Matt Andrew Mauldin
Terrence Edward Windham
Catherine Lynn Andrews
Gina Renee Jacquot
Jennifer Dyan Wilson
James Marion Martin, Jr.
William M. Roach

Funeral Director & Embalmer:

Whitney LeAnn Waddell

Establishment:

Mobile Memorial Gardens – Buyout by Legacy Funeral Holdings of Alabama, LLC

“Show me the manner in which a nation cares for its dead and I will measure with mathematical exactness the tender mercies of its people, their respect for the laws of the land and their loyalty to high ideals.”
- Sir William Gladstone

Violations

Case No.	Charge	Penalty
ABFS14-039	Failure to provide reasonable access to the establishment. § 34-13-56(a)(2)(s)(iv)	Fined \$2,500.00 and 3 years probation

Administrative Hearings

Administrative Hearing:	ABFS14-038 Dana W. George	
Charges	Violation	Penalty
Failure to comply with Final Order.	§ 34-13-56(a)(2)(t)	Fined \$2,500.00
Administrative Hearing:	ABFS14-040 Arthur L. Sumbry, Jr. & Sumbry Memorial Funeral Home	
Performed services for unlicensed establishment. Misrepresentation. Operating without a valid license. Performed services for unlicensed establishment. Misrepresentation. Unable to produce wallet license. Failed to produce relevant papers and documents to the Board upon request.	§ 34-13-56(a)(2)(p) § 34-13-56(a)(2)(a) § 34-13-111(a) § 34-13-116 § 34-13-56(a)(2)(p) § 34-13-56(a)(2)(a) § 34-13-52(d)(1), (2) § 34-13-56(a)(2)(u)	Fined \$29,000.00 and 3 years probation for personal license. Establishment will be placed of 3 years probation if the establishment reopens.

Independent Contractors

The Board has independent contractors in place to at any given time conduct inspections of the office, premises, establishment, or place of business of any funeral service licensee in the State of Alabama or any office, premises, establishment, or place where the practice of funeral service is carried on, or where the practice is advertised as being carried on. These individuals will also aid the Board in investigating complaints received by the Board.

CONTINUING EDUCATION

Funeral Directors/Embalmers are required to complete 8-hours bi-annually. Licensees who hold more than one license issued by the Board may use the same continuing education hours for renewal of both licenses without having to earn separate continuing education hours for each license renewal. **The first reporting period is October 1, 2014 - September 30, 2016 and bi-annually thereafter.** At the end of each bi-annual reporting period and during that renewal period, licensees may be selected through a random audit for compliance with the continuing education requirements.

All courses and providers must be Board approved.

Excess credit hours earned in one bi-annually reporting period will not be carried forward to the next reporting period.

Alabama requires a certificate of completion and licensees must retain certificates a minimum of 3 years for state auditing purposes.

Licensees who are 65 years of age or older and have held a license for 10 years prior to the end of the reporting period are exempt from CE requirements.

Organizations that seek to become CE providers or individuals that seek to become an instructor should visit the Alabama Board of Funeral Service website at www.fsb.alabama.gov and click on "Continuing Ed" to print the guidelines and applications or you may contact the Board office at 334-242-4049.

As a result of the statutory changes the administrative code was amended in July 2014 to agree with the statutory changes and to outline the procedures for complying with continuing educations.

Please check the following page for a list of approved continuing education providers, as of October 2, 2014. This list will be updated on the Board's website as new providers are added.

Licensees please do not send Certificate of Completions to the Board's office. Certificates should be kept in your records for three years. If a licensee is selected in the random audit, they will be asked at that time to send a copy of their certificates to prove they have completed the required 8 hours.

The Alabama Board of Funeral Services will offer continuing education credit to licensees that attend quarterly board meetings.

Approved Continuing Education Providers 2014-2015

Academy of Graduate Embalmers

770.445.3180 Fax: 770.445.3893

www.ageg.org

Alabama Board of Funeral Service

334.242.4049 Fax: 334.353.7988

www.fsb.alabama.gov

Alabama Funeral Directors & Morticians Association, Inc.

www.alabamafdma.org

Aurora Casket Company, Inc.

800.457.1111

www.auroracasket.com

CANA-Cremation Association of North America

312.245.1077 Fax: 312.321.4098

www.cremationassociation.org

Funeral CE (a service of Web CE)

877.332.8480 Fax: 214.570.0213

www.funeralce.com

FuneralDirectorCEUs.com

250.744.3595

Gupton Jones College of Funeral Service

800.848.5352 Fax: 770.593.1891

www.gupton-jones.edu

Matthews Cremation

800.327.2831 Fax: 407.886.5990

www.matthewscremation.com

National Funeral Directors Association

800.228.6332 Fax: 262.789.6977

www.nfda.org

Pierce Mortuary Colleges

888.547.9600 Fax: 214.467.3940

www.pierce.edu

Smalls Mortuary Inc. and Cremation Service

251.990.3929 Fax: 251.990.3729

smallsmortuary.com

The Dodge Company, Inc.

800.443.6343 Fax: 800.443.4034

seminars@dodgeco.com

Academy of Professional Funeral Service Practice, Inc.

866.431.2377 Fax: 770.646.9490

www.apfsp.org

Alabama Funeral Directors Association

334.956.8000 Fax: 334.956.8001

www.alabamafda.org

Apex (continuing education solutions)

800.769.8996 Fax: 888.902.8184

Apexces.com

Batesville Casket Company

812.934.7500 Fax: 812.934.1538

www.batesville.com

Elite CME, Inc.

888.857.6920

FuneralContinuingEducation.com

718.608.6000 Fax: 917.791.8975

Funeralcontinuingeducation.com

FuneralReview.com LLC

www.funeralreview.com

Jefferson State Community College

205.856.7847 Fax: 205.856.7804

Mobile Memorial Gardens Funeral Home

251.661.7700 Fax: 251.661.7743

National Funeral Directors and Morticians Association

800.434.0958 Fax: 404.286.6573

www.nfdama.com

Practicum Strategies

800.731.4714 Fax: 800.591.6391

pshomestudy.com

Thanos Institute

800.742.8257

www.thanosinstitute.com

The University of Alabama

205.348.9966 Fax: 205.348.9276

*** Licensees should CONTACT THE PROVIDER FOR DETAILS ON APPROVED COURSES***

No endorsement is intended or made of any link, product, service or information either by its inclusion or exclusion from the Alabama Board of Funeral Service website. **Please Note:** Most courses that are APFSP approved do not need a separate Board approval.

It's Inspection Time - Answers Before the Test!

**** The requirements for an establishment has not change, but how the Board handles violation of the requirements has. Please review and understand that it is at the discretion of the inspector wheather or not to charge the fine for minor violations.****

395-X-6-.09 Inspection Penalties “NEW RULE”

(a). Any violation under this section is a violation of minimum standards and a threat to the health, safety, and welfare of the public. A funeral establishment or mortuary service licensed by the board shall pay a fine to the board for each violation of this section. If the inspector or a representative of the board finds a violation during an inspection, he or she may immediately issue a citation listing each violation. After a citation has been issued, the licensee shall either pay the amount of the fine to the board or submit a written request for an administrative hearing before the board. A request for an administrative hearing before the board shall be received by the board not later than 30 calendar days after the day the citation is issued. Failure to either pay the fine or timely request an administrative hearing before the board shall cause additional disciplinary action to be taken against the licensee. The requirements for inspections and the fines for violations under this section are as follows:

Minimum Standards	Fine for Violating
1. Licenses	
a. A license issued under this chapter shall be current and on public display in an area not restricted from the public travel.	\$200.00
b. Each license issued under this chapter shall be displayed in the place of business or employment of the licensee.	\$100.00
2. Selection Room	
a. Each funeral establishment shall have a clean and neatly arranged selection or display room containing a stock of adult caskets and funeral supplies displayed in full size, cuts, photographs, or electronic images of caskets for persons to view available funeral merchandise or supplies.	\$200.00
b. At no time shall less than eight different adult full-size caskets be on the premises of the funeral establishment.	\$300.00 per casket below the minimum
c. Each funeral establishment shall have a card or brochure in each full-size and cut casket and on each photograph and electronic image of a casket stating the unit price of that casket.	\$100.00 per casket without a card or brochure
3. Rest Room	
a. Each funeral establishment shall have at least one public rest room. Each rest room shall have a nonporous floor, clean walls, and shall be equipped with hot and cold running water, roll or disposable towels or an electronic hand dryer, and necessary lighting for adequate visibility.	\$100.00
b. No public rest room shall be used as a storage area for mops, brooms, or any other such items.	\$100.00

4. Preparation Room / Branch Location	
i. One approved embalming table	\$200.00
ii. Correctly operating embalming equipment	\$200.00
iii. A selection of all professional equipment necessary for embalming.	\$200.00
iv. Nonporous floors and walls.	\$200.00
v. Hot and cold running water.	\$100.00
vi. A working ventilation fan.	\$200.00
vii. A suitable container for waste disposal.	\$100.00
viii. A suitable container for soiled linen or clothing	\$100.00
ix. Proper drainage.	\$200.00
x. Embalming room and its contents are kept clean of blood when not in use.	\$200.00
xi. At no time shall the preparation room be used as a storage area.	\$100.00
xii. Aspirator, trocar, nasal tube aspirator, aspirating hoses.	\$200.00
5. Embalming Record	
a. Each funeral establishment in the state shall keep a current record of each human dead body embalmed at the establishment and shall retain such record for a period of not less than four years. The record may be in simple log form and shall contain the name of the deceased, the date of embalming, the time the embalming procedure began and ended, and the signature of the embalmer.	\$200.00
6. Identification of Dead Human Bodies	
a. Each funeral establishment shall comply with Section 22-19-5 by affixing a permanent ankle bracelet to each dead human body in the possession or custody of the funeral establishment.	\$100.00 per body not identified
7. General Interior	
a. There are no rotten or deteriorated floor boards or flooring which is subject to public travel.	\$100.00
b. All outside openings are screened, covered, or otherwise sealed to prevent the entrance of insects or rodents.	\$100.00
c. Any openings between the preparation room and public areas are sealed to prevent fumes from escaping into those public areas.	\$100.00

d. All public areas are well maintained with a clean and attractive appearance including the repair and proper maintenance of all walls, ceilings, and floors and the absence of holes, scaling paint, or any other deterioration.	\$200.00
8. General Exterior	
a. The premises are free of litter and debris.	\$200.00
b. All areas subject to public travel are free of objects or other matter which could cause possible injury.	\$200.00
c. All roofing or overhead coverings are well maintained to prevent any leaks to the interior of the funeral establishment.	\$200.00
9. Hearse or Funeral Coach	
a. One operating and properly licensed funeral coach or hearse, equipped for transporting human remains in a casket or urn, on the premises.	\$300.00
b. Mortuary Service must have at least one operating and properly licensed motor vehicle, equipped for transporting human remains in a casket or urn.	\$300.00
10. Access	
a. Each funeral establishment shall allow reasonable access to the board, or an authorized agent or representative of the board, for inspecting the facilities of the funeral establishment.	\$400.00

(b). If the board finds a licensee guilty of any violation of Chapter 13, Title 34, Code of Alabama 1975 or Chapter 395 of the administrative code, including but not limited to, any violation of subsection (a) and the infractions therein, the board may refuse to grant, refuse to renew, or suspend or revoke a license, after proper hearing and notice to the licensee, upon the licensee being found guilty of any violation of this chapter. The board may levy and collect administrative fines for any violation of this chapter, or the rules or regulations of the board, in an amount not less than five hundred dollars (\$500) nor more than two thousand five hundred dollars (\$2,500) for each violation of this chapter for which the licensee has been found guilty. Repeat violators will be subject to further disciplinary action by the Board in accordance with the Code of Alabama, 1975, Title 34 Chapter 13.

BOARD OF DIRECTORS

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We're on the Web!

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www.fsb.alabama.gov

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Merry
Christmas