



# **Alabama Board of Funeral Service**

## **Meeting Minutes**

April 3, 2017

### **Prior Notice**

Prior notice of the Board meeting was given through the January newsletter that was distributed to licensees on December 1, 2017 and was posted on the Secretary of State website in January 2016.

### **Attendance**

The following members were present: Mark Craddock, Lorenzo Wright, Sammy Seroyer, Calvin Meadows, Bart Kirtland, John C. Rudder, and Jason Wyatt. Staff present; Charles M. Perine, Executive Secretary, and E. Denise Grogan, Associate Executive Secretary, recording. Also, present general counsel for the Board T. Cameron McEwen.

The following members were absent: None

### **Call to Order**

Having a quorum, Mr. Craddock called to order the third quarterly meeting of fiscal year 2017 of the Alabama Board of Funeral Service at 9:00 a.m. on April 3, 2017 in Room 304 of the State House, 11 South Union Street, Montgomery, Alabama.

### **Approval of Minutes**

Mr. Rudder moved to approve the minutes of the January 9, 2017, Board meeting, seconded by Mr. Wright. Being no discussion the motion passed unanimously.

### **Old Business**

#### **Timothy Ellison**

Mr. Perine informed the Board that Timothy Ellison whose request for reactivation of his funeral director and embalmer licensees had been tabled during the January meeting had passed the state law exam and having met all the requirements for license his license was reactivated.

#### **John Grubbs**

Mr. Perine stated that John Grubbs requested during the January Board meeting that the Board accept his score of 70 on the state funeral director exam. The Board heard Mr. Grubbs request



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and tabled the matter during that meeting. Mr. Grubbs requested a public hearing concerning the scores on his funeral director exam. Mr. Perine stated the hearing would be scheduled for May 8, 2017 with an Administrative Law judge only due to the fact that Board members had prior knowledge of the case.

### **HB212**

Mr. Perine stated the current legislation for the funeral service profession was HB212. This bill as stated by Mr. Perine was mainly comprised of technical cleanup and strengthening the cremation standards for Alabama. HB212 had been favorably passed out the of the House Committee, and was waiting for passage in the House before moving to the Senate.

### **New Business**

#### **Approval of Licenses:**

##### **1) Applicants having met all qualifications for licensure:**

Having passed the state law exam, and having met the passing criteria of the International Conference under the new testing format, Mr. Perine stated that the following individuals had met the qualifications for licensure in the State of Alabama in accordance with Title 34 Chapter 13 of the *Code of Alabama, 1975* and Administrative Code 395 and asked the Board to consider for approval the funeral director and/or embalmer licenses for; Jackie D. Sampson, Caleb A. Roberts, Rickney B. Hunter, Canaan E. Elkins, Evan B. Kenmar, Joseph A. Gibbs, Anna M. Bell, Kyle A. Burgess, William Gibbs, Summer M. Pierce, Thomas A. Keith, Jr., Elijah E. Bell, Cameron S. Patterson, Katherine A. Statler, William A. Moore, Jr., April D. Chamblee The motion was made by Mr. Kirtland and seconded by Mr. Wright. The motion passed unanimously.

##### **2) Establishment Applications:**

Mr. Perine asked the Board to consider the following establishments for licensure: W. E Lusain Funeral Home, Birmingham, Grey-Bushelon Funeral Services, Birmingham, (Buy Out). Mr. Meadows moved to approve the license request of the fore stated funeral homes seconded by Mr. Wright. The motion passed unanimously.



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### Executive Secretary Financial Report

Mr. Perine reported the following to the Board for the 2<sup>nd</sup> quarter of fiscal year 2017: March 31-April 2, 2017.

Total Budget: \$559,708.66

Revenue: \$28,690.00

Expenses: \$111,085.90

Cash on Hand: \$1,261,482.38

Licensed Establishments: 461 active

Licensed Funeral Directors: 1540 active

Licensed Embalmers: 819 active

Licensed Practical Embalmers: 61 active

Apprentice Funeral Directors: 239 active

Apprentice Embalmers: 158 active

Special Work Permit Funeral Director: 1

Special Work Permit Embalmer: 1

Mr. Perine informed the Board as of March 31, 2017 all licenses that had not been renewed were now in a lapsed status.

Licensed Establishments: 0 lapsed

Licensed Funeral Directors: 102 lapsed

Licensed Embalmers: 55 lapsed

Licensed Practical Embalmers: 4 lapsed

Apprentice Funeral Directors: 179 lapsed

Apprentice Embalmers: 107 lapsed

Mr. Perine stated in order for a lapsed license to be reinstated, licensees would have to complete the application for reactivation of permanent license, meet the current requirements of the law for original license and be approved by the Board. Following discussion Mr. Rudder made a motion to accept the financial report as presented by Mr. Perine, seconded by Mr. Wyatt. The motion passed unanimously.



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### 2017 Annual meeting of the International Conference of Funeral Examining Boards

Mr. Meadows and Mr. Rudder spoke about their participation in the 113<sup>th</sup> Annual Conference. Mr. Meadows stated the conference was educational and very informative. Mr. Rudder recounted the presentation on a new form of disposition called ecoLation which was developed by ecoLegacy.

Mr. Meadows stated that it was recommended during Board Member training that Board members should have state email address instead of using their personal email for Board business. Mr. Perine stated he contacted ISD and was told that because Board members are not state employees, their personal email addresses could not be subpoenaed or reviewed. If Board members had state email addresses, those emails could be reviewed.

### Consent Agreements

Mr. Perine informed the Board of the following consent agreements that were entered into between January 1, 2017 and March 31, 2017.

Case Number	Penalty
ABFS16-036	Fined \$500.00
ABFS16-044	Fined \$5,000.00 Managing Funeral Director on probation for 2 years. Establishment on probation for 2 years.
ABFS17-003	Fined \$2,225.00
ABFS17-0013	Fined \$3,000.00 Managing Funeral Director on probation for 1 year Establishment on probation for 1 year
ABFS17-0016	Fined \$1,825.00 Managing Funeral Director on probation for 2 years Establishment on probation for 2 years

Mr. Wright made a motion, seconded by Mr. Meadows to accept the consent agreements as entered. The motion passed unanimously.



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### Continuing Education

Mrs. Grogan requested approval of the following providers/sponsors seeking re-approval for the 1618 reporting period.

Provider
National Funeral Director and Morticians Association
Funeral Compliance, LLC

Mr. Rudder made a motion, seconded by Mr. Meadows to approve the providers/sponsors seeking re-approval for the 1618 reporting period. The motion pass unanimously.

Mrs. Grogan requested approval of the following providers/sponsors seeking approval for the 1618 reporting period.

Provider
Memoriams, by Ancestry
Federated Insurance Company
Federated Funeral Directors Association
Alabama National Cemetery

Mr. Meadows made a motion, seconded by Mr. Wright to approve the providers/sponsors seeking approval for the 1618 reporting period. The motion pass unanimously.

Mrs. Grogan presented the Board with a list of 60 courses and requested approval of the courses totaling 141.25 hours of instructional time available to licensees.

Mr. Meadows made a motion, seconded by Mr. Wyatt to approve the continuing education courses that were presented, the motion passed unanimously.

### Executive Session

Mr. Meadows made a motion seconded by Mr. Rudder to go into Executive Session for 60 minutes to discuss the good name and character of potential licensees.

Yes votes: Mr. Craddock, Mr. Wright, Mr. Seroyer, Mr. Kirtland, Mr. Rudder, Mr. Meadows, Mr. Wyatt.

Nay votes: None

Abstain: None

The motion passed unanimously.



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The Board members moved to an adjoining conference room at 9:35 a.m. to allow the Board to discuss the good name and character of potential licensees. The audience was informed that the regular business meeting would resume after the executive session. After all parties were called back into the room, Mr. Craddock called the Board meeting back to order at 10:20 a.m.

Mr. Meadows made a motion to approve the renewal of the permanent funeral director and embalmer license of Clayton Wellman with a probation of 3 years, seconded by Mr. Wright.

Yes votes: Mr. Wright, Mr. Seroyer, Mr. Meadows, Mr. Wyatt.

Nay votes: Mr. Craddock, Mr. Kirtland, Mr. Rudder

Abstain: None

The motion passed.

### **Other Business**

#### **Bobby Don Rogers**

Mr. Wright made a motion to table the review of licensee Bobby Don Rogers until the July meeting, seconded by Mr. Kirtland.

Yes votes: Mr. Craddock, Mr. Wright, Mr. Seroyer, Mr. Kirtland, Mr. Rudder, Mr. Meadows, Mr. Wyatt.

Nay votes: None

Abstain: None

The motion passed unanimously.

### **Statement of Economic Interest**

Mr. Perine informed the Board members that their Statement of Economic Interests were due by April 30, 2017. This could be completed by visiting:

<https://ethics-form.alabama.gov/default.aspx>

### **Proposed Meeting**

Mr. Perine requested that the Board approve the proposed date of May 8, 2017 at 9:00 a.m. for pending Administrative hearings. Mr. Meadows made a motion seconded by Mr. Kirtland to accept the May 8, 2017 date. The motion passed unanimously.



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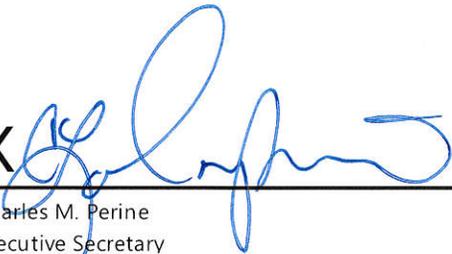
### Adjournment

Being no other business, and no questions from the audience, Mr. Craddock asked for a motion to adjourn and reconvene at 9:00 a.m. on May 8, 2017, Mr. Meadows moved to adjourn the meeting at 10:30 a.m. seconded by Mr. Kirtland. The motion passed unanimously.

Minutes submitted by: E. Denise Grogan

X 

Mark Craddock  
Chair

X 

Charles M. Perine  
Executive Secretary