



# Alabama Board of Funeral Service

## Meeting Minutes

April 8, 2019

Revised/Amended and Adopt 01/06/2020

### Prior Notice

Prior notice of the Board meeting was given through the December newsletter that was distributed to licensees on March 15, 2019 and was posted on the Secretary of State website in January 2019.

### Oath of Office

Mr. Perine welcomed all in attendance to the third quarterly meeting of fiscal year 2019 of the Alabama Board of Funeral Service at 9:00 a.m. on April 8, 2019 in Room 304 of the State House, 11 South Union Street, Montgomery, Alabama.

Mr. Perine informed the Board that the Lieutenant Governor Ainsworth, appointed Mr. Ed. Hines to serve as the Board's first appointed consumer member, and Speaker of the House of Representatives McCutcheon, appointed Mr. Bobby Burt as the second consumer member. Mr. Perine informed the Board that Mr. Burt was not present because of a previous engagement that could not be altered. Mr. Perine being a notary public, administered the oath of office to Mr. Hines.

### Call to Order

### Attendance

Mr. Craddock, Chair, asked Mrs. Grogan for a roll call to establish a quorum. The following members were present: Mark N. Craddock, ~~Lorenzo Wright~~, Calvin Meadows, Bart Kirtland, Lance Brooks, Annie Bushelon-Holt, and Ed Hines. Staff present; Charles M. Perine, Executive Director, and E. Denise Grogan, Associate Executive Director, recording. Also, present general counsel for the Board T. Cameron McEwen.

The following members were absent: John C. Rudder, Bobby Burt, Lorenzo Wright

### Approval of Minutes

Mr. Meadows moved to approve the minutes of the January 7<sup>th</sup> and February 7<sup>th</sup>, Board meetings, seconded by Mr. Kirtland. Being no discussion, the motion passed unanimously.

### Old Business

Mr. Perine reminded that Board of their decision to table the request to waive the apprentice requirements and allow Mary Woods to sit for the funeral director exam until the owner of Memorial Funeral Home was determined by the appropriate officials. Mr. Perine informed the Board that notification had been received stating Mary Woods was the owner of Memorial Funeral Home and requested that the apprentice requirements be waived and that she be allowed to sit for the funeral

director exam. The motion was made by Ms. Bushelon-Holt, seconded by Mr. Meadows. Being no discussion, the motion passed unanimously.

### **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 requested to dispense with the reading of each applicant's name and that the individuals listed be considered for approval based on having 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 be approved for a funeral director, and/or embalmer, and/or cremationist license. Applicants for licensure: Courtney Medicus, Rodney Brown, Shannon Ginn, Larry Moore II, Phil Mills, Jr., Charles Dove, Corey Nelson, Toni Byrd, Robert Byrd, John Milstead, Madison Brown, Victoria Allen, Kimberly Anderson, LaShirley Hunter, Edward Benefield, Matthew Kinsey, Billy Boland, John Corbett, Alicia Taylor, Brad Linville, Chaterika Martin, Sherry Linville, Ronald Shirley, Courtney Long, Christian Jensen, Jr., Joseph Bonner-Bey, Clarence West, and Kenneth Arthur.

The motion was made by Mr. Meadows and seconded by Ms. Bushelon-Holt. The motion passed unanimously.

##### **2) Permanent Funeral Director and Embalmer License Reinstatement:**

Having met the current requirements of the law for original issue, paid all back fees and penalties, Mr. Perine asked the Board to consider Tiffany Pettis for reinstatement of permanent license as a funeral director and embalmer. Mr. Meadows moved to approve the reinstatement of permanent funeral director license, seconded by Mr. Kirtland. The motion passed unanimously.

##### **3) Establishment Applications:**

Mr. Perine asked the Board to consider the following establishments for licensure: Memorial Funeral Home (Prichard); Dillard Funeral Home (Brundidge)(Buy Out); and Dillard Funeral Home (Troy)(Buy Out). Mr. Meadows moved to approve the license request of the fore stated funeral homes seconded by Mr. Kirtland. The motion passed unanimously.

### **Executive Secretary Financial Report**

Mr. Perine reported the following to the Board for the 2nd quarter of fiscal year 2019 as of April 1, 2019.

Total Budget: \$587,534.00

Revenue: \$37,933.58

Expenses: \$114,262.26

Cash on Hand: \$1,807,866.66



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### Active License Count:

Apprentice Funeral Directors: 203      Apprentice Embalmers: 134  
Funeral Directors: 1490      Embalmers: 820      Licensed Cremationists: 178  
Practical Embalmers: 52      Special Work Permit Funeral Director: 0  
Special Work Permit Embalmer: 0      Mortuary Service: 2      Establishments: 467  
Continuing Education Providers: 37  
Total Active License: 3383

Mr. Meadows made a motion to accept the financial report as presented by Mr. Perine, seconded by Mr. Kirtland. The motion passed unanimously.

### 115<sup>th</sup> Annual Meeting of the International Conference of Funeral Service Examining Board

Mr. Perine presented the Board with the actual expense of \$1,430.07 for the ICFSE conference which included travel and conference expenses of Mrs. Grogan. Mr. Perine informed the Board that \$8,000.00 had been budgeted and \$1,617.00 was been requested. As a Board member of the Conference, Mr. Perine's expenses were paid by the Conference. Mr. Perine informed all present that during the conference a presentation was given by the Federal Trade Commission. During this presentation the Federal Trade Commission stated a review of the Funeral Rule was on the horizon and the FTC would be soliciting comments from the industry in the coming months. Mr. Perine encouraged all licensees to be part of the discussion.

### FBI Audit

Mr. Perine informed the Board that an FBI audit was conducted concerning the federal requirements for agencies that collect background check information. Mr. Perine stated the audit showed no findings, however the FBI did provide Mr. Perine with a recommendation, stating to be in accordance with Code of Alabama 34-13-70(c), 34-13-91(b), 34-13-120.0 applications for licenses or certifications must satisfy all requirements including a background check. Mr. Perine was also informed that a background check could not be used for multiple applications unless there is an application for multiple license at the same time. Following discussion, Cameron McEwen, Legal counsel requested time to review the law prior to giving an opinion. Mr. Craddock stated the matter would be moved to the end of the agenda.

### Licensing Software

Mr. Perine reminded the Board of their request in October concerning option for a new company to develop and host the Board's licensing system due to the unexpected charges coming from the current hosting company. Mr. Perine informed the Board that he had requested proposals from four companies

and had received two proposals. After reviewing the proposals, demonstrations of the software, and with the information below, Mr. Perine recommended that the Board change hosting companies from IGOV solutions to InLumon at the end of the current IGOV contract.

Mr. Meadows made a motion to accept the recommendation as presented by Mr. Perine, seconded by Mr. Hines. The motion passed unanimously.

### **Legislative Update**

Mr. Perine stated the Board had no pending legislation, but a table was included in the Board members packet indicating bills that had been introduced that may have some effect on the operation of the Board. The bills were listed for informational purposes only.

### **Public Information**

Mr. Perine requested a clarification from the Board regarding what information should be released on the Board's website and in the newsletter regarding consent agreements. Following discussion, the Board determined consent agreement names should not be released in the newsletter or on the Board's website. Any individual seeking this information from the Board will have to follow the Alabama open records request policy.

### **Establishment Ownership**

Mr. Perine stated that during renewals establishment must list whether the establishment is an LLC, Corporation, Partnership or Sole Proprietor. Mr. Perine asked the Board if additional documentation from the Secretary of State providing verification of this information should be required? Following discussion, the office had discretion to request additional information.

### **FBI Audit**

Following a review of the law, the Board in agreement with Mr. McEwen and the FBI recommendation, agreed that each new application for license or certification shall complete a separate background check.

### **Continuing Education**

Mrs. Grogan presented the Board with 2 providers requesting approval for the 2018-2020 reporting period: Funeral Directors Life Insurance Company, and Dr. Jason Troyer, PhD.

Mrs. Grogan presented the Board with a list of 52 courses requesting approval, totaling 110.75 hours of instructional time available to licensees. Pursuant to Alabama Funeral Service Administrative Code 395-X-1-.04, Mr. Perine Gave interim approval to 5 courses.



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Mr. Craddock stated that the point of contact from an approved continuing education provider had made many comments that could be considered slanderous against Mr. Perine and Mrs. Grogan. Mr. Craddock stated that this person's comments were totally unfounded and inappropriate. Mr. Craddock recommended that the Board and its staff sever ties with this individual, and request that the provider select a new point of contact to work with the Board. Mr. Craddock stated this action was in no way a reflection on the continuing education provider and would not affect the Board's working relationship with the provider. Mr. Craddock stated the Board's staff should not have to defend themselves against unfounded and inappropriate attacks.

Ms. Bushelon-Holt mad a motion, seconded by Mr. Brooks to sever ties with Sally Belanger. The motion passed unanimously.

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

### Statement of Economic Interest

Mr. Perine requested that all Board members complete the 2019 Statement of Economic Interest located on the Secretary of States website by April 30, 2019. Mr. Perine informed all Board members that their participation was required by the State of Alabama and would be reported to the Sunset Committee.

### Adjournment

Being no other business, Mr. Craddock asked for a motion to adjourn and reconvene at 9:00 a.m. on July 8, 2019, Mr. Meadows moved to adjourn the meeting at 10:30 a.m., seconded by Mr. Brooks. The motion passed unanimously.

Minutes submitted by: E. Denise Grogan

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Mark N. Craddock  
Chair  
4/6/2020

X   
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Charles M. Perine  
Executive Director  
4/6/2020