



Alabama Board of Funeral Service

Meeting Minutes

July 8, 2019

Prior Notice

Prior notice of the Board meeting was given through the Quarterly newsletter that was distributed to licensees on June 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 fourth quarterly meeting of fiscal year 2019 of the Alabama Board of Funeral Service at 9:00 a.m. on July 8, 2019 in Room 304 of the State House, 11 South Union Street, Montgomery, Alabama.

Mr. Perine reminded the Board that 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. Burt was not present during the April board meeting when the oath of office was administered to Mr. Hines. Mr. Perine being a notary public, administered the oath of office to Mr. Hines who was in attendance.

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, Annie Bushelon-Holt, Ed Hines and Bobby Burt. 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: Lance Brooks

Approval of Minutes

Mr. Meadows moved to approve the minutes of the April 8, 2019, Board meetings, seconded by Mr. Wright. Being no discussion, the motion passed unanimously.

Old Business

Legislative Update

Mr. Perine reminded that Board of the bills that were presented before the legislature during this last regular session that may impact regulatory boards. Mr. Perine informed the Board that the only bills to pass were SB136 and SB204. Mr. Perine stated SB136 prohibited an occupational licensing board or

commission from automatically denying a certificate or license to an individual hold a valid Order of Limited Relief. SB204 states that an agency must prepare a business impact analysis for a new certified rule when notified by a business that they would be negatively impacted by the rule.

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: Dennis Hyland, Serigo Cavazos, Renee' Rodgers, Courtney M. Sandlin, Anthony R. Kelsey, Claudia E. Carter, Halley Proctor, and Eric G. Hernandez.

The motion was made by Mr. Meadows and seconded by Mr. Kirtland. The motion passed unanimously.

2) Apprentice Funeral Director with Previous Time Credited:

Mr. Perine asked the Board to consider for approval the re-registration of apprentice funeral director application with previous time served as an apprentice credited to the current registrations for: Jack Whitworth, Jr., Mr. Rudder moved to approve the re-registration of the apprentice funeral director application with previous time served credited to the current registration, seconded by Mr. Meadows. The motion passed unanimously.

3) Permanent Funeral Director 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 Ronald Whitacre for reinstatement of permanent license as a funeral director. Mr. Wright moved to approve the reinstatement of permanent funeral director license, seconded by Mr. Kirtland. The motion passed unanimously.

4) Establishment Applications:

Mr. Perine asked the Board to consider the following establishments for licensure: Glover Funeral Home (Eufaula)(Buy Out), Glover Funeral Home (Clayton)(Buy Out), Peace Mortuary and Funeral Services (Montgomery), House of Solace Funeral Service (Gadsden). Mr. Wright moved to approve the license request of the fore stated funeral homes seconded by Mr. Meadows. The motion passed unanimously.

Executive Secretary Financial Report

Mr. Perine reported the following to the Board for the 3rd quarter of fiscal year 2019 as of July 1, 2019.



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Total Budget: \$587,534.00
 Revenue: \$24,098.00
 Expenses: \$126,743.09
 Cash on Hand: \$1,705,221.57

Active Apprentice Funeral Directors: 215
 Active Apprentice Embalmers: 143
 Active Licensed Funeral Directors: 1496
 Active Licensed Embalmers: 823
 Active Licensed Cremationists: 180
 Active Licensed Practical Embalmers: 50
 Active Special Work Permit Funeral Director: 1
 Special Work Permit Embalmer: 0
 Active Licensed Mortuary Service: 2
 Active Licensed Establishments: 465
 Active Continuing Education Providers: 40
 Total Active License: 3415

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

Consent Agreements (April 1, 2019-July 5, 2019)

Case Number	Penalty
ABFS19-0007	Funeral Establishment: Fined \$2500.00 Managing Funeral Director: License suspended 60 days – stayed for 2 years
ABFS19-0019	Managing Funeral Director: Fined \$7,000.00 License suspended 180 days-stayed for 2 years. 2-yr probation Funeral Establishment: Fined \$6,000.00 6-month probation
ABFS19-0020	Funeral Director: Fined \$15,000.00 license suspended 30 days- stayed for 2 years. 2-year probation
ABFS19-0021	Funeral Establishment: Fined \$6,000.00 Managing Funeral Director and Establishment 1-year probation

Mr. Wright made a motion to accept the Consent Agreement as presented by Mr. Perine, seconded by Mr. Meadows. The motion passed unanimously. For the record it was noted that Mr. Craddock abstained from voting due to being the Board member on the investigative committee.

Continuing Education

Mrs. Grogan presented the Board with a list of 80 courses requesting approval, totaling 280.5 hours of instructional time available to licensees. Pursuant to Alabama Funeral Service Administrative Code 395-X-1-.04, Mr. Perine Gave interim approval to 2 courses.

Mrs. Grogan informed the Board that ICCFA submitted applications for two programs that contained programs that had been previously denied approval (Celebrant training and cremation training that did not meet the Board's 7-hour minimum requirement)

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

Mr. Meadows made a motion, seconded by Mr. Wright to deny the continuing education courses that were previously denied by the Board. The motion passed unanimously.

Executive Session

Mr. Meadows made a motion seconded by Mr. Rudder to go into Executive Session for 45 minutes to discuss the good name and character of a funeral establishment seeking license approval.

Yes votes: Mr. Craddock, Mr. Wright, Mr. Kirtland, Mr. Meadows, Mr. Rudder, Mrs. Bushelon-Holt, Mr. Hines, and Mr. Burt

Nay votes: None

Abstain: None

Absent: Mr. Brooks

The motion passed unanimously.

The Board members moved to an adjoining conference room at 9:20 a.m. to allow the Board to discuss the good and name and character of a funeral establishment seeking license approval. The audience was also informed that the regular business meeting would resume at the conclusion of executive session. After all parties were called back into the room, Mr. Craddock called the Board meeting back to order at 9:45 a.m.

Mr. Meadows made a motion to approve the establishment application of Wright Funeral Home & Crematory pending inspection and approval for operation. Upon approval for operation the establishment shall be placed on a 2-year probation, seconded by Mr. Rudder.

Yes votes: Mr. Craddock, Mr. Wright, Mr. Kirtland, Mr. Meadows, Mr. Rudder, Mrs. Bushelon-Holt, Mr. Hines, and Mr. Burt

Nay votes: None

Abstain: None

Absent: Mr. Brooks

The motion passed unanimously.



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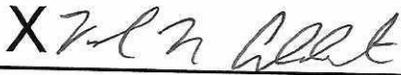
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Adjournment

Being no other business, Mr. Craddock asked for a motion to adjourn and reconvene at 9:00 a.m. on October 7, 2019, Mr. Meadows moved to adjourn the meeting at 9:50 a.m., seconded by Mr. Rudder. The motion passed unanimously.

Minutes submitted by: E. Denise Grogan



Mark N. Craddock
Chair



Charles M. Perine
Executive Director