

Louisiana State Board of Embalmers And Funeral Directors

Minutes of the meeting on:
April 13, 2016

Board Members present:
Louis Charbonnet, III, President
Patrick H. Sanders, Secretary
Gerard Schoen, III, Treasurer
John H. Dansby, Consumer Representative
Edward L. Muhleisen
J. Steven Cox
S.J. Brasseaux

The meeting was called to order by the Board's President, Louis Charbonnet, III at 9:40 AM, at the Board's office located at 3500 N. Causeway Blvd. Suite 1232, Metairie, Louisiana. Also present was Kim W. Michel, Executive Director, Dianne T. Alexander, General Counsel, M. Jude Daigle, Inspector and Heidi L. Penouilh, Administrative Coordinator II. Ms. Rush and Ms. Shehee were not present at today's meeting.

PUBLIC COMMENTS:

There were no comments presented at today's meeting.

PRESENTATIONS:

Mr. Sanders presented and read the following resolution for Mr. Wilbur T. Purvis, II;

Resolution

Whereas: *In the course of Human Events it becomes of paramount importance to pay honor to an individual who has performed services and has made personal contribution to persons with whom he has associated; and,*

Whereas: *Almighty God in His infinite wisdom and wise providence has called unto Himself, on March 30, 2016 our beloved;*

Wilbur T. Purvis, II

Whereas: *Wilbur T. Purvis, II, a licensed Funeral Director since nineteen hundred sixty three, has always exemplified the attributes of high idealism by his courteous and pleasing manner in his association with the members of this profession, as well as the compassion and understanding expressed to the citizens of this state with whom he had dealings as a licensed Funeral Director; and,*

Whereas: *Wilbur T. Purvis, II has made significant contributions to our profession in his mature and intelligent ministry, counsel and judgment. He has served in many capacities in his community, and he was always willing to accept a challenge with vigor and enthusiasm. The profession of Funeral Director in this state, as well as the citizens of this state, was indeed fortunate to have a man of the caliber of Wilbur T. Purvis, II.*

Therefore, *be it resolved that the Louisiana State Board of Embalmers and Funeral Directors extends to the family of the late Wilbur T. Purvis, II our deepest sympathy and condolences for their great loss which we so keenly feel;*
and,

Be it Further Resolved, *that his tribute be written into the minutes of the Louisiana State Board of Embalmers and Funeral Directors on this 13th day of April, 2016 and suitable copies of this resolution be sent to the members of his family and firm.*

The Resolution will be signed by the Board members and forwarded to Mr. Purvis' family.

COMPLIANCE HEARING(s):

Present were:

John Morris, Assistant Attorney General as Hearing Officer
Chanel R. Debose, Prosecuting Attorney
Dianne T. Alexander, General Counsel

A. In the Matter of Jordan Taylor and the former Rayne Memorial Funeral Home, Rayne

I. In the Matter of Diane Miles vs Jordan Taylor and the former Rayne Memorial Funeral Home, Rayne was convened at 10:00 AM.

Jordan Taylor and Diane Miles were not present for today's hearing.

Dianne T. Alexander was present to offer testimony.

Motion was made by Mr. Dansby, seconded by Mr. Schoen and unanimously passed that this matter be continued.

II. In the Matter of Angela Richard vs Jordan Taylor and the former Rayne Memorial Funeral Home, Rayne was convened at 10:20 AM.

Jordan Taylor was not present at today's hearing.

Angela Richard and Dianne T. Alexander were present to offer testimony.

Motion was made by Mr. Brasseaux, seconded by Mr. Cox and unanimously passed that the Board will take this matter under advisement.

III. In the Matter of John Trahan vs Jordan Taylor and the Former Rayne Memorial Funeral Home, Rayne was convened at 10:40 AM.

Jordan Taylor was not present at today's hearing.

Tammy Snyder, John Trahan and Dianne T. Alexander were present to offer testimony.

Motion was made by Mr. Brasseaux, seconded by Mr. Cox and unanimously passed that the Board will take this matter under advisement.

B. In the Matter of Joseph Wiltturner and Wiltturner Funeral Home, Crowley

I. In the Matter of Yvonne Moore vs Joseph Wiltturner and Wiltturner Funeral Home, Crowley was convened at 12:15 PM.

Joseph Wiltturner was present with a request for a continuance of the matters before the Board due to the absence of Mr. Wiltturner's legal counsel.

Motion was made by Mr. Sanders, seconded by Mr. Brasseaux and unanimously passed that Mr. Wiltturner voluntarily surrender his individual license and also the license of the establishment for Wiltturner Funeral Home until the hearing rescheduled date of May 5, 2016 at 1:00 PM.

II. In the Matter of Anita Marigny vs Joseph Wiltturner and Wiltturner Funeral Home, Crowley was convened at 12:30 PM.

Motion was made by Mr. Sanders, seconded by Mr. Brasseaux and unanimously passed that this hearing will also be continued until May 5, 2016 at 1:00 PM.

BOARD/STAFF ISSUES

A. Executive Director's report by Kim W. Michel

A copy of the "Mission Statement" which is posted on the website was presented for the Board members to review as per Mr. Charbonnet.

Update; Guy Keller, temporary license 0482, with regard to Mr. Keller's Tennessee license and the issue date on the TN Certification as October 2015. Mr. Keller's original license was issued in 1993. During the time frame of selling two funeral homes in Tennessee and moving to Louisiana, his TN license had lapsed for a short period. Mr. Keller reinstated his TN license in October 2015 at the same time as he applied for a temporary license in Louisiana. Tennessee certifies the date a license was reinstated as opposed to the original issue date if the license has lapsed. Due to the discovery with regard to the dates, it was determined that there was no error on part of the staff when a temporary license was issued to Mr. Keller.

Motion was made by Mr. Cox, seconded by Mr. Brasseaux and unanimously passed to accept the Executive Director's report as presented.

Update; With regard to the correct lease rates for Suite 1232, Executive Towers, the lease rates that were distributed at the last Board meeting included remodeling fees for the suite. The correct approved lease rates were distributed for the Board members to review that do not include remodeling fees for the suite.

B. Inspector's report by M. Jude Daigle

Motion was made by Mr. Brasseaux, seconded by Mr. Cox and unanimously passed to accept the Inspector's report as presented.

MINUTES

The minutes of the March 9, 2016 meeting were presented to the Board members for review and approval.

Motion was made by Mr. Dansby, seconded by Mr. Cox and unanimously passed that the minutes be approved as presented with a correction to add Mr. Dansby's name to the attendance of the March 9, 2016 meeting minutes.

FINANCIAL

Financial Report and Budget update Fiscal 2015/2016.

Motion was made by Mr. Sanders, seconded by Mr. Brasseaux and unanimously passed to accept the financial report and budget update for fiscal 2015/2016.

COMPLAINT SUMMARY

For informational purposes only, the Board members were presented with a numerical listing of all open matters remaining at the end of fiscal 2014/2015, together with a numerical listing of the complaints filed for fiscal 2015/2016, to date which also included a brief summary statement regarding the recent matters resolved through the Complaint Review Committee.

REGULATIONS, RULES AND PROCEDURES

Session Bills – SB 179, SB 166, HB 815, HB 672 and HB 618 was presented to the Board Members for review.

LAC – LA Register – Rule promulgation has ended with the rules being published in the March 20, 2016 register.

EXECUTIVE SESSION

Motion was made by Mr. Schoen, seconded by Mr. Sanders and unanimously passed that the Board move into Executive Session at 12:40 PM for the following reasons;

Discussion and determination of sanctions for the compliance hearings today

Motion was made by Mr. Schoen, seconded by Mr. Sanders and unanimously passed that the Board move out of Executive Session at 1:00 PM for the following compliance hearing determinations;

COMPLIANCE HEARING and/or ADMISSION and CONSENT DECISION(S)

FINDINGS of FACT and DECISION of the BOARD

This matter came before the Louisiana State Board of Embalmers and Funeral Directors for hearing on April 13, 2016.

Present:

CHANEL R. DEBOSE, Prosecuting Attorney, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors.

DIANNE T. ALEXANDER, General Counsel, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors.

After considering the law, the evidence, the testimony of the witnesses, and the entire record of these proceedings, together with the explanations which were submitted by the witness, and made a part of the record on behalf of licensee before the Board on April 13, 2016, and the additional documentation which was submitted with the Board's permission, on behalf of Mr. Jordan L. Taylor following the presentation of April 13, 2016, the Board finds as follows:

FINDINGS of FACT

That **JORDEN L. TAYLOR** is a licensed funeral director (U-1328), and was the owner and the designated manager of the former entity known as Rayne Memorial Chapel and Funeral Parlor Rayne, Louisiana and, therefore, subject to the jurisdiction of this Board; That evidence contained within the record of these proceedings, together with the testimony of the witnesses made within the presentation, reflects that **JORDEN L. TAYLOR** is guilty of violating the provision of LA R.S. 37:865 (A) (B) and 37: 864: (A) (5).

CONCLUSIONS

As to **JORDEN L. TAYLOR**, the Board members found Mr. Taylor violated the provision of LA R.S. 37:846 A (5) (6) by engaging in unprofessional, unethical, and/or dishonest conduct evidenced by testimony of Dianne T. Alexander, Mr. Taylor was served a subpoena by United States Postal Service first class registered mail return receipt requested for the formal hearing on April 13, 2016; the green card was signed for on March 3, 2016 at 306 Pelican Ridge Cove Carencro, Louisiana by Brenda Taylor; the address was provided to the Board by Mr. Taylor; though summoned by subpoena and given notice of the formal hearing on March 3, 2016, Mr. Taylor failed to appear for the hearing.

As to **JORDEN L. TAYLOR**, the Board members found Mr. Taylor violated the provision of LA R.S. 37:846 A (5) (6) by engaging in unprofessional, unethical, and/or dishonest conduct evidenced by testimony of Tammy Snyder and John Patrick Trahan. Both Ms. Snyder and Mr. Trahan testified Mr. Taylor demanded \$500.00 be paid before he would provide the family with a certified death certificate for Ms. Snyder's sister Elaine D. Macip.

As to **JORDEN L. TAYLOR** the Board members found Mr. Taylor violated the provisions of LA R.S. 37:865 (A) (B) by converting preneed funeral funds for personal use or some other unauthorized use evidenced by the testimony of the complainant Angela Richard, a Revocable Preneed Funeral Agreement and an Assignment and a Statement of Funeral Goods and Services. Ms. Richard testified Mr. Taylor was paid \$2,358.00 for preneed funeral services for her father Maurice Richard but she never received the insurance policy or the policy number after multiple attempts to contact Mr. Taylor.

DECISION of the BOARD

Accordingly, for the reasons as stated and as noted herein above;

IT IS ORDERED BY THE BOARD THAT, JORDEN L. TAYLOR is hereby found guilty of violating the provisions of LA R.S. 37:846 A (5) and 37: 865 (A) (B) accordingly, Mr. Taylor's funeral director's license is revoked.

IT IS FURTHER ORDERED BY THE BOARD THAT, JORDEN L. TAYLOR for said violations of LA R.S. 37:846 A (5) Mr. Taylor must pay a fine in the amount of two thousand five hundred dollars (\$2,500.00) for his failure to appear for the formal hearing on April 13, 2016 in the matter of Angela Richard v. Jordan L. Taylor and the entity formally known as Rayne Memorial Chapel & Funeral Parlor. Mr. Taylor must pay a fine in the amount of two thousand five hundred dollars (\$2,500.00) for his failure to appear for the formal hearing on April 13, 2016 in the matter of John Trahan v. Jordan L. Taylor and the entity formally known as Rayne Memorial Chapel & Funeral Parlor. Mr. Taylor must pay a fine in the amount of two thousand five hundred dollars (\$2, 500.00) for demanding five hundred dollars (\$500.00) for a death certificate. Mr. Taylor must pay fines in the amount of two thousand five hundred dollars (\$2,500.00) for violating LA R.S. 37:865 (A) (B) for his conversion of preneed funeral funds for an unauthorized purpose. **JORDEN L. TAYLOR** must pay the aforementioned fines totaling ten thousand dollars (\$10,000.00) and appear at a formal hearing before the Board will consider reinstatement of his revoked funeral director's license.

NEW BUSINESS

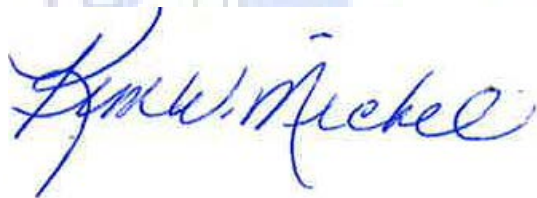
There being no further business to be addressed upon today's agenda, the meeting was then adjourned at 1:15 PM.

A handwritten signature in black ink that reads "Patrick H. Sanders". The signature is written in a cursive style and is positioned over a large, faint circular seal of the Louisiana State Board of Funeral Directors. The seal features a central figure and the word "LICENSE" at the bottom.

Patrick Sanders, Secretary



Louis Charbonnet, III - President Approved **with date to be determined**



Composed and prepared by – Kim W. Michel, Executive Director

