

January 25, 2012

Meeting of the Louisiana State Board of Embalmers and Funeral Directors was called to order at 9:20 AM by the board's President, Margaret Shehee, at the board's office located at 3500 North Causeway Blvd., Suite 1232, Metairie, Louisiana.

Present:

Margaret Shehee, President  
Craig Gill, Vice President  
Belva Pichon, Secretary \*\*  
Paul "Wes" Castille, Treasurer  
Andrew W. Hayes, Consumer Representative  
Louis Charbonnet, III \*  
Patrick H. Sanders \*\*\*  
Kelly Rush  
Wall V. McKneely

Also present:

Michael H. Rasch, General Counsel  
Kim W. Michel, Executive Director  
Heidi L. Fontaine, Administrative Coordinator II  
M. Jude Daigle, Inspector

As has been required by law, time was set aside as "Public Comment Time". However, no one was present to speak during this time.

Board members were presented with a listing of all open matters remaining at the end of fiscal 2010/2011 together with a listing of the complaints filed for fiscal 2011/2012.

Motion was made by Mr. McKneely, seconded by Ms. Rush and passed that the listing of complaints and open matters be accepted as presented.

\* Attended the meeting in progress.

The inspector's report was then presented to the board members by Mr. Jude Daigle.

\*\* Attended the meeting in progress.

Motion was made by Mr. Charbonnet, seconded by Mr. Gill and passed that the Inspector's report be approved as presented.

A discussion then ensued with regard to the inspection report, regarding Foreman Funeral Service, Shreveport as having been graded marginal due to the wall in the preparation room that needs to be repaired.

A directive was issued by the Chair for Mr. Rasch, the Board's General Counsel, to issue a letter of warning to Foreman Funeral Service.

A discussion then ensued with regard to the inspection report, regarding Gethsemanae's Paradise Funeral Home, Natchitoches as having been graded marginal due to the funeral home being closed during normal business hours.

A directive was issued by the Chair for Mr. Rasch, the Board's General Counsel, to issue a letter of warning to Gethsemanae's Paradise Funeral Home.

A discussion then ensued with regard to the report regarding Journet Bolden Funeral Home, New Iberia due to the establishment not having a licensed manager.

A directive was issued by the Chair for Mr. Rasch, the Board's General Counsel, to issue a cease and desist letter to Journet Bolden due to not having a licensed manager on staff, until a manager has been employed.

The Executive Director's report was then presented to the board members by Ms. Kim Michel.

Motion was then made by Mr. Gill, seconded by Mr. Castille and passed that the report be approved as presented.

The minutes of the December 14, 2011 meeting unfortunately were not able to be completed in time for the review of the Board Members at this meeting. They will be a part of the next meeting's agenda.

Financial report, budget vs actual and budget overview update was presented to the Board Members for approval.

Motion was made by Mr. McKneely, seconded by Mr. Hayes and passed that the financial report and budget information be accepted as presented.

Formal hearing entitled "In the Matter of Lynn Conner and/or Precious Memories Mortuary", was convened at 10:15 am.

Sworn testimony was provided by Raymond Foreman, Tonnie Johnson, Charles Lawrence, Wesley Adams and also by Lynn Conner.

Testimony was also provided by Ozell Woodson and Sammy Thomas via telephone conference during the hearing process with the consent of Mr. Conner.

Motion was made by Mr. Gill, seconded by Mr. Castille and passed that the formal hearing be concluded at 12:40 pm.

\*\*\* Attended the meeting in progress.

Motion was then made by Mr. Gill, seconded by Mr. Hayes and passed that Lynn Conner and/or Precious Memories Mortuary be found not guilty in that there appears to be no apparent violation of the statutes, rules and/or regulations under which he was charged. Accordingly, the complaint filed against Mr. Conner was dismissed.

Mr. Sanders abstained from the motion due to his absence prior to and during the formal hearing.

A listing of the licensees who did not renew for the year 2012 was presented to the Board Members.

Information regarding the Conference and their budget update as well as a testing outline was presented to the Board Members for their review.

The request from Rachel Dwyer, holder of W/P 0441 , currently employed at Forest Park Funeral Home, Shreveport for issuance of reciprocal license was presented to the Board Members.

Motion was made by Mr. McKneely, seconded by Mr. Hayes and passed that Ms. Dwyer be issued a reciprocal license.

A request from Leonard Moses for reinstatement of his license, E-2205, was presented to the Board Members.

Motion was made by Mr. Sanders, seconded by Mr. Hayes and passed that Mr. Moses request be accepted and approved at this time, as the deficiencies noted last month have been resolved, as directed. Mr. Moses has fulfilled his monetary obligation to the Keith family and has provided proof of same, as well as making the necessary correction(s) upon his application.

An update with regard to Ray Early and information regarding his reciprocal license from Illinois was presented to the Board Members.

An update with regard to Brandei Bass and information regarding her reciprocal license from California was presented to the Board Members.

Information gathered by the Board's staff with regard to a complaint filed by Chester Cormier against Fletcher Funeral Home, New Iberia, was presented to the Board Members.

Motion was made by Mr. Castille, seconded by Ms. Rush and passed that a formal hearing be scheduled, and that the usual process of seeking the possible execution of an Admission and Consent to negate the necessity of the formal hearing be made, all in keeping with the recommendations of the Complaint Review Committee.

Information gathered by the Board's staff with regard to a complaint filed by Ruthie Martin against Yetta Volff and Winnfield Funeral Home, Winnfield, was presented to the Board Members.

Motion was made by Mr. McKneely, seconded by Mr. Hayes and passed that the complaint be dismissed upon proper verification by Mr. Daigle, as it was the opinion of the Board that Winnfield Funeral Home followed through with a goodwill gesture of securing coverage so as to resolve the issue of the complaint, without any admission on their part, all in keeping with the recommendations of the Complaint Review Committee.

Thus, a directive was issued for Mr. Daigle to check with Winnfield and verify the performance by Winnfield as to the proposed resolution.

Information gathered by the Board's staff with regard to a complaint filed by Cheryl Taylor against Eugene Dupre, Julius Montet and/or LaFond Ardoin Funeral Home, Opelousas, was presented to the Board Members.

Motion was made by Mr. Hayes, seconded by Mr. McKneely and passed that there appears to be no apparent violation of the statutes, rules and/or regulations under which the Board is empowered to operate, all as per the recommendations of the Complaint Review Committee.

A directive was issued by the Chair to send a letter to Mr. Montet regarding the Statute that refers to the right of control of remains in order to avoid similar circumstances in the future.

Information gathered by the Board's staff with regard to a complaint by Nathaniel Brooks against Sandra Ridgely and the former Ridgely Funeral Home, Natchitoches was presented to the Board Members.

Motion was made by Mr. Hayes, seconded by Ms. Pichon and passed that once interest has been calculated and paid [in addition to the sums already paid by and/or on behalf of the Ridgely Funeral Home] then there appears to be no apparent violation of the statutes, rules and/or regulations under which the Board is empowered to operate, all as per the recommendations of the Complaint Review Committee.

A floor plan of the adjacent suite to the Board's current suite of 1232 that will soon be vacant, and the space which was being offered to this office, was presented to the Board Members for their possible consideration.

It was decided that an expansion in combining the two suites was not financially feasible at this time.

Information regarding electronically accepted payments and deposits for the possible convenience of the licensees during annual renewals was presented to the Board Members.

It was decided to keep this item upon the agenda for future discussion, and to take no action at this time.

Motion was made by Mr. McKneely, seconded by Mr. Hayes and passed that the Board move into Executive Session at 2:00 pm to discuss the status of the current litigation with the Abbey.

Motion was made by Mr. Castille, seconded by Ms. Rush and passed that the Executive Session be concluded at 2: 20 pm.

A discussion ensued with regard to inspection reports that are submitted by Mr. Daigle.

It was suggested that any infractions or problems reported upon the inspection report(s) should be accompanied with the particular Statute and/or Rule associated with the issue as reference.

A discussion then ensued with an update regarding the 1035 exchange by certain funeral homes and the annual reporting upon same.

A directive was previously issued today to send a cease and desist letter to Journet Bolden Funeral Home, New Iberia until a manager has been employed.

It was suggested that Mr. Daigle inspect Journet Bolden while they are closed to monitor their situation.

There being no further business to be addressed upon today's agenda, the meeting was then adjourned at 2:30 p.m.

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Craig Gill, Secretary

Approved

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Margaret Shehee, President