

January 22, 2013

Meeting of the Louisiana State Board of Embalmers and Funeral Directors was called to order at 9:05 AM by the board's President, Paul W. "Wes" Castille, at the board's office located at 3500 North Causeway Blvd., Suite 1232, Metairie, Louisiana.

Present:

Paul W. "Wes" Castille, President
Patrick H. Sanders, Secretary
Louis Charbonnet, III, Vice President
Kelly Rush, Treasurer
Royal J. David
Gerard Schoen, III
J. Steven Cox
Margaret Shehee, Past President
Andrew W. Hayes, Consumer Representative

Also present: Michael H. Rasch, General Counsel
Kim W. Michel, Executive Director
M. Jude Daigle, Inspector

The Chair opened the meeting with a "Welcome" to the most recent, newly appointed Board Member, Mr. J. Steven Cox.

As has been required by law, time was set aside as "Public Comment Time".

Pamela Clark was present to address the Board Members regarding the 2013 license renewals for herself, Anthony Ducote and the Clark Ducote Funeral Home as the check she had submitted to the Board's office was returned with the notation of insufficient funds. Ms. Clark claimed there was an accounting error by the bank, and as such, the Board allowed her some time to check with her bank to determine if they would verify, in writing, that this was their error, however Ms. Clark's bank would not accept responsibility for the alleged accounting error claimed by Ms. Clark. It should be noted that certain debits were made to the account as a result of the use of the debit card.

It was directed by the Chair that Ms. Clark and Anthony Ducote must reinstate their professional licenses with an new application and all necessary fees, as under the

provisions of the statute, there is nothing to renew; and, the Clark Ducote Funeral Home, which is no longer licensed, cannot operate as a funeral establishment until a new application and all necessary fees are submitted, and the establishment can pass the necessary inspection by Mr. Daigle, as having met all necessary requirements for a funeral establishment.

Furthermore, so as not to harm the two families who had chosen the funeral home, the Clark Ducote Funeral Home was allowed to complete the necessary services for these two services, and only for these two services. No other service can be provided until such time as their license application is submitted; an inspection is conducted; and, it is determined that the establishment meets all current requirements for licensure.

For the record, Mr. Schoen abstained from any discussion regarding the matter.

Board members were presented with a listing of all open matters remaining as of the end of fiscal 2011/2012, together with a listing of the complaints filed for fiscal 2012/2013 to date.

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

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

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

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

Motion was then made by Mr. David, seconded by Ms. Shehee and passed that the Executive Director's report be approved as presented.

During the discussion of the Executive Director's report, Ms. Michel stated that there seems to be some problems with the operations of both Richardson Funeral Homes in Covington and Hammond.

Motion was made by Mr. Charbonnet, seconded by Ms. Rush and passed that Mr. Daigle reinspect the establishments immediately and report his findings back to the

Board as is his normal process. Mr. David agreed to join Mr. Daigle during his inspection of each Richardson Funeral Home locations.

The minutes of the December 11, 2012 meeting were presented to the Board Members for their further review and approval.

Motion was made by Mr. Charbonnet, seconded by Mr. Schoen and passed that once the correction regarding Mr. Castille's name and title has been made the minutes can be approved.

Financial report, budget vs actual and the 2011-2012 audit report were presented to the Board Members for their further review and approval.

Ms. Joffrion, CPA, who performed the annual audit for the Board, was contacted by phone, at the suggestion of Mr. Rasch, so that she could provide clarification, together with any necessary explanations, regarding a certain section within the audit report.

Following the explanation provided via telephone communication, motion was made by Mr. Schoen, seconded by Mr. Hayes and passed that the financial report and audit information be accepted and approved as presented.

Information gathered by the Board's staff with regard to a complaint filed by Lynn Tete against Joseph Johnson and Johnson and Brown Funeral Home, Iowa, was presented to the Board Members.

Motion was made by Mr. Hayes, seconded by Mr. Charbonnet and passed that a Formal Hearing be scheduled, all in keeping with the recommendation of the Complaint Review Committee..

Information gathered by the Board's staff with regard to a complaint filed by Johnny Shepard against Winnifred Jackson and Good Samaritan Funeral Home, Shreveport was presented to the Board Members.

In keeping with the recommendation of the Complaint Review Committee, motion was made by Ms. Rush, seconded by Mr. Schoen and passed that a Formal Hearing be scheduled, all in keeping with the recommendation of the Complaint Review Committee..

Information gathered by the Board's staff with regard to a complaint filed by James B. Gardner on behalf of Ms. Gwendolyn Harrison, against Winnifred Jackson and Good Samaritan Funeral Home, Shreveport, was presented to the Board Members.

Motion was made by Mr. David, seconded by Mr. Schoen and passed that there does not appear to be a violation of the laws, rules and regulations under which licensees operate, all as per the recommendations of the Complaint Review Committee. This matter is to be forwarded to the Cemetery Board for their review and further consideration.

Information gathered by the Board's staff with regard to a complaint filed by Phillip Reed and Christina Bazinet against Lawrence Moncla and Ardoin Funeral Home, Kinder, was presented to the Board Members.

Motion was made by Mr. Sanders, seconded by Mr. David and passed that a Formal Hearing be scheduled, all in keeping with the recommendation of the Complaint Review Committee..

Information gathered by the Board's staff with regard to a complaint filed by Robert Blake against William Bagnell and Bagnell and Son Funeral Home, Covington was presented to the Board Members.

Motion was made by Mr. Charbonnet, seconded by Mr. Hayes and passed that it does not appear to be a violation of the laws, rules and regulations under which licensees operate, all as per the recommendations of the Complaint Review Committee.

Information gathered by the Board's staff with regard to a complaint filed by Betty Citizen against Willie King and King's Funeral Home, Lake Charles was presented to the Board Members.

Motion was made by Ms. Shehee, seconded by Mr. Hayes and passed that it does not appear to be a violation of the laws, rules and regulations under which licensees operate, all as per the recommendations of the Complaint Review Committee.

Salary review and subsequent budgets were presented to the Board Members for their consideration and further action.

Motion was made by Ms. Rush, seconded by Mr. Hayes and passed that the meeting move into Executive Session at 1:10 PM in order to discuss office financial issues and employee efficiencies.

Motion was made by Mr. Hayes, seconded by Mr. Schoen and passed that the meeting move out of Executive Session at 1:50 PM.

A directive was issued by the Chair that the salary review and budgets be deferred until after the 2014 renewal session for crematories and retort operators in order to determine the then financial status of the Board, once the licensing sessions have been completed for the fiscal 2012-2013 year.

There being no further business to be addressed upon today's agenda, the meeting was then adjourned at 2:00 PM.

Patrick Sanders, Secretary

Approved

Louis Charbonnet, III, Vice President