IN THE MATTER OF
Rev. Herbert Green
and the entity operating as
Boyce Community Funeral Home

LOUISIANA STATE BOARD OF EMBALMERS AND FUNERAL DIRECTORS

New Orleans, LOUISIANA

FILED: SEP 10 2018 _____ **CLERK**

FINDINGS of FACT and DECISION of the BOARD

This matter came before the Louisiana State Board of Embalmers and Funeral Directors for hearing on August 14, 2018.

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.

HARRY VORHOFF, Hearing Officer, Special Counsel for and on behalf of the Louisiana Department of Justice.

DARRELL K. HICKMAN, Attorney, for and on behalf of Rev. Herbert Green and the entity Boyce Community Funeral Home.

After considering the law, the evidence, the testimony of the witnesses and the entire record of these proceedings, and made a part of the record on behalf of licensee, before the Board on August 14, 2018:

FINDINGS of FACT

That **REV. HERBERT GREEN** is a licensed funeral establishment owner (2659) and the designated agent for the entity known as Boyce Community Funeral Home, Boyce, 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 **Boyce Community Funeral Home** is guilty of violating LA R.S. 37:848 (A).

CONCLUSIONS

As to **Boyce Community Funeral Home represented by Rev. Herbert Green**, the Board members found Boyce Community Funeral Home violated the provision of LA R.S. 37:848 (A) evidenced by documentation and testimony on four, of the five alleged violations; the cremation of Za'Darius White, arranging funeral services for David Young, the cremation of Charles Metoyer, and arranging funeral services for Joseph Simmons, allowed a person not licensed by the Board nor certified or registered with the Board to practice the science of embalming and/or conduct the business of funeral directing.

DECISION of the BOARD

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

IT IS ORDERED BY THE BOARD THAT Boyce Community Funeral Home is hereby found guilty of violating the provision of LA R.S. 37: 848 (A). Because Boyce Community Funeral Home has been found guilty of the above violation, LA. R.S. 37:850 (A) which states: Whoever violates the provisions of this Part shall be fined not less than five hundred dollars, nor more than two thousand five hundred dollars and costs of the court reporter and attorney for the board for each offense, or by imprisonment for not less than thirty days nor more than one hundred eighty days for each offense, or both such fine and imprisonment, is the applicable penalty statute.

IT IS FURTHER ORDERED BY THE BOARD THAT, Boyce Community Funeral Home and its representative Rev. Herbert Green are fined the sum of two thousand five hundred dollars ($2,500.00) for a total of ten thousand dollars ($10,000.00) for the above cited violations of LA. R.S. 37:848 (A). The sum of One Thousand Five Hundred Twenty-Seven Dollars and Fifty Cents ($1,527.50) for the cost of the court reporter for the August 14, 2018 hearing, and the sum of Nine Thousand Three Hundred Fifteen dollars ($9,315.00) for attorney's fees for the August 14, 2018 hearing for a total assessed cost of Twenty Thousand Eight Hundred Forty-Two dollars and Fifty Cents ($20,842.50) are to be paid by the licensee Boyce Community Funeral Home. The above assessed fines, court reporter fees and attorney fees are to be paid by Boyce Community Funeral Home and/or its representatives Rev. Herbert Green within 30 days of receipt of this decision or by October 12, 2018.

IT IS ALSO ORDERED BY THE BOARD THAT, should the costs not be received by the Board within thirty (30) days of the notification of costs due then the license of the establishment known as Boyce Community Funeral Home, Boyce Louisiana shall be suspended until such time as all costs are paid.

BY ORDER OF THE BOARD

Edward L. Mullins
SECRETARY

METAIRIE, LOUISIANA
September 10, 2018