

IN THE MATTER OF
KETH GALLAGHER, SR.
AND THE ENTITY OPERATING AS
GALLAGHER FUNERAL HOME, L.L.C.
BALL, LOUISIANA

LOUISIANA STATE BOARD
OF EMBALERS AND FUNERAL
DIRECTORS

FILED: JAN 07 2020


CLERK

FINDINGS OF FACT and DECISIONS of the BOARD

This matter came before the Louisiana State Board of Embalmers and Funeral Directors on December 11, 2019 for a ruling on an Admission and Consent submitted by the parties.

Present:

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

HARRY VORHOFF, General Counsel, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors.

After considering the law, the evidence, the entire record of these proceedings, and the Admission and Consent submitted by KEITH GALLAGHER, SR. and the entity operating as GALLAGHER FUNERAL HOME, L.L.C., who waived their appearances to appear before the Board to be a part of the proceedings held on December 11, 2019, the Louisiana Board of Embalmers and Funeral Directors rules as follows:

FINDINGS OF FACT

That KEITH GALLAGHER, SR. is a licensed funeral establishment owner (#E-2012) and the designated agent for the entity know as Gallagher Funeral Home, L.L.C. (#2863), Ball, Louisiana, and, therefore, subject to the jurisdiction of this Board: that evidence contained within the record of these proceedings, and the Admission and Consent signed by the parties, reflect that Keith Gallagher, Sr and the entity operating as Gallagher Funeral Home, L.L.C. are guilty of violating LA R.S 37:876.

CONCLUSIONS

As to **Keith Gallagher, Sr. and the entity operating as Gallagher Funeral Home, L.L.C.**, the Board members found that Keith Gallagher, Sr. and the entity operating as Gallagher Funeral Home, LLC violated the provision of LA R.S. 37:876 as evidenced by documentation appearing

in the file and the Admission and Consent signed by Keith Gallagher, Sr. on behalf of himself and the entity operating as Gallagher Funeral Home, L.L.C. admitting to the following:

Keith Gallagher, Sr., and the entity operating as Gallagher Funeral Home, L.L.C. violated L.A. R.S. 37:876 by allowing Barbara Belgard, a person who is not the legal next of kin, to authorize the cremation of Shirley Borsis' body.

DECISION OF THE BOARD

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

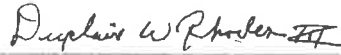
IT IS ORDERED BY THE BOARD that Keith Gallagher, Sr., and the entity operating as Gallagher Funeral Home, L.L.C. are hereby found guilty of violating the provisions of LA R.S. 37:876.

IT IS FURTHER ORDERED BY THE BOARD that pursuant to LA. R.S. 37:850, the penalty statute applicable to this violation, 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, Gallagher Funeral Home, L.L.C. and its representative Keith Gallagher, Sr. are fined the sum of Two-thousand, Five-hundred (\$2,500.00) dollars for the above cited violation of LA R.S. 37:876. One-thousand (\$1,000.00) dollars of the fine is suspended, and Keith Gallagher, Sr. and the entity operating as Gallagher Funeral Home, LLC are placed on probation for one year.

IT IS FURTHER ORDERED BY THE BOARD that Gallagher Funeral Home, LLC and its representative Keith Gallagher, Sr. are to pay the sum of Thirteen-thousand, Five-hundred, thirty seven dollars, and Fifty-cents (\$13,537.50) for the attorney's fees incurred by the Board for the handling of this matter from the date the matter was accepted by the Board through December 11, 2019, the date the Admission and Consent was accepted by the Board members. The total assessed cost to Gallagher Funeral Home, L.L.C. and Keith Gallagher, Sr. is Fifteen-thousand, Thirty-seven dollars, and Fifty-cents (\$15,037.50). The above assessed fines, and attorney's fees are to be paid by Gallagher Funeral Home, L.L.C. and/or its representative Keith Gallagher, Sr. within thirty (30) days of receipt of this decision.

IT IS FURTHER 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 operating as Gallagher Funeral Home, L.L.C., Ball, Louisiana shall be suspended until such time as all costs are paid.

BY ORDER OF THE BOARD



SECRETARY

Metairie, Louisiana
January 7, 2020

