



Minutes of the Louisiana State Board of Embalmers and Funeral Directors

On Wednesday, December 11, 2024, the Louisiana State Board of Embalmers and Funeral Directors (“LSBEFD”) conducted a regularly scheduled in-person meeting at the board office located at The Executive Towers 3500 N. Causeway Boulevard Suite 1232 Metairie, Louisiana 70002 in accordance with La. R.S. 37:831, *et seq* and other applicable law.

1. Call to Order

President Luneau called the meeting to order at 9:04 AM.

2. Roll Call

Board Members Present

Terry Luneau – President
Rev. Shelton Dixon – Vice-President
Greg McKneely - Secretary
Willie Davis, Jr.
Maurice Southall
Rev. Rodney McFarland, Sr.
Juan Joseph
Louis Charbonnet, III*

*Arrived after roll call.

Board Members Absent

Stephen Boudreaux

*Seven Board Members were present at the time of roll call, Board Member Louis Charbonnet, III arrived later during the meeting. **A quorum was present.***

Others Present

Kim W. Michel - Executive Director,
R. DeMale Bowden, Jr. - Inspector, Heidi Penouilh - Executive Assistant,
Carrie L. Jones – General Counsel, and
Chanel R. Debose - Prosecuting Attorney.

President Luneau made opening remarks and cited the mission statement and the purpose of the LSBEFD.

3. Invocation

Rev. S.C. Dixon led the invocation.

4. Pledge of Allegiance

Board Member Gregory J. McKneely led the Pledge of Allegiance.

5. Public Comments

President Luneau asked if there were any public comments.

*There was no one present at the meeting and no public comment cards were submitted.
No public comments were submitted online via Microsoft TEAMS by virtual participants.*

*Mr. Luneau requested a motion to accept the agenda for today's meeting.
Board Member Willie Davis made a motion, which was seconded by Board Member Maurice Southall to accept the agenda as presented. The motion passed unanimously.*

**Board member Louis Charbonnet jointed the meeting in progress.*

6. Resolution(s) to Honor Deceased Licensees

Resolution

Whereas: Almighty God in His infinite wisdom and wise providence has called unto himself our beloved,

James T. Wood, Sr.

Baton Rouge, Louisiana, who departed this life on November 26, 2024;

Whereas: James T. Wood, Sr., E-1878, received his embalmer and funeral director license in nineteen hundred eighty and has been practicing for the last forty-four years; and,

Whereas: James T. Wood, Sr., has always exemplified the attributes of high idealism by his courteous manner and personality and has made valuable contributions to the interest and welfare of the people of his community; and,

Whereas: James T. Wood, Sr. has further extended his energy to our state by having served in various capacities within his community, and,

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

Be it further Resolved that this tribute to James T. Wood, Sr., be written into the minutes of the Louisiana State Board of Embalmers and Funeral Directors and suitable copies of this resolution be sent to the members of his family.

Resolution

Whereas: Almighty God in His infinite wisdom and wise providence has called unto himself our beloved,

Joseph N. Fleet

Hammond, Louisiana, who departed this life on December 4, 2024.

Whereas: Joseph N. Fleet, E-1676, received his embalmer and funeral director license in nineteen hundred seventy-three and has been practicing for the last fifty-one years; and,

Whereas: Joseph N. Fleet has always exemplified the attributes of high idealism by his courteous manner and personality and has made valuable contributions to the interest and welfare of the people of his community; and,

Whereas: Joseph N. Fleet has further extended his energy to our state by having served in various capacities within his community, and,

Therefore, be it resolved: that the Louisiana State Board of Embalmers and Funeral Directors extends to the family of the late Joseph N. Fleet our deepest sympathy and condolences for their great loss which we so keenly feel; and,

Be it further Resolved that this tribute to Joseph N. Fleet be written into the minutes of the Louisiana State Board of Embalmers and Funeral Directors and suitable copies of this resolution be sent to the members of his family.

Resolution

Whereas: Almighty God in His infinite wisdom and wise providence has called unto himself our beloved,

Gregory Wright, Sr.

A co-owner of Wright and Calvey Funeral Home, Hammond Louisiana,
who departed this life on December 6, 2024;

Whereas: Gregory Wright, Sr., has always exemplified the attributes of high idealism by his courteous manner and personality and has made valuable contributions to the interest and welfare of the people of his community, and,

Whereas: Gregory Wright, Sr., was a co- owner of Wright and Calvey Funeral Home, Hammond Louisiana, and,

Whereas: Gregory Wright, Sr, has further extended his energy to our state by having served in various capacities within his community, and,

Therefore, be it resolved: that the Louisiana State Board of Embalmers and Funeral Directors extends to the family of the late Gregory Wright, Sr., a co- owner of Wright and Calvey Funeral Home, Hammond Louisiana, our deepest sympathy and condolences for their great loss which we so keenly feel; and,

Be it further Resolved that this tribute to Gregory Wright, Sr., as a co- owner of Wright and Calvey Funeral Home, Hammond Louisiana, be written into the minutes of the Louisiana State Board of Embalmers and Funeral Directors and suitable copies of this resolution be sent to the members of his family

7. Unfinished Business

There was no unfinished business for the Board to address.

8. Formal Hearing

Rev. Dixon moved to take the agenda out of order because the hearing was noticed for 9:30 AM, which was seconded. The motion passed unanimously.

9. New Business

a. Open Meetings Complaint 2024-33 and LSBEFD Response

Ms. Jones and Ms. Michel discussed the open meetings complaint lodged against the Board with the AG's office and the Board's response. The discussion was for informational purposes only. Ms. Michel stated for the record, that the complaint occurred at a time while the Board was under contract with the AG's office for legal services and the Board had minimal guidance from the assigned AAG. The request for his attendance at the board meetings was considered unnecessary by the AAG.

b. Review of AG's Contract for Legal Services

Ms. Michel reiterated her concerns regarding the contract for legal services with the AG. Ms. Jones further explained that the Board needed to terminate the contract to properly dispose of the alleged open meeting violation discussed in the previous agenda item.

Mr. Southhall moved to terminate the contract for legal services with the AG's office, which was seconded by Rev. Dixon. The motion passed unanimously.

c. LA DOJ Occupational Licensure Review Program and Proposed Interagency Agreement

Ms. Jones and Ms. Michel presented the LA DOJ Occupational Licensure Review Program and proposed interagency agreement. Discussion ensued.

Board Member Rodney McFarland moved to accept the agreement as presented, which was seconded by Rev. Dixon. The motion passed unanimously.

10. Reports

a. Executive Director's Report

Ms. Michel presented the Executive Director's Report to the Board. Discussion ensued.

Board Member Rodney McFarland moved to accept the Executive Director's report, which was seconded by Board Member Maurice Southall. The motion passed unanimously.

b. Financial Report – FY 24.25

Ms. Michel presented the Financial Report. Discussion ensued.

Board Member Maurice Southall moved to accept the Financial Report, which was seconded by Board Member Rodney McFarland. The motion passed unanimously.

c. Inspector's Report

R. DeMale Bowden, Jr., Inspector, presented the Inspector's Report to the Board. Discussion ensued.

Board Member Rev. S Dixon moved to accept the Inspector's Report, which was seconded by Board Member Rodney McFarland. The motion passed unanimously.

d. Complaint Review Report

Prosecuting Attorney Chanel Dubose presented the Complaint Review Committee's Report to the Board.

The meeting went into a recess at 10:18 AM for two minutes and came back to order at 10:20 AM, with Vice President Board Member Rev. S.C. Dixon presiding. Ms. Debose continued the Complaint Review Committee Report presentation. Discussion ensued. President Board Member Terry Luneau returned to the meeting and resumed his role as presiding officer.

Board Member Rev. S Dixon moved to accept the Complaint Review Committee Report, which was seconded by Board Member Juan Joseph. The motion passed unanimously.

11. Approval of Meeting Minutes

Board meeting minutes for September 18, 2024, October 14, 2024, and November 20, 2024, were submitted to the board for review and approval.

Board Member Maurice Southall moved to accept all meeting minutes as presented, which was seconded by Board Member Rev. S Dixon. The motion passed unanimously.

Formal Hearing (returned to agenda item no. 8)

The hearing in the Matter of New Orleans Funeral and Cremation Service, Gary Lewis, and Loranzo Magee was called.

Mr. Robert L. Marrero, attorney, was present on behalf of New Orleans Funeral and Cremation Service and Gary Lewis. Mr. Lewis was also present. Mr. Loranzo Magee was present in proper person.

Ms. Chanel R. Debose, attorney, was present and served as Prosecuting Attorney for the Board.

Mr. John W. Becknell, III, attorney, served as Hearing Officer.

Ms. Carrie Jones, attorney, served as General Counsel to the Board.

At the onset of the hearing, Mr. Marrero moved to dismiss the case.

Rev. McFarland moved to go into executive session, which was seconded. The Board voted unanimously to go into executive session to seek advice from counsel on the motion to dismiss. The Board entered executive session at 9:50 AM. The Board returned to Open Meeting at 10:00 AM and a roll call was taken.

The Hearing Officer denied the motion to dismiss.

For the record, Mr. Charbonnet recused himself from the matter and left the meeting.

Ms. Debose moved to sequester the witnesses. The request was granted.

Ms. Debose presented an opening statement to the Board.

Mr. Marrero presented an opening statement to the Board.

Rev. Magee was given an opportunity to present an opening statement to the Board.

Ms. Debose called her first witness, Kim Michel. Ms. Michel was sworn in and testified. Mr. Marrero cross-examined the witness. Rev. Magee was provided an opportunity to cross-examine the witness.

Ms. Debose called her second witness, Inez Pierre. Ms. Pierre was sworn in and testified. Mr. Marrero cross-examined the witness. Ms. Debose questioned the witness on re-direct. Rev. Magee was provided an opportunity to cross-examine the witness.

The board recessed at 12:40 PM and reconvened at 1:16 PM.

Ms. Debose called her third witness, Rev. Loranzo Magee. Rev. Magee was sworn in and testified. Mr. Marrero was given an opportunity to cross-examine the witness.

Ms. Debose called Mr. Gary Lewis. Mr. Lewis was sworn in and testified. Mr. Marrero questioned Mr. Lewis. Rev. Magee was given an opportunity to cross-examine the witness.

Ms. Debose made her closing argument.

Mr. Lewis left the hearing 2:44 PM before the conclusion of the hearing and without permission from the Hearing Officer.

Mr. Marrero made his closing argument.

Rev. Magee was given an opportunity to make a closing argument.

The hearing concluded at 3:05 PM.

12. Executive Session

Rev. Dixon moved to go into executive session to deliberate and to discuss pending litigation, which was seconded by Mr. McKneely. The motion passed unanimously.

The Board entered executive session at 3:15 PM and returned to the open meeting at 4:30 PM.

Gregory McKneely moved for the board to return to an open meeting, which was seconded by Rev. McFarland. A roll call vote was taken and the motion passed unanimously.

In the Matter of New Orleans Funeral and Cremation Service, Gary Lewis, and Loranzo Magee

After returning to the open meeting, Rev. Dixon moved that the Board render a decision consistent with the following Board Order in the matter involving New Orleans Funeral and Cremation Service, Gary Lewis, and Loranzo Magee. Rev. McFarland seconded the motion. The motion passed.

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND BOARD ORDER

This matter came before the Louisiana State Board of Embalmers and Funeral Directors for hearing on December 11, 2024.

Present:

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

KIM MICHEL, Executive Director, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors;

CARRIE L. JONES, General Counsel, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors;

JOHN W. BECKNELL, III, Hearing Officer;

INEZ PIERRE, Complainant;

ROBERT L. MARRERO, Attorney for Gary Lewis and the entity operating as

NEW ORLEANS FUNERAL AND CREMATION SERVICE;

GARY LEWIS, owner of the entity operating as **NEW ORLEANS FUNERAL AND CREMATION SERVICE**, appearing on behalf of himself and the entity

operating as **NEW ORLEANS FUNERAL AND CREMATION SERVICE**;
and

LORANZO MAGEE, former manager of the entity operating as **NEW ORLEANS FUNERAL AND CREMATION SERVICE**, appearing on behalf of himself and the entity operating as **NEW ORLEANS FUNERAL AND CREMATION SERVICE**.

After considering the law, the evidence, the testimony of the parties and witnesses, and the entire record of these proceedings which was made part of the record before the Board on December 11, 2024.

The Louisiana State Board of Embalmers and Funeral Directors rules as follows:

FINDINGS OF FACT

That **LORANZO MAGEE (U-1755)** is a licensee of this Board and former manager of **NEW ORLEANS FUNERAL AND CREMATION SERVICE, (#2975)**, New Orleans, Louisiana, thereby subject to the jurisdiction of this Board.

That evidence presented by the parties, the evidence contained within the record of these proceedings, together with the testimony of the parties and witnesses made within the presentation, supports the Board's conclusion that Loranzo Magee, individually and as manager of the entity operating as New Orleans Funeral and Cremation Service is guilty of violating the following statute: LA R.S. 37:848 (A) **for allowing the owner of New Orleans Funeral and Cremation Service, Gary Lewis, a person not certified and registered under the provisions of the Chapter governing the Louisiana State Board of Embalmers and Funeral Directors to conduct the business of funeral directing by arranging the cremation of the late Gaynelle Chopfield with Inez Pierre, the daughter and legal next of kin of the decedent.**

As to **GARY LEWIS**, the Louisiana State Board of Embalmers and Funeral Directors finds that **GARY LEWIS** is the owner and designated agent of the entity operating as **NEW ORLEANS FUNERAL AND CREMATION SERVICE, (#2975)**, New Orleans, Louisiana, and the entity is subject to the jurisdiction of this Board.

That evidence presented by the parties, the evidence contained within the record of these proceedings, together with the testimony of the parties and witnesses made within the presentation, supports the Board's conclusion that Gary Lewis in his capacity as owner, and designated agent of the entity operating as New Orleans Funeral and Cremation Service and New Orleans Funeral and Cremation Service, a licensed entity subject to the jurisdiction of this Board, violated following statute: LA R.S. 37:848 (A) **for allowing the owner, Gary Lewis, a person not certified and registered under the provisions of the Chapter governing the Louisiana State Board of Embalmers and Funeral Directors to conduct the business of funeral directing by arranging the cremation of the late Gaynelle Chopfield with Inez Pierre, the daughter and legal next of kin of the decedent.**

CONCLUSIONS OF LAW

"Funeral directing" is defined in LA R.S. 37:831(42) as the operation of a funeral home, or, by way of illustration, any service whatsoever connected with the management of

funerals, or the supervision of hearses or funeral cars, the purchase of caskets or other funeral merchandise, and retail sale and display thereof, the cleaning or dressing of dead human bodies for burial, **and the performance or supervision of any service or act connected with the management of funerals from time of death until the body or bodies are delivered to the cemetery, crematory, or other agent for the purpose of disposition.** (Emphasis added.)

Mrs. Pierre initially utilized New Orleans Funeral and Cremation Service's online funeral planning option; however, she testified that she had issues with the online arrangements and made multiple telephone calls and follow-up visits to the establishment in which she interacted with Gary Lewis. One of these interactions included a telephone call that she received from Gary Lewis to resolve a next of kin dispute and to arrange for the appropriate paperwork to be provided to New Orleans Funeral and Cremation Service before the decedent could be cremated. Gary Lewis' interactions with Mrs. Pierre constituted the practice of funeral directing. Therefore, the Board concluded that Gary Lewis engaged in the unlawful practice of funeral directing. The Board further concluded that the manager of the firm, Loranzo Magee, was ultimately responsible for the unlawful actions of Gary Lewis.

As to Loranzo Magee, Gary Lewis, and the entity operating as New Orleans Funeral and Cremation Service, the Board members found that Loranzo Magee, Gary Lewis and the entity operating as New Orleans Funeral and Cremation Service violated LA R.S. 37:848 (A) by allowing Gary Lewis, a person not licensed by the Louisiana State Board of Embalmers and Funeral Directors to conduct the business of funeral directing by arranging the cremation of the late Gaynelle Chopfield with Inez Pierre.

BOARD ORDER

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

IT IS ORDERED BY THE BOARD that Loranzo Magee (U-1755), Gary Lewis, owner of the entity operating as New Orleans Funeral and Cremation Service, and the entity operating as New Orleans Funeral and Cremations Service (#2975) violated LA R.S. 37:848 (A) for allowing the owner, Gary Lewis, a person not certified and registered under the provisions of the Chapter governing the Louisiana State Board of Embalmers and Funeral Directors to conduct the business of funeral directing by arranging the cremation of the late Gaynelle Chopfield with Inez Pierre, the daughter and legal next of kin of the decedent.

IT IS FURTHER ORDERED BY THE BOARD that pursuant to LA. R.S. 37:850 (A), the penalty statute applicable to this violation, whoever violates the provisions of this Part shall be fined not less than five hundred dollars, nor more than two-thousand, five-hundred dollars for each offense plus costs of the court reporter and attorney for the board, 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; pursuant to LA R.S. 37:850 (B), if a firm or association violates the provision of this part, all members of the firm or association who knowingly violate said provisions shall be subject to the penalty; and if a corporation violates said provisions, the members of the board of directors and the officers of the corporation who knowingly violate said provisions shall be subject to the penalty. As it relates to LA R.S. 37:848 (A) for allowing the owner, Gary Lewis, a person not certified and registered under the provisions of the Chapter governing the Louisiana State Board of Embalmers and Funeral

Directors to conduct the business of funeral directing by arranging the cremation of the late Gaynelle Chopfield, Loranzo Magee is fined the sum of five-hundred (\$500.00) dollars for the above cited violation. **IT IS FURTHER ORDERED** that the fine is suspended with respect to Loranzo Magee.

IT IS FURTHER ORDERED BY THE BOARD that pursuant to LA. R.S. 37:850 (A), the penalty statute applicable to these violations, whoever violates the provisions of this Part shall be fined not less than five hundred dollars, nor more than two-thousand, five-hundred dollars for each offense plus costs of the court reporter and attorney for the board, 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; pursuant to LA R.S. 37:850 (B), if a firm or association violates the provision of this part, all members of the firm or association who knowingly violate said provisions shall be subject to the penalty; and if a corporation violates said provisions, the members of the board of directors and the officers of the corporation who knowingly violate said provisions shall be subject to the penalty. Pursuant to this statute Loranzo Magee is to reimburse the Board's expenses as follows: court reporter, Dawn Tupper, the sum of one thousand, seven hundred, eighty-seven dollars and fifty cents (\$1,787.50); the hearing officer, John W. Becknell, III the sum of one-thousand, six hundred, twenty (\$1,620.00) dollars; General Counsel, Carrie L. Jones the sum of three thousand, seventy-seven dollars and seventy-two cents (\$3,077.72); and prosecuting attorney, Chanel Robinson Debose, the sum of eight thousand, two hundred, ninety-one dollars and twenty-five cents (\$8,291.25) for the handling of this matter from July 10, 2024, the date the matter was accepted by the Board through the date of this Order.

IT IS FURTHER ORDERED BY THE BOARD that Loranzo Magee is to pay twenty-five (25%) percent of the total assessed fees. As it relates to Loranzo Magee, the total assessed fees in this matter are three thousand, six hundred, ninety-four dollars and twelve cents (\$3,694.12).

IT IS FURTHER ORDERED BY THE BOARD that the above fines and fees in the total amount of four thousand, one hundred, ninety-four dollars and twelve cents (\$4,194.12) assessed to Loranzo Magee are hereby suspended.

IT IS FURTHER ORDERED BY THE BOARD that pursuant to LA. R.S. 37:850 (A), the penalty statute applicable to these violations, whoever violates the provisions of this Part shall be fined not less than five hundred dollars, nor more than two-thousand, five-hundred dollars for each offense plus costs of the court reporter and attorney for the board, 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; pursuant to LA R.S. 37:850 (B), if a firm or association violates the provision of this part, all members of the firm or association who knowingly violate said provisions shall be subject to the penalty; and if a corporation violates said provisions, the members of the board of directors and the officers of the corporation who knowingly violate said provisions shall be subject to the penalty. As it relates to LA R.S. 37:848 (A) for allowing the owner, Gary Lewis, a person not certified and registered under the provisions of the Chapter governing the Louisiana State Board of Embalmers and Funeral Directors to conduct the business of funeral directing by arranging the cremation of the late Gaynelle Chopfield with Inez Pierre, Gary Lewis and the entity operating as New Orleans

Funeral and Cremation Service are fined the sum of two thousand, five-hundred (\$2,500.00) dollars for the above cited violation;

IT IS FURTHER ORDERED BY THE BOARD that pursuant to LA. R.S. 37:850 (A), the penalty statute applicable to these violations, whoever violates the provisions of this Part shall be fined not less than five hundred dollars, nor more than two-thousand, five-hundred dollars for each offense plus costs of the court reporter and attorney for the board, 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; pursuant to LA R.S. 37:850 (B), if a firm or association violates the provision of this part, all members of the firm or association who knowingly violate said provisions shall be subject to the penalty; and if a corporation violates said provisions, the members of the board of directors and the officers of the corporation who knowingly violate said provisions shall be subject to the penalty. Pursuant to this statute Gary Lewis and the entity operating as New Orleans Funeral and Cremation Service are to pay the court reporter, Dawn Tupper, the sum of one-thousand, seven hundred, eighty-seven dollars and fifty cents (\$1,787.50); the hearing officer, John W. Becknell, III the sum of one thousand, six hundred, twenty (\$1,620.00) dollars; general counsel, Carrie L. Jones the sum of three thousand, seventy-seven dollars and seventy-two cents (\$3,077.72); and prosecuting attorney, Chanel Robinson Debose, the sum of eight thousand, two hundred, ninety-one dollars and twenty-five cents (\$8,291.25) for the handling of this matter from July 10, 2024, the date the matter was accepted by the Board through the date of this Order.

IT IS FURTHER ORDERED BY THE BOARD that Gary Lewis and the entity operating as New Orleans Funeral and Cremation Service are to pay the assessed fine of two thousand, five hundred (\$2,500.00) dollars for the above cited violation and seventy-five (75%) percent of the total assessed fees. As it relates to Gary Lewis and the entity operating as New Orleans Funeral and Cremation Service, the total assessed fees in this matter are eleven thousand, eighty-two dollars and thirty-five cents (\$11,082.35).

IT IS FURTHER ORDERED BY THE BOARD that the total fines and fees assessed to Gary Lewis and the entity operating as New Orleans Funeral and Cremation Service is thirteen thousand, five hundred, eighty-two dollars and thirty-five cents (\$13,582.35). The above assessed fines, court reporter fees, and attorneys' fees are to be paid by Gary Lewis and the entity operating as New Orleans Funeral and Cremation Service within thirty (30) days of receipt of this Order.

IT IS FURTHER ORDERED BY THE BOARD that should the costs not be received by the Board within thirty (30) days of the receipt of this Order, then the license of the establishment operating as New Orleans Funeral and Cremation Service, New Orleans, Louisiana shall be suspended until such time that all costs are paid.

13. Concluding Remarks

Final statements and closing remarks were given by President Luneau, announcing the next LSBEFD meeting's tentative date is set for Wednesday, January 22, 2025, and the Laws & Rules Committee meeting's tentative date is set for Tuesday, January 21, 2025.

14. Adjournment

Gregory McKneely moved for the board to return to adjourn, which was seconded by Rev. McFarland. The motion passed unanimously, and the meeting adjourned at 4:41 PM.