

Louisiana State Board of Embalmers And Funeral Directors

Minutes of the Meeting

For
March 10, 2020

Board Members present:

Edward Muhleisen, President
Duplain W. Rhodes, III, Secretary
Rodney McFarland, Vice President
Willie P. Davis, Jr., Treasurer
Terry Luneau
Lonnelle Aquillard
S. J. Brasseaux
Rev. Shelton C. Dixon, Consumer Representative
Maurice Southall

The meeting was called to order by the Board's President, Mr. Muhleisen at 9:00 AM, at the Board's office, located at 3500 N. Causeway Blvd. Ste. 1232 Metairie, Louisiana. Also present was Kim W. Michel, Executive Director, Heidi Penouilh, Administrative Coordinator, IV. Jude Daigle was not present at today's meeting.

PUBLIC COMMENTS:

There were no public comments made at today's meeting.

PRESENTATIONS, CORRESPONDENCE and/or REQUESTS:

The contract for John W. Becknell, Attorney at Law, for the Hearing Officer, which will expire on April 1, 2020, was presented to the Board for approval. The contract will be amended for an extension until October 15, 2022 in the amount of, not to exceed, twelve thousand (\$12,000.00) total contract.

Motion was made by Mr. Southall, Seconded by Mr. McFarland and unanimously passed to approve the contract amendment for John W. Becknell, Hearing Officer.

Kedrick Jenkins was present and provided a personal statement to the Board as requested with regard to his temporary license application and the information contained within.

Motion was made by Mr. Dixon, seconded by Mr. McFarland and unanimously passed to discuss in Executive Session.

A request was made by Eddie Heard with regard to the possibility of pursuing a career in funeral service due to a past legal issue. Mr. Heard was not present to address the Board.

The Board, unanimously, requested that Mr. Heard be present at the next scheduled meeting to address the members.

Trent Davis was present to address the Board with regard to the reinstatement of his license.

Information was presented to the Board for review.

Mark Lewis, Pastor at Mt. Calvary Baptist Church was present to speak on behalf of Mr. Davis.

Byron Jones was present to address the Board with his concerns against Mr. Davis.

Motion was made by Mr. Brasseaux, Seconded by Mr. McFarland and unanimously passed to discuss in Executive Session.

A written request was submitted by Steven Kinsley with regard to the reinstatement fees for his license and he is requesting that the fees be reimbursed.

Motion was made by Mr. Brasseaux, Seconded by Ms. Aquillard and unanimously passed that in keeping with the continuity of the Board's protocol, that Mr. Kinsley's request be denied.

With regard to the current Legislative Session, the following bills were presented for informational purposes, SB 146, SB 137, SB 37, and HB 396.

Office of the State Register published the Notice of Intent regarding rules for the Board of Embalmers and Funeral Directors on February 20, 2020, LAC 46:XXXVII, 701, 905, 1701, 1901, 1902, and 2001.

A written request from Boyd Mothe was received to address the Board regarding the Notice of Intent published in the State Register.

COMPLIANCE, HEARING and/or ADMISSION AND CONSENT

There were no hearings and/or admissions and consent for today's meeting.

The Complaint Review Committee's report was presented to the Board by Ms. Chanel Debose, Prosecuting Attorney.

Ms. Debose reiterated that complaints are presented to the Board summarily by facts only. Names, funeral establishments and licensees remain anonymous during the summary presentation in an open meeting and remain anonymous while a complaint is pending further investigation and/or until such time as the complaint file has been closed.

Ms. Debose outlined the summary of facts of thirteen (13) complaints presented during today's meeting and after discussions of all matters, it was passed, that the allegations presented do not appear to be a violation of the laws, rules and regulations under which the Board is empowered with and that each licensee must operate, all as per the recommendations of the Complaint Review Committee.

For the record, as to complaint numbers: 19.20.0005, Mr. Brasseaux opposed the motion of no apparent violation of this matter; 19.20.0006, was determined that there be no opinion issued on this matter; 19.20.0009, Mr. McFarland recused himself from any discussion of this matter; 19.20.0012 Ms. Aquillard opposed the motion of no apparent violation and Mr. Brasseaux abstained from this matter.

EXECUTIVE DIRECTOR'S REPORT

Ms. Michel advised the Board that the new website protocol is currently under construction and that meetings have been scheduled for review of information to be available upon the website.

Also presented to the Board was the 2020 renewal update of lapsed licenses, license and registry update, and The

Conference Exam report update.

Motion was made by Mr. Brasseaux, seconded by Ms. Aquillard and unanimously passed that the Executive Director's report be accepted as presented.

License & Registry Update

Updated on 3/5/20 from December 2019 meeting

Funeral Establishments - new issue

Cypress Funeral Home, Maurice	2938
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Establishment Ownership/Location/Name Change

Central Funeral Home, Central	2937
McKneely Funeral Home, Hammond	2939
McKNeely Funeral Home, Ponchatoula	2940
Professional Funeral Service, Port Allen	2941
Jones Funeral Home, Houma	2942
Brandon G Thompson Funeral Home, Denham Springs	2943
Rabenhorst Funeral Home, Baton Rouge	2944
Rabenhorst Funeral Home, Baton Rouge	2945

Crematory Establishment - new issue

Tangi Crematory, Ponchatoula	50	O/C
Rabenhorst Crematory, Baton Rouge	51	O/C

Embalmer and Funeral Director License - new issue

Vondershell Thomas	E-2896
Carolanne Webb	E-2897
Brendan Owens	E-2898

Funeral Director License - new issue

Robin Martin	U-1700
John Jumonville	U-1701
Evans Ussin	U-1702
Naomi Cooper	U-1703

Retort Operator License - new issue

Jerrold Daigle	339
Warren Watkins	340
Ryan Yager	341

Reinstated Licenses - E / U / RO

Robert Shellhaus	E-1460
John Lang	E-2110
Steven Kinsley	E-2484
Robert Mayence	E-2609

Temporary License - new issue

Internships Registered

Wilhelmina Cave	420	Trina Teixeira	429
Javar Davis	421	Thomas Cassinitti	430
James Mayeaux	422	Vincent Hebert	431
Amira Morrow	423	Kaitlyn Stepp	432
Landon Smith	424	Tiffany Gongre	433
Rachel Poole	425	Everett Geis	434
Heather Hedrick	426	Randy Pitre	435
Gwendolyn Foster	427	Dannille Mitchell	436
Gardenia Jenkins	428		

INSPECTOR'S REPORT

60, 550 miles is the total mileage on the 2017 Ford Fusion as of today on meeting day. Since the beginning of 2020 a total of 120 inspections have been done so far.

Motion was made by Mr. Brasseaux, seconded by Mr. Luneau and unanimously passed that the Inspector's report be accepted as presented.

During the presentation of the Inspector's report, Byron Jones addressed the Board with his displeasure regarding the Board's approval of an ownership change and subsequent inspection of Kennedy Funeral Home in Raceland as he alleged that there were several issues with the establishment that should not have been approved.

Ms. Michel informed Mr. Jones that the Board relies on inspections and approvals from other State departments, such as the Health Department, Fire Marshall, and the Municipality's occupancy regulations where proof of passing those inspections are required. Ms. Michel noted that once these prior inspections have been satisfied and passed by the aforementioned departments, the Board does not have the authority to dispute those inspections and withhold issuing a license. Ms. Michel stated that once the minimum requirements have been satisfied by the reports of passing inspections from DHH, Fire Marshall, and the Municipality, the Board issues a license and the Inspector schedules and performs an inspection based solely on the regulations outlined within the regulations of the LSBEFD.

MINUTES

The minutes from the December 11, 2019 meeting was presented to the Board Members for review.

Motion was made by Mr. McFarland, seconded by Mr. Dixon and unanimously passed that the minutes be approved as presented.

FINANCIAL REPORT

Motion was made by Mr. Brasseaux, seconded by Mr. Luneau and unanimously passed that the financial report and FY 19/20 and 20/21 budget outline be accepted as presented.

EXECUTIVE SESSION

Motion was made by Mr. Brasseaux, seconded by Mr. Luneau and unanimously passed that the Board move into Executive Session at 10:30 AM for discussion of the following;

- The issuance of a temporary license for Kedrick Jenkins;
- The approval of the reinstatement of Trent Davis license E-2009;
- The organization of the Laws and Rules Committee;

Motion was made by Mr. Brasseaux, seconded by Mr. Luneau and unanimously passed that the Board move out of Executive Session to record the following actions;

Motion was made by Mr. McFarland, seconded by Mr. Dixon and unanimously passed to issue a temporary license to Kedrick Jenkins;

Motion was made by Mr. McFarland, seconded by Mr. Dixon and passed with six votes for the license reinstatement for Trent Davis.

For the record, Mr. Brasseaux and Ms. Aquillard voted against the motion with Mr. Davis recusing from the motion.

Trent Davis' license can be reinstated based upon the successful completion of an abbreviated internship of six months and passing the LA Rules and Regulations (LRR) examination.

The Laws and Rules Committee will be comprised of the following Members; Mr. Muhleisen, Mr. Southall, Mr. Brasseaux, and Mr. Luneau.

NEW BUSINESS

There being no further business, the meeting was concluded at 1:00 PM.



Duplain W. Rhodes, Secretary



Edward L. Muhleisen, President

