

Louisiana State Board of Embalmers And Funeral Directors

Minutes of the Meeting

For

June 13, 2023

Board Members present:

Willie P. Davis, Jr., President
Terry Luneau , Vice President
Greg McKneely, Treasurer
Stephen Boudreaux
Maurice Southall
Louis Charbonnet
Rodney McFarland
Louis Charbonnet *

The meeting was called to order by the Board's President, Mr. Davis, 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 L. Penouilh, Executive Assistant, R. Demale Bowden, Jr., Inspector, Christopher Lento, AAG General Counsel and Chanel Debose, Prosecuting Attorney. Mr. Dixon, and Mr. Joseph were not present for today's meeting.

Mr. Davis began the meeting with the mission statement that: The Louisiana State Board of Embalmers and Funeral Directors was formed in 1914 under legal citation R.S. 37:831 for the purpose of regulating funeral establishments, crematory authorities, embalmer and funeral directors, funeral directors and retort operators who are engaged in the care and disposition of the deceased in order to protect the public, safety, and welfare.

Ms. Michel presented, for informational purposes only, Legislation bills that have been introduced during the 2023 Session. These bills appear relevant to this board; SB 187, HB 248, SB 201, and HB 577.

AG Opinion 23-0040 regarding coroner fees and permits was presented for informational purposes only. The opinion is added to these minutes as well as placed upon the board's website for review.

Ryan Seidemann, AAG was present to discuss the urgent need for funeral homes to follow LA R.S. 37:853 and LAC 46:XXXVII; 1109 with regard to identification on caskets for burial. Identification on the outside of caskets for burial is for the purpose of being able to identify the casketed remains should the casket be expelled from the cemetery plot during a flood. The identification on the outside of the casket aids the cemetery personnel from having to open the casket to perform an identity of the remains.

Nicholas Barber presented two questions for the board's response: "... we are wondering what application we can fill out for a wholesale crematory facility with refrigeration and preproom for embalming/cremation

wholesale funeral home to funeral home, as well as our own cypress cases in that part of the state?" and "as the law stands now can a wholesale crematory have refrigeration and hold bodies prior to cremation?"

Ms. Michel referenced LA R.S. 37:831; (51) which defines "Holding Facility" as well as LA R.S. 37:842. F. which outlines the minimum requirements for a funeral establishment.

After some discussion by the board, it was determined that it is not permissible to have a stand-alone prep-room for embalming as it is not outlined within the regulations; and as to refrigeration in a stand-alone crematory to hold bodies, that is not permitted as well. Ms. Michel has added the regulations to these minutes for reference.

The motions that were made at the March and April, 2023 meetings concerning Ms. Michel were ratified during today's meeting regarding the following:

March 7, 2023 - Motion was made by Mr. McFarland, with a second by Mr. Luneau and unanimously passed with regard to the motion by Mr. McFarland, with a second by Mr. Dixon and unanimously passed by a roll call vote to support Ms. Michel's decisions with the management of the board's office.

April 7, 2023 - Motion was made by Mr. McFarland, with a second by Mr. Boudreaux and unanimously passed with regard to the motion by Mr. Charbonnet, with a second by Mr. Dixon and unanimously passed by a roll call vote to offer confirmation and an expression of confidence in Ms. Michel for her time, leadership and management of the board's office.

Ms. Michel presented her report; After previous discussions with a few board members, Ms. Michel evaluated some cost saving solutions for the board to review.

First: Meeting schedule proposal to quarterly

Currently meetings are scheduled 1 x per month with about 9-12 meetings per year;

The reimbursements and per diem per meeting as of today's date: \$27,749.13

Today's meeting total not included and estimated to be: \$33,749.00 (figured \$6000.00/June)

Quarterly meetings would be scheduled March, June, September and December

The reimbursements and per diem per meeting total/year would be approximately = \$13,499.00

$\$33,749.00 \div 10 = \$3,374.00 \times 4 = \$13,499.00 / \$33,749.00 - \$13,499.00 = \$20,250.00$

Saving estimate at approximately \$20,250.00

Special meetings can be arranged for certain circumstances such as formal hearings. Notification would be issued well in advance in time for attendance.

Planning for special meetings would be arranged accordingly with the time needed for notifications and the next scheduled meeting. A special meeting may be arranged in lieu of a regular scheduled meeting.

The board is required, by law, to hold at least one meeting per year.

Second: Re-location proposal for lease fee reduction

Ms. Michel has been advising the board with regard to the upcoming lease expiration and the increase of same. Ms. Penouilh found a location for the board to review, however, due to the modest lease fee, she notified them that the location would not be available for very long and that the realtor was holding the property until a decision could be made by the board.

Upon renewal, the current lease is expected to be \$3300.00 = \$39,600.00 - lease sq ft of suite is 1653

Move proposal to Covington - \$1200.00 = \$14,400.00 - lease sq ft of office is 1000

$\$39,600.00 - \$14,400.00 = \$25,200.00$ savings

The office would be in an older historic house located in downtown Covington. The board would be the only tenants. There is a room upon entry that would handle board meetings, although on a smaller scale with the size of the room, but not a reduction in capacity. There is free parking and close to the building.

The location is in the downtown Covington area, within walking distance to restaurants. There are several hotels in the area. If the meetings require additional space, there are a few venues in town at a cost of \$400.00 per day (8-5) with free parking. This would be considered if a formal hearing is required but based upon 4 quarterly meetings.

The furniture from this suite would be reduced and surplus back to the State. We would keep only what we need. There is quite a bit of wasted space in the current suite.

Ms. Michel stated to the board members that, although the board is financially stable at this time, savings for investments are not available. The investments (savings), the non-operating funds, are important to maintain the post-employment benefits required for retired employees and the future retirement of current staff which is the Group Benefits for health only. Ms. Michel stated that the retirement (LASERS) is not included in the OPEB as that ceases upon the last day of the retired employee's employment.

Ms. Michel reminded the board that she has set a tentative time frame for her retirement and that the board needs to consider hiring an additional individual for the office. The individual would begin part-time then to full-time as training for office procedures, protocols, State programs, process and requirements are needed for a smooth transition. Once Ms. Michel has retired, then the office staff would be, once again, reduced to a staff of two.

Ms. Michel advised the board, yet again, that this is not a two-week notice position, and the board should not default on its requirements per the State. Without the proper training, the board would be deficient with its obligations due to lack of training.

To this report is the registry record.

License & Registry Update

Updated on 06/8/2023

Funeral Establishments - new issue

B.J. Ginn Funeral & Cremation Services	2999	Amite	Bobby Ginn, Jr. U-1710	New Establishment
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Establishment Ownership/Location/Name Change

Name	Lic #	Location	Manager - Lic.#

Crematory Establishment - new / Ownership Change

Embalmer and Funeral Director License - new issue

Melanie James	E-2967
Peyton Young	E-2968
Amy Thompson	E-2969

Funeral Director License - new issue

Jonathan Kent Colligan	U-1818	Glenda Cross	U-1821
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Keionne Molizone	U-1819	Wendy Henry	U-1822
Leah Cross	U-1820	Eric Johnson	U-1823

Retort Operator License - new issue

Krysten Hebert	467
Nicholas LeBlanc	468

Internships Registered

Eleanor Kamrath	FD	0776	Greenoaks F.H., Baton Rouge
Duplain Rhodes, IV	FD	0777	D.W. Rhodes F.H., New Orleans
Melissa Duet	FD	0778	Thibodaux F.H., Thibodaux
Joanne Richard	EMB	0779	David F.H., Lafayette
Robin O'Neal	FD	0780	Washington's & Smith's Paradise, Shreveport
Brooklyn Venable	FD	0781	Jacob Schoen & Son F.H., New Orleans
Shena' Plant	FD	0782	Resting Place F.H., Baton Rouge
Alexander Elie	EFD	0783	Precious Memories F.H., Shreveport
Krysten Hebert	EFD	0784	Serenity F.H., Covington
Katherine Carey	FD	0785	Greenwood F.H., New Orleans
Andrew Brewster	FD	0786	Kilpatrick's Rose-neath F.H., Shreveport
Heidi Trahan	EFD	0787	St. Bernard Memorial F.H., Chalmette
Kaylee Norment	FD	0788	Fall Creek of Louisiana, Pineville

Motion was made by Mr. Southall, with a second by Mr. Luneau and unanimously passed to accept the report as presented but the proposals addressed with regard to cost savings be declined at this time.

President Davis, Board Members, & Executive Director Michel:

I ask that you please excuse my absence today on today because I was selected to be an Item Writer again for the International Conference of Funeral Service and our Item Writing Workshop began today. I felt it necessary that I send my monthly board meeting inspector's report which is as follows:

Inspections

Inspections at this time have been in the Districts B, C, and D and date from May 5, 2023, to June 9, 2023, and consisted of the following: **43** total inspections, which include inspecting **28** main establishments, **12** branch/auxiliary establishments, and **3** crematories. The total number of inspections for the year, **233**. **NO** new establishment inspections, **NO** new crematory inspections, and **NO** firm change of ownership inspections, have been performed during this period. It's my goal to finish up District B within the next few weeks.

Funeral Home Inspections

Funeral home inspections have noted issues with:

- The current 2023 funeral establishment license is **NOT** being displayed.
- Having a clear understanding of the ID Method – which must include the name of the deceased, date of death, and funeral home name.
- Casket prices in the display area/selection room, **DO NOT MATCH** the casket pricelist.
- Caskets in the display area/selection room **ARE NOT** on the casket pricelist.
- No not water in the embalming room
- Embalming Log o Missing the name and signature of the embalmer and their license number

- o Missing the date of embalming & place
- o Missing the time, the embalming procedure took place.
- o No Embalming Log Present

- No ventilation
- Embalming room not being locked.
- No mask or face shield to protect the eyes and face.
- No embalming table with running water draining from the table into a drain connected with a sewer or other receptacle.
- No covered area when exiting the facility to protect the casketed remains until placed in the hearse.
- Display area for displaying funeral merchandise consisting of **LESS THAN 6** adult caskets of a variety of styles and quality.
- Incomplete casket price lists
- No being able to reach the establishment upon the time of an inspection

Crematory Inspections

Crematory inspections have noted issues with:

- The current 2023 crematory establishment license is **NOT** being displayed.
- If a temporary container is used, is it clearly marked with the Name of the deceased, Name of the Crematory Authority, and indicated as a Temporary Container

Issues around the state that have been consistent, since our last meeting are:

- **Having a clear understanding of the ID Method and WHERE the ID Method should be placed.**
- **Casket prices in the display area/selection room, DO NOT MATCH the casket pricelist.**
- **No not water in the embalming room**
- **No ventilation**

Board Car

The car is well, it's being maintained in tip-top condition as expected and the total mileage at the completion of this report was **27,516** miles.

Again, I offer my condolences to the family of licensee, Funeral Director Jerry Villemarette and the Hixson-Ductoe Funeral Home Management & Staff of Bunkie & Plaquemine. Mr. Villemarette passed away on Mother's Day, May 14, 2023.

This concludes my inspector's report.

In service to you the board, licensees, and interns of the Louisiana State Board of Embalmers & Funeral Directors.

R. DeMale Bowden, Jr. – Inspector

License#: E-2656 Retort Operator#: 431

Certified Funeral Service Practitioner Certified Cremation Services Provider

Motion was made by Mr. Boudreaux, with a second by Mr. Luneau and unanimously passed to accept the report as presented.

The minutes for the May 9, 2023 meeting were presented for review and approval;

Motion was made by Mr. McKneely, with a second by Mr. Luneau and unanimously passed to accept the report as presented.

The financial report as well as budget for FY 21/22 and projected FY 22/23 was presented.

Accounting Summary

6/8/2023

Investments - Non-Operating	
	\$
Bank Plus	159,297.03
	\$
Liberty Bank	54,106.52
	\$
Liberty Bank	63,405.85
	\$
Total Non-Operating	276,809.40
Operating Funds	
	\$
Chase - MM	193,300.25
	\$
Chase check account	27,105.05
	\$
Total Operating	220,405.30

October - December = operating funds received are renewals = establishments, embalmers & funeral directors

March - May = operating funds received are renewals = crematories & retort operators

3 x Certificates of Deposit for reserve investment account funds (non-operating funds)

Chase MM and Chase checking account are operating accounts.

Fees received during October through December and February through March are for operations.

Bank Plus and the two Liberty banks hold reserved funds placed in CDs. Interest from these accounts accumulate to the balance of these accounts and are not withdrawn.

The following page(s) of budget information is a projection based upon the operational income received solely from the Oct -Dec and Feb-Mar fees that are received.

The budget projections(s) fluctuate with each report and a final accounting cannot be determined until the fiscal year end.

The budget projection does not incorporate the funds reserved in the CDs.

The board does not receive any funding from the State of LA through appropriations, taxes, allocations, grants, etc.

The board operates completely by income received from license fees and registrations.

Ms. Michel noted that the projected budget for 2023/2024 is being presented for review. Report added to the end of these minutes.

Motion was made by Mr. Southall with a second by Mr. McKneely and unanimously passed to accept the report as presented.

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

Ms. Debose reiterated that the complaints are presented anonymously in numerical format to the Board with the Complaint Review Committee's decision based upon the information presented at the time of review. The numbered complaints presented in an open meeting remain anonymous while a complaint is pending further investigation and/or until such time as the complaint file has been closed.

Three new complaints are in process. Fourteen complaints were reviewed and recommendations as follows, one complaint to be scheduled for a formal hearing; two complaints to be deferred for possible civil matters; ten complaints have been determined to be no apparent violations and therefore should be dismissed; and one complaint is still in process, all as per the recommendations of the Complaint Review Committee.

Motion was made by Mr. Luneau, with a second by Mr. McKneely and unanimously passed that complaint report be accepted as presented.

Mr. Luneau advised the board that the Laws and Rules Committee, along with select members from the LFDMA and the LFDA, met on May 10, 2023 to continue the work on the rules for the board. The committee is prepping for changes to the rules with language and practices. The Laws & Rules Committee, is planning to meeting tomorrow, June 14, 2023 to begin at 10:00 AM.

The minutes of the meeting of the Laws and Rules Committee is added for further update and review of progress.

Motion was made by Mr. McFarland, with a second by Mr. Southall and unanimously passed to accept the report/minutes as presented.

*Attended the meeting in progress.

Motion was made by Mr. Boudreaux, with a second by Mr. Luneau and unanimously passed that the board move into Executive Session at 10:00 AM.

Motion was made by Mr. Boudreaux, with a second by Mr. McKneely and unanimously passed that the board move out of Executive Session at 10:55 AM for discussion of the following;

Ms. Michel discussed and advised the board regarding future personnel/staff possibilities they should consider.

Mr. McFarland noted that the NFDA convention is scheduled for September 10 – 13, 2023 in Las Vegas, NV; the NFDMA convention is scheduled for July 29 – August 2, 2023 in Atlanta, GA.

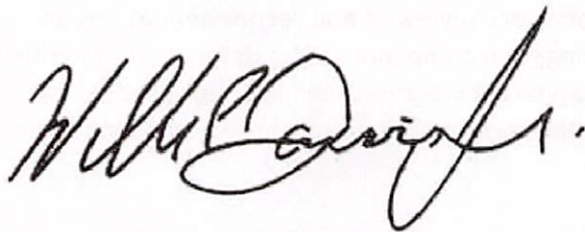
NEW BUSINESS

The next scheduled meeting of the board will be on Tuesday, August 8, 2023 at 9:00 AM and the Laws and Rules Committee will meet on Wednesday, August 9, 2023 at 10:00 AM

There being no further business, the meeting was concluded.

A handwritten signature in blue ink that reads "Rev. S.C. Dixon".

Rev. S.C. Dixon, Secretary

A handwritten signature in black ink that reads "Willie P. Davis, Jr.".

Willie P. Davis, Jr., President



LA STATE BOARD OF EMBALMERS & FUNERAL DIRECTORS

Budget vs. Actuals: Budget 23.24 - FY24 P&L

July 2023 - June 2024

	TOTAL	
	ACTUAL	BUDGET
Income		
3010 Fun Estab Annual Renewal		300,000.00
3020 Fun Estab New Certificates		7,500.00
3030 Ownership, Location, Name Chang		10,000.00
3040 Crematory Authority License		3,000.00
3045 Crematory Auth Annual Renewal		35,000.00
3050 Retort Operator License	500.00	10,000.00
3055 Retort Operator Annual Renewal	80.00	25,000.00
3060 Embalmer Annual Renewal		75,000.00
3070 Funeral Director Annual Renewal		40,000.00
3080 Emb/FunDir/ Temp License Fees	2,250.00	20,000.00
3100 Interest on Investments		1,500.00
3110 Fines		1,000.00
3120 Miscellaneous Income	129.18	3,500.00
3140 Duplicate Certificate Fee		1,000.00
3150 Internship Fee	1,000.00	15,000.00
3160 Temporary License fee		500.00
3170 F.D.License Reinstatemt		1,000.00
3180 Emb. License Reinstatement		1,000.00
Total Income	\$3,959.18	\$550,000.00
GROSS PROFIT	\$3,959.18	\$550,000.00
Expenses		
4000 Compensation -		
4010 Per Diem		5,000.00
4040 Salaries		0.00
Total 4000 Compensation -		5,000.00
4020 Compensation -		
Salaries - Office	28,614.40	185,000.00
Total 4020 Compensation -	28,614.40	185,000.00
4050 Employee Benefits -		
4051 Employers Contrib Retire System	8,746.14	40,000.00
4054 Employment Security Tax		50.00
4060 Group Insurance -		
4061 GIP-Active employees		20,000.00
4064 GIP - Joe Lee Pea	68.08	273.24
4065 GIP - Stella L. Neal	47.36	190.08
4067 GIP - Dawn P. Scardino	1,401.72	8,500.00
4068 GIP- Millard J. Daigle	625.00	6,000.00
Total 4060 Group Insurance -	2,142.16	34,963.32
Total 4050 Employee Benefits -	10,888.30	75,013.32
4100 Travel -		
4110 Mileage Reimbursement		12,000.00

LA STATE BOARD OF EMBALMERS & FUNERAL DIRECTORS

Budget vs. Actuals: Budget 23.24 - FY24 P&L

July 2023 - June 2024

	TOTAL	
	ACTUAL	BUDGET
4130 Inspectors Travel Expense	256.96	32,000.00
4570 Board members meeting exp		4,000.00
Total 4100 Travel -	256.96	48,000.00
4200 Professional Fees		
4210 Legal Fees	14,167.50	100,000.00
4230 Audit		6,750.00
4240 Computer Consultant		12,000.00
Total 4200 Professional Fees	14,167.50	118,750.00
4300 Other Purchased Services -		
4310 Insurance		17,000.00
4340 Dues and Subscriptions		600.00
4360 Telephone & Telegraph	104.56	5,300.00
4390 Hearing Expense		100.00
Total 4300 Other Purchased Services -	104.56	23,000.00
4400 Rents -		
4410 Rent-Office & Parking		35,000.00
4420 Equipment Lease		5,600.00
Total 4400 Rents -		40,600.00
4500 Supplies & Maintenance -		
4510 Stationery, Supplies & Office	323.13	30,000.00
4511 Postage		4,000.00
4520 Xerox & Maint Office Equipment		700.00
4580 Miscellaneous Expense		2,500.00
Total 4500 Supplies & Maintenance -	323.13	37,200.00
Payroll Expenses		
Taxes	0.15	
Total Payroll Expenses	0.15	
Total Expenses	\$54,355.00	\$532,563.32
NET OPERATING INCOME	\$ -50,395.82	\$17,436.68
NET INCOME	\$ -50,395.82	\$17,436.68