

Louisiana State Board of Embalmers And Funeral Directors

Minutes of the Meeting

For
June 22, 2021

Board Members present:

Rodney McFarland , President

Willie P. Davis, Jr. , Secretary

Duplain W. Rhodes, III, Vice President

Terry Luneau , Treasurer

Lonnelle Aquillard

S. J. Brasseaux

Maurice Southall

Shelton R. Dixon, Consumer Representative via Zoom

Edward Muhleisen *

The meeting was called to order by the Board's President, Mr. McFarland 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, Inspector, Christopher Lento, General Counsel and Chanel R. Debose, Prosecuting Attorney.

Meeting of the Board via Zoom - NO PUBLIC ATTENDANCE ALLOWED AT THIS TIME

PUBLIC COMMENTS:

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

*Joined the meeting in progress

COMPLIANCE, HEARING and/or ADMISSION AND CONSENT

In the Matter of William Mack and Renaissance Funeral Services, Inc., Gonzales, an admission and consent was signed and submitted by William Mack which was presented to the board for their review and determination.

This matter was tabled for deliberation during Executive Session.

Update with regard to The Cremation Society of Acadiana (TCSA), an online funeral company. This matter was presented to the board and subsequently voted on at the last meeting for a cease and desist letter to be forwarded to TCSA due to the fact that there was no direct relationship associated with a LA licensed funeral establishment although the business was operating under an address of a LA licensed funeral establishment. The matter was referred to our General Counsel, Christopher Lento, AAG, for further review of the regulations to determine which violations may be applicable to address within the letter. TCSA was notified regarding the options that they had with regard to, either add the LA licensed funeral establishment upon the website or

license the online business separately. TCSA opted to post their affiliation with the LA licensed funeral establishment upon the website as opposed to separately licensing the online business.

A license application was presented to the board for review to address a notation listed upon the submission.

This matter was tabled for discussion during the Executive Session for today's meeting.

The Laws and Rules Committee rescheduled their meeting for Friday, July 9, 2021 at 9:00 AM.

Ms. Michel presented her report, noting the Conference quarterly report and presented the Board with the licensing report for new licenses, reinstatements and interns registered.

License & Registry Update

Updated on 6/17/2021

Funeral Establishments - new issue

Mitchell Funerals & Cremation	2962
Affordable Funeral Home	2963

Establishment Ownership/Location/Name Change

Jenkins Funeral Home	2961	-	-
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Crematory Establishment - new issue

Embalmer and Funeral Director License - new issue

Harriet Harmon	E-2921	-	-	-
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Funeral Director License - new issue

Retort Operator License - new issue

Kerry Seilan	388
Jonathan Colligan	389

Internships Registered

Shannon O'Brien	0537	Dezarar Williams	0541
Holden McRae	0538	Wendy Zeller	0542
Alyssa Meador	0539	Emil Chaisson	0543
Grace Ibert	0540		

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

Mr. Daigle presented his inspector's report as; 83, 200 miles is the total mileage on the 2017 Ford Fusion. Since the beginning of 2021 a total of 222 inspections have been done so far this year. 57 Inspections since the last meeting. This represents the total number of inspections since the beginning of 2021.

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

The minutes of May 11, 2021 were presented for review and approval.

Motion was made by Mr. Luneau and seconded by Ms. Aquillard and unanimously passed that the minutes be accepted as presented.

The financial report and budget for FY 20/21 was presented for review and consideration.

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

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

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 remains anonymous while a complaint is pending further investigation and/or until such time as the complaint file has been closed.

There were thirteen complaints of which four complaints were recommended for informal hearings, six complaints are pending and/or require further discovery, and three complaints were recommended for formal hearings.

Motion was made by Mr. Southall, seconded by Mr. Luneau and unanimously passed that the complaint report be accepted as presented per the recommendations of the Complaint Review Committee.

Motion was made by Mr. Brasseaux, seconded by Ms. Aquillard and unanimously passed that the board move into Executive Session at 10AM for the following;

- Discussion with regard to the admission and consent submitted by Renaissance Funeral Service, Inc.;
- Discussion with regard to the license application review that was presented;

Motion was made by Mr. Davis, seconded by Mr. Luneau and unanimously passed that the board move out of Executive Session at 11:00 AM.

Motion was made by Mr. Southall, seconded by Mr. Davis and unanimously passed that the admission and consent by Renaissance Funeral Service, Inc., be accepted as presented.

Motion was made by Ms. Aquillard, seconded by Mr. Rhodes and unanimously passed that Renaissance Funeral Service, Inc. be fined the sum of \$2500.00 per violation to equal \$7500.00 total fine which will include attorney fees for the board, Mr. William Mack's license will be suspended for thirty days and an interim licensed manager be named

during the license suspension of Mr. William Mack.

FINDINGS OF FACT and DECISIONS of the BOARD

This matter came before the Louisiana State Board of Embalmers and Funeral Directors on June 22, 2021 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.

CHRISTOPHER LENTO, General Counsel, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors was present via Zoom.

After considering the law, the evidence, the entire record of these proceedings, and the Admission and Consent submitted by the parties for a ruling on the Admission and Consent, WILLIAM P. MACK and the entity operating as RENAISSANCE FUNERAL SERVICES, INC., who waived their appearances to appear before the Board to be a part of the proceedings held on June 22, 2021. The Louisiana Board of Embalmers and Funeral Directors rules as follows:

FINDINGS OF FACT

That WILLIAM P. MACK is the licensed embalmer and funeral director (#E2251); designated manager, designated agent; and the owner of the establishment operating as Renaissance Funeral Services, Inc. (#2549), Gonzales, 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 William P. Mack and the entity operating as Renaissance Funeral Services, Inc. are guilty of violating the following provisions: LA R.S. 37:846 (A) (5), (Unprofessional, Unethical, or Dishonest Conduct); LA. R.S. 37:846 (A) (4), (Malpractice); and LA. R.S. 37:848 (A), (Unlawful Practice).

CONCLUSIONS

As to **William P. Mack and the entity operating as Renaissance Funeral Services, Inc.**, the Board members found that William P. Mack and the entity operating as Renaissance Funeral Services, Inc. violated the following provisions: LA R.S. 37:846 (A) (5), (Unprofessional, Unethical, or Dishonest Conduct); LA. R.S. 37:846 (A) (4), (Malpractice); and LA. R.S. 37:848 (A), (Unlawful Practice), as evidenced by documentation appearing in the file and the Admission and Consent signed by William P. Mack on behalf of himself and the entity operating as Renaissance Funeral Services, Inc., admitting to the following:

- 1. William P. Mack and the entity operating as Renaissance Funeral Services, Inc. have allegedly violated LA. R.S. 37:846 (A) (5) by engaging in unprofessional, unethical, or dishonest conduct by: Failing to bury the decedent, Frazier Wheat, pursuant to the contract entered into by the parties; by recklessly removing Frazier Wheat's body from his home; by failing to put the correct date of the funeral in the funeral programs, and by failing to provide the family with a funeral director and staff during the entire viewing process.**
- 2. William P. Mack and the entity operating as Renaissance Funeral Services, Inc. have allegedly violated LA. R.S. 37:846 (A) (4) (Malpractice) by engaging in negligence from professional duty or failing to exercise an acceptable degree of skill or learning as a funeral director, or embalmer, or both that resulted in injury, loss, and damage by: Failing to schedule Frazier Wheat's funeral services at the time selected by the family; by failing to appear and provide the family with a funeral director and staff during the entire funeral service; by failing to schedule the decedent's military burial at the time selected by the family, and by failing to provide the family with a hearse to transport the body from the church to the cemetery.**

3. **William P. Mack and the entity operating as Renaissance Funeral Services, Inc. have allegedly violated LA. R.S. 37: 848 (A) by allowing a person, not certified and registered under the provisions of the Chapter governing the Louisiana State Board of Embalmers and Funeral Directors, to embalm or pretend to practice the science of embalming, or conduct the business of funeral directing by allowing Andy Hartley to direct and manage the funeral of the late Frazier Wheat.**

DECISION OF THE BOARD

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

IT IS ORDERED BY THE BOARD that William P. Mack and the entity operating as Renaissance Funeral Services, Inc. are hereby found guilty of violating the following provisions: LA R.S. 37:846 (A) (5), (Unprofessional, Unethical, or Dishonest Conduct); LA. R.S. 37:846 (A) (4), (Malpractice); and LA. R.S. 37:848 (A), (Unlawful Practice).

IT IS FURTHER ORDERED BY THE BOARD that pursuant to LA. R.S. 37:850, the penalty statute applicable to these violations, 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, Renaissance Funeral Services, Inc. and its representative, William P. Mack are fined the sum of Seven-Thousand, Five-Hundred (\$7,500.00) dollars, Two-Thousand, Five-Hundred (\$2,500.00) dollars for each offense for the above cited violations of LA R.S. 37:846 (A) (5), (Unprofessional, Unethical, or Dishonest Conduct); LA. R.S. 37:846 (A) (4), (Malpractice); and LA. R.S. 37:848 (A), (Unlawful Practice).

IT IS FURTHER ORDERED BY THE BOARD that Renaissance Funeral Services, Inc. and its representative William P. Mack are to pay the sum of One-Thousand, Six-Hundred Twelve Dollars, and Fifty Cents (\$1,612.50) 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 June 22, 2021, the date the Admission and Consent was accepted by the Board Members.

IT IS FURTHER ORDERED BY THE BOARD that the total assessed cost to Renaissance Funeral Services, Inc. and William P. Mack is Nine-Thousand, One-Hundred, Twelve Dollars, and Fifty Cents (\$9,112.50) in fines and fees owed to the Board for the above cited violations. The above assessed fines and attorney's fees are to be paid by Renaissance Funeral Services, Inc. and/or its representative William P. Mack 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 Renaissance Funeral Services, Inc., Gonzales, Louisiana shall be suspended until such time as all costs are paid.

IT IS FURTHER ORDERED BY THE BOARD that William P. Mack, manager, owner, and operator of the entity operating as Renaissance Funeral Services, Inc., funeral director's and embalmer's license, (#E2251) is suspended for thirty (30) days beginning, July 10, 2021. The thirty (30) day suspension will expire on August 9, 2021.

IT IS FURTHER ORDERED BY THE BOARD that William P. Mack, manager, owner and operator of the entity operating as Renaissance Funeral Services, Inc., shall notify the Board of the name and license number of the manager who will be managing his firm during the thirty (30) days that his funeral director's and embalmer's license is under suspension.

IT IS FURTHER ORDERED BY THE BOARD that Jude Daigle, Inspector for and on behalf of the Louisiana State Board of Embalmers and Directors, is hereby ordered to perform periodic inspections on the entity operating as Renaissance Funeral Services, Inc. to inspect and to verify that William P. Mack and the entity operating as Renaissance Funeral Services, Inc. is complying with the orders of the Board during the time of the suspension.

NEW BUSINESS

The next meeting of the board will be on July 20, 2021 as well as August 10, 2021 and there will be a Laws Rules Committee meeting scheduled for July 9, 2021 via Zoom.

There being no further business, the meeting was concluded at 11:45 AM.



Willie Davis, Jr.

Willie Davis, Jr., Secretary



Rodney McFarland, Sr.

Rodney McFarland, Sr., President

