

# Louisiana State Board of Embalmers And Funeral Directors

## Minutes of the Meeting

For

August 8, 2023

### Board Members present:

**Willie P. Davis, Jr., President**

**Terry Luneau , Vice President**

**Shelton Dixon, Secretary**

**Stephen Boudreaux**

**Maurice Southall**

**Rodney McFarland**

**Juan Joseph**

The meeting was called to order by the Board's President, Mr. Davis, at 10:30 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. Mr. McKneely, and Mr. Charbonnet 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.

Resolutions for the following three licensees were presented and read:

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

**Jerry G. Villemarette**

*FUNERAL DIRECTOR, U-1220, New Orleans, Louisiana, who departed this life on May 14, 2023. Whereas: Jerry G. Villemarette, U-1220, received his funeral director license in nineteen hundred eighty-five and had practiced for thirty-six years; and,*

*Whereas: Jerry G. Villemarette, 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: Jerry G. Villemarette has further extended his energy to our state by having served in various capacities within his community.*

Therefore, be it resolved: *that the Louisiana State Board of Embalmers and Funeral Directors extends to the family of the late Jerry G. Villemarette, our deepest sympathy and condolences for their great loss which we so keenly feel; and, Be it further Resolved that this tribute to Jerry G. Villemarette, 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.*

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

**Richard n. Romain**

*FUNERAL DIRECTOR, U-1223, New Orleans, Louisiana, who departed this life on June 26, 2023.*

*Whereas: Richard N. Romain, U-1223 received his funeral director license in nineteen hundred eighty-six and has been actively practicing for the last thirty-seven years; and,*

*Whereas: Richard N. Romain, 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: Richard N. Romain. has further extended his energy to our state by having served in various capacities within his community.*

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

*Be it further Resolved that this tribute to Richard N. Romain, 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.*

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

**Constance M. Selico**

*FUNERAL DIRECTOR, U-1122, New Orleans, Louisiana, who departed this life on July 20, 2023.*

*Whereas: Constance M. Selico, U-1122 received her funeral director license in nineteen hundred seventy eight and has been practicing for the last forty-five years; and,*

*Whereas: Constance M. Selico, has always exemplified the attributes of high idealism by her courteous manner and personality and has made valuable contributions to the interest and welfare of the people of her community; and,*

*Whereas: Constance M. Selico, has further extended her energy to our state by having served in various capacities within her community.*

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

*Be it further Resolved that this tribute to Constance M. Selico, 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 her family.*

Rev. Dixon said a prayer for the families of Mr. Romain, Mr. Villmarette and Ms. Selico at the request of the board’s President, Mr. Davis.

**Resolution of the Louisiana State Board of Embalmers**

**BE IT KNOWN**, that during the meeting of the Louisiana State Board of Embalmers and Funeral Directors (LSBEFD), Metairie, Louisiana, was held on the 8<sup>th</sup> day of August, 2023, at 9:00 o’clock a.m. a quorum being present, the following resolution was introduced by Mr. Southall and seconded by Mr. Dixon, to wit:

**WHEREAS**, The Louisiana State Board of Embalmers and Funeral Directors hereby authorizes Kim W. Michel, Executive Director, to implement a Virtual Media/Video Conference Policy in accordance with the Americans with Disabilities Act for the LSBEFD, in accordance with Act 393 of 2023.

The above and foregoing resolution was adopted by the Louisiana State Board of Embalmers and Funeral Directors of Metairie at its meeting on the 8<sup>th</sup> day of August 2023 at 10:30 o’clock a.m.

YEAS: 6

NAYS: \_\_\_\_\_

Absent: 2



Willie P. Davis, Jr.  
PRESIDENT



Rev. Shelton Dixon  
SECRETARY

Ms. Michel presented her report.

Ms. Michel, once again, re-evaluated some cost saving solutions for the board to review.

First: Meeting schedule proposal to quarterly traveling to each district and conduct a 1 – 2 hour continuing education session prior to the meetings. The sessions for continuing education would not be presented virtually but by personal attendance only and a fee could be charged for the presentations.

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.

Second: Re-location proposal for lease fee reduction

Ms. Michel has been advising the board about the upcoming lease expiration and the increase of same. Ms. Michel stated that she would continue to tour other properties for a suitable location and amenities with reduced leasing fees.

Ms. Michel noted that an office for the board's staff only, with meetings to be held in Baton Rouge at the Claiborne Building, is still an option to greatly reduce the rent fees.

Mr. Davis appointed Mr. Southall, Mr. Charbonnet and Mr. McKneely as the review committee to assist Ms. Michel with property search and evaluate possible relocation options.

Ms. Michel stated to the board members that, although the board's finances are adequate at this time, the ability for savings is not available. The savings, non-operating funds, are vital to maintain the post-employment benefits required for retired employees, which is 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, once again, reminded the board that she has set a tentative time frame for her retirement and that although the board has approved the position of an administrative assistant to be filled, it would begin part-time then to full-time to coincide with Ms. Michel's departure. 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 will 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 in its obligations due to lack of training. There are certain Legislative obligations that are mandatory, and the board can be cited, reprimanded, and even have its operations suspended if those duties are not maintained.

To this report is the registry record.

## License & Registry Update

**Establishment Ownership/Location/Name Change**

Name	Lic #	Location	Manager - Lic.#

**Crematory Establishment - new / Ownership Change****Embalmer and Funeral Director License - new issue**

Ashley Rose	E-2970	Amanda Lieblong	E-2974
Malik Gibson	E-2971	Sean Masters	E-2975
Mina Major	E-2972	Kenya Smith	E-2976
John Barrett	E-2973		

**Funeral Director License - new issue**

Velma Wright	U-1824	Claire Aguiard	U-1827
Britt Huston Caro	U-1825	Anthony Preyan, Jr.	U-1828
Toranza Every	U-1826		

**Retort Operator License - new issue**

Michelle Erickson	469	Lewis Rougeou	472
Amanda Ebard	470	Cole Kent Colligan	473
Kali Lopez	471		

**Internships Registered**

David Albritton	FD	0789	Grffin Funeral Home, West Monroe
Charliette Rousseve	FD	0790	Robottom Mortuary, Reserve
Wanda Moore	FD	0791	Heavenly Gates Funeral Home, Shreveport
Tyler Adams	EMB/FD	0792	Church Funeral Services, St. Amant
Jordan Brinson	EMB/FD	0793	Garden of Memories, Metairie
Kainan McAllister	EMB/FD	0794	Kilpatrick Funeral Home, West Monroe
Tyree Link	FD	0795	Hall Davis & Son F.H., Baton Rouge
Wilfred Jones, Jr.	EMB/FD	0796	D.W. Rhodes F.H., New Orleans
Yolanda Moore	FD	0797	Winnfield F.H., Baton Rouge
Alexis Juneau	EMB/FD	0798	Rabenhorst F.H., Baton Rouge
Ashley Green	EMB/FD	0799	Davis Funeral Home, Gretna
Matthew Alphonso	EMB/FD	0800	Honaker F.H., Slidell
Andre' Benoit	EMB/FD	0801	Vincent F.H., Abbeville
Katrice Lewis	FD	0802	Winnfield F.H., Baton Rouge
April Rivers	FD	0803	Kilpatrick's Rose-neath F.H., Mansfield

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

## **INSPECTOR'S REPORT August 8, 2023**

President Davis, Board Members, & Executive Director Michel:

My monthly board meeting inspector's report is as follows:

### **Inspections**

Inspections at this time have been in Districts C and D and date from June 19, 2023, to August 4, 2023, and consisted of the following: **57** total inspections, which include inspecting **35** main establishments, **22** branch/auxiliary establishments, and **8** crematories. The total number of inspections for the year, **287**. **NO** new crematory inspections and firm change of ownership inspections have been performed during this period; however, I do have **ONE** new establishment inspection pending. I am awaiting the establishment to set a date for this new establishment inspection.

### **Funeral home inspections have noted issues with:**

- The current 2023 funeral establishment license is **NOT** being displayed. – *Five occurrences*
- The intern's certificate is **NOT** being displayed. – *One occurrence*
- The funeral director's license is **NOT** being displayed in a main establishment. – *One occurrence*
- The display area for displaying funeral merchandise having **LESS THAN SIX** adult caskets of a variety of styles and quality. - *Three occurrences*
- No casket price list – *Two occurrences*
- Caskets are not priced – *One occurrence*
- Caskets do not match the casket price list – *One occurrence*
- No covered area when exiting the facility to protect the casketed remains until place in the hearse – *One occurrence*
- No Mask/Face shield to protect the face and eyes – *One occurrence*
- No eye wash or the eye wash is **NOT** working properly – *Five occurrences*
- No hot water in the embalming room – *Two occurrences*
- No ventilation – *One occurrence*
- Issues with the Embalming Log – *One occurrence each*
  - o Missing the signature of the embalmer
  - o Missing the license number of the embalmer
  - o Missing the date & time the embalming began and ended.

### **Crematory inspections have noted issues with:**

- 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 – *Six occurrences*

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

- The current 2023 funeral establishment license is NOT being displayed. o When the 2023 license is not displayed, time is taken to explain to the manager or licensee how they can access one by logging in to Certemy or contacting the office to obtain a duplicate license.
- No eye wash station or the eye wash station is not working properly. o Firms are coming into compliance by getting an eye wash station or getting someone in to see what the problem is with their existing eye wash station and why they are not working properly.
- 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. o Most crematories were not aware of this rule that "TEMPORARY CONTAINER" needed to be indicated and this issue is corrected most times before the end of the inspection.

### **Representation**

I was one of twenty-five participants selected to represent the diversity among funeral service licensees across the country in an Item Writing Workshop for The International Conference of Funeral Service Examining Board. During this workshop licensees gathered virtually in two groups, the arts, and the sciences, to create exam questions for the National Board Exam.

Information and two hours of continuing education were gained for attending two different courses on "The Overall View of Cross Connections, Backflow Devices, and Troubleshooting." I found these two courses interesting because they were in reference to being able to identify various types of backflow prevention for hydro aspirators in the embalming/preparation room area in funeral establishments.

President Davis, Board Member Southall, and I, represented the board at the funeral mass of Funeral Director Richard Romain.

**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 **30,201** miles.

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

A motion was made by Mr. McFarland, with a second by Mr. Joseph, and unanimously passed to accept the report as presented.

The minutes for the June 13, 2023, meeting was presented for review and approval.

A motion was made by Mr. McFarland, with a second by Mr. Southall 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.

Investments - Non-Operating	-
Bank Plus	\$ 159,297.03
Liberty Bank	\$ 54,106.52
Liberty Bank	\$ 63,405.85
Total Non-Operating	\$ 276,809.40
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Operating Funds	
Chase - MM	\$ 123,771.26
Chase check account	\$ 36,797.21
Total Operating	\$ 160,568.47

October – December; operating funds received are renewals for establishments, embalmers and funeral directors and funeral directors.

March – May; operating funds received are renewals for crematories and retort operators.

There are three Certificates of Deposit for reserve investment account funds (non-operating funds) with two Certificates of Deposit in Liberty and one Certificates of Deposit in Bank Plus.

The Chase MM and Chase checking accounts are the operational accounts with the deposit of the fees received during October through December and February and May as well as other license and registration fees collected during the fiscal year.

The budget presentation is a projection based upon the operational income received solely from the Oct-Dec and Feb-May fees that are received.

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

The budget does not incorporate the funds reserved in the certificates of deposit.

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

The board is self-funded and operates completely by income received from licenses and registrations.

## 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	1,500.00	7,500.00
-	3030 Ownership, Location, Name Chang	1,200.00	10,000.00
-	3040 Crematory Authority License	1,500.00	3,000.00
-	3045 Crematory Auth Annual Renewal	-	35,000.00
-	3050 Retort Operator License	1,750.00	10,000.00
-	3055 Retort Operator Annual Renewal	160.00	25,000.00
-	3060 Embalmer Annual Renewal	-	75,000.00
-	3070 Funeral Director Annual Renewal	-	40,000.00
-	3080 Emb/FunDir/ Temp License Fees	6,250.00	20,000.00
-	3100 Interest on Investments	-	1,500.00
-	3110 Fines	-	1,000.00
-	3120 Miscellaneous Income	447.65	3,500.00
-	3140 Duplicate Certificate Fee	-	1,000.00
-	3150 Internship Fee	2,700.00	15,000.00
-	3160 Temporary License fee	100.00	500.00
-	3170 F.D.License Reinstatemt	-	1,000.00
-	3180 Emb. License Reinstatement	-	1,000.00
-	<b>Total Income</b>	<b>\$15,607.65</b>	<b>\$550,000.00</b>
-	<b>GROSS PROFIT</b>	<b>\$15,607.65</b>	<b>\$550,000.00</b>
-	Expenses	-	-
-	4000 Compensation -	-	-
-	4010 Per Diem	300.00	5,000.00
-	4040 Salaries	-	0.00
-	<b>Total 4000 Compensation -</b>	<b>300.00</b>	<b>5,000.00</b>
-	4020 Compensation -	-	-
-	Salaries - Office	58,178.40	185,000.00
-	<b>Total 4020 Compensation -</b>	<b>58,178.40</b>	<b>185,000.00</b>
-	4050 Employee Benefits -	-	-
-	4051 Employers Contrib Retire System	14,706.55	40,000.00
-	4054 Employment Security	-	50.00
-	Tax 4060 Group Insurance -	-	-
-	4061 GIP-Active employees	-	20,000.00
-	4064 GIP - Joe Lee Pea	102.12	273.24
-	4065 GIP - Stella L. Neal	71.04	190.08
-	4067 GIP - Dawn P. Scardino	2,102.58	8,500.00
-	4068 GIP- Millard J. Daigle	937.50	6,000.00
-	<b>Total 4060 Group Insurance -</b>	<b>3,213.24</b>	<b>34,963.32</b>
-	<b>Total 4050 Employee Benefits -</b>	<b>17,919.79</b>	<b>75,013.32</b>
-	4100 Travel -	-	-
-	4110 Mileage Reimbursement	1,088.82	12,000.00

	TOTAL	
	ACTUAL	BUDGET
-	-	-
- 4130 Inspectors Travel Expense	1,545.28	32,000.00
- 4570 Board members meeting exp	251.00	4,000.00
- <b>Total 4100 Travel -</b>	<b>2,885.10</b>	<b>48,000.00</b>
- 4200 Professional Fees	-	-
- 4210 Legal Fees	20,051.25	100,000.00
- 4230 Audit	6,470.00	6,750.00
- 4240 Computer Consultant	1,610.00	12,000.00
- <b>Total 4200 Professional Fees</b>	<b>28,131.25</b>	<b>118,750.00</b>
- 4300 Other Purchased Services -	-	-
- 4310 Insurance	15,372.48	17,000.00
- 4340 Dues and Subscriptions	-	600.00
- 4360 Telephone & Telegraph	713.99	5,300.00
- 4390 Hearing Expense	-	100.00
- <b>Total 4300 Other Purchased Services -</b>	<b>16,086.47</b>	<b>23,000.00</b>
- 4400 Rents -	-	-
- 4410 Rent-Office & Parking	6,074.60	35,000.00
- 4420 Equipment Lease	-	5,600.00
- <b>Total 4400 Rents -</b>	<b>6,074.60</b>	<b>40,600.00</b>
- 4500 Supplies & Maintenance -	408.00	-
- 4510 Stationery, Supplies & Office	1,815.20	30,000.00
- 4511 Postage	72.52	4,000.00
- 4520 Xerox & Maint Office Equipment	-	700.00
- 4580 Miscellaneous Expense	-	2,500.00
- <b>Total 4500 Supplies &amp; Maintenance -</b>	<b>2,295.72</b>	<b>37,200.00</b>
- Payroll Expenses	-	-
- Taxes	79.05	-
- <b>Total Payroll Expenses</b>	<b>79.05</b>	-
- Uncategorized Expense	303.62	-
- <b>Total Expenses</b>	<b>\$132,254.00</b>	<b>\$532,563.32</b>
- NET OPERATING INCOME	<b>\$ -116,646.35</b>	<b>\$17,436.68</b>
- NET INCOME	<b>\$ -116,646.35</b>	<b>\$17,436.68</b>

A motion was made by Mr. McFarland with a second by Mr. Joseph and unanimously passed to accept the report as presented.

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

Ms. Michel 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. Five complaints were reviewed, and recommendations as follows,

one complaint to be scheduled for a formal hearing; one complaint requires further discovery and three complaints have been determined to be no apparent violations and therefore should be dismissed, all as per the recommendations of the Complaint Review Committee.

A motion was made by Mr. McFarland, with a second by Mr. Dixon 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 June 14, 2023, to continue the work on the rules for the board. The committee is preparing changes to the rules with language and practices. The Laws & Rules Committee is planning to meet tomorrow, August 9, 2023, to begin at 10:00 AM.

### **Minutes of the Laws and Rules Committee Meeting for June 14, 2023**

#### **Committee Members present:**

**Terry Luneau, President**

The meeting was called to order by the Committee's President, Mr. Luneau, at 10:00 AM, at the Board's office, located at 3500 N. Causeway Blvd. Ste. 1232, Metairie, Louisiana.

Present from the board's office was Kim W. Michel, Executive Director.

Present on behalf of the LFDMA were Patrice Crain, Evelyn Syrie, and Charles Muse.

Present on behalf of the LFDA were Louis Muhleisen, Foster Guillory and Boyd Mothe, Jr. and Edward Muhleisen.

#### **PUBLIC COMMENTS:**

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

The committee began with a continuation of discussing the regulations from the last meeting with a review of Mr. Bowden's notes and observations as inspector.

Title 46:

1107. E. language change: add funeral and remove such.

Add; ii. Upon the temporary closure of a funeral establishment as a result of a storm, hurricane, flood, fire or any Other natural disaster or state of emergency, the funeral establishment manager of the establishment affected, shall notify the board within a period of 15 days, as to whether their establishment will be working temporarily.

1111. A. add "other than as a result of a storm, hurricane, flood, fire or any natural disaster or state of emergency..."

1201.A Repeal

1203 A. add authority to crematory.

1901 A. Repeal

Question for legal counsel, that based upon LA R.S. 37:53, can the board promulgate a rule to require that all human remains be identified?

The next scheduled meeting of the board will be on Wednesday, August 9, 2023.

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

A motion was made by Mr. Boudreaux, with a second by Mr. Luneau and unanimously passed that the board move into Executive Session at 11:15 AM.

A motion was made by Mr. Southall, with a second by Mr. Dixon and unanimously passed that the board move out of Executive Session at 12:05 PM for discussion of the following.

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

Discussion with regard for review and possible approval for acceptance of an individual's background with charges of a criminal/felony/misdemeanor history.

**NEW BUSINESS**

A motion was made by Mr. Boudreaux, with a second by Mr. McFarland and unanimously passed to add the review of inspection report revisions by Mr. Bowden to the agenda.

A motion was made by Mr. Luneau, with a second by Mr. McFarland, and unanimously passed to accept the revisions made to the reports by Mr. Bowden but with additional minor changes with distinguishing factors noted.

The next scheduled meeting of the board will be on Tuesday, December 5, 2023, at 10:00 AM and the Laws and Rules Committee will meet on Wednesday, December 6, 2023 at 10:00 AM

There being no further business, the meeting was concluded.



Rev. S.C. Dixon, Secretary



Willie P. Davis, Jr., President



