

Louisiana State Board of Embalmers And Funeral Directors

Minutes of the Meeting

For
April 26, 2017

Board Members present:

Kelly Rush Savoy, President
S. J. Brasseaux, Vice President
Louis Charbonnet, III, Secretary
Rev. Mallery Callahan, Consumer Representative
Maurice Southall
Margaret Shehee
Rodney McFarland, Sr.
Duplain Rhodes, III

The meeting was called to order by the Board's President, Kelly Rush Savoy at 9:10 AM, at the Board's office, located at 3500 N. Causeway Blvd. Ste. 1232 Metairie, Louisiana. Also present was Dianne T. Alexander, General Counsel, Kim W. Michel, Executive Director, M. Jude Daigle, Inspector and Heidi L. Penouilh, Administrative Coordinator III. Mr. Mulheisen was not present for today's meeting.

Due to the recent appointment of new Board Members, Ms. Rush requested that each Board Member introduce themselves and their business affiliation. The staff was also introduced.

PUBLIC COMMENTS:

No one was present to address the Board at this time.

PRESENTATIONS:

There were no presentations prepared for this meeting.

COMPLIANCE HEARING and/or ADMISSION AND CONSENT

There were no hearings scheduled for today's meeting.

Ms. Michel presented the Board with a listing of Bills proposed for the 2017 Legislative Session. SB193 and SB75.

Ms. Michel also presented the Board with a notification from the FTC regarding the revised civil penalty which has been increased to \$40, 654.00 per violation.

The Board was presented with the ICFSEB quarterly report of pass or fail, all personal information has been redacted.

The Board was presented with AG Opinion 17-0015 which outlines ACT 531 of 2016 and states that ACT 531 does not restrict or in any way criminalize the possession of cremated human remains to descendants or loved ones pursuant to law.

Ms. Michel presented the Board with the rule promulgation published in the April 20th edition of the LA Register with regard to language changes to coincide with statute changes, changes with the requirements for a duplicate license and “radius” added to the mileage requirement for branch establishments

Ms. Michel requested that the Board allow her the authority to issue licenses to temporary (reciprocal) licensees once all of the requirements have been completed as opposed to having the Board Members vote on this during a meeting. Ms. Michel noted that due to the change in the regulations for a temporary licensee, a “hold or cease” is placed on the individual in order to practice if the expiration of their time frame does not coincide with a meeting date and that this creates a restraint on the individual seeking their LA license.

Motion was made by Mr. Brasseaux, seconded by Mr. McFarland and unanimously passed that Ms. Michel issue a license to individuals that have satisfied the requirements for a license and that at each meeting a report listing the licenses issued be prepared for the Board to review.

A. Executive Director’s report by Kim W. Michel

Motion was made by Mr. Brasseaux, seconded by Ms. Shehee and unanimously passed to accept the Executive Director’s report as presented.

B. General Counsel’s complaint report by Dianne T. Alexander

Motion was made by Mr. McFarland, seconded by Ms. Shehee and unanimously passed that the General Counsel’s report be accepted as presented.

C. Inspector’s report by M. Jude Daigle

Motion was made by Mr. Southall, seconded by Mr. Callahan and unanimously passed to accept the Inspector’s report as presented.

MINUTES

Motion was made by Ms. Shehee, seconded by Mr. McFarland and unanimously passed to accept the minutes of the meeting for March 8, 2017.

FINANCIAL

Financial Report and Budget update Fiscal 2015/2016 and 2016/2017

Motion was made by Mr. Shehee, seconded by Mr. Rhodes and unanimously passed to accept the financial report and budget update for fiscal 2015/2016 and 2016/2017.

CORRESPONDENCE

A letter dated April 13, 2017 was received from John Rogan, Manager of Crothers-Glenwood Funeral Home advising the Board the funeral home had some flooding on April 2, 2017 and that same will be undergoing reconstruction. The letter also stated that they will operate from their related funeral home in Vicksburg, MS which is 18 miles away.

Ms. Rush requested that Ms. Alexander contact Mr. Rogan immediately to advise him that the LA licensed establishment could not operate from an out of state establishment due to licensing restrictions and to also inform Mr. Rogan that he should have contacted the Board’s office directly before making that decision.

Ms. Rush stated that the Board will take Mr. Rogan’s request under advisement once Ms. Alexander has had a chance to speak to him.

EXECUTIVE SESSION

Motion was made by Ms. Shehee, seconded by Mr. Southall and unanimously passed that the Board move into Executive Session at 11:00 AM.

For the discussion and determination of Mr. Rogan's request for operations of Crothers Glenwood Funeral Home, Tallulah.

For the discussion and determination to accept a nomination of a member for the office of Secretary for the Board.

Motion was made by Mr. McFarland, seconded by Mr. Rhodes and unanimously passed that the Board move out of Executive Session at 12:00 PM.

A motion was made by Mr. Charbonnet, seconded by Mr. Southall and unanimously passed that the Mr. Rogan be able to utilize the office next door to the Crothers Glenwood establishment in Tallulah for funeral arrangements and to allow Cox Funeral Homes to assist with the preparation of decedents for Crothers Glenwood for the next 6-8 weeks of reconstruction of same.

Motion was made by Mr. McFarland, seconded by Mr. Rhodes and unanimously passed that Mr. Charbonnet be named as Secretary due to the replacement of Mr. Schoen by the Governor.

NEW BUSINESS

The next Board meeting is tentatively scheduled for June 1, 2017.

The meeting was concluded by the Board's President, Ms. Rush, at 12:30 PM.



Louis Charbonnet, III , Secretary



Kelly Rush Savoy - President Approved on June 1, 2017

