

**Minutes for the Meeting of the
Louisiana State Board of Embalmers
And Funeral Directors**

December 7, 2015

The Continuing education program that was presented by Ms. Michel and Ms. Alexander convened at 9:00 AM.

Ms. Michel, Executive Director of the Board, presented an overview of the Board's website, www.lsbefd.state.la.us, which was displayed for viewing via projector. Ms. Michel discussed the various tabs available on the website to reveal the different pages that were created which contains a vast array of information. Ms. Michel encouraged that all licensees and funeral establishments should bookmark the site and visit it often. Ms. Michel also advised that she updates the information, almost daily, with regard to notifications and the calendar of events. Ms. Michel stated that a "frequently asked questions" page would be available soon under the 'Notifications' tab.

Ms. Alexander, General Counsel for the Board, presented an overview of the complaint procedure. Ms. Alexander discussed the protocol for filing complaints and the process in which the complaints are managed. Ms. Alexander stressed that the Board cannot process or resolve any complaints through telephone calls. Complaints must be submitted in writing with a notarized signature. Complaints are reviewed in accordance with the regulations under which the Board is empowered to operate. Ms. Alexander stated that all complaints remain anonymous and are issued a reference number. Once a determination has been made by the Complaint Review Committee, notices are mailed to all parties involved outlining the decision. Ms. Alexander noted that the Board is not authorized to handle civil issues.

The outline of each presentation delivered by Ms. Michel and Ms. Alexander equaled one fifty minute continuing education session which will be applied to the attendee's continuing education requirement and to include the time for the following meeting of the Board.

Board Meeting

Board Members present:
Louis Charbonnet, III, President
Patrick H. Sanders, Secretary
Kelly Rush, Vice President
Gerard Schoen, III, Treasurer
Edward L. Muhleisen
J. Steven Cox
S.J. Brasseaux
Margaret Shehee

The meeting was called to order by the Board's President, Louis Charbonnet, III at 10:10 AM, at the Board's office located at 3500 N. Causeway Blvd. Suite 1232, Metairie, Louisiana. Also present was Kim W. Michel, Executive

Director, Dianne T. Alexander, General Counsel, M. Jude Daigle, Inspector and Heidi L. Penouilh, Administrative Coordinator II.

PUBLIC COMMENTS:

There were no comments presented at today's meeting.

PRESENTATIONS:

Mr. Charles Wendt was present to address the Board members regarding the audit as it relates to the GASB section regarding LASERS. Mr. Wendt stated that although the Board's financial statements were in order, the LASERS benefits will continue to reflect negatively on the financial record due to the actuarial based figures provided by LASERS.

Dan Ranson and Gene Pellerin were present to address the Board regarding the recent changes that were made to the internship monthly reporting forms. Mr. Ranson and Mr. Pellerin expressed their concern with the "grading" section on the form as well as the tasks and the number of tasks to be performed that are required for the consideration of a "completed case" which could present a liability issue with funeral homes that employ interns as well as their concern regarding the forms being considered public records. Ms. Alexander, the Board's General Counsel, presented several different Attorney General's Opinions with regard to the Board's authority to regulate and oversee interns and internships. Ms. Alexander also presented information regarding the confidentiality of these forms and their exemption from being considered public record. Mr. Ranson and Mr. Pellerin requested that the Board restructure the forms to deter the possibility of future liability for the funeral homes.

Mr. Charbonnet noted that the issue would be taken under advisement. Mr. Charbonnet also directed that Mr. Jones and Ms. Alexander perform further research regarding the form(s).

COMPLIANCE HEARING:

A formal hearing with regard to Jordan Taylor and Rayne Memorial Chapel and Funeral Parlor, Rayne was convened at 11:35 AM.

Motion was made by Ms. Rush, seconded by Ms. Shehee and unanimously passed that the hearing be continued at a later date due to the absence of the witnesses that were to be scheduled for appearance by the Prosecuting Attorney.

Ms. Michel presented the Board with an outline of an intern that began an internship in October 2015 and as of December 2015 the intern has only accumulated 193.5 contact hours and the intern should be at approximately 600 contact hours. Ms. Michel expressed her concern regarding the intern's hours and the lack of hours as well as missing monthly reports. Ms. Michel stated that she spoke to the intern and advised the intern as to what needed to be accomplished in order to maintain the internship so that the intern would not approach the conclusion of the months versus the hours that needed to coincide with those months and performance.

Mr. Charbonnet directed Ms. Michel to follow up with a letter to the intern and advise the intern that the hours would need to be increased so that they did not fall short by the end of the twenty fourth month of the internship.

Mr. Charbonnet also suggested that this was a good example of how the monthly report forms benefit the Board's enforcement authority and accountability for interns.

REGULATIONS, RULES AND PROCEDURES

There was no discussion at this meeting regarding regulations, rules and procedures.

BOARD/STAFF ISSUES

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

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

B. Inspector's report by M. Jude Daigle

Motion was made by Mr. Sanders, seconded by Mr. Brasseaux and unanimously passed to accept the Inspector's report as presented.

The lease for the Board's suite 1232 in the Executive Towers was tabled at this time.

MINUTES

The minutes of the October 6, 2015 meeting were presented to the Board members for review and approval.

Motion was made by Ms. Rush, seconded by Mr. Schoen and unanimously passed that the minutes be approved as presented.

FINANCIAL

Financial Report and Budget update Fiscal 2015/2016.

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

Ms. Michel presented the Board Members with a letter and information that is necessary to close a certificate of deposit with FNBC and move the funds of the CD to Liberty Bank with both Ms. Michel and Ms. Alexander's signatures jointly on the account.

Motion was made by Mr. Sanders, seconded by Ms. Shehee and unanimously passed for Ms. Michel to proceed with the task of exchanging the CD from FNBC to Liberty Bank as presented.

COMPLAINT SUMMARY

For informational purposes only, the Board members were presented with a numerical listing of all open matters remaining at the end of fiscal 2014/2015, together with a numerical listing of the complaints filed for fiscal 2015/2016, to date.

CORRESPONDENCE

The following temporary licenses were presented to the Board for review and determination for issuance of a Louisiana license;

LA license request; Billy Yarbrough, temporary license 0479, an active licensee from Tennessee with an embalmer/funeral director license 3762-3960 currently employed with Gill First National Funeral Home of Winnsboro

LA license request; Robert M Shaffer, temporary license 0475, an active licensee from Alaska with an embalmer/funeral director license 336-335 currently employed with Hill Crest Memorial Funeral Home of Haughton

LA license request; James Robert Archer, temporary license 0474, an active licensee from Minnesota with an embalmer/funeral director license M-3974 currently employed with Hixson Funeral Home of Leesville

Motion was made by Mr. Sanders, seconded by Ms. Rush and unanimously passed that each of these temporary Licensee's be issued a Louisiana license.

EXECUTIVE SESSION

Motion was made by Mr. Schoen, seconded by Mr. Sanders and unanimously passed to go into Executive Session at 12:40 p.m. for the following reasons:

Discussion and review of the lease for the office

Discussion and review of the Prosecuting Attorney's duties and contract

Discussion for the nomination of the officers for 2016

Motion was made by Mr. Schoen, seconded by Mr. Cox and unanimously passed that the Executive Session be concluded at 1:20 p.m. to take the following actions:

With regard to the lease, Mr. Charbonnet directed that Ms. Michel continue to negotiate the terms of the lease with the Executive Towers and preferably enter into the ten year term if possible.

With regard to the officers, Mr. Charbonnet directed that the nomination and election of officers for the Board be postponed until after the New Year.

With regard to the Prosecuting Attorney, Mr. Charbonnet directed that a letter be drafted to the Attorney outlining the new procedures and duties that is expected from the Prosecution.

COMPLIANCE HEARING and/or ADMISSION and CONSENT DECISION(S)

There were none to be determined at this time.

NEW BUSINESS

There being no further business to be addressed upon today's agenda, the meeting was then adjourned at 1:40 PM.



Patrick Sanders, Secretary



Louis Charbonnet, III - President Approved



Kim W. Michel – Composed and created

