

December 11, 2012

Meeting of the Louisiana State Board of Embalmers and Funeral Directors was called to order at 9:05 AM by the board's Vice President, Craig G. Gill, at the board's office located at 3500 North Causeway Blvd., Suite 1232, Metairie, Louisiana.

Present:
Craig Gill, Vice President
Paul "Wes" Castille, Secretary
Louis Charbonnet, III, * Treasurer
Andrew W. Hayes, Consumer Representative
Patrick H. Sanders
Kelly Rush
Royal David
Gerard Schoen, III

Also present: Michael H. Rasch, General Counsel
Kim W. Michel, Executive Director
Heidi L. Fontaine, Administrative Coordinator II
M. Jude Daigle, Inspector

Ms. Shehee was absent from today's meeting.

The Chair opened the meeting with a "Welcome" to the newly appointed Board Members, Mr. Royal David and Mr. Gerard Schoen.

As has been required by law, time was set aside as "Public Comment Time".

However, no one was present to speak during this time.

Board members were presented with a listing of all open matters remaining as of the end of fiscal 2011/2012, together with a listing of the complaints filed for fiscal 2012/2013 to date.

An open complaint item entitled, In the Matter of Iona Briggs vs Griffin Forest Lawn Funeral Home, Ball and Enoch Boyt was moved up for discussion in order to remove this item as an "open matter" as the complaint has been withdrawn by the complainant.

Motion was made by Ms. Rush, seconded by Mr. Sanders and passed that the listing of complaints and open matters be accepted as presented.

The inspector's report was then presented to the board members by Mr. Jude Daigle.

Motion was made by Mr. Hayes, seconded by Mr. Sanders and passed that the Inspector's report be approved as presented.

The inspection report for Golden Meadows Funeral Home, St. Martinville was discussed, as Mr. Daigle noted that the funeral home has not been open during normal business hours when he visits that funeral establishment.

A directive was issued by the Chair that a letter be sent to Mr. Stevenson, Manager of Golden Meadows regarding the hours of operation.

The inspection report for Martin & Castille Funeral Home, Lafayette was discussed due to a concern from R.T. Delhomme, Manager of Martin & Castille regarding solicitation practices from other funeral homes.

The general consensus of the Board Members is that this matter requires further investigation by the inspector/investigator.

The inspection report for Progressive Funeral Home, Alexandria was discussed as Mr. Daigle reported the possibility of unlicensed activity occurring at the funeral home.

The general consensus of the Board Members is that this matter also requires further investigation

The Executive Director's report was then presented to the board members by Ms. Kim Michel.

Motion was then made by Ms. Rush, seconded by Mr. Schoen and passed that the Executive Director's report be approved as presented.

During the discussion of the Executive Director's report, the agenda item regarding continuing education with updates and Ms. Michel's concerns regarding the board's adoption of any necessary rules for same, needs to be considered.

A directive was issued by the Chair that the matter be turned over to the Laws and Rules committee for their further consideration.

The minutes of the August 22, 2012 meeting were presented to the Board Members for their further review and approval.

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

Financial report, budget vs actual and the 2011-2012 audit report were presented to the Board Members for their further review and approval.

A directive was issued from the Chair requesting clarification from the Auditor regarding an item within the audit summary.

Motion was made by Mr. Castille, seconded by Mr. Schoen and passed that the financial report and audit information be accepted and approved as presented.

Ms. Pichon, a recent Board Member, was present at today's meeting and the Chair presented her with a plaque acknowledging her leadership efforts during her tenure with the Board.

An executed Admission and Consent from Young's Funeral Home, Ferriday, Casey Young and Leo Young, was presented to the Board Members and subsequently accepted by them.

Motion was made by Mr. Castille, seconded by Ms. Rush and passed that the Young's Funeral Home, Ferriday, Casey Young and Leo Young be and they are hereby found guilty of violating the provisions of LA R.S. 37:846 A. (11) a, and LA R.S. 37:848 A.

Motion was made by Mr. Sanders, seconded by Mr. Schoen and passed that Young's Funeral Home, Ferriday and Casey Young, as owner and designated licensed manager be fined the sum of TWO THOUSAND FIVE HUNDRED (\$2,500.00) DOLLARS, for their admitted violations.

It is further ordered that the said fine (i.e.:\$2,500.00) shall be due and payable within 30 days of receipt of this Order and Decree. Should the fine not be received within the 30 days allowed, then the licenses of Casey Young and the Young's Funeral Home, Ferriday shall be suspended until such time as the fine is paid and received by the Board.

Motion was then made by Mr. Castille, seconded by Mr. Schoen and passed that Leo Young be fined the sum of ONE THOUSAND FIVE HUNDRED (\$1,500.00) DOLLARS, for his admitted violation.

It is further ordered that the said fine (i.e.:\$1,500.00) shall be due and payable within 30 days of receipt of the Order and Decree. Should the fine not be received within the 30 days allowed, then the license of Leo Young shall be suspended until such time as the fine is paid and received by the Board.

Information gathered by the Board's staff with regard to Richardson Funeral Home, Covington was presented to the Board Members.

A directive by the Chair, that there does not appear to be sufficient evidence to proceed with this matter, was issued and the matter was deferred at this time, pending further investigation.

*** Attended the meeting in progress.**

For informational purposes only, the Board Members were presented an article regarding the FTC and a funeral home in Chicago, IL.

Information gathered by the Board's staff with regard to a complaint filed by Gloria Tanner against Gertrude Geddes Willis Funeral Home, New Orleans, was presented to the Board Members.

Motion was made by Mr. Charbonnet, seconded by Mr. David and passed that there does not appear to be a violation of the laws, rules and regulations under which licensees operate, all as per the recommendations of the Complaint Review Committee,

Information gathered by the Board's staff with regard to a complaint filed by Keisha Hebert against White Oaks Funeral Home, Oakdale was presented to the Board Members.

Motion was made by Mr. Sanders, seconded by Mr. Schoen and passed that although there does not appear to be a violation of the laws, rules and regulations under which licensees operate, a letter should still be drafted to Gregory Strother regarding documentation procedures, all as per the recommendations of the Complaint Review Committee.

For the record Mr. Hayes and Ms. Rush abstained from any discussion relating to this matter.

Information gathered by the Board's staff with regard to a complaint filed by Joseph Washington Jr., against Winnifred Jackson and Good Samaritan Funeral Home, Shreveport, was presented to the Board Members.

Motion was made by Ms. Rush, seconded by Mr. Schoen and passed that there does not appear to be a violation of the laws, rules and regulations under which licensees operate, all as per the recommendations of the Complaint Review Committee. This matter be be forwarded to the Cemetery Board for their review and further consideration.

Information gathered by the Board's staff with regard to a complaint filed by Wayman Prince against Ronald Washington and Paradise Funeral Home, Jonesboro, was presented to the Board Members.

Motion was made by Mr. Sanders, seconded by Mr. David and passed that there does not appear to be a violation of the laws, rules and regulations under which licensees operate, all as per the recommendations of the Complaint Review Committee.

Information gathered by the Board's staff with regard to a complaint filed by Ronald Gardner against Benevolent Funeral Home and Good Samaritan Funeral Home, Shreveport, was presented to the Board Members.

With regard to Benevolent Funeral Home, Shreveport, motion was made by Mr. Schoen, seconded by Ms. Rush and passed that it does not appear to be a violation of the laws, rules and regulations under which licensees operate, all as per the recommendations of the Complaint Review Committee.

With regard to Good Samaritan Funeral Home, Shreveport, motion was made by Mr. Schoen, seconded by Ms. Rush and passed that it does not appear to be a violation of the laws, rules and regulations under which licensees operate, all as per the recommendations of the Complaint Review Committee.

A complaint filed by Sharon Ashmore against Mike Clark and Forest Lawn Funeral Home, Ball, has been withdrawn by the complainant with a signed statement from the Board's inspector.

An inquiry was made to the Board regarding funeral home owners and if placing cameras inside their funeral homes for security and protection would be permissible.

A directive was issued by the Chair that the decision should be made by the owners and they should consult their funeral home attorney for legal advice regarding same.

The agenda item regarding continuing education was previously discussed under the Executive Director's report.

Salary review and subsequent budgets were presented to the Board Members for their consideration and further action.

Motion was made by Mr. Hayes, seconded by Mr. Schoen and passed that the meeting move into Executive Session at 11:20 AM in order to discuss office issues and efficiencies.

Motion was made by Mr. Hayes, seconded by Mr. Castille and passed that the meeting move out of Executive Session at 12:25 PM.

Motion was made by Mr. Castille, seconded by Mr. Hayes and passed that the salary review and budgets be tabled until the next meeting.

Motion was made by Mr. Hayes, seconded by Ms. Rush and unanimously passed that the Board continue with the election of officers by rotation and as such, the following were elected by acclamation:

Paul W. "Wes" Castille, President
Louis Charbonnet, III, Vice-President
Patrick H. Sanders, Secretary
Kelly Rush, Treasurer

Mr. Sanders, Mr. Charbonnet and Mr. Schoen were selected as the members for the Laws and Rules Committee.

There being no further business to be addressed upon today's agenda, the meeting was then adjourned at 12:30 PM.

Paul W. Castille, Secretary

Approved

Craig Gill, Vice President

