

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

June 24, 2015

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

The meeting was called to order by the Board's President, Louis Charbonnet, III at 9:10 AM, at the Board's office located at 3500 N. Causeway Blvd. Suite 1232, Louisiana. Also present was Michael H. Rasch, General Counsel, Dianne T. Alexander, Prosecuting Attorney, Kim W. Michel, Executive Director, M. Jude Daigle, Inspector and Heidi L. Penouilh, Administrative Coordinator.

PUBLIC COMMENTS:

No one was present to address the Board with comments.

COMPLIANCE HEARING:

There were no hearings scheduled for today's meeting.

REGULATIONS, RULES AND PROCEDURES

For informational purposes, the Board was presented with a list of Acts that have been enacted by the Legislature. Due to ACT 25 that has been enacted by the Legislature relating to casket display in funeral establishments, the Rules and laws Committee can proceed with finalizing the promulgation of the rules relating to the internships only.

For informational purposes only, the Board was presented with information regarding the Conference's Model Practice Act for Funeral Service that was approved by the Conference's committee.

BOARD/STAFF ISSUES

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

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

The Board's lease with the Executive Towers will expire in February 2016. The new lease proposal was presented to the Board for review and determination.

A directive was issued by Mr. Charbonnet for this matter to be tabled until the next scheduled meeting.

Legal contract proposals, renewals and resolutions for the Department of Justice, Michael H. Rasch and Dianne T. Alexander was presented to the Board for review and determination.

A directive was issued by Mr. Charbonnet for this matter to be tabled at this time.

The Board was presented with a final report for the renewal of the 2016 Retort Operator and Crematories.

The Board was presented with the new revision of the month and case reports for the interns.

Motion was made by Mr. Sanders, seconded by Mr. Cox and unanimously passed that the new reports be required beginning August 1, 2015 and that the previous reports be removed from the webpage and the new reports be posted with examples for completing the new forms.

MINUTES

Motion was made by Mr. Brasseaux, seconded by Mr. Schoen and unanimously passed to accept the minutes of the meetings for April 15, 2015.

FINANCIAL

Financial Report and Budget update Fiscal 2015/2016

Motion was made by Mr. Cox, seconded by Mr. Brasseaux and unanimously passed to accept the financial report and budget update for fiscal 2014/2015.

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 2013/2014, together with a numerical listing of the complaints filed for fiscal 2014/2015, to date.

Mr. Brasseaux stated that there has been a vast improvement made on behalf of the board with regard to the complaint procedure as well as the revisions to the inspection report.

CORRESPONDENCE

A. Temporary licensees requesting their LA license:

- a. James Wroten, T/L 0467, who holds Mississippi embalmer/funeral director license FS 9376, currently employed with Brandon G. Thompson Funeral Home, Hammond.

Motion was made by Mr. Sanders, seconded by Mr. Cox and unanimously passed to accept the request and issue LA licenses to Mr. Wroten.

For informational purposes only, the Board was presented with The Conference Report news letter.

PRESENTATIONS

The request submitted by Mr. Mothe was withdrawn from the agenda by Mr. Mothe at this time.

Charles Evins of Evins, Larry, Perry and Family Funeral Home, Oakdale and Rayne was present and wanted to address the Board, personally, with regard to the following items:

Mr. Evins requested that the internship application fee of one hundred dollars be refunded, due to him cancelling the internship for Mercedes Granville after the internship had been processed and an intern register number issued.

Mr. Charbonnet advised Mr. Evins that since the internship application had been processed and the internship had begun, a refund would not be issued.

Mr. Evins is currently holding a temporary license. He is licensed in California as a funeral director and embalmer. Mr. Evins has taken the National Board Arts exam by the Conference but has not completed the Science exam. Mr. Evins is requesting that the Board allow him to be licensed as a funeral director and embalmer based on his California funeral director and embalmer license without completing the National Board Science exam.

Mr. Charbonnet advised Mr. Evins that he is eligible for a funeral director only license and that he will need to complete the National Board Science exam in order to be eligible for a funeral director and embalmer license.

Mr. Evins is requesting that the Board allow him to open a main establishment location in Mamou without having to construct an embalming room or for the Board to allow him an exemption of the forty mile rule for the Rayne and Oakdale locations. Mr. Evins would like for his Rayne and Oakdale locations to be branches of Mamou so that all three locations could be managed by one person. The Rayne and Oakdale locations are currently being managed by two people due to the establishment's fifty six mile difference. With a location in Mamou, Rayne and Oakdale would be within the forty mile requirement for branches. Mr. Evins contends that this request is based on "public need".

Mr. Charbonnet advised Mr. Evins that this situation appeared to be a business dilemma and that Mr. Evins' request for the exemptions could not be granted as there is no basis for "public need". Mr. Charbonnet advised Mr. Evins that the regulations were very clear regarding a main establishment and the requirements for same and that the mileage between Rayne and Oakdale was too great for an exception.

EXECUTIVE SESSION

Motion was made by Mr. Schoen, seconded by Mr. Sanders and unanimously passed to go into Executive Session at 11:30 a.m. for the following reasons:

- Discussion and review of the contracts for legal counsel
- Discussion and review of the lease for the office

Motion was made by Mr. Schoen, seconded by Mr. Cox and unanimously passed that the Executive Session be concluded at 1:30 p.m. to take the following actions:

Motion was made by Mr. Cox, seconded by Mr. Sanders that Ms. Alexander be hired as the Board's General Counsel and permanently staffed in the office.

The motion passed with the following votes by Mssrs. Schoen, Sanders, Cox and Brasseaux. Mr. Muhleisen voted against the motion.

Mr. Charbonnet directed Ms. Michel to begin the process for Ms. Alexander's employment as soon as possible.

Motion was made by Mr. Cox, seconded by Mr. Sanders and unanimously passed that the legal contract with the Department of Justice be renewed for the 2015/2016 Fiscal year.

Motion was made by Mr. Cox, seconded by Mr. Sanders and unanimously passed that the legal contract with Mr. Rasch be amended to that of Prosecuting Attorney.

Motion was made by Mr. Brasseaux, seconded by Mr. Cox and unanimously passed that the office lease be tabled until further options could be reviewed.

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

There were no decisions to be discussed at today's meeting.

NEW BUSINESS

There being no further business to be addressed upon today's agenda, the meeting was then adjourned at 2:15 PM.

Patrick Sanders, Secretary

Louis Charbonnet, III - President Approved