

# Louisiana State Board of Embalmers And Funeral Directors

## Minutes of the Meeting

For  
March 12, 2019

### Board Members present:

Maurice Southall, President  
Edward Muhleisen, Vice President  
Rodney McFarland, Secretary  
Duplain Rhodes, III, Treasurer  
Terry Luneau  
Lonnelle Aquillard  
Willie P. Davis, Jr.  
Rev. Shelton C. Dixon, Consumer Representative  
S.J. Brasseaux, Past President

The meeting was called to order by the Board's President, Mr. Southall at 9:00 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, and Heidi Penouilh, Administrative Coordinator, III. Mr. Daigle was not present at today's meeting.

Rev. Shelton C. Dixon was introduced and welcomed as the Consumer Representative by the Board and the staff.

### PUBLIC COMMENTS:

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

### PRESENTATIONS:

There were no presentations scheduled for today's meeting.

### COMPLIANCE, HEARING and/or ADMISSION AND CONSENT

The Laws and Rules committee met in August of 2018 to discuss and change the language of some rules in order to provide uniformity to the regulations that were changed in the Legislature and to provide needed updates to existing rules. The following was presented to the board members for review and decision to proceed with the promulgation process.

Ms. Michel presented the Board members with rule changes and suggested language changes for the rules; Chapter 7., §701, with regard to license renewal, Chapter 9., §905. A, with regard to the application fee., Chapter 19., §1901, with regard to the Survivor's Clause, and Chapter 20, §2001., with regard to fees.

Chapter 7., §701., regarding licensing renewal; the rule will have language added to provide a definitive date for renewals to be submitted without penalties; Chapter 9., §905. A., with regard to the internship application; language will be added to the license fee as non-refundable; Chapter 19., §1901., with regard to the survivor's clause, this rule will be repealed and changed entirely to reflect an Heirship Clause and refer to an ownership change within that clause for the heirs of a funeral establishment. This rule was discussed in depth and due to the current provisions in the rule regarding

the issuance of a special work permit and the laws having no outline or definition of a special work permit, the rule will be changed to reflect the ownership changes for heirs of a funeral establishment; Chapter 20, §2001, with regard to fees; the fee for applying for approval of a continuing education program will be repealed and the fee for a business office will be repealed as there are no provisions in the law for the board to collect these fees.

A motion was made by Mr. Rhodes, seconded by Rev. Dixon and unanimously passed to approve the rule changes and begin the promulgation process, but add specific language to the rule of the Heirship Clause to include an expiration of the application after one (1) year and reapplication will be required should the ownership change not be finalized by the completion of the succession of the decedent owner of the funeral establishment.

Ms. Michel also advised the Board that there was a new procedure implemented to the process for rule promulgation. This process involves Boards & Commissions and the rules will need to be approved through a hearing panel of Board members at Boards and Commissions. Once the meeting of the panel has reviewed the rules to be promulgated, and should they be approved a resolution will be issued for the rules to proceed with the Office of the State Register. It is also possible that a representative from this agency will need to be present to address the rule changes and explain the need for the changes to the panel. Ms. Michel stated that she will attend the hearing at Boards & Commissions. If the rules are not approved through Boards and Commissions, the rules will have to be readdressed and a hearing request at a later date. Boards and Commissions may also suggest certain changes and procedures for the rules process. Ms. Michel advised the Board that rule promulgation takes about a year to complete and with the added step in the process, the time frame may take a few months longer depending on the ruling re Boards and Commissions.

#### **Executive Director's Report**

Ms. Michel presented the board with information re training by the office of the Attorney General for Boards and Commissions and Board Members and with a report from the Conference.

The following was presented to the Board;

## **License & Registry Update**

Updated on 3/6/2019 from last meeting in January 2019

### **Funeral Establishments - new issue**

Mitchell Funeral Home - Winnsboro	2927
Simple Traditions by Johnson - Lake Charles	2928
Rhodes United Fidelity - Baton Rouge	2929

### **Establishment Ownership/Location/Name Change**

#### **Crematory Establishment - new issue**

Memorial Crematory - Dequincy	46
Cypress FS & Crematory - Maurice	47
Audubon Crematory - Slidell	48

#### **Embalmer and Funeral Director License - new issue**

Vincent Hollier	E-2875	Allen Kopp	E-2877
Allie David	E-2876	Xiomara Morter	E-2878

**Funeral Director License - new issue**

Victoria Jones	U-1684	Reginald Bush	U-1686
Philip Kimsey	U-1685	Kaitlyn Motichek	U-1687

**Retort Operator License - new issue**

Gretchen Soileau	312	Riley Smith	315
Jessical Humbles	313	Makayla Alario	316
Cheryl Cox	314		

**Reinstated Licenses - E / U / RO**

Bertis Verrette	E-2052
Byron Washington	E-2095

**Temporary License - new issue****Internships Registered**

Kevin Tillman	363	Carolanne Webb	368
Lauren Haase	364	John Jumonville	369
Loranzo Magee	365	Stefan Bernard	370
Arthur Lewis	366	Kelly Lawrence	371
Amber Ledet	367	Chad Maggio	372

Motion was made by Mr. McFarland, seconded by Mr. Luneau and unanimously passed to accept the report as presented.

**GENERAL COUNSEL'S REPORT**

Motion was made by Mr. Rhodes, seconded by Mr. McFarland and unanimously passed to accept the report as presented.

**INSPECTOR'S REPORT**

Motion was made by Mr. Brasseaux, seconded by Mr. Muhleisen and unanimously passed to accept the report as presented.

**MINUTES**

Motion was made by Mr. McFarland, seconded by Rev. Dixon and unanimously passed to accept the minutes of the meeting for January 8, 2019 with a minor typo change to the time of conclusion of the hearing from 1:20 Am to 1:20 PM.

**FINANCIAL**

Motion was made by Mr. Brasseaux, seconded by Mr. Luneau and unanimously passed to accept the financial report and budget presentations as presented.

**CORRESPONDENCE**

There was none to present to the board.

Motion was made by Mr. McFarland, seconded by Mr. Brasseaux and unanimously passed that the board move into Executive Session at 9:45 AM.

Motion was made by Mr. McFarland, seconded by Mr. Brasseaux and unanimously passed that the Board move out of Executive Session at 10:15 AM for the discussion of the following;

The Board received a letter from Dan Ranson, Attorney, regarding legal action against the Board with regard to the hearing in the matter of Boyd Mothe, Jr. and Mothe Funeral Home, New Orleans that was held on January 8, 2019. The Board was advised by the Attorney General's office that no action should be taken by the Board at this time.

Derek Lightell addressed the Board with a request to see if the Board could be involved with a matter related to the Coroner's office.

Ms. Michel advised that this Board could not be involved in any matter involving the coroner and that this Board has no jurisdiction over the coroner.

There being no further business, the meeting was concluded at 10:30 Am.

**NEW BUSINESS**

The next meeting of the Board is scheduled for April 9, 2019.



A handwritten signature in black ink that reads "Rodney McFarland, Sr." The signature is written in a cursive style.

Rodney McFarland, Secretary



A handwritten signature in black ink that reads "Maurice Southall". The signature is written in a cursive style.

Maurice Southall, President

