

Louisiana State Board of Embalmers And Funeral Directors

Minutes of the Meeting

For The

Louisiana State Board of Embalmers

And Funeral Directors

March 8, 2017

Board Members present:

S. J. Brasseaux, Vice President

Gerard Schoen, III, Secretary

Edward Muhlesien

Maurice Southall

Louis Charbonnet, III

Rodney McFarland, Sr.

The meeting was called to order by the Board's Vice President, S. J. Brasseaux at 9:00 AM, at the Board 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.

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.

For informational purposes only, Senate Resolution No. 10 was presented by Ms. Michel.

Ms. Michel presented the Board with an update regarding the 17 funeral homes that were delinquent for 2017.

An amendment with regard to Ms. Debose's contract as the Prosecuting Attorney was presented to the Board for their approval.

A motion was made by Mr. Charbonnet, seconded by Mr. Southall and unanimously passed that the amendment for Ms. Debose be accepted and submitted to OSP for approval.

Ms. Michel advised the Board that the rule promulgation is in process and that it should be published in the April 2017 Register.

A discussion ensued with regard to the wall certificate license and the need for the signature of a Director at DHH. Ms. Michel stated that she researched the requirement for the signature from DHH and discovered that the signature is not necessary. After speaking to

Mr. McCay, the staff attorney for LDH, Bureau of Legal Services, Mr. McCay advised that the only required signatures stated within the Statutes are for the President and the Secretary. Mr. McCay specifically referred to; **37:842 H. Every license issued hereunder shall be signed by the president and secretary of the board, and bear the imprint of the board's seal. The board shall register each license holder as being duly licensed for the purpose covered by such license.**

Mr. McCay also referred to; **37:843. Registration and display of certificate; The board shall register each certificate in the office of health services and environmental quality of the Louisiana Department of Health. Every certificate holder shall display his certificate in a conspicuous place in his office or place of business. Amended by Acts 1977, No. 283, §3; Acts 1977, No. 684, §3.** Mr. McCay stated that the LSBEFD is the registering authority under DHH and that DHH does not register or keep a database with these licenses and that they are only being signed by a Doctor who is not the "Medical Director" for DHH. Mr. McKay also noted that there are no certificates from other Boards that are signed by that department either. Mr. McKay stated that it was up to this Board to decide if this should continue or be discontinued.

Ms. Michel stated that if the process involving the DHH signature is discontinued, then the licensees will be able to receive their certificates sooner as opposed to having to wait 8-12 weeks and even sometimes longer depending on the schedule of DHH and the signing of same. Ms. Michel also advised that she has been in contact with State printing and that the Board's seal will be embossed on a gold label to be placed over the printed signature area of the certificates.

A motion was made by Mr. Schoen, seconded by Mr. Charbonnet and unanimously passed that the signature from DHH be discontinued.

BOARD/STAFF ISSUES

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

Motion was made by Mr. Charbonnet, seconded by Mr. Southall and unanimously passed to accept the Executive Director's report as presented and to approve the purchase of a new vehicle for the Board's Inspector.

For the Record, Ms. Michel's report outlined the previous month's Conference exam report of pass and fail rate. The Conference report's personal information has been redacted.

For the Record, Ms. Michel presented the Board with a copy of a letter that had been mailed in November 2016 and was received back in the office as undeliverable in March 2017. Ms. Michel also noted that none of the renewals that were delinquent for 2017 have been received in the office yet.

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

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

MINUTES

Motion was made by Mr. Charbonnet, seconded by Mr. Schoen and unanimously passed to accept the minutes of the meeting for January 11, 2017.

FINANCIAL

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

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

CORRESPONDENCE

A request for reconsideration of a temporary license application for Precious Boudreux was presented by Isabel Espinosa, Manager of Greenoaks Funeral Home, Baton Rouge.

Mr. Brasseaux stated that the issue would be taken under advisement during Executive Session to be discussed.

Ms. Michel presented the Board with a request from an individual licensed in Texas inquiring about the possibility of applying for a temporary license in LA if they have not practiced in 6 years.

Mr. Brasseaux stated that the issue would be taken under advisement during Executive Session to be discussed.

EXECUTIVE SESSION

Motion was made by Mr. Schoen, seconded by Mr. Charbonnet and unanimously passed that the Board move into Executive Session at 10:10 AM.

For the discussion and determination of a temporary license application reconsideration for Precious Boudreux;

For the discussion and determination of a temporary license acceptance for an individual licensed in Texas;

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

Motion was made by Mr. Charbonnet, seconded by Mr. Schoen and unanimously passed that the Board move out of Executive Session at 12:35 PM.

A motion was made by Mr. Muhlseisen, seconded by Mr. Schoen and unanimously passed that the Board follow the Statute regarding the temporary license and the requirements for same and that Ms. Boudreux should continue serving her internship in LA until she can apply for her LA license regardless of her having an Illinois license due to same having only been issued in December 2016.

The Board stated that it is incumbent upon the individual to read the regulations in order to be familiar with the Law. The Board also noted that the requirements are outlined in the regulations as well as the application link upon the website.

The Board stated that the individual licensed in Texas could begin practicing in Texas for a year then reciprocate or serve an internship.

Motion was made by Mr. Schoen, seconded by Mr. McFarland and unanimously passed that Mr. Muhleisen be named as Treasurer due to the replacement of Mr. Cox by the Governor.

NEW BUSINESS

The next Board meeting is tentatively scheduled for April 26, 2017.

Mr. Charbonnet advised the Board that a letter will be forthcoming from the LFDMA with regard to the possibility of moving forward with the licensing of embalming services, transportation services, embalming assistants and funeral director assistants.

Mr. Charbonnet requested that Ms. Michel research the regulations of other states for these licenses and/or certifications so that the laws and rules committee could begin moving forward with the process.

The meeting was concluded by the Board's Vice President, Mr. Brasseaux at 11:15 PM.

, Secretary

A handwritten signature in black ink that reads "Kelly Rush".

Kelly Rush Savoy - President Approved on **Tentative date of, 2017.**

