

May 23, 2012

Meeting of the Louisiana State Board of Embalmers and Funeral Directors was called to order at 12:15 PM by the board's President, Margaret Shehee, at the board's office located at 3500 North Causeway Blvd., Suite 1232, Metairie, Louisiana.

Present:

Margaret Shehee, President  
Craig Gill, Vice President \*  
Paul "Wes" Castille, Treasurer  
Louis Charbonnet, III  
Andrew W. Hayes, Consumer Representative  
Patrick H. Sanders  
Kelly Rush

Also present:

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

Ms. Pichon was absent from today's meeting.

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

Mr. Wall McKneely was present to express his gratitude to the Board Members and staff for their inspiration and support during his tenure on the Board. Ms. Shehee presented a Presidential award to Mr. McKneely for his leadership. Mr. McKneely also addressed the Board regarding smaller funeral homes and the requirement to have someone present, at all times, during normal business hours. He advised the Board that due to the current status of the economy, small funeral homes may be unable to hire and maintain an employee at all times. As such, he requested that the Board's Laws and Rules Committee discuss this matter for a comparable solution.

Board members were presented with a listing of all open matters remaining at the end of fiscal 2010/2011 together with a listing of the complaints filed for fiscal 2011/2012.

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

\* Joined the meeting in progress.

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

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

A discussion then ensued with regard to the inspection report for Carney Mackey Funeral Home, Baton Rouge as having been graded marginal due to their GPL and package pricing.

Motion was made by Mr. Charbonnet, seconded by Mr. Sanders and passed that a letter be sent to Carney Mackey Funeral Home informing them of the FTC regulations and the reason for reporting to the Board is due to the position of the Board and the FTC.

A discussion then ensued with regard to the inspection report for Fondel Memorial Chapel, Lake Charles as having been graded marginal due to the pre need files not being accessible for the inspector.

Motion was made by Mr. Charbonnet, seconded by Mr. Hayes that a formal letter be sent to Mr. Fondel stating a specific a date and time for the inspection of the pre need files and to advise that the pre need trust account regulations are being violated and that penalties and fines will be imposed if non compliance continues.

A discussion then ensued with regard to the inspection report for Louisiana Undertaking Co., New Orleans as having been graded marginal due to the funeral home being closed during the day with no notification of said closure.

Motion was made by Mr. Castille, seconded by Ms. Rush and passed that this matter be tabled due to the topic of this discussion during public comment time by Mr. McKneely and the issue should be referred to the Laws and Rules Committee.

A discussion ensued with regard to the inspection report for Richardson Funeral Home, Covington as having not been graded due to the absence of Mr. Thaddeus Richardson , Sr.

A directive was issued by the Chair for Mr. Daigle to continue further investigation into the matter.

A discussion ensued with regard to the inspection report for Young's Funeral Home, Ferriday as having been graded unacceptable due to Casey Young allowing Leo Young to conduct funeral services as his license has lapsed and was not renewed.

Motion was made by Mr. Castille, seconded by Ms. Rush and passed that a formal hearing be scheduled, following the usual process, all in keeping with the recommendations of the Complaint Review Committee.

Mr. Gill recused himself from any discussion or participation in relation to the matter.

A discussion ensued with regard to a previous inspection of Southern Funeral Home, Jonesboro in which William Staples, Manager, confirmed to Mr. Daigle that the monies of four pre need trust accounts were not deposited in a timely manner.

Motion was made by Mr. Sanders, seconded by Mr. Charbonnet and passed that a formal hearing be scheduled, following the usual process, all in keeping with the recommendations of the Complaint Review Committee

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. Castille and passed that the Executive Director's report be approved as presented.

The minutes of the March 7, 2012 meeting was presented to the Board Members for their review and approval.

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

Financial report, budget vs actual and budget overview update of fiscal 2011/2012 and the 2012/2013 proposed budget was presented to the Board Members for approval.

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

The Board was presented with a report of the 2013 annual renewals for the crematories and retort operators for informational purposes only.

For informational purposes and review, the Board members were presented with a copy of a pamphlet entitled "Your Funeral Consumer Rights in Louisiana", which is being distributed by the Funeral Ethics Organization.

Information regarding the CLEAR annual educational conference was presented to the Board for their review and consideration.

An article regarding the FTC and undercover inspections was presented to the Board members for their review and consideration.

Advertisements from Journet Bolden, Winnfield, Forest Lawn and Patterson Funeral Homes as well as ads from the yellow pages were presented to the Board members for clarification regarding possible misleading advertising.

Motion was made by Mr. Gill, seconded by Mr. Hayes, and passed that this matter be tabled.

Information gathered by the Board's staff with regard to the internship of Geraldine Baloney at The Baloney Funeral Home was presented to the Board members by Mr. Daigle.

Motion was made by Mr. Gill, seconded by Mr. Hayes and passed that the matter requires further investigation.

An email received from Charles Henderson with an attachment regarding recent legislation passed in Arkansas regarding the removals from one funeral home to another and payment to be received was presented to the Board for their information.

This particular matter was deferred to the Laws and Rules Committee for further consideration.

The request from Robin Coon, holder of W/P 0444 , currently employed at Garden of Memories Funeral Home, Metairie for issuance of reciprocal license was presented to the Board Members.

Motion was made by Mr. Castille, seconded by Mr. Sanders and passed that Ms. Coon be issued a reciprocal license.

The request from Kimberly Stoner, holder of W/P 0447 , currently employed at Hillcrest Funeral Home, Haughton for issuance of reciprocal license was presented to the Board Members.

Motion was made by Mr. Sanders, seconded by Mr. Hayes and passed that Ms. Stoner be issued a reciprocal license.

The Formal Hearing In the Matter of Dorothy King vs Willie King and King's Funeral Home, Lake Charles convened at 1:45 PM.

Sworn testimony was provided by Willie King, Pattie Ruppert, Dorothy King, Tremain Starlard, Anthony Stevens, Rhonda King, Jude Daigle, Kettina Semien, Ben Foskey and Paul Pettifer.,

With the conclusion of the presentation of evidence, motion was made by Mr. Charbonnet, seconded by Mr. Gill and passed that the hearing portion of the formal hearing process be concluded at 6:10 pm.

Motion was made by Mr. Castille, seconded by Ms. Rush and passed that the decision and the sanctions, if any, in reference to the Matter of Dorothy King vs Willie King and King's Funeral Home, Lake Charles be deferred until tomorrow's meeting.

There being no further business to be addressed upon today's agenda, the meeting was then adjourned at 6:15 p.m.

---

Belva Pichon, Secretary

Approved

---

Margaret Shehee, President