

May 14, 2008

Meeting of the Louisiana State Board of Embalmers and Funeral Directors was called to order at 9:30 p.m. by the board=s President, Craig Gill, at the board=s office located at 3500 North Causeway Blvd., Suite 1232, Metairie, Louisiana.

Present: Craig Gill, President
Andrew Hayes, Vice President, Consumer Representative
Louis Charbonnet, III, Secretary
Kelly Rush, Treasurer
Wall McKneely, Board Member
Margaret Shehee, Board Member

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

Board Member, Eugene Pellerin, was not present at today=s meeting.

As has been required by law, time was set aside for a Public Comment Time.

No one was present to address the Board Members during the time set aside for Public Comment.

For informational purposes, board members were presented with a listing of the complaint summary for 2007/2008.

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

Motion was made by Mr. McKneely, seconded by Ms. Rush and passed that the Inspector=s report be accepted as presented.

The executive director=s report was then presented to the board members by Ms. Scardino.

Motion was made by Mr. McKneely, seconded by Ms. Rush and passed that the Executive Director=s report be accepted as presented.

Minutes of the April 2008 meetings were presented to the Board Members for their approval.

Motion was made by Mr. Hayes, seconded by Mr. McKneely and passed that the Minutes be tabled until tomorrow=s meeting.

Financial information with Budget updates, as well as the Profit & Loss Budget vs. Actual was presented to the board members for their review and consideration.

Motion was made by Mr. McKneely, seconded by Ms. Shehee and passed that the Financial Information be accepted as presented.

Formal Hearing entitled In the Matter of Richard J. Allen and Hixson Funeral Home, Leesville (SCI Louisiana Funeral Services, Inc.) was convened at 10:15 AM.

Richard Allen was not present for the hearing and his request for another continuance was denied.

Regina S. Wedig, Attorney at Law, advised that she would be representing both S. J. Bubba Brasseaux and Hixson Funeral Home of Leesville during the hearing.

An Admission and Consent on behalf of S. J. "Bubba" Brasseaux, as manager of, and the Hixson Funeral Home, was presented to the Board and made a part of the record.

Testimony was also heard from S.J. Bubba Brasseaux and Dawn P. Scardino.

Motion was made by Mr. McKneely, seconded by Ms. Shehee and passed that the Admission and Consent that was presented by Mr. Brasseaux on behalf of the Hixson Funeral Home at Leesville and himself as manager, be accepted.

Motion was made by Mr. Charbonnet, seconded by Mr. McKneely that the hearing be concluded at 11:05 AM.

Motion was made by Ms. Shehee, seconded by Ms. Rush and passed that entity known as Hixson Funeral Home, Leesville is guilty of violating the provisions of LA R.S. 37:842 D. (1) in that there was an unlicensed individual in charge of the establishment contrary to the requirements of law for approximately 90 days in early 2007 and accordingly, Hixson Funeral Home, Leesville is fined the sum of FIVE HUNDRED (\$500.00) DOLLARS, plus the cost of the hearing, including the general counsel's fees and the court reporter's fees. Imposition of the fine is suspended based upon the mitigating circumstances which were provided during the hearing.

Motion was then made by Mr. Charbonnet, seconded by Ms. Rush and passed that based upon the record, the testimony presented, and the exhibits made a part of the record, that Richard J. Allen be found guilty of violating the provisions of LA R. S. 37:846 A. (14), 37:842 D. 1. and LAC Title 46, Part XXXVII, Chapter 11.

' 1105. And accordingly he is fined the sum of TWO THOUSAND (\$2,000.00) DOLLARS.

Information gathered by the Board=s staff with regard to placing in abeyance the internship of Rochelle W. Gilbert, registered at Golden State Funeral Parlor, Tallulah, was presented to the Board members.

Information gathered by the Board=s staff with regard to placing in abeyance the internship of Alecia N. Levingston, registered at Memorial Funeral Home, Homer, was presented to the Board members.

Information gathered by the Board=s staff with regard Trent Mark Davis was presented to the Board members.

The request from Lemuel D. Draper, holder of W/P 0413, currently employed at Baily Mortuary, Springhill for issuance of reciprocal license was presented to the Board Members.

Motion was made by Mr. McKneely, seconded by Mr. Hayes and passed that Mr. Draper be issued a reciprocal license.

Information gathered by the Board=s staff with regard to a complaint filed by Judy Jordan regarding James Funeral Home, Lake Charles was presented to the members.

Motion was made by Mr. McKneely, seconded by Ms. Shehee and passed that there be a finding of no apparent violation as to the laws and rules under which this board and it's licensees operate, with regard to the complaint filed by Ms. Jordan, all as per the recommendations of the complaint review committee.

Information gathered by the Board=s staff in regards to a complaint filed by Brenda Mitchell regarding Darry Early and Howard=s Funeral Home, Jonesville was presented to the board members.

Motion was made by Mr. Hayes, seconded by Ms. Rush and passed that the matter be tabled pending further investigation.

Information gathered by the Board=s staff with regard to a complaint filed by Debra McCoy, regarding Centuries Memorial Funeral Home, Shreveport was presented to the members. .

Motion was made by Ms. Rush, seconded by Mr. Mckneely and passed that there be a finding of no apparent violation as to the laws and rules under which this board and it's licensees operate, with regard to the complaint filed by Ms. McCoy, all as per the recommendations of the complaint review committee.

As requested, information regarding complaints filed by Coy Gremillion was presented for the Board Members review.

For informational purposes only, the Board members were presented a letter from Civil Service regarding excellent performance of the Planning & Review Records; a letter from Civil Service regarding a timely payroll audit; a notice to the Board members in regards to the annual audit beginning June 16, 2008, and a letter of appreciation and thanks from Kramer Funeral Home regarding a continuing education program at which Mr. Daigle recently made a presentation.

Information gathered by the Board=s staff with regard to a Handling Fee on the GPL from Good Samaritan Funeral Home, Shreveport was presented to the Board members for their review.

Motion was made by Ms. Shehee, seconded by Ms. Rush and passed that this matter be tabled until the next regularly scheduled meeting pending further investigation.

Information regarding the scheduled FARB Certification Seminar in Professional Regulatory Law was presented to the Board Members.

Motion was made by Mr. McKneely, seconded by Ms. Rush and passed that Mr. Rasch and Ms. Scardino be provided authority to attend the FARB Seminar scheduled for October 2008, should either or both of them wish to attend.

There being no further business, a motion was made by Mr. McKneely, seconded by Mr. Hayes and passed that the meeting be adjourned at 2:30 p.m., with the agenda to be continued and completed tomorrow.

Secretary

Approved _____ June 25 _____, 2008

President

May 15, 2008

Meeting of the Louisiana State Board of Embalmers and Funeral Directors was called to order at 1:20 p.m. by the board's Vice President, Craig Gill, at the board's office located at 3500 North Causeway Blvd., Suite 1232, Metairie, Louisiana.

Present: Craig Gill, President
Andrew Hayes, Vice-President, Consumer Representative
Louis Charbonnet, III, Secretar
Kelly Rush, Treasurer
Wall McKneely, Board Member
Margaret Shehee, Board Member

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

Board Member, Eugene Pellerin, was not present at today's meeting.

As has been required by law, time was set aside for a Public Comment Time.

Victor Raphael addressed his concerns to the Board members as quoted,

aYesterday I questioned Dawn about this being a civil service job. I'd like to now why some of my people are not in positions here, you understand, that's the only thing I'm concerned about right now. I wasn't satisfied with the Governor putting in an all white board. He didn't take it up and put some of us on. I thought we was gonna go

back to the sixties when we got ready to sue this Board for racism. The National white association was meeting in the state of Colorado and the secretary of that board came to Lloyd Eagan, he said, Lloyd, I understand you got two niggers on your board. Fenelon was on this side and Dennis was on this side. We've had a black consumer since we started. I want black board members. If that's all we're gonna get, well we'll go back to the sixties@.

Following those comments, the request from Alan D. Anson, holder of W/P 0415, currently employed at Lake Lawn Metairie Funeral Home, New Orleans for issuance of reciprocal license was presented to the Board Members.

Motion was made by Mr. McKneely, seconded by Ms. Shehee and passed that Mr. Anson be issued a reciprocal license.

Formal hearing In the Matter of Cassandra Marie Butler and C.M. Butler Funeral Home, LLC, Abbeville was convened at 1:15 p.m.

Cassandra Marie Butler advised that she wished to offer an admission to the charges pending against both the funeral home and herself and offered testimony regarding her admissions upon the record.

Motion was made by Mr. Charbonnet, seconded by Ms. Shehee and passed that the hearing be concluded at 1:45 p.m.

Motion was then made by Ms. Rush, seconded by Mr. McKneely and passed that the admission and consent presented upon the record be accepted to the Board, and that based upon the admissions made upon the record that the C. M. Butler Funeral Home, L.L.C. is fined the sum of FIVE HUNDRED (\$500.00) DOLLARS, plus all costs of the hearing, including but not limited to the Board's general counsel's fees and the court reporter fees, and it is placed upon probation for a period of one year. The costs of the hearing shall be paid to the Board's

office within 30 days of the receipt of the Findings of Fact and Decision of the Board. Additionally, the fine as levied (\$500.00) shall be suspended conditioned upon the satisfactory completion of the probationary period of one year which shall commence from the date of the signing of the Findings of Fact and Decision of the Board and should there be a further violation of the same statute/rule within that probationary period, then the fine which was suspended shall immediately become due and payable and the funeral home may be subject to additional sanctions as may then be determined by the Board.

Motion was then made by Ms. Rush, seconded by Mr. Charbonnet and passed that the fine which became immediately due and payable under the terms and conditions of the previous Order of the Board, on the February 27, 2007 violation of the probationary period, which Order and fine was imposed by the Board on June 28, 2006, shall be paid to the Board=s office within ninety (90) days of receipt of the Findings of Fact, considering the financial circumstances of this particular funeral establishment.

Minutes of the April 2008 meeting were reviewed by the Board members.

Motion was made by Mr. McKneely, seconded by Ms. Shehee and passed that the minutes be accepted as presented.

Mr. Daigle was directed to inspect the Gaskin-Southall Funeral Home to determine if in fact the directives of the Board to correct certain deficiencies have been met. Following a motion made by Mr. McKneely, seconded by Ms. Shehee which passed the Board=s General Counsel was advised that should the deficiencies not be corrected that subpoenas should be issued to both Burnell

Gaskin and Rev. Southall to attend a formal hearing at the next board meeting to address their failure to meet minimum requirements for the operation of a funeral establishment, and the directives of this Board.

There being no further business, a motion was made by Mr. McKneely, seconded by Ms. Shehee and passed that the meeting be adjourned at 2:25 p.m.

Secretary

Approved _____ June 25 _____, 2008

President