



Alabama Board of Funeral Service

Meeting Minutes

October 05, 2015

Prior Notice

Prior notice of the Board meeting was given through the October newsletter that was distributed to licensees on September 4, 2015 and was posted on the Secretary of State website in January 2015.

Nominations

Prior to the regular business meeting, Mr. Perine accepted nominations from funeral directors and embalmers of the state pursuant to Alabama Funeral Service Laws for membership positions of districts which terms will expire December 31, 2015. The following nominations were made and will be submitted to the Honorable Robert Bentley for appointment:

District 3	District 4	District 6
Tony Taylor-Phenix City	Bart Kirtland-Boaz	Calvin Meadows-Montevallo
Sammy Seroyer-LaFayette	Kaye Slone-Vernon	Heath Bowen-Alabaster
Bill Trant-Opelika	Don Diamond III-Double Springs	Sandra May-Pinson

District 7
Jason Wyatt-Tuscaloosa
Howard Johnson-Birmingham
Jimmy O'Bryant-Thomasville

Attendance

Mr. Craddock asked Mrs. Grogan for a roll call to establish a quorum prior to the meeting being called to order. The following members were present: Mark N. Craddock, Lorenzo Wright, Samuel Seroyer, Bart Kirtland, John C. Rudder, Calvin Meadows and Jason Wyatt. Staff present; Charles M. Perine, Executive Secretary, and E. Denise Grogan, Associate Executive Secretary, recording. Also present general counsel for the Board T. Cameron McEwen.

The following member was absent: None

Following a roll call with 7 members present a quorum was established.



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Call to Order

Mr. Craddock called to order the first quarterly meeting of fiscal year 2016 of the Alabama Board of Funeral Service at 9:05 a.m. on October 5, 2015 in Room 304 of the State House, 11 South Union Street, Montgomery, Alabama.

Approval of Minutes

Mr. Wright moved to approve the minutes of the July 13, 2015 Board meeting, seconded by Mr. Kirtland. The motion passed unanimously.

Old Business

Sunset Review

Mr. Perine informed the Board that on July 29th the agency went before the Sunset Review Committee for approval to continue to operating as the Alabama Board of Funeral Service which would go before the Legislature in February of 2016. This approval would allow the agency to continue until 2020. Mr. Perine thanked all Board members for their attendance and participation in the review. Mr. Perine was pleased to inform the Board that no significant issues were noted, all prior issues were resolved, and the Sunset Committee will be recommending to the legislatures approval for 4 years.

New Business

Approval of Licenses:

1) Applicants having met all qualifications for licensure:

Having passed the state law exam, and having met the passing criteria of the International Conference under the new testing format, Mr. Perine stated that the following individuals had met the qualifications for licensure in the State of Alabama in accordance with Title 34 Chapter 13 of the *Code of Alabama 1975* and Administrative Code 395 and asked the Board to consider for approval the funeral director and/or embalmer licenses for Steven Ryan, Casey Nail, Bree Puckett, Wonn Lusain, Kelly Russell, Jay Fisher, Pamela Black, Dustin Hubbard, Douglas Fields, Cletis Turner and Austin Hillman. The motion was made by Mr. Meadows and seconded by Mr. Seroyer. The motion passed unanimously.



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Mr. Perine informed all present that the Board would no longer require personal interviews, based on an individual having met all the qualifications for license it was the duty of the Board to license the applicant regardless of the results of an interview.

2) Apprentice Funeral Director with Previous Time Credited:

Mr. Perine asked the Board to consider for approval the re-registration of apprentice funeral director applications with previous time served as an apprentice credited to current registration for Jessica Morgan, William Petty, Maurice Brown, Benjamin Earnest, Charles Fuller, Antoinette Harvey, Anthony Long, and Hermon Thornton. Mr. Wyatt moved to approve the re-registration of apprentice funeral director's applications with previous time served credited to the current registration, seconded by Mr. Rudder. The motion passed unanimously.

3) Permanent Funeral Director License Re-registration:

Having paid all fees and penalties, Mr. Perine asked the Board to consider William Holmes for re-registration of permanent licenses as a funeral director. Mr. Wright moved to approve the re-registration of permanent funeral director license, seconded by Mr. Meadows. The motion passed unanimously.

Executive Secretary Financial Report

Mr. Perine reported the following to the Board for the end of fiscal year 2015: July 1-September 30, 2015.

Receipts: \$268,506.00 (July 1-September 30)

Budget: \$471,870.00

Expenditures: \$310,753.28

Mr. Perine informed the Board that the office had come in under budget by \$138,830.00. Mr. Craddock commended the office for coming in under budget.

Licensed Establishments: 323 active

Licensed Funeral Directors: 1299 active

Licensed Embalmers: 722 active

Mr. Perine stated that 517 funeral director/embalmer licenses were in the lapsed status for failure to renew. Licensees have until March 30th to renew with penalty and if not renewed the license



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will go into the expired status. Licensees in the expired status will be sent a letter requiring them to cease and desist from all practice in the funeral service industry.

Apprentice Funeral Directors: 144 active

Apprentice Embalmers: 102 active

Mr. Perine stated that 220 apprentice funeral director/embalmer certificates were in the lapsed status for failure to renew. Apprentices have until March 30th to renew with penalty. Mr. Perine also stated that 98 certificates were pending due to the apprentice not providing case reports and or annual reports. The office will not renew an apprentice certificate until all case reports and annual reports are received to certify the previous year of apprenticeship. Mr. Meadows made a motion to accept the Executive Secretary Financial Report, seconded by Mr. Kirtland. The motion passed unanimously.

New Employee Legal Counsel

Mr. Perine reminded the Board that Cameron McEwen had served as legal counsel for the Board since January 2013. The current state budget situation led to Mr. McEwen's position with the Attorney General's office being phased out and as of September 30, 2015 and would leave the Board without legal counsel. Mr. Perine stated that due to pending cases on appeal and Mr. McEwen's diligent work assisting the Board in enforcing laws and dealing with law breakers, pursuant to 34-13-23(k) of the *Code of Alabama, 1975* and Alabama Administrative Code 395-X-1-.04, Mr. Perine appointed Mr. McEwen as general counsel for the Alabama Board of Funeral Service, effective October 1, 2015 pending Board approval. Mr. Perine stated that the Board would enter into inter-agency agreements with other Boards that Mr. McEwen represented with the Attorney General's office. These agencies would pay the Alabama Board of Funeral Service for Mr. McEwen's legal services to offset the cost of his salary. Mr. Perine stated three Boards had agreed pending approval of the inter-agency agreement and three more Boards were being sought.

Mr. Meadows made a motion to approve the appointment of Mr. Cameron McEwen as general counsel for the Alabama Board of Funeral Service effective October 1, 2015, seconded by Mr. Rudder. Mr. Craddock asked Mrs. Grogan for a roll call vote with the following results.

Yes votes- Mr. Craddock, Mr. Wright, Mr. Seroyer, Mr. Kirtland, Mr. Rudder, Mr. Meadows, and Mr. Wyatt.

No votes – None



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The motion passed unanimously.

Consent Agreements

None

Continuing Education

Mrs. Grogan presented the Board with providers/sponsors seeking approval to provide or facilitate continuing education to licensees including:

Honorable Daniel Rosser, Honorable William Motlow, Geoff Halbrooks, Mississippi Funeral Directors Association, and Royal Funeral Home. Mr. Meadows made a motion, seconded by Mr. Wyatt to approve the continuing education providers/sponsors. The motion passed unanimously.

Mrs. Grogan presented the Board with independent instructors seeking approval to instruct continuing education to licensees including: Honorable Daniel Rosser, Honorable William Motlow, Geoff Halbrooks, Joseph Bonner- Bey, David W. Smith, and Karen Jones Smith.

Following discussion by the Board, Mr. Wright made a motion, seconded by Mr. Meadows not to approve Joseph Bonner-Bey as an Independent Instructor due to lack of expertise in the field requested, but to approve all other independent instructors seeking approval. The motion passed unanimously.

Mrs. Grogan also presented the Board with a list of courses for approval totaling 32 hours of instructional time available to licensees. Pursuant to Alabama Funeral Service Administrative Code 395-X-1-.04, Mr. Perine gave interim approval to 2 courses. Mr. Craddock stated Mr. Bonner-Bey had requested to appear before the Board to explain “Funeral service law and the disciplinary process”, the course he was seeking approval for. Mr. Bonner-Bey was not present and Mr. Craddock asked if this program was a new format of a previously denied course. Mr. Perine explained that Mr. Bonner-Bey stated that the program was a “think tank” for licensees to talk about the laws. Mr. Perine recommended that the Board approve all course except “Funeral service law and the disciplinary process” due to the fact that only certain individuals should be approved to specific courses. Mr. Perine informed the Board that the application for instructor approval had been amended to clarify who could teach programs on rules, laws and pre-need. Individuals approved to teach laws and rules would include The Executive Secretary, Associate Executive Secretary, Board members, lawyers and Judges. The only individual approved to



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teach pre-need would be Jennifer Haskel from the Department of Insurance Pre-need division. Mr. Meadows made a motion, seconded by Mr. Wright to approve all of the continuing education courses except “Funeral Service Law and the Disciplinary Process”. The motion passed unanimously.

Mr. Wright made a motion, seconded by Meadows to approve all providers and instructors with the exception of Mr. Bonner-Bey. The motion passed unanimously.

Other Business

Mr. Perine stated that a request had been made following the last Board meeting to give attendees the opportunity to ask questions or make comments. The Board wanted to extend the opportunity to all in attendance so Mr. Craddock asked if anyone would like to address the Board or make any public comment. No one present stepped forward to address the Board. Mr. Perine stated that if an individual wanted to be on the agenda to address the Board about a specific matter it would need to be submitted to the office prior to the meeting to be placed on the agenda. Mr. Perine reminded all present that the Board would not address any anonymous correspondence.

Adjournment

Being no other business, Mr. Craddock asked for a motion to adjourn and reconvene at 9:00 a.m. on January 11, 2016, Mr. Meadows moved to adjourn the meeting at 9:30 a.m., and seconded by Mr. Wyatt. The motion passed unanimously.

Minutes submitted by: E. Denise Grogan

X

Mark N. Craddock
Chair

X

Charles M. Perine
Executive Secretary