



Alabama Board of Funeral Service

Meeting Minutes

July 27, 2011

Call to order

Rita Woods, chairman, called to order the fourth regular meeting of fiscal year 2011 of the Alabama Board of Funeral Service at 11:00 a.m. on July 27, 2011 in Room P-103 of the Gordon Persons Building, 50 North Ripley Street, Montgomery, Alabama.

Attendance

The following members were present: Thomas Maye, Noah Turner, Samuel Seroyer, Michael Morrison, Terry Wilson, and Rita Woods. Staff present was Warren Higgins, Executive Secretary, and Charles M. Perine, Associate Executive Secretary, recording.

The following member(s) were absent: Jason Maise.

Approval of minutes from last meeting

Mr. Morrison moved to approve the minutes of the April 28, 2011 meeting, seconded by Mr. Wilson. The motion passed unanimously.

Old Business

Mr. Higgins stated that Senate Bill 94 was signed by the governor on June 9, 2011 and will take effect on October 1, 2011, which made significant changes to the funeral service statutory law and some of the Board's administrative rules would have to be amended. Mr. Higgins also stated that "legal opinion" says that the Board does not have statutory authority to make administrative rules on the new law and must wait until after October 1st when the law becomes effective.

Mr. Perine highlighted areas in the new statutory law that would need to be addressed by the Board in the administrative rules.

New Business

Approval of Licenses:

1) Applicants who passed law exam given earlier:

Mr. Higgins asked the Board to consider for approval funeral director and/or embalmer license(s) for all applicants who passed the state law exam given earlier that day upon the passing certification from the Conference under the new testing format, or those who had otherwise qualified for licensing. Moved to approve by Mr. Maye, seconded by Mr. Wilson. The motion passed unanimously.



Alabama Board of Funeral Service

Meeting Minutes

July 27, 2011

2) Apprentice Funeral Director with Previous Time Credited:

Mr. Higgins 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 Monte D. Maddox, Sarah S. Chappell, Lydia S. Crenshaw, Andre C. Russell, Howard L. Bozeman, Albert G. Stinson Jr., Bert A. Scott, Ruby L. Sanders, Willie Calhoun Jr., Henry A. Davis, Hugh Martin, Jerry W. Edgil, LaShari A. Scott, and Belinda D. Kennedy. Moved to approve by Mr. Morrison, seconded by Mr. Turner. The motion passed unanimously.

3) Apprentice Embalmer with Previous Time Credited:

Mr. Higgins asked the Board to consider for approval the re-registration of apprentice embalmer applications with previous time served as an apprentice credited to current registration for Stanley E. Savage and Ashley Bellard. Moved to approve by Mr. Wilson, seconded by Mr. Seroyer. The motion passed unanimously.

4) Apprentice Funeral Director and Apprentice Embalmer with Previous Time Credited:

Mr. Higgins asked the Board to consider for approval the re-registration of apprentice funeral director and apprentice embalmer applications with previous time credited to current registration for Maurice M. Sconiers and Wayne D. Dansby. Moved to approve by Mr. Wilson, seconded by Mr. Turner. The motion passed unanimously.

5) Permanent License Re-registration:

Mr. Higgins asked the Board to consider the following for re-registration of permanent licenses as **Funeral Director and Embalmer**: Torsten D. Driscoll, Vonn A. Folse and Barry C. Taul. Moved to approve by Mr. Wilson, seconded by Mr. Seroyer. The motion passed unanimously.

6) Reactivation of Apprentice Funeral Director for the purpose of taking the funeral director's exam:

Mr. Perine asked the Board to consider for re-registration of apprentice funeral director application for the purpose of taking the funeral director's exam for Cassandra D. Brock. Mr. Perine explained that Ms. Brock had completed her apprenticeship back in 1994, has had two previous reactivations, and has attempted the funeral director's exam on numerous occasions without success. Mr. Higgins stated that he did not think the Board had the authority to issue another reactivation beyond the two reactivations that the law allows. Mr. Wilson asked can she start the apprenticeship over. Mr. Higgins replied, "No". Mr. Turner moved the Board table the matter until the next Board meeting in order to get opinion from our legal counsel, seconded by Mr. Wilson. The motion passed unanimously.



Alabama Board of Funeral Service

Meeting Minutes

July 27, 2011

7) Application for Apprentice Funeral Director and Embalmer:

Mr. Perine asked the Board to consider for approval the application for apprentice funeral director and embalmer for Tara Madison Phifer after her business was found to be committing acts that are grounds for revocation, suspension or refusal to issue or renew licenses. Mr. Perine advised that a cease and desist letter was sent in June and there have not been any reports of the activities resuming. Mr. Turner moved to table the matter until the next Board meeting for further consideration, Seconded by Mr. Wilson. Mr. Higgins stated that Ms. Phifer was trying to get into mortuary school which would begin before the next Board meeting.

Mrs. Woods called for a vote on Mr. Turner's motion which had been properly seconded by Mr. Wilson.

Yea vote: Mr. Turner and Mr. Wilson

Nay vote: Mr. Morrison, Mr. Maye, Mr. Seroyer

Abstain:

The motion failed.

Mr. Higgins stated that the Board needed to either approve or deny the license so that Ms. Phifer would know whether or not she could attend school. Mr. Maye moved to approve Ms. Phifer application for apprentice funeral director and embalmer, motion died for lack of second. Mr. Morrison asked for clarification on what they were considering.

Mr. Morrison moved to approve Ms. Phifer's application, seconded by Mr. Maye. The motion passed unanimously.

8) Application for Apprentice Funeral Director W/ Conviction:

Mr. Perine asked the Board to consider for approval the application for apprentice funeral director for Mr. Manuel W. Jones after answering "yes" to prior conviction. Mr. Perine pointed out that the conviction had a youthful offender status. Mr. Turner moved to approve Mr. Jones' application, seconded by Mr. Seroyer. The motion passed unanimously.

9) Establishment Applications

Mr. Perine asked the Board to consider for approval the following establishments for licensure: Southern Memorial of Eufaula, Hampton Cove Funeral Home, Memory Gardens and Crematory of Hampton Cove, Ervin Funeral Chapel of Piedmont, Prattville Memorial of Prattville, New Horizon Memorial of Dora, Gober Funeral Home of Arab, Crossville Memorial of Crossville, Albertville Memorial of Albertville, Etowah Memorial of Boaz, Boaz Carr of Boaz, Brindlee Mountain of Lacey Springs, Arab Heritage of Arab, Guntersville Memorial of Guntersville, Adams Funeral Home of Albertville, Grant Memorial of Grant and Carr Funeral Home of Guntersville. Mr. Morrison moved to approve the above establishments, seconded by Mr. Turner. The motion passed unanimously.



Alabama Board of Funeral Service

Meeting Minutes

July 27, 2011

Forms

Mr. Perine asked the Board to consider for approval an amendment to the Alabama Cremation Identification Form. Due to the law now being enforced by some of the Coroners requiring crematories to notify them of a cremation, a funeral director is asking the Board to place a notification section on the cremation identification form. Mr. Seroyer moved to approve the identification form as amended, seconded by Mr. Wilson. The motion passed unanimously.

Other Business

Mr. Wilson commended the Board staff for the positive report from the Sunset Committee. Mr. Higgins stated that this was the first year in a long time that the Board was that most received by the Sunset Committee.

Mrs. Woods thank the Board members for attending the Sunset Committee meeting.

October Meetings

Mrs. Woods reminded everyone that the next meeting would be October 26, 2011 at 11 a.m. in room P-103 of the Gordon Persons Building as voted upon during the April meeting.

Adjournment

Being no other business, Mrs. Woods asked for a motion to adjourn. Mr. Wilson moved to adjourn the meeting at 1:08 p.m., seconded by Mr. Morrison. The motion passed unanimously.

Minutes submitted by: Charles M. Perine

X

Rita E. Woods
Chairman

X

Warren Higgins
Executive Secretary