



ALABAMA BOARD OF FUNERAL SERVICE

Meeting Minutes

April 4, 2022

Prior Notice

Prior notice of the April 4, 2022 quarterly board meeting was posted on the Secretary of State website in January 2022, and the information was distributed to licensees via the quarterly newsletter on March 9, 2022. Mr. Perine welcomed all in attendance to the Alabama Board of Funeral Service third quarterly meeting of fiscal year 2022, at 9:00 a.m. on April 4, 2022 in the Board's office located at 4276 Lomac Street, Montgomery, Alabama.

Oath of Office

Mr. Perine informed all present that the Governor's appointments for districts three, four, six, and seven were received after the January board meeting. Mr. Lance Brooks was reappointed to represent district three, while Ms. Bryonda Collins, Mr. J. Douglas Williams, and Ms. Rachel Arrington were appointed to represent districts six, four and seven. Mr. Perine administered the oath of office to the representatives for district three, four, six and seven. Following the oath Mr. Perine declared all previous offices of the Board for chair, vice-chair, treasurer, and secretary vacant due to the new terms.

Election of Officers

Mr. Perine opened the floor for nominations for the office of Chair. Mr. Brooks nominated Mr. Mark N. Craddock, seconded by Mr. Williams. Mr. Perine asked the Question: Mr. Mark N. Craddock for the position of Chair?

Vote:

Yea votes: Mr. Brooks, Mr. Williams, Mr. Rudder, Ms. Collins, Ms. Arrington, Mr. Burt, and Mr. Hines

Nay votes: None

Abstain: None

Absent: Mr. Wright

The motion passed unanimously.

Mr. Perine yielded the chair to Mr. Craddock, who opened the floor for nominations for Vice-Chair. Mr. Williams nominated Ms. Rachel Arrington, seconded by Mr. Brooks. Mr. Craddock asked the Question: Ms. Rachel Arrington for the position of Vice-Chair?

Vote:

Yea votes: Mr. Craddock, Mr. Brooks, Mr. Williams, Mr. Rudder, Ms. Collins, Mr. Burt, and Mr. Hines

Nay votes: None

Abstain: None

Absent: Mr. Wright

The motion passed unanimously.

Mr. Craddock opened the nominations for Secretary. Ms. Arrington nominated Ms. Byronda Collins, seconded by Mr. Williams. Mr. Craddock asked the Question: Ms. Byronda Collins for position of Secretary?

Vote:

Yea votes: Mr. Craddock, Mr. Brooks, Mr. Williams, Mr. Rudder, Ms. Arrington, Mr. Burt, and Mr. Hines

Nay votes: None

Abstain: None

Absent: Mr. Wright

The motion passed unanimously.

Mr. Craddock opened the nominations for Treasurer. Mr. Brooks nominated Mr. J. Douglas Williams, seconded by Ms. Collins. Mr. Craddock asked the Question: Mr. J. Douglas Williams for the position of Treasurer?

Vote:

Yea votes: Mr. Craddock, Mr. Brooks, Mr. Rudder, Ms. Collins, Ms. Arrington, Mr. Burt, and Mr. Hines

Nay votes: None

Abstain: None

Absent: Mr. Wright

The motion passed unanimously.

Roll Call of the Board

Mr. Craddock, Chair, asked Mrs. Grogan for a roll call to establish a quorum. The following members were present: Mark N. Craddock, Lance Brooks, J. Douglas Williams, John C. Rudder, Byronda Collins, Rachel Arrington, Ed Hines, and Bobby Burt.

Staff present: Charles Perine, Executive Director, and E. Denise Grogan, Associate Executive Director, recording.

The following members were absent: Lorenzo Wright

Welcome/Remarks by the Chair

With a quorum established, and all positions filled, Mr. Craddock called to order the third quarterly business meeting of fiscal year 2022. Mr. Craddock welcomed all present and excused the absences of Mr. Wright and Mr. Brenton Smith, the Board's general counsel.

Conflict of Interest

Mr. Craddock requested that the board members review the agenda for the April 4, 2022 meeting. Mr. Craddock asked if any member had a conflict of interest for any items on the agenda, being none, Ms. Arrington made a motion, seconded by Mr. Williams to set the agenda as presented. Being no discussion, the motion passed unanimously.

Business

Approval of Minutes

Mr. Brooks moved to approve the minutes of the January 5, 2022 Board meeting, seconded by Mr. Burt. Being no discussion, the motion passed unanimously.

Old Business

Legislation General, Preneed & Cemetery

Mr. Perine informed the Board and all present that HB48 was the Board's general housekeeping bill, which would establish the property acquisition fund recommended by the Sunset committee, change the renewal due dates, hiring procedures if the agency expanded, and general liability requirements that would begin October 2023. There was some opposition but HB48 passed the House, the Senate committee, and was waiting to be brought up in the full Senate. Mr. Perine stated HB47 "Pre-need bill" and HB338 "cemetery bill" both had to overcome many untruths that had been told. HB47 passed out of the House and was waiting to be brought up in the Senate committee. HB 47 originally included a disposition fee to cover the regulation of pre-need. This was painted as a death tax by opposing parties, and being an election year, some legislators asked that other options be investigated. The Department of Insurance requested that there be a lateral move of the current pre-need law changing only the regulatory authority from the Department of Insurance to the Board, with DOI subsidizing the Board for four years in the amount of \$300,000.00 per year. The subsidy would allow for the regulation of pre-needs to be moved to the Board and time to get the statute changed. Legislators requested the establishment of a searchable data base be included in HB47 that would allow families to search for the existence of a pre-need contract using personal identifiers. Mr. Perine stated the Insurance Commissioner sent a letter to Legislators supporting the move and asked that they pass it.

It was stated that Legislators were constantly being contacted about cemetery issues and HB338 would authorize the Board to regulate cemeteries who had an endowment care fund. Mr. Perine stated opposing cemeteries did not want regulations but wanted equal representation on the Board. Cemeterians were informed representation required equal regulation and a meeting was held to discuss options that would accommodate both. A compromise was suggested to have one agency, two divisions, with two separate boards. The Alabama Funeral Service and Cemetery Service Agency would include The Funeral Service Board which would stay as it is and then add The Cemetery Board. The Funeral Board would take care of everything related to funeral homes, and the Cemetery Board would take care of everything related to cemeteries. Mr. Perine stated the Senate committee chairman agreed to put HB338 on his committee's agenda, but the agenda had not been updated as of the Board meeting.

Approval of Licenses

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 requested to dispense with the reading of the applicant's names and that the individuals listed be considered for approval based on having 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 be approved for license as a funeral director, and/or embalmer, and/or cremationist. Applicants for licensure: Jonathan Page, Crystal Tolbert, Grissel Sanchez, Benjamin Joslin, Derek Franklin, Haley Conroy, Shanna Bryant, Jon Davidson, Michael Patton, Justin English, Donald Phillips, Thomas Hughes, David Brackin, Justin Jacobs, Kimberly Haston, Camille Rodrick, James Shockney, Chris Harris. The motion was made by Mr. Williams and seconded by Mr. Brooks. Being no discussion, the motion passed unanimously.

Permanent Funeral Director and Embalmer License Reactivation:

Having met the requirements of the law for reactivation, paid all back fees and penalties, Mr. Perine asked the Board to consider Virgil Ford, Wesley Alldredge and Chris Jakes for reactivation of permanent license as funeral director and embalmer. Mr. Brooks moved to approve the reactivation of the permanent funeral director and embalmer license of Virgil Ford, Wesley Alldredge and Chris Jakes, seconded by Ms. Arrington. The motion passed unanimously.

Apprentice Funeral Director Reactivation:

Having paid all back fees and penalties, Mr. Perine asked the Board to consider Claude Hampton and Amy Shepard for reactivation of apprentice funeral director certification. Ms. Arrington moved to approve the reactivation of the apprentice funeral director certification of Claude Hampton and Amy Shepard, seconded by Mr. Williams. The motion passed unanimously.

Establishment Applications:

Mr. Perine asked the Board to consider the following establishments for licensure: Gates of Heaven Mortuary (New)(Mobile), Wolfe Funeral Home & Crematory (New)(Lillian). Mr. Brooks moved to approve the establishment applications, seconded by Mr. Williams. The motion passed unanimously.

Executive Director Financial Report

Mr. Perine reported the following for the 2nd quarter of fiscal year 2022 as of April 1, 2022.

Total Budget: \$664,307.00

Total Qtr. Revenue (Jan-March): \$32,250.25

Total Qtr. Expenses (Jan-March): \$154,869.79

Deferred Revenue transferred to 0369: \$0.00

Total Deferred Revenue: \$1,009.20

Total Cash on Hand: \$1,144,339.95

Active License Count as of April 1, 2022

Active Apprentice Funeral Directors: 256

Active Apprentice Embalmers: 152

Active Licensed Funeral Directors: 1509

Active Licensed Embalmers: 831

Active Licensed Cremationists: 288

Active Licensed Practical Embalmers: 47

Active Special Work Permit Funeral Director: 0

Active Special Work Permit Embalmer: 0

Active Licensed Mortuary Service: 1

Active Licensed Establishments: 476

Active Continuing Education Providers: 37

Total Active License: 3597

Inspection YTD: 87

Inspection Citations YTD: \$600.00

2nd Qtr. Licenses issued:

Apprentice Funeral Directors: 25

Apprentice Embalmers: 19

Funeral Directors: 8

Embalmers: 4

Cremationist: 15

Building Purchase and Renovation Expenses

Mr. Perine presented a report which included line amounts for the building purchase and renovation expenses totaling: \$512,122.97. Mr. Perine stated outstanding expenses totaled \$11,130.11 which included remaining renovation work and internet installation.

Mr. Brooks made a motion, seconded by Mr. Williams to accept the Executive Director Financial Report. Being no discussion, the motion passed unanimously.

Suite B Lease

Mr. Perine stated that if the pending legislation did not pass and the agency did not expand was it the Board's desire to lease suite B? Following discussion, the Board tabled any action to lease suite B.

Statement of Economic Interest

Mr. Perine reminded the Board members about completing the required statement of economic interest before April 30, 2022. Board members were provided the link to the form. Mr. Perine stated Mr. Williams, Ms. Collins and Ms. Arrington were exempt because they were not Board members during the previous calendar year.

Board Member Training

Mr. Perine also informed the Board members of the required Examiners of Public Accounts Board/Commission Member Training for 2022 which had to be completed before May 1, 2022. Board members were provided links for the training sessions which could be completed online and reminded that training participation would be documented in the Board's Report to the Sunset Committee.

Exam Items

Mr. Perine reminded the Board that the Alabama Funeral Director and Alabama Embalmer examinations would be administered by the Board beginning April 26, 2022. Mr. Perine stated the examinations would provide applicants a third option to the exams administered by the International Conference of Funeral Examining Boards and were not intended to replace The Conference exams. Mr. Perine stated the Board voted that the Alabama exams would consist of 125 questions, and he presented the Board with recommended sections for each exam and the number of questions for each of those sections.

Alabama Funeral Director Exam Composition:

Funeral Arranging and Directing	40
Merchandising	20
Service Management & Administration	20
Funeral Service Education Psychology & Counseling	15
Funeral Service Education Law & Ethics	15
Cremation/ Crematory Operation	10
Other Disposition	5
Total	125

Alabama Embalmer Exam Composition:

Embalming	42
Restorative Art	28
Chemistry	10
Pathology	15
Anatomy & Physiology	15
Microbiology	12
Other Preparation	3
Total	125

Following discussion, Mr. Williams made a motion, seconded by Ms. Arrington to accept Mr. Perine's recommendation for the exam sections and number of questions for each section. The motion passed unanimously.

2022-2023 Meeting Dates

Mr. Perine requested that the Board members review the proposed meeting dates for approval.

Date	Time
July 11, 2022	10:00 AM
October 4, 2022	10:00 AM
January 9, 2023	10:00 AM

Ms. Arrington made a motion, seconded by Mr. Williams to approve the 2022-2023 Board meeting dates as presented. Being no discussion, the motion passed unanimously.

Continuing Education

Mrs. Grogan presented for the Board's approval, two new providers: Wilbert Funeral Services, Inc., and Continuing Vision. Mrs. Grogan also presented for the Board's approval a list of 83 courses consisting of 116 hours available to licensees. Pursuant to Alabama Funeral Service Administrative Code 395-X-1-.04, Mr. Perine gave interim approval to 43 courses.

Mr. Brooks made a motion, seconded by Ms. Arrington to approve the new continuing education providers and courses as presented. Being no discussion, the motion passed unanimously.

Executive Session

Mr. Brooks made a motion seconded by Mr. Williams to go into Executive Session for 45 minutes to discuss the good name and character of potential licensee(s) and current licensee(s). The motion passed unanimously.

All in attendance were asked to leave the Boardroom at 10:15 a.m. to allow the Board to discuss the good and name and character of potential licensee(s) and current licensee(s). Those in attendance and were informed that the regular business meeting would resume at the conclusion of executive session.

After all parties were called back into the room, Mr. Craddock called the Board meeting back to order with the Board having decisions at 10:35 a.m., Mr. Williams made a motion, seconded by Ms. Collins to approve

the apprentice applications of Tyneshia Gordon and Creola Nelson with probation for the duration of the apprenticeship. The motion passed unanimously. The motion passed unanimously.

Yes Votes: Mr. Craddock, Mr. Brooks, Mr. Williams, Mr. Rudder, Ms. Collins, Ms. Arrington, Mr. Burt, and Mr. Hines

Nay votes: None

Abstain: None

Absent: Mr. Wright

Being no further discussion, the motion passed unanimously.

Mr. Brooks made a motion seconded by Mr. Williams to send letters of reprimand to funeral home "A" and funeral home "B" for issues the Board felt documented warnings were warranted. The motion passed unanimously.

Yes Votes: Mr. Craddock, Mr. Brooks, Mr. Williams, Mr. Rudder, Ms. Collins, Ms. Arrington, Mr. Burt, and Mr. Hines

Nay votes: None

Abstain: None

Absent: Mr. Wright

Being no further discussion, the motion passed unanimously.

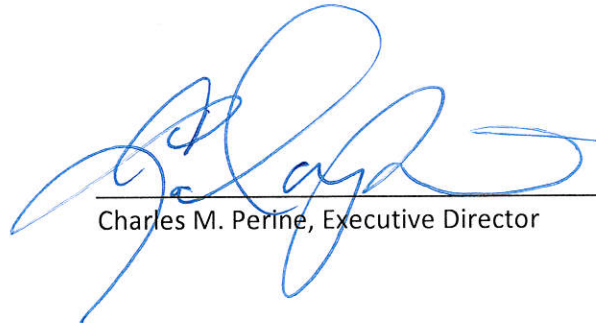
Adjournment

Mr. Craddock ask if there were any questions from the participants, being no questions or other business, Mr. Craddock asked for a motion to adjourn. Mr. Brooks made a motion, seconded by Mr. Williams to adjourn the meeting at 10:36 a.m., and reconvene on July 11, 2022 at 10:00 a.m. The motion passed unanimously.

Minutes submitted by: E. Denise Grogan.



Mark N. Craddock, Chair



Charles M. Perine, Executive Director