



ALABAMA BOARD OF FUNERAL SERVICE

Meeting Minutes

July 11, 2022

Prior Notice

Prior notice of the July 11, 2022 quarterly board meeting was posted on the Secretary of State website in April 2022, and the information was distributed to licensees via the quarterly newsletter on September 9, 2022. Mr. Perine welcomed all in attendance to the Alabama Board of Funeral Service fourth quarterly meeting of fiscal year 2022, at 10:00 a.m. on July 11, 2022 in the Board's office located at 4276 Lomac Street, Montgomery, Alabama.

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, J. Douglas Williams, John C. Rudder, Byronda Collins, and Rachel Arrington.

Staff present; Charles Perine, Executive Director, and E. Denise Grogan, Associate Executive Director, recording, Brenton Smith, Legal Counsel.

The following members were absent: District 2 – Vacant, Lance Brooks, Bobby Burt, and Ed Hines

Welcome/Remarks by the Chair

With a quorum established, Mr. Craddock called to order the fourth quarterly business meeting of fiscal year 2022. Mr. Craddock welcomed all present and excused the absences of Mr. Brooks, Mr. Burt and Mr. Hines.

Conflict of Interest

Mr. Craddock requested that the board members review the agenda for the July 11, 2022 meeting. Mr. Craddock asked if any member had a conflict of interest for any items on the agenda, being none, Mr. Williams made a motion, seconded by Ms. Arrington to set the agenda as presented. Being no discussion, the motion passed unanimously.

Business

Resolution

Mr. Perine informed all present of the passing of Mr. Lorenzo Wright on May 30, 2022. Mr. Wright had represented District Two since January 2015. Mr. Perine stated a resolution had been entered and was presented to the family during the funeral service on June 8, 2022 in Montgomery. Mr. Perine asked for a motion to dispense with reading of the resolution and have it entered into the official minutes of the Board. The motion was made by Ms. Arrington and seconded by Mr. Williams. Being no discussion, the motion passed unanimously. Mr. Perine stated the position of Mr. Wright expires in December and nominations would be taken in October to fill the position following procedures set in statute. Mr. Perine stated the current law would be amended to allow nominations and appointment by the Governor at any time given similar vacancy.

Approval of Minutes

Mr. Rudder moved to approve the minutes of the April 4, 2022 Board meeting, seconded by Mr. Williams. Being no discussion, the motion passed unanimously.

Old Business

Legislation General, Preneed & Cemetery

Mr. Perine informed the Board that HB48 the general housekeeping bill including the \$1,000,000.00 general liability requirement for funeral establishments passed on the last day of the session and went into effect on May 1, 2022. Mr. Perine stated HB47 "Pre-need bill" died in the Senate by non-action for not passing on the last day of the session. Mr. Perine stated both associations were in support of bringing the bill back as well as Mark Fowler, interim Commissioner of Insurance. Mr. Fowler stated he was in support of the lateral move of Preneed to the Board and subsidizing the move for 4 years, working out the other details in future sessions. Mr. Perine stated KL Brown who has carried the Board's bills in the past was retiring so the Board would have to find another Representative to carry the bill. Mr. Perine stated there were numerous Senators lined up to carry the Board's bills in the Senate.

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: Brandon Trawick, James Gravette, Don Cagle, Charles Scott, Savannah Jones, Randall Weaver, Ivy Godsey, Charles Peek, Wendy White, Johnata Wade, James Blackwood, Khadijah Boyd, Bonnie Baugh, Bonita Beck, Deborah Rupright, Suzette Stringfellow, Lynn Cleghorn, Randall Ricketts, Dylan Chancey, Antoinette Harvey, Paul Kemp, Kimberly Haston, Christie Bullard, Charles Woods, Eldrick Brown, Alexia Siniard, Michael Cashaw, Amanda Moon, Janet Manger, and Gorden Wade. The motion was made by Mr. Williams and seconded by Mr. Rudder. 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 John Gravette and Antwan Hadley for reactivation of permanent license as funeral director and embalmer. Mr. Williams made a motion, seconded by Ms. Collins to approve the reactivation of the permanent funeral director and embalmer license of John Gravette and Antwan Hadley. The motion passed unanimously.

Permanent Funeral Director License Reactivation:

Having met the requirements of the law for reactivation, paid all back fees and penalties, Mr. Perine asked the Board to consider Jaclyn Toole for reactivation of permanent license as funeral director. Mr. Williams made a motion, seconded by Ms. Collins to approve the reactivation of the permanent funeral director license of Jaclyn Toole. The motion passed unanimously.

Apprentice Embalmer Reactivation:

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

Establishment Applications:

Mr. Perine asked the Board to consider the following establishments for licensure: Serenity Chapel (New)(Ozark), Park Grove, LLC (New)(Grove Hill), B. E. Brown & Co. Mortuary (New)(Mobile). Mr. Rudder moved to approve the establishment applications, seconded by Ms. Collins. The motion passed unanimously.

Executive Director Financial Report

Mr. Perine reported the following for the 3rd quarter of fiscal year 2022 as of July 1, 2022.

Total Budget: \$664,307.00

Total Qtr. Revenue (April-June): \$36,521.15

Total Qtr. Expenses (April-June): \$116,894.28

Deferred Revenue transferred to 0369: \$0.00

Total Deferred Revenue: \$1,009.20

Total Cash on Hand: \$1,063,966.82

Active License Count as of July 1, 2022

Active Apprentice Funeral Directors: 290

Active Apprentice Embalmers: 176

Active Licensed Funeral Directors: 1535

Active Licensed Embalmers: 845

Active Licensed Cremationists: 295

Active Licensed Practical Embalmers: 46

Active Special Work Permit Funeral Director: 1

Active Special Work Permit Embalmer: 0

Active Licensed Mortuary Service: 1

Active Licensed Establishments: 478

Active Continuing Education Providers: 40

Total Active License: 3707

Inspections YTD

Completed: 170

Citations: \$2,000.00

3rd Qtr. Licenses Issued

Background checks: 85

Applications received: 102

Licenses Issued: 110

CE Providers: 1

Violation	Count
Method of IDENTIFICATION as required by 395-X-6-.07?	2
Embalming record current?	1
Does the establishment pricing meet the rules established by the Federal Trade Commission?	1
Does Identification have required information?	1
Are there 8 full size different sized caskets on	1

the premises?	
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3rd Qtr. Complaints Received: 7

Resolutions

No Action Taken: 4

Reprimand: 1

Pending: 2

Alabama Exam Stats (4/1/2022-7/1/2022)

Alabama Exams administered:

Funeral Director: 14

Embalmer: 4

Pass: 12

Pass: 3

Fail: 2

Fail: 1

Average Score: 79.6

Average Score: 76.4

State Law Exams administered: 21

Funeral Director/Embalmer: 19

Cremationist: 2

Pass: 15

Pass: 2

Fail: 4

Fail: 0

Mr. Perine stated beginning January 1, 2023 the International Conference of Funeral Service Examining Board will only be administering one exam. There would no longer be a separate State Exam and a National Board Exam.

Mississippi State Board

Mr. Perine requested to move out of order on the agenda due to a question asked by Mr. Rudder regarding applications for reciprocity received by the Board. Mr. Perine stated an application for reciprocity had been received from a licensee in Mississippi. He stated reciprocity as defined in code means that the requirements for a license in the state where the individual is licensed are equal to or greater than those requirements in Alabama. Colorado is currently the only state the Board does not accept a license from. Mr. Perine stated most states including Alabama require a passing score of 75, but Mississippi who recently moved to their own exam lowered their passing score to 65. He stated an application had been received from a licensee in Mississippi, and the applicant for reciprocity scored a 65 on the Mississippi exam. Mr. Perine requested that the Board make a determination on whether to accept the application and issue a license to this applicant because they are licensed in Mississippi, however their score is less than the minimum required in Alabama. Following discussion and direction from the Board's legal counsel, Mr. Rudder made a motion, seconded by Williams to deny the application for reciprocity for this individual because the individual does not meet the standards of Alabama for reciprocity. Being no further discussion, the motion passed unanimously.

Other

As a result of HB48, Mr. Perine stated the Board's pay was increased from \$50.00 to \$75.00. He also stated the State milage rate had increased to \$.625 per mile due to the increased gas prices.

Consent Agreements

Case Number	Charge	Penalty
ABFS22-0010	<ol style="list-style-type: none">1. The respondent on one occurrence aided and abetted an unlicensed individual in performing the activities and duties of a funeral director without being licensed by the Board, in violation of Alabama Code 34-13-56(c)(2)(dd)2. The respondent demonstrated untrustworthiness or improper dealing by altering the statement of goods and services for Casey A. Payne, in violation of Alabama Code 34-13-56 (c)(2)(dd)	<ol style="list-style-type: none">1. Fined \$1000.002. 2- year probation for Managing FD and establishment
ABFS22-0021	<ol style="list-style-type: none">1. Respondents failed to have a completed Board approved cremation authorization form prior to cremation of a decedent in violation of Alabama Coed 34-13-121 (a)(2) and Administrative Code 395-X-6-.14(2)	<ol style="list-style-type: none">1. Fined \$500.002. 1 year probation for FD and establishment

Mr. Williams, seconded by Mr. Rudder made a motion to accept the consent agreements as entered. Being no further discussion, the motion passed unanimously.

Continuing Education

Mrs. Grogan presented for the Board's approval, one provider who allowed their approved status to lapse: National Funeral Professionals Association. Mrs. Grogan also presented for the Board's approval a list of 46 courses consisting of 92 hours available to licensees. Pursuant to Alabama Funeral Service Administrative Code 395-X-1-.04, Mr. Perine gave interim approval to 16 courses.

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

Mrs. Grogan stated the Board had received a letter form Glenda Stansbury requesting that the Board reconsider their 2017 denial of the application for Celebrant Training presented by Insight Institute for questionable content. Insight Institute allowed their approved provider status to expire in 2018. Mrs. Grogan corresponded with Ms. Stansbury and requested any new information regarding the program. Ms. Stansbury submitted materials that were the same as the ones presented in 2018. Mrs. Grogan requested detailed information about the program to which Ms. Stansbury provided similar material previously received. Following much discussion Mr. Williams made a motion, seconded by Mr. Rudder to deny Celebrant Training provided by Insight Institute.

Administrative Rule Public Hearing

Mr. Perine stated HB48 which went into effect May 1, 2022 required amendments and additions to the administrative rule. Those proposed rules were filed on May 17, 2022, published in the Administrative Monthly on June 1, 2022. The proposed rules were published for 35 days ended on July 5, 2022. The 35 days allowed for comments to be submitted to the Board for consideration. Mr. Perine stated he allowed 36 days and received no written, verbal, or electronic communications. Mr. Perine stated the Board had to hold a public hearing to allow any comments or concerns. He also stated the Board would have to vote to adopt the proposed rule changes and if adopted they would become effective in 45 days. The floor was opened for comments from those in attendance. Mr. Perine gave a brief description of each

proposed rule change.

395-X-1-.04 395-X-3-.01

395-X-2-.01 395-X-3-.02

395-X-2-.02 395-X-4-.02

395-X-2-.03 395-X-6-.14

Mr. Perine informed the Board that fee changes would go into effect October 1, 2022 because the Board was in the middle of renewals. With no comments, Mr. Williams made a motion, seconded by Ms. Arrington to adopt the proposed Administrative Rule changes as presented. Mr. Craddock, Chair called for a roll call vote with the following results.

Yea votes: Mr. Craddock, Mr. Williams, Mr. Rudder, Ms. Arrington, and Ms. Collins

Nay votes: None

Abstain: None

Absent: Mr. Brooks, Mr. Burt and Mr. Hines

Vacant: District Two

The motion passed unanimously.

Adjournment

Mr. Craddock ask if there were any questions from the participants, being no questions or other business, the meeting was adjourned at 11:45 a.m., to reconvene on October 4, 2022 at 10:00 a.m.

Minutes submitted by: E. Denise Grogan.

Mark N. Craddock, Chair

Charles M. Perine, Executive Director