



Alabama Board of Funeral Service

Meeting Minutes

October 4, 2021

Prior Notice

Prior notice of the Board meeting was given through the October newsletter that was distributed to licensees on September 7, 2021 and posted to the Secretary of State website in January 2021. Due to a Special Session of the Alabama Legislature the meeting location was amended on the Secretary of State website September 27, 2021 and distributed to licensees on September 28, 2021.

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 3, 4, 6 & 7 which would become vacant on December 31, 2021. The following nominations were made:

District 3	District 4	District 6
Lance Brooks-Phenix City	Greg Stone-Arab	James Martin-Clanton
Tony Taylor-Phenix City	J. Douglas Williams-Cullman	Beverly Meadows-Montevallo
Randall Anderson-Alexander City	Korey Hameen-Birmingham	Bryonda Collins-Bessemer
	District 7	
	Rachel Arrington-Birmingham	
	Michael Stewart-Tuscaloosa	
	Paul Rollins, Jr.-Tuscaloosa	
	Howard G. Johnson-Bessemer	

Mr. Perine informed the licensees present that four (4) individuals had been nominated for District 7, and only three (3) names could be submitted to the Governor for consideration as stated in §34-13-20. A ballot vote was taken and counted by E. Denise Grogan and witnessed by Charles M. Perine. The following table shows the results of that vote:

District 7	
Rachel Arrington	10
Michael Stewart	15
Paul Rollins, Jr.	14
Howard G. Johnson	9

Mr. Perine informed the licensees present that the three (3) names nominated for each district will be submitted to the Governor for consideration in accordance with §34-13-20.

District 3 nominees that will be submitted to the governor are: Lance Brooks, Tony Taylor, Randall Anderson

District 4 nominees that will be submitted to the governor are: Greg Stone, J. Douglas Williams, Korey Hameen

District 6 nominees that will be submitted to the governor are: James Martin, Beverly Meadows, Bryonda Collins

District 7 nominees that will be submitted to the governor are: Rachel Arrington, Michael Stewart, Paul Rollins, Jr.

Attendance

Mr. Perine turned the meeting over to Mr. Craddock, Chair, who requested that Mrs. Grogan call the roll to establish a quorum. The following members were present: Mark N. Craddock, Lance Brooks, Bart Kirtland, John C. Rudder, Calvin Meadows, Annie Bushelon-Holt, consumer members Bobby Burt and Ed Hines. Staff present; Charles M. Perine, Executive Director, and E. Denise Grogan, Associate Executive Director, recording. Also, present the Board's General Counsel, Brenton M. Smith.

The following member was absent: Lorenzo Wright

Call to Order

With a quorum established, Mr. Craddock called to order the first quarterly meeting of fiscal year 2022 of the Alabama Board of Funeral Service at 9:05 a.m. on October 4, 2021 in the Bailey Building, 400 South Union Street, Montgomery, Alabama. Mr. Craddock excused the absence of Mr. Wright.

Old Business

Legislation Preneed & Cemetery

Mr. Perine reminded the Board and all present that the Preneed and Cemetery bill from last year had been modified to remove all cemetery language, return it to the current wording in 27-17A and move the regulatory authority to the Board of Funeral Service. The draft bill was forwarded to the Alabama Funeral Directors Association, the Alabama Funeral Director & Mortician Association, and the Cemetery Association. Mr. Perine stated that questions and comments concerning the modified bill were being accepted until October 15, 2021. Once a determination had been made on any changes, the bill would be sent out the three associations for final approval. He stated that as of today one comment had been received regarding changing the term "consumer protection fee" to "disposition fee".

Board Office-Building Purchase

Mr. Perine provided the Board with a timeline and ledger for the purchase of the Board's new office building. Mr. Perine informed the Board that the purchase of the Board office located at 4276 Lomac Street, Montgomery, AL. closed on September 29, 2021. Mr. Perine stated the process of gathering bids for minor construction, flooring and paint was in process with an anticipated move date in November. With the Board approved budget of \$500,000.00, \$432,500.00 was used to purchase the building, minus additional fees indicated on the ledger, leaving a balance of \$37,879.00.

Approval of Minutes

Mr. Brooks moved to approve the minutes of the July 12, 2021, Board meeting, with the correction of William Counce's name, seconded by Mr. Rudder. Being no discussion, the motion passed unanimously.

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 requested to dispense with the reading of each applicant's name 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 Grimes, Jr., Jimmy Kimbrough, Tory Schroeder, Neal Schroeder, Rita Coffey, LaShirley Hunter, Richard Clark, William Sims, Michael Williams, Roger Ferguson, Mark Povey, Charles Sherman, Shannon Terry, Jon Sanders, Calandra McGhee, Jason Beasley, Brooke Camp, Joseph Mask, Timothy Thompson, Yolanda Bonner. The motion was made by Mr. Meadows and seconded by Mr. Brooks. The motion passed unanimously.

2) Permanent Funeral Director License Reactivation:

Having met the current requirements of the law for original issue, paid all back fees and penalties, Mr. Perine asked the Board to consider Patrick E. Jackson and Carlos Black for reinstatement of permanent license as funeral director. The motion was made by Mr. Meadows and seconded by Ms. Bushelon-Holt. Being no discussion, the motion passed unanimously.

3) Permanent Funeral Director and Embalmer License Reactivation:

Having met the current requirements of the law for original issue, paid all back fees and penalties, Mr. Perine asked the Board to consider Michael Black for reinstatement of permanent license as funeral director and embalmer. The motion was made by Mr. Meadows and seconded by Mr. Kirtland. Being no discussion, the motion passed unanimously.

4) Establishment Applications:

Having met requirements, Mr. Perine asked the Board to consider the following establishments for licensure: Miles Memorial Funeral Home (Winfield) (Buy Out), Lovett Funeral Chapel (Mobile) (Buy Out), Elysian Memorial Park & Funeral Home, Inc. (Mobile) (New), and Memorial Funeral Home (Hamilton) (New). Mr. Meadows moved to approve the establishment applications, seconded by Ms. Bushelon-Holt. The motion passed unanimously.

Executive Session

Mr. Meadows made a motion at 9:30 a.m., seconded by Mr. Brooks to go into executive session for 60 minutes to discuss the good name and character of potential licensees. The motion passed unanimously. The audience was asked to leave the room, but informed that the meeting would resume after the executive session.

Following executive session and after the audience was called back into the room, Mr. Craddock called the meeting back to order at 10:20 a.m. with the Board having the following decisions.

Mr. Meadows made a motion, seconded by Ms. Bushelon-Holt to table the apprentice funeral director and apprentice embalmer applications of Bobby Burke until the January 4, 2021 board meeting.

Yes votes: Mr. Craddock, Mr. Kirtland, Mr. Rudder, Mr. Meadows, Ms. Bushelon-Holt. Mr. Burt, Mr. Brooks, and Mr. Hines

Nay votes: None

Abstain: None

Absent: Mr. Wright

Being no discussion, the motion passed unanimously.

Mr. Meadows made a motion, seconded by Mr. Burt to deny the apprentice funeral director application of Charles Brantley.

Yes votes: Mr. Craddock, Mr. Kirtland, Mr. Rudder, Mr. Meadows, Ms. Bushelon-Holt. Mr. Burt, Mr. Brooks, and Mr. Hines

Nay votes: None

Abstain: None

Absent: Mr. Wright

Being no discussion, the motion passed unanimously.

Executive Director Financial Report

Mr. Perine reported the following for the 4th quarter of fiscal year 2021 as of October 4, 2021.

Total Budget: \$1,088,469.00

2021 YTD Revenue: \$579,361.17

2021 YTD Expenses: \$904,329.68

Deferred Revenue (January 2021-September 2021): \$56,047.30

Total Deferred Revenue: \$372,964.30

Total Cash on Hand: \$1,353,952.49

Active Apprentice Funeral Directors: 146

Active Apprentice Embalmers: 84

Active Licensed Funeral Directors: 1494

Active Licensed Embalmers: 824

Active Licensed Cremationists: 257

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: 32
Total Active License: 3361

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

Consent Agreements

Mr. Perine informed the Board of the following consent agreements that were entered into between July 6, 2021 and October 1, 2021.

Case Number	Penalty
ABFS21-0041	Fined \$20,000.00 Managing Funeral Director and Establishment licenses suspended for 30 days. 2- year probation for Managing Funeral Director and Establishment after suspension complete
ABFS21-0045	Fined \$5,000.00 Funeral Director’s license suspended for 30 days 2-year probation for Funeral Director license after suspension complete

Mr. Meadows made a motion, seconded by Mr. Brooks to accept the consent agreements as entered. The motion passed unanimously.

Continuing Education

Mrs. Grogan requested approval for Professional Embalmers, Zebra Credits, Inc. and Graystone associates, Inc. as new providers for the remainder of the 2022 reporting period.

Mrs. Grogan presented the Board with a list of 43 courses for approval totaling 191 hours of instructional time available to licensees. Pursuant to Alabama Funeral Service Administrative Code 395-X-1-.04, Mr. Perine gave interim approval to 12 courses.

Mr. Rudder made a motion, seconded by Mr. Kirtland to approve the continuing education courses and providers that were presented. The motion passed unanimously.

Other Business

Funeral Service Plan

Mr. Perine stated that he was working with ADPH to develop a plan that include funeral homes in the event of a mass fatality event. There was discussion to identify problem areas that would affect a funeral homes ability to respond. With funeral homes stating they were having staffing issues prior to and during COVID, discussions were taking place on ways to increase the number of individuals in the profession to take care of the community. Mr. Perine stated the Board could not fail to plan and was

looking into options that could address the situation, which could include lowering the test score, adding new license types with limited scopes of practice, or developing state exams administered by the Board. With other states looking to develop and administer their own exams, Mr. Perine stated the current law allowed for the Board to write and administer an exam as prescribed by the Board. Mr. Perine stated with this as another option, he would work with Mortuary Science Faculty to develop test questions for a funeral director and an embalmer exam that would be administered by the Board. Mr. Perine stated applicants would have to acknowledge that the exam would only be for license in Alabama, and it would be up to other states to determine whether it met that states requirements for reciprocity. The questions would be in line with curriculum approved by the American Board of Funeral Service Education. The thought process being that the option of a state administered exam would be an alternative option to the two Conference options. Mr. Perine stated this would be a third option in addition to the two exams administered by The Conference.

Following much discussion, Mr. Meadows made a motion, seconded by Mr. Rudder to approve, and authorize the executive director to work with the mortuary school(s) to develop a state funeral director and embalmer's exams in accordance with section 34-13-73, 93 and 94. The exams shall be reflective of the approved curriculum and any regular subject matter as set forth by the American Board of Funeral Service and shall be called the Alabama Funeral Director Exam and the Alabama Embalmer Exam. An applicant may take either the board exam or an exam developed by and administered by The Conference. Also, the staff shall require an applicant that elects to take the Alabama exams to sign an acknowledgement statement making them aware that the intended purpose of these exams are for an Alabama license. Once the exams and procedures are developed, the Board authorizes the staff under the direction of the executive director to immediately start administering the exams to applicants. Mr. Craddock called for a roll call with the following results.

Yes Votes: Mr. Craddock, Mr. Kirtland, Mr. Rudder, Mr. Meadows, Ms. Bushelon-Holt. Mr. Burt, Mr. Brooks, and Mr. Hines

Nay votes: None

Abstain: None

Absent: Mr. Wright

Being no further discussion, the motion passed unanimously.

Mr. Meadows made a motion, seconded by Mr. Rudder to require the total number of questions on the Funeral Director exam and the Embalmer exam administered by the Board to be 150 questions. Being no discussion, the motion passed unanimously.

Mr. Perine stated that conversation about creating a funeral director assistant license with a limited scope of practice was not well received by licensees in the state but extending the current apprenticeship to 5 years was. Mr. Perine stated an apprentice would be required to be enrolled in Mortuary School beginning the 4th year of the apprenticeship. Mr. Perine stated the apprentice would still be required to serve 24-months before applying for permanent license. Mr. Perine stated this change would be included in the Board's clean up bill to be introduced in January.

Mr. Rudder made a motion, seconded by Mr. Meadows to change the current course of an apprenticeship to five years, with enrollment in mortuary school beginning the fourth year of the apprenticeship. Mr. Craddock called for a roll call with the following results.

Yes Votes: Mr. Craddock, Mr. Kirtland, Mr. Rudder, Mr. Meadows, Ms. Bushelon-Holt. Mr. Burt, Mr. Brooks, and Mr. Hines

Nay votes: None

Abstain: None

Absent: Mr. Wright

Being no further discussion, the motion passed unanimously.

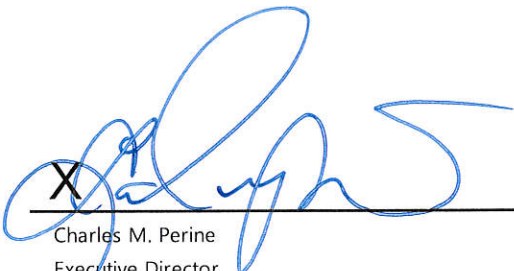
Adjournment

Being no other business, and no questions from the audience, Mr. Craddock asked for a motion to adjourn and reconvene at 9:00 a.m. on January 5, 2022. Mr. Meadows moved to adjourn the meeting at 11:35 a.m., seconded by Mr. Kirtland. The motion passed unanimously.

Minutes submitted by: E. Denise Grogan

X 

Mark N. Craddock
Chair

X 

Charles M. Perine
Executive Director