



# QUARTERLY NEWSLETTER

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## **BOARD MEETINGS**

The first regular meeting of the Funeral Division for fiscal year 2024 will be held on October 4, 2023 at 10:00 a.m. 4276 Lomac Street, Montgomery, AL 36104. Provided the Governor makes appointments to the Preneed Board, the Funeral Division and the Preneed Division will hold a joint meeting following the Funeral Division meeting. The first regular meeting of the Preneed Division for fiscal year 2024 will follow the joint meeting. Matters or subjects not on the agenda are not guaranteed for discussion at the meeting. **Please make this notice available to all employees.**

## **WEBSITE/CONTACT US/MAIL**

Questions? Visit the Board's website. The web address has not changed [www.fsb.alabama.gov](http://www.fsb.alabama.gov). Don't see what you are looking for? "Contact us" is the newest way to get the answer. "Contact Us" is available to anyone accessing the Board's website. Need to mail something to us? **The Board moved to its current office in November 2021.** Mail all correspondence to:

Mailing Address: P O Box 309522  
Montgomery, AL 36310

Physical Address: 4276 Lomac Steeet  
Montgomery, AL 36106

## **APPRENTICES RENEWALS**

**APPRENTICES RENEWALS** for fiscal year 2023-2024 began JULY 1, 2023. The deadline to renew without penalty was SEPTEMBER 1, 2023. Failure to receive a notice does not excuse a licensee from renewing by the deadline. *ONLINE RENEWAL with penalty of \$100.00 per certificate* is available by going to the Homepage of the Alabama Board of Funeral Service website ([www.fsb.alabama.gov](http://www.fsb.alabama.gov)), click on "LICENSEES" then ONLINE SERVICES". A valid credit card will be needed to complete an online renewal. A 4% administration fee will be added to each certificate that is renewed using the online system. It is extremely important that online users verify the information (i.e., address, email address, etc.) on their profile. Annual reports, case reports and skills evaluations can be uploaded thru online services. Don't forget to get your supervisor's signature. Past due certificates not renewed by October 2, 2023 will be considered expired at which time the individual must CEASE and DESIST all practice. Any renewal received after the October 2nd deadline must apply for reactivation.

## **NEW STAFF MEMBERS**

Laura K. Sullivan and Octavia Johnson have recently joined the Board's staff. Laura joined the board in July of 2023 as the Associate Executive Director for the Preneed Division. She is a native of Mount Vernon, Alabama and received her Bachelor of Science in Health Services Administration with a minor in Business Administration from Auburn University in 2012. Laura is also a licensed funeral director in the State of Alabama and

Mississippi. Before joining the board, Laura was a registered Preneed Sales Agent in Alabama, and was a former board member and Secretary of her hometown cemetery.

Octavia started her tenure with the Board in August 2023 as an accountant. She is a native of Monroeville, Alabama. She is a 2020 *cum laude* graduate of Troy University (BSBA, Public Accounting) and a 2022 graduate of Troy University (MBA – Global Business – International Management).

### **GENERAL LIABILITY INSURANCE**

**Section 34-13-113 (e)** Commencing on October 1, 2023, each application for license to operate a funeral establishment or to operate a mortuary service shall include proof of general liability insurance in an amount of at least one million dollars (\$1,000,000.00). Beginning October 1, 2023, proof of the establishment's general liability insurance must be made available for review during the establishment's annual inspection and when renewing the establishment license.

### **PRENEED RENEWALS**

The regulation of Preneed funeral contracts transfers from the Department of Insurance to the Alabama Board of Funeral Services October 1, 2023. **For 2023 Certificate of Authority holders and preneed sales agents will continue to renew with the Department of Insurance until September 30, 2023.** More information about this topic will also be coming soon.

### **CREMATION AUTHORIZATION FORMS**

Administrative Code 395-X-6-.14 Cremation Authorization – lists the information required to be on the cremation authorization form. Disposition of the cremated remains and the party to receive the cremated remains are part of this required information. All of the required information in 395-X-6-.14 shall not be left blank. Take the time and review the authorization form used by your establishment. Beginning October 1, 2023 authorization forms and State ID forms that are missing the required information will result in a \$500.00 citation for the establishment and the crematory.

### **UNCLAIMED CREMATED REMAINS & UNCLAIMED CREMATED REMAINS OF VETERANS**

HB129 became effective August 1, 2023. This bill amends 34-13-122 – Disposition of cremated remains and STATES

- The authorizing agent is to sign a statement specifying the disposition of cremated remains ***(This information is required to be completed on the cremation authorization form and it must be completed)***
- Establishments are to retain this statement for 5 years ***( keep a copy of the cremation authorization form in the individual's file)***
- Establishments with cremated remains in their possession who choose to dispose of them after 60 days may dispose of them in a dignified and humane manner ***(dignified and humane is defined as placement of the cremated remains in an appropriate mausoleum, crypt, vault, columbarium niche, or inground site)***
- Establishments who dispose of the cremated remains shall keep a record of the disposition for 5 years ***(keep a record of the disposition in the individuals file)***
- Before the disposition of unclaimed cremains, the establishment must use best efforts to determine if the individual was a United States veteran who is eligible for burial in a veteran cemetery.
- If unclaimed cremains are of an eligible veteran, the cremains may be transported to a national or state veteran cemetery for interment or released to a “veterans service organization or a nonprofit organization approved by the Alabama Department of Veteran Affairs” for the purpose of interment .

*(Contact The Alabama Department of Veteran Affairs for trusted organizations who have been approved to work with Alabama funeral establishments in identifying and interring eligible veterans in a state or national veterans cemetery )*

### **CONTINUING EDUCATION**

**LICENSEES YOU ARE HALFWAY THRU THE REPORTING PERIOD...** get your CEs completed early so there is no rush. The 2022-2024 reporting period began October 2, 2022 and will end October 1, 2024. Keep certificates for you records, do not send them to the Board's office or email. Check your online profile to verify your completions have been reported. The provider must electronically report completions.

### **HAPPY BIRTHDAY**

If you will be celebrating your 65<sup>th</sup> birthday before October 1, 2024 and have 10 years of service in the funeral industry, **congratulations**, you are exempt from the continuing education requirements! Many wishes for a happy year if you have celebrated a birthday since the last Quarterly Newsletter.

### **EXAMINATIONS**

The Alabama Board of Funeral Service certified the following individuals as having met the qualifications to take an examination for licensure:

SCOTT VEAL	TYRONE SPEAKS	MICHAEL DAVIS
QUINTON CROSS	RANDALL HICKS	CHRISTOPHER BONNER
MAKEBA BRADSHAW	AMANDA FREDRICK	JOSHUA WALES
NORMAN CASON	ALLEN MALONE	WILLIAM O. PETTY
ANDREW ONDICH	LELA BROWN	WILLIAM AARON
NICKY LEONARD	CHRISTOPHER CLAY	MELISSA MILLENDER
BRADLEY BRIDGES	LACEY HEARNDON	DAMINOUS ANDREWS
JOHNATHAN POOLE		ANDRE FOREMAN

### **THE CONFERENCE**

The National Funeral Director and Embalmer's exams are given by The Conference through Pearson VUE testing centers at five locations statewide. Please see The Conference's website for registration and exam information.

The Conference: [www.theconferenceonline.org](http://www.theconferenceonline.org)

Phone: 479-442-7076

### **THE ALABAMA FUNERAL DIRECTOR AND ALABAMA EMBALMER EXAM**

The Board now administers the Alabama Funeral Director and Alabama Embalmer Exams in addition to the Laws and Rules exam. The Alabama Funeral Director and Alabama Embalmer exams offer an added option to become licensed in the State of Alabama. A qualified applicant may still take the NBE (National Board Exam) depending on eligibility, bachelor's degree (FD only). The exam's intended purpose is for an applicant to become licensed in the State of Alabama for the practice area referenced in the title of the exam, in accordance with Alabama Code §34-13-73(a) and (b) for funeral director licensure applicants and §34-13-94(a) for embalmer licensure applicants, and Alabama Administrative Code Chapter 395-X-2.

Individuals interested in registering for an exam administered by the Board can review the "examination tab" located on the Board's website by clicking "applicants" then "examinations".

<https://fsb.alabama.gov/applicants/examinations/>

**STATE LAW EXAM**

For information about the State Law please see the “examination tab” located on the Board website by clicking “applicants”. See the website for exam deadlines, testing dates and times.

**NEW LICENSEES (approved during the July11, 2023 Board meeting)**

**FUNERAL DIRECTOR**

KEYONTE’ FRANKLIN  
CAROL MONTELEONE  
PAMELA PARTRIDGE  
APRIL WHITE

MATTISON LOVELL  
CORNELIUS HENDERSON  
NOVEMBER WREN  
JERRY BOWMAN

GENE SIMS  
BARAKA TRUSS  
CAMILLE WHITE  
ALEXIS BARNES

**FUNERAL DIRECTOR & EMBALMER**

WILL RAMEY  
JALONI WILLIAMS

REBECCA IVY  
CODY NEELY  
CHLOE FRANKS

CARLTON MAYE  
DANIEL O’BRYANT

**EMBALMER**

TORCEALON KELLEY

CAMILLE WHITE

**CREMATIONIST**

SABRINA YOUNG  
JAE’LON LEONARD  
CHRISTOPHER JONES  
VICTORIA JONES  
WILLIAM WILSON

WILLIAM HAVENS  
JOHNNY TURVIN  
DEBORAH RUPRIGHT  
AARON CURENTON  
SHARON MCCRAY  
SAMUEL SHELTON

JEANNIE HYDE-JOINER  
ZACHORIA WILSON  
JEFFERY HUGGINS  
TERRY CLECKER  
AWLAHJADAY AGEE

**REACTIVATION**

Apprentice Funeral Director and Apprentice Embalmer: 1

Funeral Director: 3

**ESTABLISHMENTS**

AUBREY LARKIN’S LEWIS BROTHERS FUNERAL HOME (SELMA)

BUY OUT

GASSETT FUNERAL HOME AND CREMATORY, LLC DBA CHAPEL HILL FUNERAL HOME (WETUMPKA)

BUY OUT

**ACTIVE LICENSE COUNT (as of July 1, 2023 )**

Establishments	477	Special Work Permit-Embalmer	1
Mortuary Services	2	Special Work Permit-Cremationist	0
Funeral Directors	1519	Apprentice Funeral Directors	331
Embalmers	845	Apprentice Embalmers	208
Practical Embalmers	40	CE Providers	37
Cremationists	315	Application received	109
Special Work Permit-Director	1	Licenses Issued	111
Background Checks			215

**395-X-6-.15 Inspection Penalties** (a). Any violation under this section is a violation of minimum standards and a threat to the health, safety, and welfare of the public. A funeral establishment or mortuary service licensed by the board shall pay a fine to the board for each violation of this section. The requirements for inspections and the citation fines for violations under this section are as follows:

**INSPECTION FINDINGS (April 1, 2023 – July 1, 2023)**

<b>Minimum Standards</b>	<b>Fine for Violating</b>
All Current?	\$200
Are Licenses, Certificates and Registrations on public Display?	\$100
Are openings between the preparation room and public areas sealed to prevent fumes from escaping?	\$100
Are outside openings screened, covered, or sealed to prevent the entrance of insects or rodents?	\$100
Are price cards displayed on each casket as merchandised?	\$100 per casket without card or brochure
Are state Identification forms for each cremation complete?	\$500
Are there 8 full size different adult caskets on the premises?	\$300 per casket below minimum
Aspirator, trocar, nasal tube aspirator, aspirating hoses?	\$200
Does the establishment have a funeral coach or hearse for transporting human remains?	\$300
Does the identification have required information?	\$100
Does the establishment pricing meet the rules established by the Federal Trade Commission?	\$500
Embalming record all current?	\$200
Is the Crematory clean and sanitary	\$100
Is the funeral coach or hearse properly licenses?	\$300
Plumbing and Fixtures Adequate?	\$100
Method of IDENTIFICATION as required by §395-X-6-.07?	\$100 per body not identified

**CONSENT AGREEMENTS (April 1, 2023 – July 1, 2023)**

ABFS23-0013	<ol style="list-style-type: none"> <li>1. Managing Funeral Director and establishment violated Alabama Code § 34-13-56(c)(2)(i) by aiding and abetting an unlicensed individual in performance of the activities and duties of an embalmer without being licensed by the Board in violation of Alabama Code § 34-13-56.1(a).</li> <li>2. Managing Funeral Director and establishment violated Alabama Code §§ 34-13-112(c) and 34-13-56(c)(2)(l) by allowing an individual to engage in the practice of an embalmer without being licensed by the Board in violation of Alabama Code § 34-13-56.1(a).</li> </ol>	<p>MFD and establishment fined \$1500.00</p> <p>MFD on probation for 2-years</p>
ABFS23-0013	<ol style="list-style-type: none"> <li>1. Unlicensed individual violated Alabama Code § 34-13-56.1(a) by engaging in the practice of an embalmer without being licensed by the Board as such.</li> <li>2. Individual violated Alabama Code §§ 34-13-52(d)(1) and (2) (as incorporated by Alabama Code § 34-13-56(c)(2)(l)) by failing to produce a wallet license upon the request of a Board representative.</li> </ol>	<p>\$3000.00 Fine</p> <p>FD on probation for 2-years</p>

<p>ABFS24-0014</p>	<ol style="list-style-type: none"> <li>1. Unlicensed establishment violated Alabama Code §§ 34-13-56.1(a) and 34-13-111 (as incorporated by § 34-13-56(c)(2)(l)) by engaging in the operation of a funeral establishment without being actively and validly licensed by the Board as a funeral establishment.</li> <li>2. Owner violated Alabama Code § 34-13-56(c)(2)(i) by aiding and abetting an unlicensed establishment in its operation of a funeral establishment without being actively and validly licensed by the Board as a funeral establishment.</li> <li>3. Funeral Director violated Alabama Code § 34-13-56(c)(2)(p) by performing the services of a funeral director for an unlicensed establishment which was not actively and validly licensed by the Board as a funeral establishment at the time those services were performed.</li> <li>4. Unlicensed establishment violated Alabama Code § 34-13-112 (as incorporated by § 34-13-56(c)(2)(l)) by operating a funeral establishment not under the full charge, control, and supervision of a managing funeral director and managing embalmer.</li> </ol>	<p>FD fined \$1,000.00 and 6-month probation</p> <p>Unlicensed establishment fined \$4,500.00 and 1-year probation following the date any such license is approved by the Board</p>
<p>ABFS22-0032</p>	<ol style="list-style-type: none"> <li>1. Establishment and owner violated Alabama Code § 34-13-56(c)(2)(cc) by failing to pay sales, use, and license tax and related amounts owed; by failing to maintain and/or file all related documents and reports; and by failing to otherwise comply with the legal requirements to receive a business license and operate a business selling funeral services or merchandise.</li> <li>2. Continuing as of the date of this complaint, establishment and owner failed to hold a current business license from the municipality in which the establishment is located in violation of Alabama Administrative Code Rule 395-X-4-.01(1)(b) (as incorporated by Ala. Code § 34-13-56(c)(2)(l)).</li> <li>3. Establishment and owner demonstrated bad faith, incompetence, or untrustworthiness or dishonest, fraudulent, or improper dealing in violation of Alabama Code § 34-13-56(c)(2)(dd) by, on multiple occasions, writing checks to the City despite possessing insufficient funds to cover the amounts of those respective checks.</li> </ol>	<p>Establishment must pay all outstanding amounts owed to the city.</p> <p>Obtain a valid and current business license.</p> <p>Establishment fined \$7,500.00 and 4-year probation</p>



**KAY IVEY**  
GOVERNOR

# ALABAMA BOARD OF FUNERAL SERVICES

4276 LOMAC STREET, MONTGOMERY, AL 36106  
PHONE: 334.242.4049 / FAX: 334.353.7988  
WWW.FSB.ALABAMA.GOV



**CHARLES PERINE**  
DIRECTOR

August 10, 2023

To: Preneed Sales Agents (PSAs)

*Re: Procedure for Appointment of Preneed Division Professional Board Members*

In anticipation of the transition of preneed services regulation to the Board, I write to inform you of the process by which professional members of the Board's Preneed Division will be appointed. This information is provided after further review of the new law establishing the Preneed Division and upon consultation with legal counsel in the Attorney General's Office.

In short, the new law requires that the first appointments to the Preneed Division professional member positions should be made without a nominating convention of licensees to select three candidates for each position. Once each of those initial terms expire, a nominating convention would then be used to select three nominees for appointment to the next full term on the Board (and upon expiration of all full terms thereafter). However, a vacancy occurring prior to expiration of a term (due to death, resignation, etc.) would be filled without a nominating convention.

To explain in more detail, the recent amendments to Ala. Code § 34-13-20 provide that the Preneed Division of the Board will consist of four professional members (i.e., licensed preneed sales agents meeting certain criteria) and one consumer member (i.e., an unlicensed member of the public at large). ALA. ACT. No. 2023-94 at 20. Although the old text of Ala. Code § 34-13-20 provided that a nominating convention of licensees would be assembled when a professional member's term "has expired, or is vacant for any reason," the recent amendments struck "or is vacant for any reason" from the statute. *See id.* at 21-22. Thus, a nominating convention may be convened only when a regular term has expired, and the Governor may appoint without such a convention when a vacancy occurs for any other reason. *See id.* at 22. In sum, at the time that the professional member positions come into existence on October 1, 2023, they will necessarily be vacant for some reason other than expiration of a preceding term, and thus may be filled by gubernatorial appointment without a nominating convention. A nominating convention would then be convened according to the ordinary process upon the regular expiration of those terms. *See id.* at 20-22.

Accordingly, the Board intends to work with the Governor's Office to facilitate an orderly appointment process. To that end, if you are interested in serving as a professional member of the Preneed Division of the Board, please submit a resume and cover letter to the Board by email by **September 8, 2023**. Your cover letter must indicate:



**KAY IVEY**  
GOVERNOR

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**CHARLES PERINE**  
DIRECTOR

1. Whether you meet **all** the following criteria<sup>1</sup> (including license and/or certificate numbers):
  - a. Are a citizen of the United States;
  - b. Are a resident of Alabama;
  - c. Hold a current license to practice as a preneed sales agent in Alabama;
  - d. Have been actively engaged in preneed sales *or* the direct management of preneed sales in Alabama without interruption since on or before October 1, 2018; and
  - e. Are currently employed by a certificate of authority holder.
2. Whether you meet **any** of the following criteria<sup>2</sup> (including license and/or certificate numbers):
  - a. Are a licensed funeral director;
  - b. Are a preneed sales agents employed by a cemetery; and/or
  - c. Hold a current certificate of authority to sell preneed services and merchandise.
3. Your business address and the address at which you personally reside;
4. Any other information that would be relevant to your appointment.

The Board will screen applications to ensure minimum licensing criteria are met but will ultimately forward all applications to the Governor's Office for review and consideration. If appointments are made effective on or before October 5, 2023, the Preneed Division's first meeting will be that day immediately following the meeting of the full Board.

If you have any questions, please contact me at 334-242-4050.

Sincerely,

Charles M. Perine  
Executive Director

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<sup>1</sup> All Preneed Division professional members must meet each of these criteria.

<sup>2</sup> At least two Preneed Division professional members must meet one or more of these criteria (though not necessarily the same two members for each).





**KAY IVEY**  
GOVERNOR

# ALABAMA BOARD OF FUNERAL SERVICES

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**CHARLES PERINE**  
DIRECTOR

August 11, 2023

*Re: Important Update Regarding Preneed Regulation*

Dear Certificate Authority Holders / Preneed Sales Agents,

I hope this letter find you in good health and high spirits. We are writing to inform you about an upcoming change in the regulatory landscape that will impact the way preneed funeral and cemetery contracts are regulated in the state of Alabama. Effective October 1, 2023, the regulation of preneed funeral and cemetery contracts will be transferred from the Alabama Department of Insurance (DOI) to the Alabama Board of Funeral Services (ABFS), as stipulated by Alabama Senate Bill 131 passed during the 2023 Legislative Session and enacted as Act 2023-94.

During the transitional period between September 1, 2023 and September 30, 2023, we kindly request your cooperation in refraining from sending any preneed documents to DOI. Instead, we ask that you hold all documents until October 1, 2023, at which point all preneed matters, documents and transactions should be directed to and handled by the ABFS.

It is important to note that any documents received by ABFS prior to October 1<sup>st</sup> will be held and not processed until the official transfer date. We appreciate your understanding and adherence to this transition period to ensure a smooth transfer of responsibilities.

For the most up-to-date information and instructions related to this transition, we encourage you to monitor the ABFS website at [www.fsb.alabama.gov](http://www.fsb.alabama.gov). This website will serve as the primary source of communication and updates regarding the new regulatory procedures.

In order to facilitate efficient communication moving forward, please ensure that you submit your current email address to [info@fsb.alabama.gov](mailto:info@fsb.alabama.gov). Email will be the primary mode of communication from ABFS, and having your correct email on record will help us ensure you receive timely updates and important information.

Furthermore, we welcome your insight and recommendations concerning the rules and regulations for preneed funeral and cemetery regulation. If you have any suggestions or feedback, please do not hesitate to reach out to me directly at [charles.perine@fsb.alabama.gov](mailto:charles.perine@fsb.alabama.gov).

As we anticipate the appointment of the preneed board by the Governor, we look forward to addressing potential amendments to the rules and regulations governing preneed funeral and cemetery contracts after the preneed board is in place. Your valuable input will play a significant role in shaping these regulations to best serve the interest of all stakeholders involved.



**KAY IVEY**  
GOVERNOR

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**CHARLES PERINE**  
DIRECTOR

Thank you for your attention to this matter and for your ongoing commitment to maintaining the highest standards within the preneed funeral industry in Alabama. Your cooperation during this transition period is greatly appreciated.

Sincerely,

A handwritten signature in blue ink that reads "Charles M. Perine".

Charles M. Perine  
Executive Director

Contact Information:

Alabama Board of Funeral Services

Mailing: P.O. Box 309522, Montgomery, AL 36130

Physical: 4276 Lomac Street, Montgomery, AL 36106

Phone: 334-242-4049 Fax: 334-353-7988

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