



ALABAMA BOARD OF FUNERAL SERVICES

Funeral Division Meeting Minutes

October 5, 2023

Prior Notice

Prior notice of the October 5, 2023 first quarterly board meeting of fiscal year 2024 was posted on the Secretary of State website April 4, 2023, and revised on September 19, 2023. Meeting information was distributed to licensees via the quarterly newsletter on September 1, 2023, with a date correction emailed on September 19, 2023. The meeting was held at 10:00 AM in the Board's office located at 4276 Lomac Street, Montgomery, Alabama.

Pledge of Allegiance and Invocation

Mr. Brooks, presiding due to the absence of Mr. Williams and Ms. Arrington, asked Mr. Sorrells to lead all in attendance in the Pledge of Allegiance to the American flag which was followed by an invocation offered by Mr. Bobby Burt.

Call to Order

Roll Call of the Board

Mr. Brooks, presiding, asked Mrs. Grogan for a roll call to establish a quorum. The following members were present: Terry Sorrells, Lance Brooks, Byronda Collins, Bobby Burt, and Sandra Hill.

Staff present; Charles Perine, Executive Director, E. Denise Grogan, Associate Executive Director, recording, Laura Sullivan, Associate Executive Director, Octavia Johnson, Accountant, and Brenton Smith, Legal Counsel.

The following members were absent: J. Douglas Williams, Kenneth Bishop, Karen Jones Smith, Rachel Arrington

Welcome/Remarks by the Chair

With a quorum established, Mr. Brooks called to order the first quarterly business meeting of fiscal year 2024 at 10:00 AM. Mr. Brooks excused the absence of the members who were absent and welcomed all present.

Conflict of Interest/Motion to set the agenda

Mr. Brooks requested that the board members review the agenda for the October 5, 2023 meeting. Mr. Brooks asked if any member had a conflict of interest for any items on the agenda, being none, Mr. Sorrells made a motion, seconded by Mrs. Collins to set the agenda as presented. Being no discussion, the motion passed unanimously.

Business

Approval of Minutes

Mr. Perine stated that the minutes from the July Board of Funeral Service meeting would be approved during the joint meeting of the Board of Funeral Services. He stated that subsequent meetings would publish and approve minutes for each division meeting.

Old Business

None

Approval of Licenses

New Licensees

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 POOLE, JAMES HOOTEN, ALEXANDREA DOWNING, RAQUEL JONES, SAMANTHA BROWN, CAITLIN COTTON, MELISSA MILLENDER, NICKY LEONARD, BRADLEY BRIDGES, DARRELL DAVIS, ANDRE FOREMAN, TYRONE SPEAKS, WILLIAM O. PETTY. The motion was made by Mr. Sorrells and seconded by Mr. Burt. Being no discussion, the motion passed unanimously.

Reactivations

Having met the requirements of the law for reactivation, paid all back fees and penalties, Mr. Perine asked the Board to consider CLEOPATRA HUGHES for reactivation of apprentice funeral director. Mr. Burt moved to approve the reactivations seconded by Mrs. Collins. The motion passed unanimously.

Establishment Applications:

Mr. Perine asked the Board to consider the following establishments for licensure: SKELTON FUNERAL HOME (Buy Out) (Reform), GRACE MEMORIAL CHAPEL (New) (Lineville), ROYALTY FUNERAL SERVICE (New) (Maplesville), RANDALL MILLER MORTUARY (New) (Selma), FAITH MEMORIAL CHAPEL (New)(Fairfield). Mr. Sorrells moved to approve the establishment applications, seconded by Mr. Burt. The motion passed unanimously.

Executive Director Report

Mr. Perine provided the Board with the statistics listed below and stated the financial report would be moved to the joint meeting.

License/Certification/Registration	Active	Application received	License issued
App Director	225	44	46
App Embalmer	135	36	36
Funeral Director	1539	29	21
Embalmer	858	13	13
Cremationist	330	19	15
Practical Embalmer	39	0	0
SP WP FD	1	0	0
SP WP EM	1	0	0
SP WP Cremationist	0	0	0
Mortuary Service	3	2	1
Establishments	476	2	0

CE provider	39	1	3
Total	3646	146	135
Background checks FY YTD			308

Inspections YTD	
Completed	486
Compliant	265
Non-complaint	221
Need Reinspection	1
Board Notice	1
Citations (62)	\$15,300.00

Complaints Received YTD			
Fine	1	Cease and Desist	1
Held in Abeyance	1	Unable to verify complaint	1
Fine-Probation	4	Complaint resolved by parties	4
Fine-suspension-Probation	1	Dismissed	0
No Violation	6	Pending	2
No Jurisdiction	1	Closed	2
Letter of Reprimand	1	Admin error	2
Not enough evidence	5	Total	32

Violations
Method of IDENTIFICATION as required by 395-X-6-.07?
Does Identification have required information?
Does the establishment have a Funeral Coach or Hearse for Transporting Human Remains?
Is the Funeral Coach or Hearse properly licensed?
Are there 8 full size different sized caskets on the premises?
Are price cards displayed on each casket as merchandised?
Are outside opening screened, covered, or sealed to prevent the entrance of insects or rodents?
Embalming record all current?
Does the establishment pricing meet the rules established by the Federal Trade Commission?
Is the crematory clean and sanitary?
Are state identification forms for each cremation complete?
Are Licenses, Certificates, and Registrations on public display?
All current?
Are all licenses displayed in the place of business or employment?
Aspirator, trocar, nasal tube aspirator, aspirating hoses?
Are openings between the preparation room and public areas sealed to prevent fumes from escaping?
Plumbing and Fixture Adequate?
Are roofing and overhead coverings well maintained to prevent any leaks to the interior of the funeral establishment?
Nonporous Floor and Walls?

Alabama Exam Stats (January 17, 2023 – March 20, 2023) Administered			
Alabama Exam	Pass	Fail	Average Score
Funeral Director (9)	8	1	78.31111
Embalmer (7)	5	2	75.62857
State Law Exam FD/EM (30)	20	10	
State Law Exam Cremationist (6)	6	0	

Consent Agreements

Mr. Perine informed the Board of the following consent agreements that were entered into between July 1, 2023 to October 1, 2023.

Case No.	Charge	Penalty
ABFS23-0025	<ol style="list-style-type: none"> Violated Alabama Code § 31-13-56(c)(2)(i) by aiding and abetting an unlicensed individual in performance of the activities and duties of a funeral director without being licensed by the Board in violation of Alabama Code § 31-13-56.1(a). Violated Alabama code §§34-13-56(c)(2)(1)) by allowing an unlicensed individual to engage in the practice of a funeral director without being licensed by the Board §34-13-(c)(2)(a). 	<ol style="list-style-type: none"> Managing Funeral Director- 2-year probation Funeral Establishment – 2-year probation Fined \$5,000.00
ABFS23-0025	<ol style="list-style-type: none"> Violated Alabama Code §34-13-56.1(a) by engaging in the practice of a funeral director without being licensed by the Board as such. 	Fined \$500.00

Being no discussion, Mr. Burt made a motion and seconded by Mr. Sorrells to accept the Executive Director's report. The motion passed unanimously.

Continuing Education

Provider and Course Request

Mrs. Grogan presented for the Board's approval, one new provider: Elite Safety Consulting, LLC. Mrs. Grogan also presented for the Board's approval a list of 12 programs available to licensees. Pursuant to Alabama Funeral Service Administrative Code 395-X-1-.04, interim approval was given to 1 provider and 9 courses. Mrs. Collins made a motion, seconded by Mr. Burt to approve the new continuing education providers and courses as presented. Being no discussion, the motion passed unanimously.

Other Business

Alabama Department of Public Health Mass Fatality Team

Mr. Perine stated the Alabama Department of Public Health Mass Fatality preparedness team was present. Mr. Perine stated the Board was part of the team and had been working to establish a partnership in efforts to prevent issues that came to light during COVID. Mr. Perine turned the floor over to Mr. Durham who introduced himself, Ms. Williams, and Ms. Moens. Mr. Durham stated during COVID federal assets could not be distributed to for profit business which included funeral homes, but thru discussion that rule had

been lifted. Mr. Durham stated funeral homes would now be included in federal supply distributions in the event of another pandemic or health emergency. Alabama counties would be divided into coalitions which would be smaller groups where information and resources would be shared. Mr. Durham asked that funeral homes register with their coalition to test their supply chain network in an upcoming exercise where free PPE would be distributed.

Mr. Perine stated information would be provided to all funeral homes about the upcoming exercise.

Questions

Mr. Brooks reminded all in attendance that in the July newsletter it stated as of October 1, 2023 funeral establishments would be required to provide proof of General Liability insurance on application, inspection, and renewal. He also stated the disposition of the cremated remains must be completed on the Cremation Authorization form. Mr. Perine added that any blanks on the Stated ID form or the Cremation Authorization form would result in a \$500.00 fine. He stated General Liability Insurance had to be maintained and proof of coverage would be required.

Adjournment

Mr. Brooks asked for any questions from those in attendance, being none, Mr. Brooks expressed the Board's condolences to Mr. Sorrells on the passing of his wife. A motion to adjourn the meeting and reconvene on January 9, 2024 at 10:00 AM was made by Mr. Sorrells and seconded by Mrs. Collins. The motion passed unanimously. The meeting adjourned at 10.39 AM.

Minutes submitted by: E. Denise Grogan.

Lance Brooks, Presiding

Charles M. Perine, Executive Director

Chair