



# **ALABAMA BOARD OF FUNERAL SERVICES**

## ***Special Called Preneed Division Meeting Minutes***

**November 09, 2023**

### **Prior Notice**

Prior notice of the November 09, 2023, special called meeting for the 1<sup>st</sup> board meeting of the newly appointed Preneed Division was posted on the Secretary of State website November 01, 2023, and the information was distributed via the Board's website on November 01, 2023. The meeting was held at 12:00 PM in the Board's office located at 4276 Lomac Street, Montgomery, Alabama.

### **Pledge of Allegiance and Invocation**

Mrs. Collins asked everyone in attendance to stand and recite the Pledge of Allegiance to the American flag which was followed by an invocation offered by Mr. Anderson.

### **Oath of Office**

Mr. Perine informed all present that the Governor's appointments for the professional seats of the Preneed Division of the Board have been received. Mr. Brian Shake was appointed to represent District One, Mr. Randall Anderson was appointed to represent District Three, Mr. Michael Morrison was appointed to represent District Four, and Mrs. Bry'Onda Collins was appointed to represent District Seven. Mr. Perine administered the oath of office to the newly appointed members. Mrs. Collins was previously administered the oath of office during her tenure on the Funeral Division of the Board and Mrs. Haskell, consumer member, was previously administered the oath of office at the last meeting.

### **Call to Order**

#### **Roll Call of the Board**

Mrs. Collins, presiding, asked Mrs. Sullivan for a roll call to establish a quorum. The following members were present: Mr. Shake, Mr. Anderson, Mr. Morrison, Mrs. Collins, and Mrs. Haskell.

Absent: None

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

#### **Welcome/Remarks by the Chair**

With a quorum established, Mrs. Collins called to order the special called meeting. Mrs. Collins welcomed all present.

#### **Conflict of Interest/Motion to set the agenda**

Mrs. Collins requested that the board members review the agenda. Mrs. Collins asked if any member

had a conflict of interest for any items on the agenda. Being none, Mr. Anderson made a motion, seconded by Mr. Morrison to set the agenda as presented. Being no discussion, the motion passed unanimously.

### **Business**

#### **Current Emergency Rules**

Mr. Perine discussed the emergency rules that were put into place in order to establish a Preneed Division Board. 395-X-1-.01 defines the overarching board with its fourteen members and the two divisions that will branch from the overarching board, the funeral division and the preneed division. 395-X-1-.02 defines the procedures for nominating and appointing members to the board. After a board is established, a nominating convention will be held when seats are eligible for reappointment. 395-X-2-.01 defines the procedure for applying for a certificate of authority by a corporation or LLC and the details regarding which members or officers are subject to background checks in order to obtain a certificate of authority. All of these emergency rules went into effect October 01, 2023, and will be adopted into law.

#### **Approval of Licenses**

Having met the requirements for licensure, certification, or registration, Mr. Perine asks the board to consider the following individuals for licensure and registration of a Preneed Sales Agent: Kelley Suzanne Jones, Jonathan Hawkins, Zachoria Sherrell Wilson, Hannah Brooke Overton, John Michael Chappell, Dorothy Jean England, Steven Stanford, and Alexis Sherron Parker. A motion was made by Mr. Shake, seconded by Mr. Anderson to approve the licensure and registration of the individuals listed above as Preneed Sales Agents.

Having met the requirements for licensure, certification, or registration, Mr. Perine asks the board to consider the following funeral establishment for licensure of a Certificate of Authority: Royalty Funeral Service, Inc. A motion was made by Mr. Morrison, seconded by Mr. Shake to approve Royalty Funeral Service, Inc. for licensure as a Certificate of Authority.

Having met the requirements for licensure, certification, or registration, Mr. Perine asks the board to consider the following funeral establishment for licensure of a Certificate of Authority through transfer of ownership: Valley-Point Funeral Home and Cremation. A motion was made by Mrs. Haskell, seconded by Mr. Morrison to approve Valley-Point Funeral Home and Cremation for licensure as a Certificate of Authority.

#### **Executive Director Report**

Mr. Perine informed all present that Thentia, the company designing our website, is working to get our website up and running. When it is done, the data that was transferred from the Alabama Department of Insurance will be received through the website and the board office will begin to place the data in the appropriate files. Once this has taken place, COAs, branches, and PSAs will be issued new numbers that coincide with our numbering system. Individuals and business will also be able to print their own licenses from the website. Lastly, the website will have a built-in examination portal for COA examinations. In order to make the website efficient, the board must decide on a fee schedule for examination citations. Currently, there is no law or rule regarding citation fees. The board decided to use citation fees and have the examiner use their discretion when administering such citations and fees.

**Administrative Rule Making**

The board must make a decision on the steps to take in order to amend the rules in code section 482. The rules in Section 482 must be moved into code section 395. In doing so, the board may take this opportunity to amend any of the rules for them to better fit into the current code section. After discussion, a motion was made by Mr. Anderson, seconded by Mrs. Haskell, that the board hold a meeting to discuss the amendments of the rules with the first meeting being held November 30, 2023, at 8:00 AM. Being no further discussion, the motion passed unanimously.

**Law**

Mr. Perine informed everyone present that sometime in the future there will need to be a clean-up bill for the current law to better fit the preneed law into the funeral service current statute. There will also have to be a decision on fees and funding for the preneed division that will need to be put into the law as well. Being no further discussion, Mr. Perine moved to the next item on the agenda.

**Other Business/Adjournment**

After a brief discussion, a motion was made by Mr. Morrison, seconded by Mr. Anderson to adjourn the meeting for today and reconvene on November 30, 2023, at 8:00 AM. The motion passed unanimously. The meeting adjourned at 1:28 PM.

Minutes submitted by: Laura Sullivan

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Lance Brooks, Presiding

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Charles M. Perine, Executive Director

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Chair