



ALABAMA BOARD OF FUNERAL SERVICES

Meeting Minutes

July 09, 2024

Prior Notice

Prior notice of the April 09, 2024, third quarterly board meeting of fiscal year 2024, was posted on the Secretary of State website January 17, 2024, and the information was distributed to licensees via the quarterly newsletter on June 07, 2024. The meeting was held at 11:25 AM in the Board's office located at 4276 Lomac Street, Montgomery, Alabama.

Call to Order

Roll Call of the Board

At 11:25 AM, Mrs. Collins, the presiding officer, asked Ms. Sullivan for a roll call to establish a quorum. The following members were present: Brian Shake, Randall Anderson, Michael Morrison, Bry'Onda Collins, and Jennifer Haskell.

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

Welcome/Remarks by the Presiding Officer

With a quorum established, Mrs. Collins called to order the fourth quarterly business meeting of fiscal year 2024. Mrs. Collins welcomed all present.

Conflict of Interest/Motion to Set the Agenda

Mrs. Collins requested that the board members review the agenda for the July 09, 2024, meeting. Mrs. Collins asked if any member had a conflict of interest for any items on the agenda. Being none, Mr. Shake made a motion, seconded by Mrs. Haskell to set the agenda as presented. Being no discussion, the motion passed unanimously.

Business

Approval of Minutes

Mr. Morrison moved to approve the minutes of the April 09, 2024, board meeting, seconded by Mrs. Haskell. Being no discussion, the motion passed unanimously.

Old Business

Mr. Perine informed the Board of the slight change in which licensees log into the business portal of the website by establishing authorized representatives for the business, rather than having the business have its own separate email.

Approval of Licenses

Having met the requirements for licensure and registration, Mr. Perine asks the board to consider the following individuals for licensure and registration of a Preneed Sales Agent: Johnathan T. Page,

Lavaughn L. Williams, Danielle A. Dearman, Shantel D. Baker, Erica V. Hall, Arthur W. Nicholson, Jr., Brent R. Sears, Ana M. Smith, Andrew J. Heitz, Jatoree L. Madison, Kristofer Lassiter, Linda Hicks, Courtney Hawkins, Randy Keahey, Jr., Teresa A. Wood, Landon Combass, Hunter K. Griffith, Christina Collier, Shanon Abshire, Korie J. Anderson, Shandella Robinson, Helen Warhurst, Tamatha McLeod, Michael Barone, Shetina C. Stewart, Nola Sims, and Elfrin Edwards. A motion was made by Mr. Anderson, seconded by Mr. Morrison to approve the licensure and registration of the individuals listed above as Preneed Sales Agents. Being no discussion, the motion passed unanimously.

Having met the requirements to be waived from submitting financial statements for renewal, Mr. Perine asked the Board to consider the following establishments for a financial statement waiver for renewal of the Certificate of Authority: Lusain Holding, LLC, dba W.E. Lusain Funeral Home, Wilson Funeral Chapel, Inc., Lawrence Brown-Service Funeral Home, Inc., Johnson Memorial Funeral Directors, Morrison Brown Service Funeral Home, Inc., Usrey Brown Service Funeral Home, Inc., Radney’s Funeral Home, Inc., Langley Funeral Home, Dansby Heritage Chapel, Gibbs Service, Inc., dba Quattlebaum Funeral Home, Gibbs Service, Inc., dba Benefield Funeral Home, Bushelon Funeral Home, Sorrells Funeral Home, LLC, Warren Holloway Ward Funeral Home, and Mullins Metropolitan Funeral Home. A motion was made by Mr. Shake, seconded by Mrs. Haskell, to approve the financial statement waiver for the establishments listed above. All Board members in favor: Mr. Shake and Mrs. Haskell. Mr. Anderson and Mr. Morrison abstain from voting. All Board members opposed: none. The motion passed.

Having met the requirements for transfer of ownership if a Certificate of Authority, Mr. Perine asked the board to consider the following transfers of ownership of a Certificate of Authority: Spry Memorial Chapel, LLC transferred from Ricky Chambless to Jeffrey Gamble as Spry FFH, LLC, Hampton Cove Funeral Services, Inc. transferred from Charles Kent to Phillip Curran, Marshall Memorial Funeral Home and Gardens transferred from Charles Kent to Phillip Curran, and Marshall memorial Funeral Home and Garden transferred from Phillip Curran to LeAnne Dickeson as JJFH, LLC. A motion was made by Mr. Shake, seconded by Mrs. Haskell to approve the transfer of ownership of the Certificates of Authority. Being no discussion, the motion passed unanimously.

Executive Director Report

Mr. Perine reported the following for the 3rd quarter of the fiscal year 2024:

Active License Count as of April 01, 2024

Preneed		New	Approved	Canceled	Reports Filed
Certificate of Authority	240	2		0	239
Branches	115	0		0	64 (12 quarterly/others combo with COA)
Preneed Sales Agent	987	56	47	0	0
Cemeteries (ECC/COA)	184	0	0	125	
Audits YTD	1				
	Total	1527			
Complaints		Funeral	Preneed	Cemetery	
Received	38		14	29	
No Action Taken	13		0	0	
Reprimand/Consent	2		0	0	
Pending	17		14	29	

Examination

Mr. Perine notified the Board that examiners have completed a full examination and will begin the second full examination on July 10, 2024.

Consent Agreements

Mr. Perine discussed with the Board the consent agreements sent out to Certificates of Authority who failed to submit their semi-annual reports by May 21st. Of the 25 consent agreements sent, 1 Certificate of Authority has not sent the report, the signed consent agreement, or the payment; 3 Certificates of Authority have sent the report, but not the signed consent agreement or the payment; 1 Certificate of Authority has sent the report and signed the consent agreement but has not paid; 3 Certificates of Authority have sent the report and payment, but have not signed the consent agreement; and 17 have sent the report and payment, and have signed the consent agreement. After discussion, a motion was made by Mrs. Haskell and seconded by Mr. Shake to accept the consent agreements. Being no further discussion, the motion passed unanimously.

Heath Wyrosdick – Hayes Funeral Home

Mr. Wyrosdick requested to come before the Board to discuss the consent agreement that was sent to him for the failure to report his semi-annual report. The Board listened to his concerns and assured Mr. Wyrosdick that there were steps being taken so that reporting and deadlines are easier for every Certificate of Authority going forward that will help to avoid future mistakes.

Double Depth - §3-13-269

Mr. Shake discussed with the Board whether or not double depth interments should be deposited into the endowment care trust fund. After discussion, the Board determined that the solution should be sought after during the clean-up bill process.

Proposed Administrative Rule

Mr. Perine informed the Board of one of the public comments submitted during the Administrative Rule changes but could not be addressed in the Rule changes due to there being no statutory authority to include it in the rule changes. The comment discussed having preneed sales agents obtain some sort of certification to become licensed and require continuing education to remain licensed. After discussion, a motion was made by Mrs. Haskell and seconded by Mr. Anderson to table the discussion until the clean-up bill process. Being no further discussion, the motion passed unanimously.

Mr. Perine proposed to the Board to move the due dates for the financial statement waiver application and the annual statement of activities reporting be moved to April 1st of each year. After discussion, Mrs. Haskell made a motion, seconded by Mr. Anderson, to submit the proposed due dates to legal counsel so that it can be determined if the dates can be changed in Administrative Rule or if this topic needs to be discussed during the clean-up bill process. Being no further discussion, the motion passed unanimously.

Other Business

Questions, Comments, Concerns

Mr. Anderson discussed with the Board that during the Alabama Funeral Directors Association annual meeting, it was proposed if the Board could publish agendas for the Board meeting in advance. Mr. Anderson brought the question to the Board, and it was determined that the agenda could not be published in advance because the agenda is not set until the morning of the Board meeting.

Mr. Eddie Seal came before the Board to discuss the struggles that insurance producer licensees are facing with renewing their insurance producer license, referencing the presentation that was brought before the Board during the October 2023 Board meeting. After a brief discussion, Mrs. Collins moved to

the next item on the agenda.

Adjournment

Mr. Anderson made a motion, seconded by Mr. Morrison to adjourn the meeting, and reconvene on October 08, 2024, at 11:00 AM. The motion passed unanimously. The meeting adjourned at 12:59 PM.

Minutes submitted by: Laura Sullivan.

Bry'Onda Collins, presiding officer

Charles M. Perine, Executive Director