



## **Funeral Division Meeting Minutes October 8, 2024**

### **Prior Notice**

Prior notice of the October 8, 2024, first funeral division quarterly board meeting of fiscal year 2025 was posted on the Secretary of State website April 4, 2024. Meeting information was distributed to licensees via the quarterly newsletter on August 30, 2024. The meeting was held at 9:00 AM in the Board's office located at 4276 Lomac Street, Montgomery, Alabama.

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

Mr. Williams asked Mr. Brooks 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. Williams, presiding officer, asked Mrs. Grogan for a roll call to establish a quorum. The following members were present: Kenneth Bishop, Terry Sorrells, Lance Brooks, J. Douglas Williams, James Seal, consumer member, Bobby Burt.

Staff present; Charles Perine, Executive Director, E. Denise Grogan, Associate Executive Director (Funeral), recording, Laura Sullivan, Associate Executive Director (Preneed), and Brenton Smith, Legal Counsel.

The following members were absent: Karen Jones Smith, Rachel Arrington, and Sandra Hill.

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

With a quorum established, Mr. Williams called to order the first funeral division quarterly business meeting of fiscal year 2025 at 9:00 AM. Mr. Williams excused the absence of the members who were not present and welcomed all in attendance.

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

Mr. Williams requested that the board members review the agenda for the October 8, 2024, meeting. Mr. Williams asked if any member had a conflict of interest for any items on the agenda, being none, Mr. Brooks made a motion, seconded by Mr. Seal to set the agenda as presented. Being no discussion, the motion passed unanimously.

### **Business**

#### **Approval of Minutes**

Mr. Williams asked members to review the minutes from the July 9, 2024, meeting. Mr. Burt made a motion, seconded by Mr. Brooks to accept the minutes as presented. Being no discussion, the motion passed unanimously.



## **Old Business**

### **Licensing System**

Mr. Perine stated the much-anticipated licensing system launched in time for renewals. He stated there are bugs in the system it is not horrible but there is a learning curve for new users. He stated instructions for logging into the system were sent out to all licensees multiple times. He stated the office dealt with many calls and complaints about the system but after walking licensees thru the instructions that had been emailed multiple times, most issues were resolved. He stated OIT had been contacted to look into the process of building a system that was specific to the Board's needs instead of utilizing product that was an out of the box system.

### **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: ANGLEA BOLTON, APRIL TUCKER, JONATHAN GASSETT, HALLE BENTLEY, TIA BLAKE, BRADEN MORRISON, HAISTEN MURPHREE, RAVEN JONES, TROY HENSON, JOHN ROBLES, JOSEPH ELLISON, RANDALL RICKETTS, EMERALD GODSEY, MIRANDA COOK, STEVEN GORDON, JAUNCY HOWELL, JASON BARROW, MIGUEL HOLT, JADEN WRIGHT HOLLY BOX, EBONEE PHILLIPS, DAVIS BOWEN, ROBERT DEATON, JESUS HERNANDEZ, MACON BATES, ASHLEY MURPHY, LASHAJLA LEWIS, HARLI EGGMAN. The motion was made by Mr. Sorrells and seconded by Mr. Bishop. 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 LANCE SHERROD and KIERRA HICKS for reactivation as apprentice funeral director. Mr. Sorrells moved to approve the reactivations seconded by Mr. Seal. The motion passed unanimously.

Mr. Perine informed the Board that there was a supplemental list of reactivations. He stated these individuals' renewals were just received and they had paid the back fees and penalties.

Funeral Director, Embalmer and Cremationist: RASHAD PRESSLEY. Funeral Director and Embalmer: TIFFANY COLE, REX PINKARD, WILLIE COPELAND, KEVIN DAWKINS. Funeral Director: WILLIE TURNER, CHARLES MOLETTE. Cremationist: DAVID W. SMITH. Apprentice Funeral Director: SCOTT VEAL, ELIZABETH KNOWLES. Apprentice Embalmer: Melaine McIntyre. Establishment: Allen Funeral Home, Harrison Funeral Home. Mr. Sorrells made a motion, seconded by Mr. Seal to accept the reactivations as stated by Mr. Perine. The motion passed unanimously.



**Establishments**

Mr. Perine asked the Board to consider the following establishments for licensure: Glenco-Hokes Bluff Cremation Center (Steele)(Funeral Establishment changed to Mortuary Service), Metropolitan Funeral Directors (New)(Mobile) Mr. Seal moved to approve the establishment applications, seconded by Mr. Bishop. Being no discussion, the motion passed unanimously.

**Establishment Closures**

Mr. Perine informed the Board that CHRISTIAN MEMORIAL MORTUARY (Hartford), and SEARCY FUNERAL HOME (Daleville) submitted voluntary establishment closure affirmations.

Mr. Perine informed the Board that Cease and Desists had been issued to GATES OF HEAVEN DBA METROPOLITAN FUNERAL DIRECTORS (Mobile), MAGNOLIA FUNERAL HOME (Mobile), GRACE MEMORIAL CHAPEL (Sylacauga) for failure to renew the establishment license. Mr. Perine stated that if the establishments wanted to reopen the current standards of the law and initial application would be required. Mr. Sorrells made a motion, seconded by Mr. Brooks to approve the Cease and Desists that had been issued. Being no discussion, the motion passed unanimously.

**Executive Director Report**

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

<b>Alabama Exam Stats (July 1, 2024 – October 1, 2024) Administered</b>			
Alabama Exams	Pass	Fail	Average Score
Funeral Director (16)	9	7	72.3955
Embalmer (0)	0	0	0
State Law Exam FD/EM (22)	18	4	
State Law Exam Cremationist (4)	3	1	

**Consent Agreements**

Mr. Perine informed the Board of the following consent agreements that were entered into between July 1, 2024, to October 1, 2024.

Case No.	Charge	Penalty
ABFS24-00	1. Funeral Director used an agent to solicit the remains of deceased individual, in violation of ALA CODE 34-13-56(c)(2)(c).  2. Funeral Director and Funeral Home failed to furnish accurate pricing for a hearse on the General Price List in accordance with the FTC Funeral Rule in violation of ALA CODE 34-13-9(a)	1. Funeral Establishment: a. Fined \$2500.00 b. Probation – 2 years  2. Managing Funeral Director a. Fined \$2,500.00 b. Probation – 2 years



	and 34-13-56(c)(2)(dd).	
ABFS23-0027	<ol style="list-style-type: none"> <li>1. Individual violated ALA CODE 34-13-56.1(a) on at least one occasion by engaging in the activities of a funeral director without being licensed by the Board as such.</li> <li>2. Funeral Establishment violated ALA COE 34-13-56(c)(2)(i) by aiding and abetting unlicensed individual in performance of the activities and duties of a funeral director without being licensed by the Board in violation of ALA COED 34-13-56.1(a)</li> </ol>	<ol style="list-style-type: none"> <li>1. Unlicensed individual           <ol style="list-style-type: none"> <li>a. Fines \$2500.00</li> </ol> </li> <li>2. Funeral Establishment           <ol style="list-style-type: none"> <li>a. Fined \$2500.00</li> <li>b. License suspended for 60 days-stayed for 2 years</li> <li>c. Probation-2 years</li> </ol> </li> </ol>

Being no discussion, Mr. Brooks made a motion and seconded by Mr. Sorrells to accept the Executive Director’s Consent Agreements as presented. The motion passed unanimously.

**Continuing Education**

**Course Request**

Mrs. Grogan presented for the Board’s approval a list of 31 programs available to licensees, with 5 of those courses given interim approval pursuant to Alabama Funeral Service Administrative Code 395-X-1-.04. Mrs. Grogan informed the Board that one program submitted had material that was questionable relating to celebrants. Following discussion Mr. Sorrells made a motion, seconded by Mr. Burt to approve the new continuing education courses as presented, and to deny the program with questionable content titled “Celebrants and the Art of Tailored Farewells”. Being no further discussion, the motion passed unanimously.

**Public Hearing Administrative Rule changes**

Mr. Perine reminded the Board of the two Administrative Rules that had been put out for public comment which ended October 3, 2024. Mr. Perine stated the first new rule dealt with formal procedures for an establishment closure. This rule outlines the procedures that establishments would follow prior to closing an establishment such as completion of death certificates, completion of all services, disposal of all cremated remains in accordance with the law, transfer of preneed contracts, etc. He stated licensees were made aware of the intended action via email informing them of the period for public comment. Mr. Perine stated no comments had been received in regard to the proposed closure of a funeral establishment rule. Mr. Perine stated the second proposed rule dealt with



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Charles Perine, Director

an establishment change of ownership. He stated this rule would clarify what percentage of ownership change requires the Board to be notified. Mr. Perine requested that "shall incur a \$250 late fee" be stricken in #3 of the proposed rule and be changed to "may be subject to disciplinary action". Mr. Perine stated this change was at the request of LSA (Legislative Services Agency).

Mr. Perine requested that the floor be opened for comment from the public in attendance. Mr. Williams opened the floor to those in attendance for comment. Being no comments or discussions, Mr. Sorrells made a motion, seconded by Mr. Seal to approve both Administrative Rules with changes to 395-X-4-.08 as stated and allow Mr. Perine to submit them to LRS for certification. Being no further discussion, the motion passed unanimously.

**Other Business**

**Questions - None**

**Adjournment**

Mr. Williams asked for any questions from those in attendance, being none, A motion to adjourn the meeting and reconvene on January 7, 2025, at 9:00 AM was made by Mr. Sorrells and seconded by Mr. Bishop. The motion passed unanimously. The meeting adjourned at 9:45 AM.

Minutes submitted by: E. Denise Grogan.

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J. Douglas Williams, Presiding Officer

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Charles M. Perine, Executive Director