

Georgia State Board of Funeral Service  
Minutes  
January 10, 2006

Minutes Approved at the February 14, 2006 Meeting

The Georgia State Board of Funeral Service held its regular meeting on January 10, 2006 at 237 Coliseum Drive, Macon, Georgia. Michael Fowler, Chairman, called the meeting to order at 10:15 a.m.

Members present were: Terri Daviston, Thelon Hamby, Draper Watson, David Roach, and Lauren McDonald.

Others present were: Steve Lindsey, Executive Director, Jo Ann Lyde, Application Specialist, Valencier Brown, Board Secretary, Gretchen Dees, Assistant Attorney General, John Massey, Inspector, and Howard Fields, Inspector.

Mr. Watson moved to approve the minutes of the November 8, 2005 minutes. Mr. Roach seconded the motion. Motion carried.

Mr. Watson moved to accept today's January 10, 2006 agenda. Mr. Roach seconded the motion. Motion carried.

**Annual Funeral Laws and Rules Exam Reports**

Wanda Jackson, Senior Consultant with the Exam Section presented the 2005 Annual Funeral Laws and Rules Exam Report to the Board.

**Executive Session**

Mr. Watson moved to enter into Executive Session to deliberate on applications, correspondence, investigations and complaints. Mr. Hamby seconded the motion. Motion carried by Mr. Fowler, Mr. Roach, Mr. Daviston, and Mr. McDonald.

**Applications**

JoAnn Lyde, Application Specialist, presented applications to the Board.

**Investigative Reports**

The Investigative Report was presented to the Board by Mark Grant. Mr. Grant also introduced Charles Wynborn as a new investigator with the Professional Licensing Boards Division.

**Complaints**

Mr. Hamby, Cognizant Member, presented complaints to the Board.

### **Inspector Report**

Inspector John Massey presented the Inspector Report to the Board.

### **Attorney General Report**

The Attorney General Report was presented to the Board by Assistant Attorney General, Gretchen Dees

### **Open Session**

Open Session was declared by Mr. Roach, presiding officer after the departure of Mr. Fowler. A quorum was still established with Mr. Roach, Mr. Hamby, Mr. Daviston, Mr. Watson, and Mr. McDonald in attendance.

The Board unanimously agreed that all Continuing Education materials should be submitted to the Board Office no later than 15 days prior to each meeting for immediate consideration. Any requests for Continuing Education received after the deadline will be held until the next scheduled meeting for consideration.

### **90 Day Grace Periods**

Mr. Hamby motioned to deny Southern Heritage a second 90-day grace period. Mr. Hamby further motioned to request Mr. Massey, Board Inspector, to serve a Cease and Desist Order to Southern Heritage for violation of practice and forward documents to the Attorney General's Office for suspension.

Mr. Daviston seconded. Motion carried.

Mr. Roach motioned to hold Deloach-Kennedy, Hephzibah's second 90-day grace period request until the February meeting. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned for the Board Inspector to serve Sunset Funeral Home, Inc. in Lithonia, GA a Cease and Desist Order. The establishment currently does not have a Board-approved Funeral Director in Full and Continuous Charge since September 30, 2005. This establishment is not under a 90-day grace period and has not requested a 90-day grace period. Mr. Roach seconded. Motion carried.

### **Change of Name**

Mr. Hamby motioned to approve a name change of Scot H. Ward Funeral Services, LLC to Scot Ward Funeral Services-Harry White Chapel. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to approve a name change of Gordon-Harrison Funeral Home to Carter Funeral Home-Gordon Harrison Chapel. Mr. Watson seconded. Motion carried.

### **Correspondence**

Mr. Hamby motioned to deny Larry Houston's request to waive his \$600.00 Reinstatement License Fee. Mr. Daviston seconded. Motion carried.

### **Appointments**

Mr. Hamby motioned to hold Ronald Gaucher's Application by Reciprocity until further information regarding the Florida law at the time of licensure in Florida is received. Mr. McDonald seconded. Motion carried.

Mr. Daviston motioned to deny Jimmy Smith's current apprenticeship hours due to falsification of earned hours. Mr. Smith is to register his apprenticeship in a location to consecutively earn directing and embalming hours. Mr. Watson seconded. Motion carried.

The Board met with Cornelius Tufts concerning his request for the Board to waive the requirements for licensure as a funeral director and allow Mr. Tufts to be licensed. The Board advised Mr. Tufts that Georgia law mandates the requirements for licensure, and the Board does not have authority to waive legal requirements.

Mr. Daviston motioned to uphold the Board's previous decision to deny Tremaine L. Jordan's Apprenticeship Application due to a felony conviction. Mr. Hamby seconded. Motion carried.

Mr. Hamby motioned to deny reinstatement of Barbara Johnson's, funeral director license. Mr. Daviston seconded. Motion carried.

### **Funeral Director in Full Continuous Charge**

Mr. Hamby motioned to approve Shorne McFarlin-Walker of International Funeral Services, Inc., Smyrna, GA as Funeral Director in Full Continuous Charge. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to approve James Waters as Funeral Director in Full and Continuous Charge of W.M Murray & Sons Funeral Home, Arlington, GA. Mr. Daviston seconded. Motion carried.

Mr. Hamby motioned to approve Jo Chapman as Funeral Director in Full and Continuous Charge of Edo Miller & Sons Funeral Home, Camden Chapel, Kingsland, GA. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to deny Edwin Shelton as Funeral Director in Full and Continuous Charge of Speer & Speer Funeral Home, McDonough, GA. Mr. Daviston seconded. Motion carried.

Mr. Daviston motioned to deny Alfred Mullice as Funeral Director in Full and Continuous Charge of Leo Zeigler's Funeral Home, Sylvania, GA. Mr. Watson seconded. Motion carried.

Mr. Daviston motioned that a Cease and Desist Order be served to Leo Zeigler Funeral Home, Sylvania, GA, due to the expiration of their second 90 day grace period within two years. Mr. Daviston further moved to request issuance of a Summary Suspension by the Attorney General's Office. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to deny McArthur Edwards as Funeral Director in Full and Continuous Charge of Shepard Funeral Home, Sylvester, GA. Mr. Daviston seconded. Motion carried.

### **New Establishments**

Mr. Hamby motioned to approve Harris Ward & Webb Ellison as a new establishment in Lawrenceville, GA with Tiffany Williams as the FDFCC. Mr. Daviston seconded. Motion carried.

Mr. Hamby motioned to approve Bentley's Funeral Home as a new establishment in Woodbury, GA with Carl McKinney as the FDFCC. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to approve Terry Family Funeral Home as a new establishment in Hamilton, GA with John Terry as the FDFCC. Mr. Watson seconded. Motion carried.

Mr. Daviston motioned to deny Robert Ross Funeral Home as a new establishment in Waverly Hall. Mr. Hamby seconded. Motion carried.

### **Complaints**

#### **FUN050035**

Mr. Daviston motioned to refer the case to the Attorney General's Office to issue a Consent Order with a fine for \$500.00 on the supervisor of the apprentice for signing false apprenticeship reporting forms. Mr. Hamby further moved to send a letter of concern to the FDFCC at the time of incident and to issue a letter to the current FDFCC that the establishment does not qualify as an apprenticeship site. Mr. Watson seconded. Motion carried.

#### **FUN060112**

Mr. Hamby motioned to close this case. Mr. Watson seconded. Motion carried.

#### **FUN060113**

Mr. Hamby motioned that the Board Inspector contact the FDFCC of this establishment to reiterate the rules and responsibilities of the FDFCC and present a General Price List to patrons when requested.

**FUN060114**

Mr. Hamby motioned that the Board Inspector investigate this case and get statements from the FDFCC and report back to the Board on the next meeting.

**FUN060115**

Mr. Hamby motioned that a letter be sent to the FDFCC of the establishment to update the General Price List on their website.

**FUN060116**

Mr. Hamby motioned investigations get statements from both funeral homes, copies of death certificates, and copies of any funeral contracts from both funeral homes.

**FUN060117**

Mr. Hamby motioned that the Board Inspector or Investigator get statements from the Funeral Director as to why insurance has not been filed and report back to the Board.

**FUN060118**

Mr. Hamby motioned this case be sent to investigations and get statements from all parties. Also, get a copy of the death certificate and copies of any contracts and/or receipts of payments made.

**Applications**

Mr. Hamby motioned to accept the decisions on applications made in Executive Session as presented. Mr. Watson seconded. Motion carried. Approved applications are as follows:

**License No.**

FSA004116  
FSA003710

**Apprentice Name**

Lucinda Jane Grizzle  
Grant Mantooth

**License No.**

FD003916  
FD004205

**Funeral Director Name**

James Timothy Walden  
Samuel Reed, IV

**License No.**

EMB003483

**Embalmer Name**

James Timothy Walden

Mr. Hamby moved to deny Charles Bryan Peek's request to reactivate his Funeral Director license. Mr. Peek must submit a certificate of completion of five (5) more credit hours of Continuing Education to satisfy the requirements for reactivation of the license. Mr. Watson seconded. Motion carried.

Mr. Hamby moved to approve Donald Dewayne Cooper's application for apprenticeship. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to table Cheryl Amofah's application for apprenticeship. Mr. Hamby further motioned to issue a letter to the funeral establishment's FDFCC to provide documentation that the establishment qualifies to have an apprenticeship program. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to deny Thomas Patrick Shergold's application for funeral director license by reciprocity from Illinois. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to grant full credit of apprenticeship hours previously obtained by Grant Mantooth. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to approve the reinstatement of apprenticeship license FSA004116 for Lucinda Jane Grizzle. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to approve the reinstatement of the embalmer (EMB003483) and funeral director (FD003916) licenses for James Timothy Walden. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to table consideration of the embalmer and funeral director application for Samuel Spaulding. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to approve the reinstatement of funeral director license FD004205 for Samuel Henry Reed IV. Mr. Watson seconded. Motion carried.

### **Attorney General's Report**

Mr. Hamby motioned to accept the Consent Order and fine and close the case on Towns Funeral Home, Inc. Mr. Watson seconded. Motion carried.

### **Inspector's Report**

Mr. Hamby motioned that FUN060096 be sent to the Securities Division for further investigation. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to close FUN06106 with no further action. Mr. Daviston seconded. Motion carried.

Mr. Hamby motioned that FUN060108 remain open pending further investigations. Mr. Watson seconded. Motion carried.

### **Continuing Education**

Mr. Daviston motioned to approve the recommendations made in Executive Session on the following Continuing Education courses. Mr. Watson seconded. Motion carried.

<u>Establishment</u>	<u>Course Title</u>	<u>Date</u>	<u>Location</u>	<u>Hours</u>
Georgia Funeral Directors Association	Annual Mid-Winter Conference	Jan. 23-25, 2006	Forsyth, GA	10
Gupton-Jones College of Funeral Service	Pathology	March 7-8, 2006	Decatur, GA	1.5
	“Finding People Who Will Work”			1
	Presenting Seminars to your Community			1
	Restorative Art			2
	“Embalming Today’s Case”			1.5
Practicum Strategies	Everyday Ethics in Funeral Service	On-Going	Hammonton, NJ	4
	A Review of Basic Embalming Procedures			4

### Adjournment

The re being no further business the meeting adjourned at 7:00 p.m.