

Georgia State Board of Funeral Service
Minutes
February 14, 2006

Minutes Approved at the March 14, 2006 Meeting

The Georgia State Board of Funeral Service held its regular meeting on March 14, 2006 at 237 Coliseum Drive, Macon, Georgia. Michael Fowler, Chairman, called the meeting to order at 10:15 a.m.

Members present were: Michael Fowler, Chairman, David Roach, Vice Chairman, Thelon Hamby, Cognizant, Draper Watson, Lauren McDonald, and Terry Daviston.

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

Mr. Hamby moved to approve the minutes of the January 10, 2006 minutes. Mr. Watson seconded the motion. Motion carried.

Mr. Hamby moved to accept today's February 14, 2006 agenda. Mr. Watson seconded. Motion carried.

Executive Session

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

Applications

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

Attorney General Report

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

Complaints

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

Inspector Report

Inspector John Massey presented the Inspector Report to the Board.

Open Session

Open Session was declared by Mr. Hamby. Mr. Watson seconded. Motion carried.

90 Day Request

Mr. Hamby motioned to approve Atlanta Mortuary a second 90-day grace period. Mr. Roach seconded. Motion carried.

Mr. Hamby motioned to approve Smart and Son Funeral Home a second 90 day grace period request until the May meeting. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to serve Mackey-Wilson-Jennings Funeral Home a Cease and Desist Order and Summary Suspension for failure to comply with Board Rule 250-6-.02(b). Mr. Roach seconded. Motion carried.

Mr. Hamby motioned to serve RT Patterson Funeral Home a Cease and Desist Order and Summary Suspension for failure to comply with Board Rule 250-6-.02(b). Mr. Roach seconded. Motion carried.

Appeals

Mr. Hamby motioned to approve Ronald Gaucher's Application by Reciprocity subject to him passing the law exam. Mr. Watson seconded. Motion carried.

Mr. Roach motioned Frank & Solomon Nixon Funeral Home establishment license be suspended for failure to comply with Board Rules 250--.60(0)m, 250-6.06(e), 256-6.06(p), and 43-18-70(b) and suspend the license of Ronald K Nixon. Motion seconded by Mr. Hamby. Motion carried.

Mr. Hamby motioned to deny reinstatement for Merritt Funeral Home. This case will be forwarded to investigations to obtain all death certificates and documentations for funerals conducted by this establishment from September 2005 until present. Mr. Watson seconded. Motion carried.

Approval of Supervisor for Apprentice

Mr. Hamby motioned to approve J.T. Borders as the Trade Embalmer Supervisor for Obinna Ogobua. The Board advised Mr. Borders that his duties as Funeral Director in Full and Continuous Charge are primary duties and not to be neglected. Mr. Daviston seconded. Motion carried.

Funeral Director in Full Continuous Charge

Mr. Hamby motioned to approve Robert Dixon of Ronnie Stewart Home located in Glenwood, GA as Funeral Director in Full and Continuous Charge. The funeral establishment must maintain 8 full caskets in this facility at all times. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to approve Jeffrey Chandler of Fairhaven Funeral Home & Crematory, Inc. located in Garden City, GA as Funeral Director in Full and Continuous Charge. Mr. Roach seconded. Motion carried.

Mr. Roach motioned to approve Lawton Lord as Funeral Director in Full and Continuous Charge of Lord & Stephens Oglethorpe Chapel Funeral Home located in Crawford, GA. Mr. Hamby seconded. Motion carried.

Mr. Hamby motioned to approve Regina McDonald as Funeral Director in Full and Continuous Charge of Divine Funeral Service, LLC located in Lithonia, GA pending Mr. Gibson accept the original Cease and Desist Order for October 2005 to January 2006 and will not utilize the crematory at this establishment without obtaining licensure. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to approve Lois Curry as Funeral Director in Full and Continuous Charge of Southern Heritage Funeral Home located in Louisville, GA. Mr. Roach seconded. Motion carried.

Mr. Hamby motioned to deny Carolyn Dopson as Funeral Director in Full and Continuous Charge of Smart and Son Funeral Home located in Savannah, GA due to an incomplete application. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to approve Ruthie Bryant as Funeral Director in Full and Continuous Charge of Speer & Speer Funeral Home pending Barbara Johnson comply with the Consent Order from April 2004 to November 2005. Mr. Roach seconded. Motion carried.

New Establishments

Mr. Hamby motioned to approve J.W. Jones Funeral Home as a new establishment in Columbus, GA with John L. Wright as The Funeral Director in Full and Continuous Charge. Mr. Roach seconded. Motion carried.

Complaints

FUN060119

Mr. Hamby recommended closing this case and sending a letter to the Respondent that this is a civil matter.

FUN060120

Mr. Hamby recommended closing this case and referring Complainant to the Coroners Council.

FUN060122

Mr. Hamby recommended that this case be sent to Investigations and have them contact complainant to get deceased's name and date of death.

FUN060123

Mr. Hamby recommended sending this case to the inspector to get the residence of the Funeral Director in Full and Continuous Charge.

FUN060124

Mr. Hamby motioned that this case be sent to investigations to get statements from the Funeral Director in Full and Continuous Charge as to his actions on October 30, 2005, get the name of the unlicensed person, funeral records of complainant's grandfather, funeral contract, death certificate, embalming records, etc. Motion seconded by Mr. Roach.

FUN060125

Mr. Hamby motioned Investigations get statements from the funeral director, obtain a copy of the funeral records, general price list, itemized funeral bill, death certificate, etc. Motion seconded by Mr. Roach.

FUN060126

Mr. Hamby recommended that this is a civil case and to close.

FUN060127

Mr. Hamby motioned this case be sent to investigations and get statements from complainant to clarify details of the complaint. Motion seconded by Mr. Roach.

FUN060129

Mr. Hamby recommended Inspectors or Inspectors get a statement from the Funeral Director in Full and Continuous Charge. Motion seconded by Mr. Roach.

FUN060130

Mr. Hamby recommended this case be sent to Investigations to get statements from the Funeral Director in Full and Continuous Charge at both funeral homes, check the status of the death certificate, copies of all funeral files, embalming reports, coroner report, itemized funeral bill, etc. He further moved to request the Board Inspectors to assist with this investigation. Mr. Roach seconded. Motion carried.

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.

FSA004604
FSA004605
FSA004607
FSA004608
FSA004609
FSA004610
FSA004611
FSA004612
FSA004613
FSA004614
FSA004615
FSA004616
FSA004617
FSA004618
FSA004619

Apprentice Name

Elbert Clifton Rheames
Terrence Rhashad Dortch
Nicholas Pierre Stovall
James Vincent Luckett
Mark Steven Glover
James Ricky Wiggins
William Clinton Kent
Kimberly Dianne Dixon
Ashley Nicole McGhee
Ross Alan Rainwater
Thomas Patrick Shergold
Chelsea Leone Ahonen
Stephen Anthony Dowd, II
Billy Joe Anglon
Gwendolyn Webb Ellison

License No.

FD004865
FD004866
FD004867
FD004868

Funeral Director Name

Sandra Lemon Mincey
Troy L. Lawton
Ephriam Dewayne Stephens
Phoebe Dawson-Ussery

License No.

EMB004454
EMB004455
EMB004456
EMB004457

Embalmer Name

Sandra Lemon Mincey
Troy L. Lawton
Ephriam Dewayne Stephens
Phoebe Dawson-Ussery

Mr. Hamby motioned to approve Michael Paul Howington's request to change his supervising embalmer. Mr. Roach seconded. Motion carried.

Mr. McDonald motioned to table G B's apprenticeship application until the next Board meeting and requested a certified court disposition and her appearance at the next meeting. Mr. Hamby seconded. Motion carried.

Mr. Hamby motioned to grant Kendall Blankumsee credit for his apprenticeship hours. Mr. Roach seconded. Motion carried.

Mr. Hamby motioned to deny Donavin Boyd's request for a refund for his embalmer and funeral director applications for Reciprocity from Louisiana. Mr. Boyd withdrew his application. Mr. Roach seconded. Motion carried.

Mr. Daviston motioned to deny William House's application for reinstatement for funeral director and embalmer license. Mr. Hamby seconded. Motion carried.

Mr. Watson motioned to deny Catherine Whitwell's embalmer and funeral director application for reciprocity from Texas. Mr. Daviston seconded. Motion carried.

Mr. Hamby motioned to approve Lynn Gardner's change of supervising embalmer and funeral director. Mr. Roach seconded. Motion carried.

Mr. Hamby motioned to approve Amanda Ray Henderson's change of apprenticeship site and supervisors. Mr. Roach seconded. Motion carried.

Mr. Hamby motioned to approve James Brent Durbin's embalmer and funeral director application for reciprocity from Alabama. Mr. McDonald seconded. Motion carried.

Mr. Hamby motioned to approve Michael William Long's change of apprenticeship site and supervisors. Mr. Roach seconded. Motion carried.

Mr. Daviston motioned to deny Richard Kelly Baxter's application for reinstatement of funeral director and embalmer license. Mr. McDonald seconded. Motion carried.

Mr. Hamby motioned to deny Robert Franklin's application for funeral director and embalmer license. Mr. Watson seconded. Motion carried.

Mr. Hamby motioned to approve Wanda Corry Jennings' change in supervising funeral director. Mr. Roach seconded. Motion carried.

Mr. Hamby motioned to approve Javiar Perez's change in apprenticeship site and supervisors. Mr. Roach seconded. Motion carried.

Mr. Hamby motioned to deny Tyran Carter's application for funeral director and embalmer. Mr. McDonald seconded. Motion carried.

Mr. Daviston motioned to table J M's application for apprenticeship until the Board receives further proof of accredited high school diploma. Mr. Hamby seconded. Motion carried.

Attorney General Report

Mr. Hamby motioned to accept the Attorney General Report. Mr. Daviston seconded. Motion carried.

Mr. Watson motioned to approve release of sworn statements requested by attorney for DeLoach-Kennedy Funeral Home. Mr. Hamby seconded. Motion carried.

Inspector's Report

FUN060123

Mr. Hamby motioned to remove the Funeral Director in Full and Continuous Charge and give the funeral home 90 days to obtain a new Funeral Director in Full and Continuous Charge. Mr. Watson seconded. Motion carried.

Mr. Fields reported on three funeral homes with multiple violations, absent Funeral Director in Full and Continuous Charge. Mr. Daviston motioned that the Board Office send a letter to each Funeral Director in Full and Continuous Charge detailing violations and give 30 days to correct violations and pay unpaid fines. Each Funeral Director in Full and Continuous Charge must appear before the Board at the next scheduled Board meeting. Mr. Hamby seconded. Motion carried.

Mr. Massey reported on showroom problems concerning use of various rooms/buildings to display caskets, while displays are in a showroom.

A discussion was held regarding amending the rule on display rooms, specifically being accessible to the public. The Board will consider amendments. Mr. Fowler appointed Mr. Hamby and Mr. Daviston to study the rule for amendment to define display room and address provisions for habitual violations.

Continuing Education

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

National Funeral Directors Association (NFDA)	Audio CDs-CD ROMS	
	Diversity	2 hours
	FTC Compliance: 2006 Update for Funeral Home Owners & Staff	2 hours
	Embalming/Legal	2 hours
	Preneed	2 hours
	Personal Service	2 hours
	Cremation	2 hours
	OSHA	2 hours
ICFA	2006 Annual Convention & Exposition	40 hours
	Advance Seminar in Quality Funeral Care	14 hours
National Funeral Directors & Morticians Association	Embalming Techniques	2 hours
	Presidential Roundtable	2 hours
	Identification, Inspection & Documentation	2 hours
	Cremation and the Funeral Directors	2 hours
Selected Independent Funeral Homes	2006 Group Meeting Series	8.75 hours
The Dodge Institute for Advanced Mortuary Studies	2006 Dodge Seminars	22 hours
Elite	Religion and the Funeral Director	3 hours
	HIV/AIDS	3 hours
	Professional Ethics	2 hours
	FTC Rules	2 hours
Academy of Graduate Embalmers of Georgia	AGEG 2006 Clinic	10 hours

ICFSEB Accreditation Boards	Association of Executives of Funeral Service Boards Meeting	2.25 hours
	Presentation/Lecture	2 hours
	District Meetings	2 hours
	Presentation/Lecture	1 hour
	Panel Discussion & Open Microphone	1 hour
	Presentation/Lecture	.75 hour

Mr. Hamby motioned to deny Continuing Education course for Alderwoods Group, Alderwoods Room. Mr. Watson seconded. Motion carried.

Mr. Roach motioned to deny Continuing Education course for National Funeral Directors & Morticians Association, How to Get Customers to Pay. Mr. Watson seconded. Motion carried.

New Business

Mr. Daviston motioned to establish a policy requiring all applications to be in the Board Office by the first day of the month prior to a board meeting in order to be considered by the Board. Mr. Roach seconded. Motion carried.

Mr. Roach motioned to establish a policy requiring all applications for Continuing Education to be in the Board Office 30 days prior to the next board meeting for consideration by the Board. Mr. Daviston seconded. Motion carried.

Other Business

Mr. Roach motioned to suspend the funeral director and embalmer licenses of Martin Taylor, FD004797 and EMB004386, for defaulting on Licensee's student loan, and further moved that this suspension shall cease upon receipt by the Division Director of a "Notice of Release" from the Georgia Higher Education Assistance Corporation. Mr. Hamby seconded. Motion carried.

Mr. Roach motioned to suspend the funeral service apprentice license of Kenneth O. Sanders, FSA004586, for defaulting on Licensee's student loan, and further moved that this suspension shall cease upon receipt by the Division Director of a "Notice of Release" from the Georgia Higher Education Assistance Corporation. Mr. Hamby seconded. Motion carried.

Adjournment

There being no further business the meeting adjourned at 5:00 p.m.