

Georgia State Board of Funeral Service
Minutes
April 11, 2006

The Georgia State Board of Funeral Service held its regular meeting on April 11, 2006 at 237 Coliseum Drive, Macon, Georgia. Michael Fowler, Chairman, called the meeting to order at 9:10 a.m.

Members present were: Michael Fowler, Chairman, David Roach, Vice Chairman, 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, Howard Fields, Inspector, Jackie Turner, Investigator and Chuck Miller, Investigator.

Mr. Watson moved to approve the minutes of the March 14, 2006 minutes. Mr. McDonald seconded the motion. Motion carried.

Mr. Watson moved to accept today's April 11, 2006 agenda. Mr. McDonald seconded the motion. Motion carried.

Executive Session

Mr. Watson motioned that the Board meet with Reagan Dean, Assistant Attorney General to receive attorney-client advice concerning the timeline of the Board's answer to the petition. Mr. McDonald seconded. Motion carried.

Open Session

Mr. Fowler declared Open Session.

The Georgia Funeral Service Practitioners Association, Inc. met with the Board to petition their concerns governing the Board Rules. The Georgia Funeral Service Practitioners Association, Inc. was represented by Attorney, Thomas F. Cuffie; Cuffie & Associates, P.C. and Chairman, W. Roger Young. A number of members of the Association were also in attendance. The petition regarded five issues; however, only three issues involved actual law, rule, or policy. Items 4 and 5 were not addressed, other than to advise the attorney and the Association members that these two items were not a law, rule, or policy, and, therefore, did not require Board response. The items of the petition that were discussed are listed below:

1. Board Policy requiring a Funeral Director in Full & Continuous Charge to reside within a 50-mile distance from the establishment.
2. Board Rule 250-6-.06 (1), regarding the hours during which a funeral establishment must be open for inspections.
3. Board Rules 250-5-.10 and 250-6-.05, regarding license expiration, late renewal periods, and reinstatement of lapsed licenses.

Mr. Roach motioned to rescind the Board Policy in Item 1. Mr. Daviston seconded. Motion carried.

The Board and Georgia Funeral Service Practitioner Association agreed to extend the response time on the issue of Board Rule 250-6-.06 (1) for 90 days to allow the Board time to study the issue before providing an answer to this item in the petition.

The Board and Georgia Funeral Service Practitioner Association agreed to extend the response time on the issue of Board Rules 250-5-.09 for 90 days to allow the Board time to study the issue before providing an answer to this item in the petition.

Following the discussion, the Association and Mr. Cuffie were excused, and the Board entered into Executive Session to discuss further Board matters.

Executive Session

Mr. McDonald 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, Reagan Dean.

Complaints

Mr. Lindsey, Executive Director presented the cognizant report to the Board.

Inspector Report

Inspectors John Massey and Howard Fields presented the Inspector Report to the Board.

Open Session

Mr. Watson motioned to enter into Open Session. Mr. Roach seconded. Motion carried.

Appeals

Mr. Roach motioned to reinstate the license of Glennis Lashaye Birt pending her background check. Mr. Daviston seconded. Motion carried.

Mr. Roach motioned Chris Peeler to complete an application and submit payment to change his apprenticeship site and supervisor. Mr. Daviston seconded. Motion carried.

Mr. Daviston motioned to table Litman Funeral Home, Mosby-Litman Funeral Home, and McLean Litman Funeral Home until the July 2006 meeting. Mr. Roach seconded. Motion carried.

Robert Morgan cancelled his appointment to meet with the Board and reschedule for May 9, 2006 to appeal taking the law exam.

Richard Baxter cancelled his appointment to meet with the Board to discuss his license reinstatement and to reschedule until May 9, 2006.

Robert Franklin cancelled his appointment to meet with the Board and reschedule to appeal his embalmer and funeral director application on May 9, 2006.

Mr. McDonald motioned to table the embalmer application of T C until investigations can examine records to be made available by the Funeral Home and Ogeechee Technical College. Mr. Daviston seconded. Motion carried.

Mr. Daviston motioned to deny Catherine Whitwell application for reciprocity from Texas until she completes her apprenticeship hours. Mr. Roach seconded. Motion carried.

Funeral Director in Full Continuous Charge

Mr. Roach motioned to approve Joseph Jacobs as Funeral Director in Full and Continuous Charge at Southview Mortuary, Inc. in Adel, GA. Mr. McDonald seconded. Motion carried.

Shepard Funeral Home in Sylvester, GA cancelled their appointment to appear before the Board for approval of McArthur Edwards as Funeral Director in Full and Continuous Charge.

Mr. Watson motioned to approve Darryl Bentley as Funeral Director in Full and Continuous Charge at Lofton McDougald Funeral Home in Butler, GA. Mr. Daviston seconded. Motion carried.

Mr. Fowler motioned to approve Gregory Hines as Funeral Director in Full and Continuous Charge at Hines Home of Funerals, Inc. in Atlanta, GA. Mr. McDonald seconded. Motion carried.

Mr. Daviston motioned to approve Joseph Galyon as Funeral Director in Full and Continuous Charge at Striffler-Hamby Mortuary in LaGrange, GA. Mr. Watson seconded. Motion carried.

Mr. Roach motioned to approve Nancy Snell as Funeral Director in Full and Continuous Charge at Poteet Funeral Home West in Augusta, GA. Mr. Daviston seconded. Motion carried.

Mr. Roach motioned to approve Joseph Wilson as Funeral Director in Full and Continuous Charge at Poteet Funeral Home, Inc. South and Central Savannah River Crematory in Augusta, GA. Mr. Daviston seconded. Motion carried.

Mr. Roach motioned to approve Randy Westbrook as Funeral Director in Full and Continuous Charge at Oglethorpe Chapel Funeral Home in Crawford, GA. Mr. Daviston seconded. Motion carried.

Mr. Roach motioned to approve Lawton Lord as Funeral Director in Full and Continuous Charge at Lord and Stephens West in Bogart, GA. Mr. Daviston seconded. Motion carried.

Mr. Watson motioned to approve Irvin Trice as Funeral Director in Full and Continuous Charge at Hamm's & Trice Funeral Home in Barnesville, GA. Mr. Daviston seconded. Motion carried.

New Establishments

Mr. Watson motioned to approve establishment license for Golden Isle Cremation, LLC in Brunswick, GA with Bradley Whiddon, Jr. as Funeral Director in Full and Continuous Charge. Mr. Daviston seconded. Motion carried.

Complaints

FUN060149

Mr. Hamby recommend investigations or the inspector interview the complainant and get details of the insurance problems also interview the Funeral Director and get a copy of the general price list. If no price list is available, get a statement as to why there isn't one.

FUN060150

Mr. Hamby recommended that this case be sent to Investigations and have them contact complainant to get the deceased's name. Investigators and Inspector need to visit the funeral home and get a statement from the Funeral Director as to where the body is and what has happened with the crematory, obtain a copy of the contract, cremation authorization form, cremation permit issued by the Health Department, funeral home general price list, copy of the death certificate, and all related paperwork involving this case.

FUN060151

Mr. Hamby recommends the inspector investigate this case and submit a recommendation.

Mr. Roach motioned to accept the Cognizant recommendations on these cases as presented. Mr. Watson seconded. Motion carried.

Investigator Report

FUN060130

Investigator Chuck Miller presented this case to the Board.

Mr. Roach motioned that the Funeral Director in Full and Continuous Charge come before the Board to discuss the allegations at the next board meeting. Mr. McDonald seconded. Motion carried.

Mr. Roach motioned to accept Voluntary Cease & Desist Orders signed by Nathan Payne, Jr. and by Dorchester D. "Pete" Johnson. Mr. McDonald seconded. Motion carried.

Inspector Report

FUN060129

Mr. Roach motioned to have the Funeral Director in Full and Continuous meet with the Board on the next scheduled Board meeting. Mr. McDonald seconded. Motion carried.

FUN060133

Mr. Roach motioned to close this case. Mr. Daviston seconded. Motion carried.

FUN060139

Mr. Daviston motioned to open this case on the two funeral homes that were served Cease and Desist Orders. The Funeral Directors in Full and Continuous Charge of both funeral homes are to appear before the Board at the next scheduled Board meeting. This case will be forwarded to the Securities Division. Mr. Roach seconded. Motion carried.

FUN060141

Mr. Daviston motioned to close this case. Mr. Roach seconded. Motion carried.

FUN060150

Mr. Roach motioned that the Funeral Director in Full and Continuous Charge meet before the Board at the next scheduled meeting. Mr. Daviston seconded. Motion carried.

Attorney General Report

The Attorney General was presented by the Assistant Attorney General, Reagan Dean. Mr. Dean presented unpaid establishment fines to the Board. Mr. Watson motioned the funeral homes with outstanding fines license be placed on hold until all fines are paid. Mr. Daviston seconded. Motion carried.

Mr. Daviston motioned to rescind the Summary Suspension for Frank Solomon Nixon Funeral Home. Mr. Watson seconded. Motion carried.

Applications

Mr. Daviston motioned to accept applications as presented by JoAnn Lyde, Application Specialist. Mr. Roach seconded. Motion carried.

License No.

Apprentice Name

FSA004620	Obinna Kingsley Agogbua
FSA004621	William Dean Carson
FSA004622	Julie Arlene McCormick-Gilbert
FSA004623	Victoria Burr Melton
FSA004624	Reginald Levin Jones
FSA004625	Donna Guillebeau Williams
FSA004626	Carlos Allen Giles
FSA004627	Gerald Preston Alphin
FSA004628	Christopher Peeler
FSA004629	Zane Kent Stewart
FSA004630	Julius Reginald Richie
FSA004631	Monte Alan Dixon

Mr. Daviston motioned to table the following applications until the April 18 meeting.
Mr. Roach seconded. Motion carried.

RLS, RJJ, CA, RT, LT

Election of Officers

The Board voted and elected Mr. Watson as Board Chairman and Mr. David Roach as Vice Chairman.

Continuing Education

Mr. Roach motioned to table Continued Education until the next scheduled board meeting. Mr. Daviston seconded. Motion carried.

Adjournment

There being no further business the meeting adjourned at 5:10 p.m.

These minutes were signed and approved on May 9, 2006