

**Georgia State Board of Funeral Service Minutes
December 11, 2007**

A meeting of The Georgia State Board of Funeral Service was held on December 11, 2007 at 237 Coliseum Drive, Macon, Georgia. Draper Watson, Chairman, called the meeting to order at 10:06 a.m.

A quorum was established with members present being: Draper Watson, Chairman, David Roach, Terry Daviston, Thelon Hamby, Linda Ware, and Nancy Kennedy.

Others present were as follows: Steve Lindsey, Executive Director, Reagan Dean, Assistant Attorney General, JoAnn Lyde, Application Specialist, and Laurie Elander, Board Secretary.

Approval of Minutes:

Ms. Kennedy moved, Ms. Ware seconded, and the Board approved the minutes of the October 16, 2007 meeting.

Mr. Daviston moved, Ms. Kennedy seconded, and the Board approved the minutes of the November 16, 2007 Conference Call.

Mr. Watson introduced to the Board Randall D. Vaughn the new Division Director of the Professional Licensing Boards Division.

Mr. Watson gave a brief summary of the meeting with Secretary of State, Karen Handel and all board chairpersons.

Ms. Ware moved, Ms. Kennedy seconded, and the Board made the decision to table discussion of a letter from the Cremation Society of the South until the next meeting.

Mr. Reagan Dean, Assistant Attorney General, presented a review by his office of the proposed rule 250-7-.04, "Unlawful Acts." Mr. Dean advised the Board to make a change of language used in the rule. After discussion of the rule, Ms. Ware moved, Mr. Hamby seconded, and the Board made the decision to rescind the vote to amend Rule as stated in the October meeting.

Ms. Ware moved, Mr. Hamby seconded, and the Board made the decision to amend rule 250-7-.04 (4) to read "legally authorized person" in place of "legal next of kin" as stated in the October 16, 2007 meeting. The proposed rule will read as follows:

Rule 250-7-.04 Unlawful Acts.

- (1) It shall be unlawful for any funeral establishment, funeral director or embalmer to refuse to surrender immediately the custody of a dead human body to a legally authorized person upon request of that person, but the release of such body shall not constitute a release of any indebtedness or other claim owed for any legally authorized services performed on that body by the person releasing that body.

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- (2) It shall be unlawful for any funeral establishment, funeral director or embalmer to refuse to surrender immediately the custody of cremated remains to a legally authorized person upon request of that person, but the release of such cremated remains shall not constitute a release of any indebtedness or other claim owed for any legally authorized services performed on that deceased body and/or cremated remains by the person releasing the cremated remains.
- (3) It shall be unlawful for any funeral establishment, funeral director or embalmer to intentionally delay or withhold the filing of a death certificate as a means to facilitate payment of any or all services rendered by the funeral establishment, funeral director or embalmer, but the prompt filing of a death certificate shall not constitute a release of any indebtedness or other claim owed for any legally authorized services performed on that deceased body and/or cremated remains by the person filing the death certificate.
- (4) It shall be unlawful to perform services for a charge - such as embalming, transportation, dressing and/or handling of the deceased, etc. - unless such services were requested by the legally authorized person, or as required by law.
 - a) any services and/or merchandise requested by the legally authorized person must be in compliance with those listed on the funeral establishment general price list, the casket price list, the outer burial price list, or the funeral service contract price list, and,
 - b) any services and/or merchandise requested by the legally authorized person must be itemized on a funeral service contract and this contract must be signed by the funeral director and the responsible party by the date of the funeral service, cremation, or ship-out. If the responsible party is not physically available to sign the itemized funeral contract by the time services are rendered, a copy of the itemized funeral contract may be faxed to the responsible party for their review and signature, and faxed back to the funeral establishment for inclusion in the funeral home files.

Timothy Watkins appeared before the Board to seek direction for applying for temporary approval to operate from another facility. Watkins & Sons Funeral Home was destroyed by fire on October 1.

Ms. Ware moved, Mr. Hamby seconded, and the Board made the decision to grant a 90-day grace period effective December 11, 2007 for Watkins & Sons Funeral Home to operate from the facilities of Trice Funeral Home in Barnesville, GA.

Executive Session:

Mr. Hamby moved to enter into Executive Session to deliberate on applications, complaints, and investigations, as authorized by OCGA §§ 43-1-2 (k) and 43-1-19 (h). Ms. Kennedy seconded the motion. The motion was carried by Mr. Hamby, Mr. Roach,

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Mr. Daviston, Ms. Ware, Ms. Kennedy, and Mr. Watson. The Board concluded Executive Session in order to vote on the matters discussed and to continue with the public session.

Ms. Ware moved, Mr. Hamby seconded, and the Board made the decision to approve the funeral director and embalmer's application by reciprocity for Gregory Robert Williams.

Ms. Ware moved, Mr. Hamby seconded, and the Board made the decision to approve Willie Edmondson as supervising embalmer for La Teirdra Gibson.

Mr. Hamby moved, Ms. Kennedy seconded, and the Board made the decision to approve Eddie Thomas Hosley as Funeral Director in Full & Continuous Charge of Peoples Funeral Home of Augusta, GA (FEST000283).

Mr. Hamby moved, Ms. Kennedy seconded, and the Board made the decision to approve the apprentice application of Jason Dwayne McLaughlin.

Mr. Daviston moved, Ms. Kennedy seconded, and the Board made the decision to uphold the previous decision to deny license by reciprocity for Clint Smith. Mr. Hamby was not present for the discussion or vote.

Dent's Undertaking Establishment of Augusta, GA (FEST000115) did not keep their scheduled appointment.

Mr. Hamby moved, Ms. Ware seconded, and the Board made the decision to approve the reinstatement application for apprentice license for Chavous B. Johnson.

Mr. Daviston moved, Ms. Kennedy seconded, and the Board made the decision to uphold the previous decision to deny the application for funeral director and embalmer by reciprocity for Lisa Ruth High.

Mr. Hamby moved, Mr. Daviston seconded, and the Board made the decision to approve Howell Tim Scott as Funeral Director in Full & Continuous Charge of Atlanta Crematory (CREM000004) of Stone Mountain, GA.

Mr. Hamby moved, Mr. Ware seconded, and the Board made the decision to accept the change of ownership and approve John R. Taylor as Funeral Director in Full & Continuous Charge of Peoples Funeral Home (FEST000286) of Milledgeville, GA.

Jeff Eberhart Funeral Home (FEST001239) of Dallas, GA cancelled their appointment.

Mr. Hamby moved, Mr. Daviston seconded, and the Board made the decision to approve Johnny Litman as Funeral Director in Full & Continuous Charge of Litman Funeral Home (FEST001239) of Pearson, GA.

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Ms. Ware moved, Mr. Roach seconded, and the Board made the decision to approve the change of name from Hamm & Trice Funeral Home Inc. (FEST000164) to Trice Funeral Home Inc. of Barnesville, GA.

Mr. Daviston moved, Ms. Kennedy seconded, and the Board made the decision to approve the change of name from Starling Funeral Home (FEST001204) to Starling Funeral Home & Cremation Services of Harlem, GA.

Ms. Kennedy moved, Ms. Ware seconded, and the Board made the decision to approve the change of name from Divine Mortuary, Inc. (FEST001655) to Divine Mortuary Services, LLC of Lithonia, GA.

Mr. Hamby moved, Ms. Kennedy seconded, and the Board made the decision to approve the change of location from 123 N. Laurel Drive to 5495 State Highway 297 S. for Hillside Memorial Chapel, Inc. (FEST001092) of Clarkesville, GA.

Applications:

Ms. Ware moved, Mr. Daviston seconded, and the Board voted to ratify the licenses issued since the October 16, 2007 meeting for funeral directors, embalmers, and apprentices. Applications issued and ratified by the Board were:

License Number	Name	License Type
EMB004540	Thomas, Stedderick Bernard	Embalmer
EMB004541	Kent, William Clinton	Embalmer
EMB004542	Domzalski, Susan Carol	Embalmer
EMB004543	McBrayer, Jay Scott	Embalmer
EMB004544	McCormick-Gilbert, Julie Arlene	Embalmer
EMB004545	Gallatin, John T	Embalmer
EMB004546	Ezell, Rocky Lee	Embalmer
EMB004547	Vedder, Faith Mickle	Embalmer
EMB004548	Stewart, Zane Kent	Embalmer
EMB004549	Crowell, Justin Charles	Embalmer
FD004950	Thomas, Stedderick Bernard	Funeral Director
FD004951	Kent, William Clinton	Funeral Director
FD004952	Domzalski, Susan Carol	Funeral Director
FD004953	McBrayer, Jay Scott	Funeral Director
FD004954	McCormick-Gilbert, Julie Arlene	Funeral Director
FD004955	Gallatin, John T	Funeral Director
FD004956	Ezell, Rocky Lee	Funeral Director
FD004957	Vedder, Faith Mickle	Funeral Director

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FD004958	Stewart, Zane Kent	Funeral Director
FD004959	Crowell, Justin Charles	Funeral Director
FSA004811	Berry, Christopher William	Funeral Service Apprentice
FSA004812	Chandler, Tynisha Lear	Funeral Service Apprentice
FSA004813	Brown, Adam Christopher	Funeral Service Apprentice
FSA004814	Wilson, Christine Rene	Funeral Service Apprentice
FSA004815	Horner, Brittany Leigh	Funeral Service Apprentice
FSA004816	Cowart, Chanda Michele	Funeral Service Apprentice
FSA004817	McCloud, Charles Alvin	Funeral Service Apprentice
FSA004818	Kappler, Abel Kenneth	Funeral Service Apprentice
FSA004819	Allen, Penny Rowland	Funeral Service Apprentice
FSA004820	Watkins, Dana Andrew	Funeral Service Apprentice
FSA004821	Graves, Larry D	Funeral Service Apprentice
FSA004822	Shook, Kacie Miranda	Funeral Service Apprentice
FSA004823	Hampton, Aaron Kyle	Funeral Service Apprentice
FSA004824	Piel, Duane Harris	Funeral Service Apprentice
FSA004825	Tolbert, Steven Nicholas	Funeral Service Apprentice
FSA004826	McLeod, Derrik Alan	Funeral Service Apprentice
FSA004827	Cody, Darrell Keith	Funeral Service Apprentice

Ms. Ware moved, Mr. Daviston seconded, and the Board made the decision to table for further review on the application for BB. Mr. Hamby recused himself from the vote.

Ms. Ware moved, Mr. Daviston seconded, and the Board made the decision to table for further review on the application for MCB.

Ms. Ware moved, Mr. Daviston seconded, and the Board made the decision to approve the application for reciprocity from South Carolina of Funeral Director and Embalmer's license for Thomas Craig Griffin.

Ms. Ware moved, Mr. Daviston seconded, and the Board made the decision to table for further review on the application for WKH.

Mr. Hamby moved, Ms. Kennedy seconded, and the Board made the decision to approve pending Laws & Rules Exam for R L B.

Complaints:

FUN0050065: Mr. Hamby moved, Ms. Ware seconded, and the Board voted to close the case with a letter of concern.

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FUN070025: Mr. Hamby moved, Ms. Ware seconded, and the Board voted to close the case with no action.

FUN070037, FUN070038, and FUN080033: Ms. Ware moved, Mr. Daviston seconded, and the Board voted to refer these cases to the Attorney General's Office for further action.

FUN070060: Mr. Hamby moved, Ms. Kennedy seconded, and the Board voted to close the case.

FUN070061: Mr. Hamby moved, Ms. Kennedy seconded, and the Board voted to close the case with no action.

FUN070067: Mr. Hamby moved, Ms. Kennedy seconded, and the Board voted to refer the case to the Attorney General's Office for revocation.

FUN080032: Ms. Kennedy moved, Mr. Daviston seconded, and the Board voted to close the case.

FUN080042: Mr. Hamby moved, Ms. Kennedy seconded, and the Board voted to close the case.

FUN080049: Mr. Daviston moved, Ms. Ware seconded, and the Board voted to close the case.

FUN080051: Mr. Hamby moved, Mr. Daviston seconded, and the Board voted to close the case.

FUN080057 & FUN080058: Mr. Daviston moved, and Mr. Roach seconded, and the Board voted to close these cases.

FUN080059, FUN080060, FUN080062, FUN080063, FUN080064, FUN080065: Mr. Daviston moved, and Mr. Roach seconded, and the Board voted to forward these cases to investigations.

FUN080061: Mr. Hamby moved, Mr. Daviston seconded, and the Board voted to close the case with no action.

FUN080053: Mr. Hamby moved, Mr. Daviston seconded, and the Board voted to refer case to Investigations and Georgia Insurance Commissioner.

FUN080052: Mr. Hamby moved, Mr. Roach seconded, and the Board voted to refer the case to investigations. Mr. Daviston recused himself from discussion and abstained from the vote.

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FUN080002: Mr. Roach moved, Mr. Daviston seconded, and the Board voted to table for further discussion. Mr. Hamby was not present during discussion or vote.

FUN080008: Mr. Daviston moved, Ms. Ware seconded, and the Board voted to refer to the Attorney General's office to continue with revocation.

FUN080050: Mr. Hamby moved, Mr. Daviston seconded, and the Board voted to refer to the Attorney General's office to continue with summary suspension.

FUN080066: Ms. Ware moved, Mr. Daviston seconded, and the Board voted to refer the case to inspections.

FUN070085: Ms. Ware moved, Mr. Daviston seconded, and the Board voted to close the case with a letter of concern.

Board Orders:

Mr. Hamby moved, Ms. Kennedy seconded, and the Board voted to accept the Final Decision order to revoke the establishment license of Waverly Hall Memorial Funeral Home and Chapel (FEST001659) and to suspend the funeral director and embalmer's licenses of Chappelle Williams for six months.

Ms. Kennedy moved, Mr. Daviston seconded, and the Board voted to accept the consent order and fine money for Harrington Funeral Home (FEST001326).

Ms. Ware moved, Ms. Kennedy seconded, and the Board voted to accept the Order Accepting Fine Monies for the following:

- FEST001468 Andrews Mortuary of Newnan, GA
- FEST001254 Community Funeral Home of Atlanta, GA
- FEST000671 Community Funeral Home of Shellman, GA

Mr. Daviston recused himself from discussion and abstained from the vote.

Mr. Daviston moved, Mr. Roach seconded and the Board voted to accept the Voluntary Cease and Desist Order for the following:

- Sellers Brothers Inc. / Mrs. Juanita Stone
- James Parnick Jennings Sr. / Good Shepherd Funeral Home

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Continuing Education:

Mr. Daviston moved, Ms. Kennedy seconded, and the Board voted as follows on the continuing education courses presented:

Program Provider/Sponser	Course Title	HRS Approved	Board Vote
100% Education by McKissock	Formaldehyde Monitoring and the OSHA Standard	3	Approved
100% Education by McKissock	Crisis: The Role of Funeral Directors	3	Approved
International Cemetery, cremation and Funeral Association	2008 ICCFA Wide World of Sales	13	Denied
Service Corporation International-SCI Tennessee Funeral Services Inc.	Funeral Home Safety, Aftercare & History	10	Approved
Apex continuing education solutions	Funeral Service Ethics	2	Approved
Apex continuing education solutions	Creative Marketing for Funeral Homes	2	Denied
Apex continuing education solutions	Telephone Inquiry Manual For Funeral Homes	2	Approved
Apex continuing education solutions	Working with difficult People	3	Approved
Apex continuing education solutions	Sexual Harassment in the Workplace	4	Approved
Apex continuing education solutions	FTC Funeral Rule	4	Approved
Apex continuing education solutions	OSHA Essentials	4	Approved
360 Training	Business Writing	3	Approved
360 Training	Formaldehyde and Needle Stick Safety	2	Approved
360 Training	Hazard Communication	2	Approved
360 Training	HIV/AIDS and Public Health Issues	2	Approved
360 Training	Infection Prevention	1	Approved
The York Group	Fresh Look at the Future	8	Denied
The York Group	Focus on Your Furture	14	Denied
Todd W. Van Beck/A. S. Turner & Sons Funeral Home	Occupational Safety and Health Administration Annual Training Seminar	2	Approved
FuneralCE	CSA Designation Program	10	Denied
The Dodge Institute for Advanced Mortuary Studies	The 2008 Dodge Managerial Seminar	10	Approved

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The Dodge Institute for Advanced Mortuary Studies	The 2008 Dodge Managerial Seminar & Technical Seminars	10	Approved
Independent Funeral Directors of Georgia	2008 One Day Winter Training	4	Approved
South Carolina Funeral Directors Association	The Balanced Funeral Arrangement...Making the Emotional Connection	2	Denied
South Carolina Funeral Directors Association	How to Survive a Growing Cremation Rate	2	Denied
South Carolina Funeral Directors Association	Marketing from the Inside Out	1	Approved
South Carolina Funeral Directors Association	Funeral Ethics Today	1	Approved
South Carolina Funeral Directors Association	Embalming in Today's World	3	Approved
South Carolina Funeral Directors Association	The Brady Bunch & Beyond	1.5	Denied
South Carolina Funeral Directors Association	Turning Shoppers Into Buyers	1.5	Denied
North Georgia College & State University	2008 North Georgia Forensic Symposium: The Investigation of Sex Crimes and Deviant Behavior	16	Denied
Aurora	Plant Tour	1	Approved
Aurora	Becoming a Service Provider	2	Approved
Aurora	Building Your Family's Trust	2	Approved
Aurora	Balanced Cremation Arrangement	2	Approved
Aurora	No Religion Please, Meeting the Challenge	2	Approved
Aurora	9 + 1 Ways to be Creative	2	Approved
Aurora	Marketing Today and Tommorrow	2 & 3	Approved
Aurora	Making the Emotional Connection	2, 3, & 4	Approved
Aurora	Beginning with the End in Mind	3	Approved
Aurora	Advanced Arranger Training	6 & 8	Approved
Aurora	The Balanced Funeral Arrangement	12	Approved

Other Business:

Mr. Hamby moved, Ms. Ware seconded, and the Board voted to approve the request for the 1st 90-day grace period for the following:

FEST001671: William T. Ford Mortuary in Columbus, GA

FEST001501: Litman Funeral Service in Albany, GA

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Mr. Hamby moved, Ms. Ware seconded, and the Board accepted the notification of change of ownership of DeLoach-Kennedy Funeral Home (FEST000186) in Waynesboro, GA and DeLoach-Kennedy Funeral Home (FEST001318) in Hephzibah, GA. Southern Funeral Associates, LLC being the new owner.

Mr. Daviston moved, Mr. Hamby seconded, and the Board made the decision to table discussion on the letter from Academy of Professional Funeral Service Practice.

There being no further business, the meeting adjourned at 4:40 p.m.

Minutes were approved at the January 8, 2008 meeting.