

Georgia State Board of Funeral Service
Board Meeting
December 8, 2009

A public hearing was held by the Georgia State Board of Funeral Service to allow public comment prior to adoption of previously posted rule amendments. Linda Ware, Chairperson, called the hearing to order at 9:30 a.m. Attorney Thomas Cuffey addressed the Board on behalf of the Georgia Funeral Practitioners' Association (GFPA) regarding the requirements for Funeral Directors in Full Continuous Charge of a funeral establishment detailed in rule amendment 250-6-.09. Mr. Cuffey voiced concern specifically with the rule requiring the FDFCC to spend a minimum of 40 hours per week in the employ and operation of the establishment or crematory. The Board explained that the rule is a compilation of all the requirements already expressed throughout the Board's law and rules. The requirement of 40 hours per week in the employ and operation of the funeral establishment is not a new requirement, and nothing is changing regarding the view of the Board toward this requirement. The rule was posted in an effort to provide persons considering appointment as FDFCC with a convenient means of reviewing the requirements placed on the FDFCC. Hearing no further comments on the proposed rule amendments, the hearing was adjourned at 10:00 a.m.

A meeting of the Georgia State Board of Funeral Service was held on December 8, 2009 at 237 Coliseum Drive, Macon, Georgia. Linda Ware, Chairperson, called the meeting to order at 10:00 a.m.

A quorum was established with members present being: Linda Ware, Chairperson; Lauren McDonald, Vice Chairman; Draper Watson, Nancy Kennedy, David Roach and Thelon Hamby.

Others present were as follows: Steve Lindsey, Executive Director; Melanie Brown, Board Support Specialist and Reagan Dean, Assistant Attorney General.

Visitors in attendance were: Randy Crenshaw, Area Director for RTI Donor Services; Alysia McDonald, Georgia Funeral Directors Association; Lee Langley, Associate Director of LifeLink of Georgia; Trish Watkins, Manager of Georgia Eye Bank; Janice Newsome, Supervisor/Donor Coordinator of Georgia Eye Bank; Dia Johnson, RTI Donor Services; Patty Hutcheson, Gupton-Jones College of Funeral Service and Chuck Gammin, Funeral Home Liason for LifeLink of Georgia

After the hearing, the Board voted to adopt changes to the following board rules:

Thelon Hamby moved, Draper Watson seconded, and the Board voted to approve the following rule amendment.

250- 1-.04

Thelon Hamby moved, Draper Watson seconded, and the Board voted that the formulation and adoption of this proposed rule amendment does not impose excessive

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regulatory costs on any licensee or entity and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-25 and 43-18-23.

Thelon Hamby moved, Draper Watson seconded, and the Board voted that it is not legal or feasible in meeting the objectives of O.C.G.A. §§ 43-1-25 and 43-18-23 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D), and the formulation and adoption of this proposed rule amendment will impact every licensee in the same manner when small businesses are independently owned and operated and not dominant in the field of funeral service.

Thelon Hamby moved, Draper Watson seconded, and the Board voted to adopt the amendment to Rule 250-1-.04.

250- 4-.04

Thelon Hamby moved, Draper Watson seconded, and the Board voted that the formulation and adoption of this proposed rule amendment does not impose excessive regulatory costs on any licensee or entity and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-19(g); 43-18-50; 43-18-51; 43-18-52; and 43-18-54.

Thelon Hamby moved, Nancy Kennedy seconded, and the Board voted that it is not legal or feasible in meeting the objectives of O.C.G.A. §§ 43-1-19(g); 43-18-50; 43-18-51; 43-18-52; and 43-18-54 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D), and the formulation and adoption of this proposed rule amendment will impact every licensee in the same manner when small businesses are independently owned and operated and not dominant in the field of funeral service.

Thelon Hamby moved, Nancy Kennedy seconded, and the Board voted to adopt the amendment to Rule 250-4-.04.

250-5-.11

Thelon Hamby moved, Draper Watson seconded, and the Board voted that the formulation and adoption of this proposed rule amendment does not impose excessive regulatory costs on any licensee or entity and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-22 and 43-18-23.

Thelon Hamby moved, Nancy Kennedy seconded, and the Board voted that it is not legal or feasible in meeting the objectives of O.C.G.A. §§ 43-1-22 and 43-18-23 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C)

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and (D), and the formulation and adoption of this proposed rule amendment will impact every licensee in the same manner when small businesses are independently owned and operated and not dominant in the field of funeral service.

Thelon Hamby moved, Nancy Kennedy seconded, and the Board voted to adopt the amendment to Rule 250-5-.11.

250-5-.12

Thelon Hamby moved, Draper Watson seconded, and the Board voted that the formulation and adoption of this proposed rule amendment does not impose excessive regulatory costs on any licensee or entity and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-23; 43-18-55; 43-18-56; and 43-18-73.

Thelon Hamby moved, Nancy Kennedy seconded, and the Board voted that it is not legal or feasible in meeting the objectives of O.C.G.A. §§ 43-1-23; 43-18-55; 43-18-56; and 43-18-73 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D), and the formulation and adoption of this proposed rule amendment will impact every licensee in the same manner when small businesses are independently owned and operated and not dominant in the field of funeral service.

Thelon Hamby moved, Nancy Kennedy seconded, and the Board voted to adopt the amendment to Rule 250-5-.12.

250-6-.02

Thelon Hamby moved, Lauren McDonald seconded, and the Board voted that the formulation and adoption of this proposed rule amendment does not impose excessive regulatory costs on any licensee or entity and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-1-2; 43-18-23; 43-18-71; 43-18-73; 43-18-74; 43-18-77; and 43-18-78.

Thelon Hamby moved, Draper Watson seconded, and the Board voted that it is not legal or feasible in meeting the objectives of O.C.G.A. §§ 43-1-2; 43-18-23; 43-18-71; 43-18-73; 43-18-74; 43-18-77; and 43-18-78 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D), and the formulation and adoption of this proposed rule amendment will impact every licensee in the same manner when small businesses are independently owned and operated and not dominant in the field of funeral service.

Thelon Hamby moved, Draper Watson seconded, and the Board voted to adopt the amendment to Rule 250-6-.02.

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250-6-.03 (Repeal)

Thelon Hamby moved, Lauren McDonald seconded, and the Board voted to repeal Rule 250-6-.03.

250-6-.04 (Repeal)

Thelon Hamby moved, Lauren McDonald seconded, and the Board voted to repeal Rule 250-6-.04.

250-6-.06

Thelon Hamby moved, David Roach seconded, and the Board voted that the formulation and adoption of this proposed rule amendment does not impose excessive regulatory costs on any licensee or entity and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-18-2; 43-18-23; 43-18-46; 43-18-70; 43-18-75; 43-18-76.

Thelon Hamby moved, David Roach seconded, and the Board voted that it is not legal or feasible in meeting the objectives of O.C.G.A. §§ 43-18-2; 43-18-23; 43-18-46; 43-18-70; 43-18-75; 43-18-76 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D), and the formulation and adoption of this proposed rule amendment will impact every licensee in the same manner when small businesses are independently owned and operated and not dominant in the field of funeral service.

Thelon Hamby moved, David Roach seconded, and the Board voted to adopt the amendment to Rule 250-6-.06.

250-6-.09

Thelon Hamby moved, David Roach seconded, and the Board voted that the formulation and adoption of this proposed rule amendment does not impose excessive regulatory costs on any licensee or entity and any cost to comply with the proposed rule amendment cannot be reduced by a less expensive alternative that fully accomplishes the objectives of O.C.G.A. §§ 43-18-1(12); 43-18-23; 43-18-46; 43-18-71.

Thelon Hamby moved, Nancy Kennedy seconded, and the Board voted that it is not legal or feasible in meeting the objectives of O.C.G.A. §§ 43-18-1(12); 43-18-23; 43-18-46; 43-18-71 to adopt or implement differing actions for businesses as listed at O.C.G.A. § 50-13-4(a)(3)(A), (B), (C) and (D), and the formulation and adoption of this proposed rule amendment will impact every licensee in the same manner when small businesses are independently owned and operated and not dominant in the field of funeral service.

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Thelon Hamby moved, Nancy Kennedy seconded, and the Board voted to adopt the amendment to Rule 250-6-.09.

Lauren McDonald moved, Draper Watson seconded, and the Board voted to approve the minutes of the November 10, 2009 meeting. Thelon Hamby abstained from voting.

Draper Watson moved, Lauren McDonald seconded, and the Board voted to ratify the following licenses issued since the November 10, 2009 meeting:

EMB004665	Miller, Christopher Stephen	Embalmer	Rockmart
EMB004666	Smith, Clint Eugene	Embalmer	Savannah
EMB004667	McGhee, Ashley Nicole	Embalmer	Quitman
EMB004668	Ansley, John Alan	Embalmer	Dearing
EMB004669	Haynes, Tiffany Adele	Embalmer	Woodstock
FD005076	Miller, Christopher Stephen	Funeral Director	Rockmart
FD005077	Smith, Clint Eugene	Funeral Director	Savannah
FD005078	McGhee, Ashley Nicole	Funeral Director	Quitman
FD005079	Ansley, John Alan	Funeral Director	Dearing
FD005080	Haynes, Tiffany Adele	Funeral Director	Woodstock
FEST001743	Bradley B Anderson Funeral Home Glennville Chapel	Funeral Establishment	Glennville
FEST001744	Sylvania Funeral Home of Savannah, Inc.	Funeral Establishment	Savannah
FSA005072	Bernhardt, Jacob Marshall	Funeral Service Apprentice	Ellijay
FSA005073	Thomas, Justin Wade	Funeral Service Apprentice	Calhoun
FSA005074	Campbell, David Leonard, Jr.	Funeral Service Apprentice	Savannah
FSA005075	Monroe, Latoshia Vonkeitha	Funeral Service Apprentice	Atlanta
FSA005076	Noble, Diana Annise	Funeral Service Apprentice	Statesboro
FSA005077	Hinks, William Samuel	Funeral Service	Fitzgerald

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		Apprentice	
FSA005078	Dixon, Jaynelle Yavone	Funeral Service Apprentice	Atlanta
FSA005079	Rowe, Cecile D	Funeral Service Apprentice	Lawrenceville

Thelon Hamby moved to enter into Executive Session to deliberate on applications, complaints, and investigations, as authorized by O.C.G.A. § 43-1-2 (k) and 43-1-19 (h). Nancy Kennedy seconded the motion. The motion was carried by Linda Ware, Chairperson; Lauren McDonald, Draper Watson, Nancy Kennedy David Roach and Thelon Hamby. The Board concluded Executive Session in order to vote on the matters discussed and to continue with the public session.

Draper Watson moved, Lauren McDonald seconded, and the Board voted to accept the recommendations made in Executive Session on the following appointments:

Appeal Denial		Kini Burrell		Uphold denial
	FDFCC			Approve
Reinstatement	1151947 1151948	R C		Approve pending clear GCIC and passing laws and rules exam
Board Request		A C P P F H		Lift probation of personal license pending clear GCIC Lift probation of facility license pending clean title and passing inspection Licensee will notify the board office when ready for inspection
	FDFCC		Tim Stewart Funeral Home Inc	No Show
	FDFCC		Adams Funeral Home, Inc Mr. Neesmith - FDFCC	Approve
	FDFCC		Ronnie L. Stewart Family Funeral Service Susan Ross Waters - FDCC	Approve

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FDFCC	Lee's Funeral Home	Approve
FDFCC	McGahee-Griffin & Stewart Funeral Home	Approve
New Establishment	Family First Funeral Home	Approve
New Establishment	Floral Hills Funeral Home & Cremation Services	Approve
FDFCC	Godfrey Funeral Home	Approve

Draper Watson moved, Lauren McDonald seconded, and the Board voted to accept the recommendations made in Executive Session on the following applications:

Cox-Ware Funeral Home	Funeral Establishment	Bainbridge, GA	Approve
Harden Funeral Home, LLC	Funeral Establishment	Cedartown, GA	Approve
Guion, Michael	1214093 Apprentice	Austell, GA	Tabled pending investigation
Sullivan, Roger Dale	1212965 Embalmer 1212967 Funeral Director	Harriman, TN	Approve pending passing exam
Spain, Thomas	1212203 Embalmer 1212205 Funeral Director	Vidalia, GA	Tabled

Draper Watson moved, Nancy Kennedy seconded, and the Board voted to accept the report of pending cases presented by the Attorney General's office.

Draper Watson moved, Lauren McDonald seconded, and the Board voted to table complaint and compliance issues until the December 8, 2009 board meeting.

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Draper Watson moved, Lauren McDonald seconded, and the Board voted to approve the following Continuing Education courses:

Program Provider/Sponsor	Course Title	HRS Requested	HRS Approved
360Training.com	HIVAIDS and Public Health Issues		Table for review at Jan. Mtg.
	Infection Protection		Table for review at Jan. Mtg.
Georgia Funeral Directors Association (GFDA)	Expo2010	6	6
Health and Safety (Michael Fowler)	Crime Victims Compensation Program	2	2
National Funeral Directors Association (NFDA)	Simple and Practical Best Practice Ideas for Leading Funeral Homes	1	1
Elite CME, Inc.	10 Hour Continuing Education Course for Funeral Directors and Embalmers	10	Tabled for review at Jan. 2010 Mtg.
	Religion and the Funeral Director	2	Tabled for review at Jan. 2010 Mtg.
	Funeral Services: Interpersonal Skills and Communication	3	Tabled for review at Jan. 2010 Mtg.
	Formaldehyde Monitoring	1	Tabled for review at Jan. 2010 Mtg.
	HIV/AIDS – Communicable Diseases & OSHA Bloodborne Pathogens Standard	2	Tabled for review at Jan. 2010 Mtg.
	Complying with the Federal Trade Commission Rules	1	Tabled for review at Jan. 2010 Mtg.
	Professional Ethics	1	Tabled for review at Jan. 2010 Mtg.
	Complying with the Funeral Rule	3	Tabled for review at Jan. 2010 Mtg.
	Employment Law	3	Tabled for review at Jan. 2010 Mtg.
	Dealing with Difficult People and Situations	3	Tabled for review at Jan. 2010 Mtg.

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The next meeting of the Board will be January 12, 2010, at 10:00 a.m. at 237 Coliseum Drive, Macon, GA.

There being no further business, the meeting was adjourned at 2:35 p.m.

Minutes were approved at the January 12, 2010 board meeting.