

Louisiana State Board of Embalmers And Funeral Directors

Minutes of the Meeting

For

August 9, 2022

Board Members present:

Rodney McFarland , President

Willie P. Davis, Jr. , Vice President

Terry Luneau , Secretary

Maurice Southall

Gregory McKneely via Zoom

The meeting was called to order by the Board's President, Mr. McFarland, at 9:00 AM, at the Board's office, located at 3500 N. Causeway Blvd. Ste. 1232, Metairie, Louisiana. Also, present was Kim W. Michel, Executive Director, Heidi L. Penouilh, Executive Administrative Assistant, Marybeth Harrington, Inspector, R. Demale Bowden, Jr., Inspector, Christopher Lento, General Counsel and Chanel R. Debose, Prosecuting Attorney. Mr. Boudreaux, Mr. Charbonnet, Mr. Dixon, and Mr. Joseph were not present for today's meeting.

PUBLIC COMMENTS:

There were no public comments made for today's meeting.

PRESENTATIONS:

A Resolution for Russell John Frederick was presented and read into the minutes by Mr. McFarland;
Resolution

Whereas: Almighty God in His infinite wisdom and wise providence has called unto himself our beloved former licensee,

Russell John Frederick

Embalmer-funeral director license E-1517, Abbeville, who departed this life on July 23, 2022;

Whereas: Russell John Frederick has always exemplified the attributes of high idealism by his courteous manner and personality and has made valuable contributions to our profession and to the interest and welfare of the people of his community;

Whereas: Russell John Frederick offered his counsel, judgment and time to the funeral profession for over fifty-four years; and,

Whereas: Russell John Frederick has further extended his energy to our state by having served in various capacities in his church and within his community;

Therefore, be it resolved: that the Louisiana State Board of Embalmers and Funeral Directors extends to the family of the late Russell John Frederick our deepest sympathy and condolences for their great loss which we so keenly feel; and,

Be it further Resolved: that this tribute be written into the minutes of the Louisiana State Board of Embalmers and Funeral Directors and suitable copies of this resolution be sent to the members of his family.

Mr. McFarland presented two dedicated service recognition acknowledgments for;

Dedicated Service Recognition

James Allemond, Jr.
E- 2330

The Louisiana State Board of Embalmers and Funeral Directors would like to recognize your honorable commitment and compassionate assistance in providing funeral services to the families in Uvalde, Texas for their devastating loss during the tragic incident on May 24, 2022.

As a licensee of the State of Louisiana, this tribute will be assigned in the minutes as a lasting commemoration to compliment your dedication for funeral services.

The Louisiana State Board of Embalmers & Funeral Directors
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Dedicated Service Recognition

William Wimberly
E- 2335

The Louisiana State Board of Embalmers and Funeral Directors would like to recognize your honorable commitment and compassionate assistance in providing funeral services to the families in Uvalde, Texas for their devastating loss during the tragic incident on May 24, 2022.

As a licensee of the State of Louisiana, this tribute will be assigned in the minutes as a lasting commemoration to compliment your dedication for funeral services.

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COMPLIANCE, HEARING and/or ADMISSION AND CONSENT

The board was presented with an email and letter from Dr. Dupke and Dr. Cvitanovich regarding the shortage of Pathologists to perform autopsies and the need for out of state assistance from MS, AR and TX. Their concern was with funeral directors advising the coroners that embalming needs to be done to travel out of Louisiana.

The board advised that as long as human remains are in the care and custody of the coroner, then embalming is not required for transporting across state lines.

The minutes of the May 10, 2022 and June 14, 2022 meeting were presented to the board members for review and approval.

Motion was made by Mr. Davis, with a second by Mr. McKneely and unanimously passed that the minutes be accepted as presented.

Ms. Michel presented the Executive Director's report:

With the addition of the 2 new inspectors, both are professional and the process is progressing thus far. The communication with the office staff and the two inspectors has been outstanding.

Ms. Penouilh received a 15.5% increase due to her promotion with the title/position as Executive Administrative Assistant. Ms. Penouilh has been with this office since 2006 and has ranked from Administrative Coordinator 1 through the present position. She has progressed tremendously over the years as we have both developed a trusting, dependent and dependable relationship.

The board's 2017 Ford Fusion broke down with Mr. Bowden near Broussard. We were able to get it towed to a nearby Ford Dealership for a check-up. Fortunately, one of the new cars became available and Ms. Harrington drove Mr. Bowden to LPAA to pick up the car. Ms. Harrington is still utilizing the rental vehicle for now.

The Ford Dealership notified me that the 2017 Ford Fusion will need a new transmission at a cost of approximately \$6500.00. This car was due to be traded in on one of the new cars, and although it will still be a surplus back to the state, I am going to weigh some options as we are expecting the new car soon. I need to inquire about the new car and when it may be ready, also if the repair needs to be made due to surplus, and how much longer we can utilize the rental.

There are quite a few items that the Laws & Rules Committee will be working on and I would also propose to include Ms. Harrington and Mr. Bowden as part of the process. Both have offered great insight, observations and recommendations.

License and registry since the last meeting;

Funeral Establishments - new issue

New Orleans Funeral & Cremation Service

2975

Establishment Ownership/Location/Name Change

Pellerin Funeral Home

2976

Pellerin Funeral Home

2977

Pellerin Funeral Home

2978

Pellerin Funeral Home

2979

Pellerin Funeral Home

2980

Crematory Establishment - new issue

Embalmer and Funeral Director License - new issue

Chelsea Self

E-2947

Diane Jett

E-2949

Miranda Lambert

E-2948

Jodi Bertolino

E-2950

Funeral Director License - new issue

Ansonia Jackson

U-1760

Zoey Lindsey

U-1764

Glancy Dyer

U-1761

John Hooper

U-1765

Emily Chiasson

U-1762

Kimberly Clark

U-1766

Sydney Stelly

U-1763

Amanda NeSmith

U-1767

Retort Operator License - new issue

Rondal D. Bowden, Jr	431	Mina Major	433
Delaney Byron	432	Philip Kimsey	434
		John Donaho	435

Internships Registered

Jessie Sandel-Mitchell	0654	Melanie James	0665
Danna Sykes	0655	Hannah LaFleur	0666
Toni Williams	0656	Rosalie Grffin	0667
Sean Masters	0657	Elizabeth Schoen	0668
Andre Doyle	0658	Amy Thompson	0669
Rebecca Smith	0659	Mina Major	0670
Kristopher Knox	0660	Lindsey Bernard	0671
Osie Stewart	0661	Joanne Richard	0672
Katherine Miller	0662	Patricia Defee	0673
Wendy Henry	0663	Stephanie McDaniel	0674
Alisa Butler	0664	Glenda Cross	0675
		Leah Cross	0676
		Allison Pharr	0677

Motion was made by Mr. Southall a second by Mr. Luneau and unanimously passed to accept the Executive Director's report as presented.

Greetings to the Members of the Board and the Executive Director

Inspection report for August 9, 2022 covering the inspection dates of July 1, 2022 to August 1, 2022. Areas covered during inspection Districts A, C, and D.

As the Inspector for the Board, it has been brought to my attention during inspection that one of our Licensed Establishment has experienced the death of an active intern on July 4, 2022. We offer our condolences to the family of Ms. Wilhemina Jones Cave, Intern Number 0420, and to the staff of the facility and especially her preceptor.

As you are aware we are using Certemy to conduct and complete all inspections of Funeral Establishments using an Ipad. All kinks and additions/deletions are being worked out with Kim and Erica, the Certemy Representative.

Our training began with Kim traveling with us for a few days and that was certainly appreciated from a training standpoint and also as introduction to colleagues and establishments. Thank you!

Heidi as well has worked with us to get paperwork in desired format to make her job flow smoothly. She also educated us on deadlines for reports and information. She too, has guided us on some information with Certemy. Thank you, Heidi for your patience during the transition.

When the reports are viewed, I am hopeful that you each will receive a clear picture of what is happening at each establishment.

I/We have received a warm welcome from Funeral Homes & Crematories and the understanding of the new process and the Boards desire to make each establishment better for the consumer and other regulatory agencies.

Travel itinerates have proven to be very helpful and are submitted weekly.

As of this report I have completed 26 independent inspections along with 2 new establishment inspections, and several that both Demale and myself have completed together. I also have begun, the process of Saturday Funeral on-site inspections at the request of the Board. These are conducted at churches. I have completed some on Friday and several on Saturday. Licensees are very surprised that this is now being over seen by the Board but have expressed that is meaningful and adds value to their license.

During the Establishment inspections it is noted that funeral homes are attempting to be in compliance but, could definitely use some updated material and education on OSHA and Federal Trade Commission requirements. OSHA from the standpoint of worker safety as it pertains to eye wash stations being accessible and in working order. Federal Trade Commission as far as requirements of pricing, descriptions on Casket Price List and Caskets.

Goals until next meeting:

1. Provide FTC booklet for education to establishments as needed or requested
2. Provide updated logs to establishments as needed or requested should they not have logs that provide compliance.
3. Educate licensees regarding Certemy and benefits of renewals etc.
4. Continue to get updated email addresses for correspondence with licensees from the Board office and encourage licensees to update personal information should it change before renewals.

I have received a recommendation from licensee regarding a 1 day mandatory educational seminar made available by the Board to update licensee on laws, rules and regulations. It has also been voiced that educational courses for TRUE education are limited to online courses which are in some ways redundant. It is good to know that the licensees are looking for educational products and pieces.

It is my hope that my presented report pleases the members of the Board.

At this time I am open to any questions, comments or suggestions the Board or the Executive Director have.

Respectfully Submitted

Marybeth Harrington, Inspector

Louisiana State Board of Embalmers & Funeral Directors

Motion was made by Mr. Luneau, with a second by Mr. Davis and unanimously passed that Inspector Harrington's report be accepted as presented.

President McFarland & Board Members:

First, I would like to officially take this opportunity to thank each of you for choosing me to serve as one of the Inspectors for the Louisiana State Board of Embalmers & Funeral Directors. As eyes for you the board and our executive director, I would like to give this my first report as Inspector II for the Board.

As you know, our inspections and reports are completed electronically via Certemy at each inspection site. They are then reviewed, deficiencies are discussed, if any, signatures of manager and/or person we did the inspection with are obtained and then the final step, the report is forwarded on to our Board office for review.

Further I will report that I, Inspector II have performed and completed a total of 61 inspections which includes 54 funeral homes and 7 crematories. Of the 61 inspections, 11 inspections were done with Inspector I Harrington and/or our Executive Director. Alone / individually, I have performed 50 inspections in the assigned Areas A, C, & D. Of these 61 inspections, I present to you the following:

29 (48%) of the funeral homes and crematories were COMPLYING (meaning they meet all the requirements of the inspection checklist) with the state's expectations, which is posted on the state board's website.

32 (52%) of the funeral homes and crematories were NOT IN COMPLIANCE (meaning they did not meet some of the requirements) with the state's expectations, which is posted on the state board's website.

These are my Recommendations:

- More clarity on the existing Laws, Rules, and Regulations, as everyone has their own interpretations of them.
- Being an advocate of learning, yearly training should be offered for the Executive Director and inspectors by attending conferences/seminars that focus on The Federal Trade Commission, OSHA, and other funeral and crematory regulatory agencies which allows us to stay up to date on the rules, policies and procedures as they change. We then can pass this information on to our licensees and interns in our inspections, both regular and initial funeral home and crematory inspection openings.

Finally, Inspector Harrington and I got to serve as delegates representing the state at the 85th Expo and Convention of National Funeral Directors & Morticians Association held here in New Orleans on last week.

In conclusion, I say, The Best is Yet to Come! This concludes my report.

In service to you the board, licensees, and interns of the Louisiana State Board of Embalmers & Funeral Directors,
R. DeMale Bowden, Jr., CFSP, CCSP - Inspector II
E-2646 Retort Operator#:431

Motion was made by Mr. Southall, with a second by Mr. Luneau and unanimously passed that the Inspector Bowden's report be accepted as presented.

The financial report and budget for FY 21/22 and proposed FY 22/23, was presented for review and consideration.

Motion was made by Mr. McKneely, with a second by Mr. Southall and unanimously passed that the financial report be accepted as presented.

The Complaint Review Committee's report was presented to the Board by Ms. Debose, Prosecuting Attorney.

Ms. Debose reiterated that the complaints are presented anonymously in numerical format to the Board with the Complaint Review Committee's decision based upon the information presented at the time of review. The numbered complaints presented in an open meeting remain anonymous while a complaint is pending further investigation and/or until such time as the complaint file has been closed.

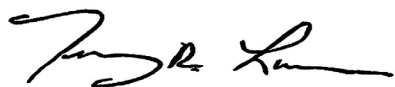
It was noted that twelve new complaints were received and are being reviewed. Sixteen complaints were reviewed with two complaints recommended for a formal hearing, five complaints were recommended for an informal hearing and eight complaints were recommended as no apparent violation and one complaint was withdrawn by the complainant, all as per the recommendations of the Complaint Review Committee.

Motion was made by Mr. Davis, with a second by Mr. Luneau and unanimously passed that the complaint report be accepted as presented per the recommendations of the Complaint Review Committee.

NEW BUSINESS

The next scheduled meeting of the board will be on Wednesday, September 14, 2022 with a Laws and Rules Committee meeting on Tuesday, September 13, 2022 at 3:00 PM.

There being no further business, the meeting was concluded.



Terry Luneau, Secretary



Rodney McFarland, Sr., President

