

TENNESSEE BOARD OF FUNERAL DIRECTORS AND EMBALMERS

MINUTES OF BOARD MEETING

MARCH 14, 2023

President Anthony Harris called the meeting to order at 10:16 a.m. The meeting was conducted in Conference Room 1-B, Davy Crockett Tower, Nashville, Tennessee.

Board members physically present: Anthony Harris, President; Tonya Scales Haynes, Vice President; Christopher Lea, and Pamela Stephens

Board member(s) absent: Fred Berry, Scottie Poarch, and Charles Rahm

Staff physically present: Robert Gribble, Executive Director, Troy Bryant, Associate General Counsel, and Lisa Bohannon, Regulatory Board Administrative Manager

ADOPTION OF AGENDA:

A motion was made by Pam Stephens to approve the agenda as published.

Seconded by Christopher Lea

Adopted by Voice Vote

APPROVAL OF MINUTES:

A motion was made by Christopher Lea to approve the Minutes of the February 14, 2023, Board Meeting.

Seconded by Tonya Haynes

Adopted by Voice Vote

ADOPTION OF ROBERT'S RULES OF ORDER:

A motion was made by Christopher Lea that the most recent version of Robert's Rules of Order shall govern the Board in all cases to which they are applicable and in which they are not inconsistent with statutes and any special rules of order the Board may adopt.

Seconded by Pamela Stephens

Adopted by voice vote

LEGAL REPORT:
TROY BRYANT, ASSOCIATE GENERAL COUNSEL

Abbreviations:

GPL – General Price List

CPL – Casket Price List

OBCPL – Outer Burial Container Price List

SFGSS – Statement of Funeral Goods and Services Selected

1. Case No.: 2023003301, 2023003321 – Apprentice Funeral Director / Apprentice Embalmer

This complaint was administratively opened following Respondent's application for apprentice funeral director and apprentice embalmer registrations. Respondent had previously held apprentice funeral director and apprentice embalmer registrations; however these registrations were suspended in 2013. Specifically, Respondent's registrations were suspended for "Delinquent or defaulted on a state or federal education loan or service-conditional scholarship." However, when Respondent re-applied for these registrations in 2023, in response to the question "Have you ever had a license, or applied for a license, (or its equivalent) to practice any profession or occupation that was denied, suspended, or revoked, or otherwise acted against?" Respondent replied, "No."

Respondent replied stating that they marked "No" because they did not realize that the apprenticeship registrations were considered licenses for purposes of the application.

Recommendation:

- Letter of Warning

A motion was made by Pam Stephens to accept Counsel's recommendation.

Seconded by Tonya Haynes

Adopted by Voice Vote

2. Case No.: 2023002611 – Funeral Establishment

This complaint was administratively opened following an inspection conducted on January 5, 2023. Specifically, the Respondent's establishment licensed expired on November 30, 2022 and was not renewed at the time of the inspection. During the time of the expired establishment license, no funeral or cremation services were conducted; however, the establishment was open for business.

Respondent replied stating that due to financial difficulty and slow business, they were unable to renew their license until January 2023. Respondent stated that they are now up to date on their license.

Recommendation:

- Letter of Warning

A motion was made by Christopher Lea to accept Counsel's recommendation.

Seconded by Tonya Haynes

Adopted by Voice Vote

3. Case No.: 2023002981 – Unlicensed Establishment

This complaint was administratively opened. While conducting routine inspections on January 19, 2023, the investigator observed a hearse parked in front of a vacant building advertising the Respondent establishment, however, the address (city) stated on the hearse was not the address (city) at which the vacant building was located. The investigator went to the front door which was locked with all the glass covered by paper. The investigator knocked on the door and no one answered. The investigator then walked to the restaurant next to the building and asked the server if they knew anything about the vacant building. The server stated that the people who leased the building were putting in a funeral home and handed the investigator a brochure from a stack placed on the counter. The investigator also observed a stack of business cards next to the stack of brochures. The investigator stated that inside the brochure were photographs of caskets, additional information, and prices. The back of the brochure listed two locations, one in Mississippi and the other was the vacant building the investigator had checked. The investigator confirmed with the Board's Administrative Manager and via CORE that the Respondent establishment was not licensed and at that time, the Board had not received an application for a new establishment from Respondent.

Respondent replied stating that they are in the process of remodeling the vacant building for a funeral home and maintained that they have not had any services while operating as a Tennessee funeral home in any location. Regarding the brochures, Respondent stated that they were left by mistake by a now former employee. Respondent contended that the former employee gave the brochures and cards to the restaurant and that circulating the promotional materials was not approved or authorized by management or owners of Respondent establishment. Respondent added that management and owners were not even aware that the brochures and business cards had been placed at the restaurant and provided that it had been stressed in all meetings that no promotional materials be circulated until they were licensed in Tennessee. Regarding the hearse, Respondent stated that it had been parked in front of the building to receive a quote to have it repainted. Respondent explained that the wordage on the hearse included an old location because they had a previous deal for a building that had fallen through in that city and added that they had labeled the hearse to see how it would look from a design perspective to decide if they wanted a different font, layout, etc. Respondent stated that they take full responsibility for failing to follow up with employees that no advertising materials be dispersed and Respondent again reiterated that they were unaware that the brochures and cards had been given to the restaurant. Finally, Respondent stated that they had been working with the city to obtain appropriate paperwork to submit to the Board for licensure application.

Recommendation:

- \$250.00 civil penalty. Authorize via Consent Order and formal hearing if necessary.

A motion was made by Pam Stephens to increase the civil penalty to \$500.00 Authorize via Consent Order and formal hearing if necessary.

Seconded by Tonya Haynes

Adopted by Voice Vote

4. Case No.: 2023004001 – Funeral Director

Complainant alleged unprofessional conduct on behalf of Respondent funeral director. Specifically, Complainant stated that the establishment that Respondent works for completed the celebration of life for the decedent on November 28, 2022, and that following the ceremony decedent was to be cremated. Complainant alleged that they had spoken to Respondent numerous times

regarding the cremation, and that he stated he was waiting on necessary papers to perform the cremation. Complainant stated that as of January 29, 2023, the decedent had yet to be cremated.

Respondent replied stating that they had made numerous attempts to have the cremation approval form signed by several doctors. Respondent detailed how, since the decedent did not have a primary care physician, they had reached out to several doctors every week to try and have them sign the cremation approval form. Respondent stated after several doctors and numerous delays, they finally found a physician who agreed to sign off on the permit on January 30, 2023. Respondent stated that the decedent was cremated on February 2, 2023, and the cremains were picked up the following day first by the Respondent and then by the family. Respondent stated that they informed Complainant throughout the process that they would not be able to sign the documents since they were not a healthcare professional, and they would have to wait on a physician's signature before proceeding with the cremation.

Respondent attached the cremation approval form to show that approval had been granted January 30, 2023, the cremation permit to show that it had been signed on February 2, 2023, and the family accountability form to show that the cremains had been picked up on February 3, 2023. Finally, Respondent attached communications to show that he had been in contact with the Medical Examiner's Office to try and get the cremation approved as expeditiously as possible.

Recommendation:

- Closure

A motion was made by Christopher Lea for a \$250.00 civil penalty. Authorize via Consent Order (with instructions) and formal hearing if necessary.

Seconded by Pam Stephens

Adopted by Voice Vote

5. Case No.: 2022045291 – Funeral Establishment

Complainant, brother of the deceased, alleged unprofessional conduct against Respondent establishment. Specifically, Complainant alleged that he, his mother, the decedent's wife, and some friends arrived at Respondent establishment at 9:30 a.m. to view the body of the decedent prior to cremation. Complainant stated that upon entering the crematory the decedent was in a body bag. After a

few moments, the decedent's wife and the friends left while Complainant and their mother remained behind to perform a religious ceremony. Complainant alleges that when they removed the sheet, they saw that the decedent was missing both their left and right arms. Complainant alleged that they asked an employee what had happened, and Complainant claims that the employee only said that the decedent had an autopsy. Complainant stated that they reached out to the medical examiner who confirmed an autopsy had occurred, but that the decedent was not missing limbs when he arrived and left their facility.

Due to the nature of the allegations, this complaint was immediately sent for investigation. The investigator began by conducting a surprise examination of the Respondent establishment. The sole purpose of this investigation was to ascertain whether Respondent had other decedents in the establishment that were missing limbs as the decedent in this complaint had already been cremated. The investigator examined first the large walk-in refrigeration unit that had three decedents in the unit, all three decedents were on shelves and were properly covered and neatly placed. The investigator closely examined the three decedents and found no missing body parts. An employee informed the investigator that there was also one decedent in the smaller three drawer refrigeration unit. The investigator examined this decedent and discovered no missing body parts. Next, the investigator met with an apprentice funeral director at the establishment. The apprentice funeral director showed the investigator to the preparation room which contained four decedents. The investigator examined each of the decedents and discovered no missing body parts. Finally, the investigator observed two decedents in caskets. The investigator again examined these decedents and found no missing body parts. In total, the inspector had examined ten different decedents, all of which had all limbs and body parts intact.

Approximately a month and a half later, the investigator returned to Respondent establishment to conduct another investigation. The investigator again examined ten total decedents and determined that none of them had missing limbs or body parts. Next, the investigator spoke to the manager of the Respondent establishment. The manager stated that he first met with the wife of the decedent on October 19, 2022, and that to their recollection, the wife of the decedent had come to the establishment alone and made all the arrangements for the deceased, and that a direct cremation and a memorial service was requested. The manager stated that the wife and other family members arrived on October 21, 2022 for the memorial service, and that the wife and the family requested to see the decedent before the cremation occurred. The manager obliged and asked employees to escort the family to the crematory facility. The manager

stated that the decedent had been autopsied, was not embalmed, and was in a body bag with a sheet placed over the body. The manager stated that according to staff members, the wife had also placed a hat on the decedent and left the crematory to prepare for the memorial service. The manager then stated, according to staff members, the Complainant and his mother remained behind to perform a religious ceremony. The manager stated that the Complainant and their mother returned back to the funeral home soon for the memorial service, and at no time did any family member, including Complainant, mention missing limbs on the decedent. Additionally, the manager stated he only became aware of the allegation when he received the complaint. The manager also added that he asked the two staff members who had assisted the family were never asked nor aware of any allegation regarding missing limbs. The manager again reiterated that if there was any issue, he was never made aware of it at any time.

Next, the investigator traveled to the Medical Examiner's Office that had conducted the autopsy. After explaining the situation and allegations, the staff member speculated that since the decedent was a larger person, that when Complainant viewed the body at the crematory, the decedent's arms may have been "hidden" on the sides of his body due to his size. The autopsy report confirmed that the decedent was not missing any limbs when he arrived and when he left the facility.

Next, the investigator spoke to the wife of the decedent. The wife confirmed that she had made the arrangements herself, and that the cremation and a memorial service were scheduled for October 21, 2022. The wife stated that prior to the cremation, she requested to see her husband to say goodbyes and was accompanied by the Complainant, his mother, and a few family members. The wife stated that she viewed her husband, placed a hat on his head, took a photograph, and the left the crematory. The wife stated she did not notice any missing body parts. The wife confirmed that the Complainant and the mother stayed behind to conduct a religious ceremony, but that they eventually met with the rest of the family inside the funeral home for the service. The wife stated that during the service, and even following the service, neither Complainant nor the mother had mentioned anything about missing body parts. The wife stated she only became aware of the allegation three days later from Complainant. The wife stated she asked why Complainant had waited so long to tell her, and that Complainant stated, "they didn't want to upset her." The wife provided that she could not understand why they had waited so long to inform her, as they could have stopped the cremation to investigate more thoroughly at the time.

Finally, the investigator spoke to the Complainant who confirmed that he, his mother, the wife of decedent, and a few family members saw the decedent prior to cremation in order to say goodbyes. Complainant explained that he and his mother remained behind to perform a religious ceremony and that the decedent was “laying on a table in a body bag that had been partially unzipped from about the waist area up.” Complainant claimed that while performing the religious ceremony, he pulled the sheet back that had been placed on the decedent, and claimed that the decedent’s arms were missing. Complainant stated that he informed a staff member about the missing limbs and was told that the decedent had been autopsied. Complainant stated that he did not wish to further upset the wife of the decedent so he did not inform her about the missing limbs. Complainant stated that he did not think to stop the cremation or notify the police at the time.

During the course of the second investigation of the Respondent establishment, the investigator noted that the crematory operator was not a licensed funeral director. Although the manager, a licensed funeral director, was on the premises (in a separate building), the manager was not physically overseeing nor supervising the activity of the unlicensed employee.

Based on the above, in tandem with all the information obtained by the investigator, no tangible proof has been discovered or provided to support Complainant’s allegations other than Complainant’s testimony. However, Respondent establishment has aided and abetted unlicensed activity on behalf of the unlicensed crematory employee.

Recommendation:

- \$1,000.00 civil penalty plus the implementation of a remediation plan for education regarding unlicensed activity, centered around the education of funeral directors and staff, including crematory staff. The educational plan is to include, but not be limited to, 10 hours of CE with a minimum of 3 hours on ethics. Respondent must complete the implementation of this plan, and provide proof its implementation to the Department within 60 days after the signing of the Consent Order.

A motion was made by Christopher Lea to accept Counsel’s recommendation.

Seconded by Tonya Haynes

Adopted by Voice Vote

6. Case No.: 2023000161 – Funeral Establishment

Complainant alleged unprofessional conduct on behalf of Respondent. Specifically, Complainant stated that the decedent was confirmed to be buried on December 28, 2022 at 11:00 a.m. Complainant stated that Respondent had confirmed both the date and time, and again called to confirm the date and time on December 27, 2022 and informed the family that they should plan to arrive around 10:45 a.m. Complainant stated they arrived at approximately 10:38 a.m. and that Respondent had not arrived with the deceased. Complainant stated that at 10:45 a.m., Respondent had still not arrived. As a result, Complainant called Respondent and alleged that when speaking to the receptionist, the receptionist stated that the name of the deceased had been put on the schedule but had not assigned a time nor description of service. Complainant alleged that Respondent “scrambled” to try and secure a driver to bring the deceased to the cemetery. Complainant alleged that the driver “provided no guidance nor sympathy to the family, including upon their 30 minute delayed arrival.” Complainant alleged additionally that on the day of the wake, December 22, 2022 the incorrect name of the deceased was presented in the chapel, floral arrangements were not put out and only brought out upon request, and the guests/visitors signature book was only brought out upon request.

Respondent replied stating that the wake service for the decedent was scheduled for 3:00 p.m. to 5:00 p.m., and that Complainant had arrived prior to the scheduled time. Respondent stated that due to the earlier arrival, the monitors in the main chapel displayed the name of the previous decedent that had occupied the main chapel. Additionally, Respondent stated that they informed Complainant that they were still in the process of setting up the chapel and that it would be a few moments before the set up would be complete. Respondent stated that typically it was standard protocol to do flower arrangement and guest book set up prior to the decedent’s loved ones being present but that Complainant had arrived before it was completed. Next Respondent stated that on December 23, 2022, the anticipated date of the decedent’s services, the mayor declared a state of emergency after a severe winter storm caused single digit temperatures. Respondent stated that due to this storm, several decedents were rescheduled for the following week and that weather conditions caused delays on the date of the interment.

Complainant provided a rebuttal stating that on the day of the wake they had arrived at approximately 3:02 p.m. and that at that time the floral arrangements

were not at the casket until she brought it to the attention of the Respondent. Complainant further stated that there was no inclement weather occurrences on the date of the rescheduled date of the burial, December 28, 2022. Complainant alleged that any delays were caused by internal issues of Respondent establishment. Complainant further stated that the high temperature on the day of the rescheduled interment was 63 degrees and provided an AccuWeather link for the area and day of the interment which stated the temperature as a high of 63 degrees.

Recommendation:

- \$500.00 civil penalty. Authorize via Consent Order and formal hearing if necessary.

A motion was made by Pam Stephens for a \$1,000.00 civil penalty. Authorize via Consent Order and formal hearing if necessary.

Seconded by Christopher Lea

Adopted by Voice Vote

7. Case No.: 2022049661 – Funeral Establishment

Complainant alleged unprofessional conduct on behalf of Respondent. Specifically, Complainant alleged that Respondent was not responsive while shipping their loved one's remains back to a foreign county. Complainant stated that it was difficult to get in contact with Respondent during the process.

Respondent did not respond to the complaint.

Legal attempted to contact Complainant to receive an update regarding their complaint. However, the contact information Complainant provided was not complete (specifically, Complainant did not provide the entirety of their phone number). However, given that Respondent did not provide a response, Respondent has not refuted Complainant's allegations.

Based on the above, Legal would recommend a \$1,000.00 civil penalty for Respondent's lack of responsiveness regarding Complainant's matter, and a \$1,000.00 civil penalty to failing to respond to the complaint.

Recommendation:

- \$2,000.00 civil penalty authorize via Consent Order and formal hearing if necessary.

A motion was made by Christopher Lea to accept Counsel's recommendation.

Seconded by Tonya Haynes

Adopted by Voice Vote

8. Case No.: 2023000791 – Funeral Establishment

This complaint was administratively opened following a routine inspection on January 4, 2023. During the course of the inspection it was determined that an employee with Respondent establishment that was employed as a preneed sales agent had an expired preneed sales agent registration. Specifically, the employee's registration had expired on November 24, 2022, and had not been renewed at the time of the inspection. During the period the employee's expired registration, the employee had written four preneed funeral contracts. On each of these four contracts, Respondent was listed as the funeral establishment on the contracts.

The employee responded on behalf of Respondent apologizing for failing to renew their preneed sales agent registration stating it was an honest mistake and that as soon as it was pointed out to them, they began the process to renew their registration. The employee admitted that they sold the four preneed contracts but said they will make every effort in the future to ensure it does not happen again.

As the funeral establishment listed on the four contracts during the employee's unlicensed period, Respondent aided and abetted the unlicensed activity.

Note: A separate complaint has been opened against the employee with the Burial Services Section.

Recommendation:

- \$250.00 civil penalty. Authorize via Consent Order and formal hearing if necessary.

A motion was made by Christopher Lea to accept Counsel's recommendation.

Seconded by Pam Stephens

Adopted by Voice Vote

9. Case No.: 2023003771 – Funeral Establishment

This complaint was administratively opened following an inspection conducted on January 17, 2023. The investigator observed that the preparation room was in a “general state of disrepair.” The investigator found a wall with missing sheetrock that allowed outside moisture to enter the room. The investigator stated they also found mold in the preparation room and attached photographs. Additionally, the bathroom in the preparation room did not have access to water as the commode had water in the bowl but not in the tank. Likewise, the sink had no access to water.

Respondent replied stating that they were not aware of the mold in the prep-room until they saw it on the day of the inspection. Respondent said that it had never been like that in all the years prior and added that they had experienced lots of rain prior to the inspection. Respondent said that at the time of their response, the wall had been resealed with concrete, a paint sealant, and a laminated wall covering. Respondent further stated they were not aware of the water situation. Respondent stated they have since called both a professional to repair the issue and the city water department to fix whatever the issue may have been. Respondent added that this was not the only bathroom as the public has access to a separate bathroom and that these bathrooms are clean and well stocked.

Respondent provided photographs to show that the wall had been resealed and that future moisture should not be an issue.

Recommendation:

- \$500.00 civil penalty. Authorize via Consent Order and formal hearing if necessary.

A motion was made by Pam Stephens to accept Counsel’s recommendation.

Seconded by Tonya Haynes

Adopted by Voice Vote

REPRESENT(S)

10. Case Nos.: 2022046151 and 2022048691 – Funeral Director

These matters were presented to the Board at its February 14, 2023 meeting as follows:

SUMMARY: *Two complaints were opened against Respondent alleging identical claims. Complainants alleged that Respondent, while an acting manager of a cemetery, had taken funds without the cemetery owner's knowledge by writing himself unauthorized checks and failing to deposit full amounts of sales items.*

Respondent replied stating that in June of 2019 the owner and operator of the cemetery announced that they were retiring and asked Respondent to assist to assist in the day-to-day activities as she would be moving out of town. Respondent stated it was apparent that they were going to be the primary caretaker of the cemetery after months of handling the cemetery. Respondent stated that in the fall of 2019 after meeting with the owner, the owner indicated that the cemetery could start paying Respondent for their work with the cemetery. Respondent stated that the owner added Respondent to the checking account and was instructed by the owner to pay everything out of that account. Respondent contends that in July of 2022 Respondent, "found out there had been a misunderstanding in the amount of compensation between myself and the owner of the cemetery." After discussing with the owner, Respondent stated they withdrew themselves from the daily activities of the cemetery and that Respondent repaid the funds to the owner that had been taken out of the cemetery fund.

This case was sent for investigation. The investigator spoke first to the cemetery owner who confirmed that she had spoken with Respondent about assisting her with the day-to-day operations of the cemetery as she was retiring and moving away. The owner indicated that Respondent agreed and that no financial arrangements were made between her and Respondent regarding compensation for Respondent's work. The Owner stated they had some discussions with Respondent that financial compensation could be a possibility in the future, but no formal arrangements had ever been made. The owner added that Respondent's name was put on the bank account so that the Respondent could pay bills for the cemetery. The owner stated that while reviewing the bank statements for the cemetery in July of 2022, she discovered that Respondent had been writing himself checks out of the cemetery checking account. The owner stated that the checks Respondent wrote to himself were not authorized and that Respondent did not have permission to write himself checks out of the cemetery account. The owner stated that after reviewing the bank statements, it appeared that Respondent had taken somewhere between twenty-three thousand to thirty thousand dollars from the cemetery over roughly three years. The owner arranged a meeting with Respondent. During the meeting, the owner contends that Respondent apologized for taking the money, and that he wanted to make restitution for the money he had taken. On August 9, 2022 the owner met Respondent and an additional witness in the parking lot of the funeral home Respondent was employed at. The owner received the files related to the

cemetery that Respondent had in their possession and that Respondent issued a check to the owner for \$28,000.00 for the money that had been taken. The owner accepted this payment and took back control of the day-to-day operations of the cemetery.

Next, the investigator spoke to Respondent who reiterated much of what they had said in their response. Respondent again maintained that he and the owner had some discussion that the cemetery could begin paying him for his work with the cemetery, but again stated that no formal agreement or specific amount was ever discussed. Finally, the investigator attempted to contact both Complainants. However, the identifying information that was provided (name, email, address, etc.) all seemed to be incorrect as the locations the investigator attempted to visit were either not accessible or were not the homes of the Complainant(s), and the email addresses provided came back as an invalid email address.

RECOMMENDATION: Two-year license suspension (will specify that Respondent will not work for or be associated with any funeral home during this time) 10 hours of continuing education, 5 must be in person. 3 of 10 CE must be in ethics, and \$1,000.00 civil penalty plus costs of investigation. Authorize via Consent Order and formal hearing if necessary.

BOARD DECISION: CONDUCT FURTHER INVESTIGATION TO OBTAIN ADDITIONAL INFORMATION

UPDATE: As requested, the investigator followed up with the cemetery owner to try and obtain additional information regarding the informal agreement they had with Respondent.

First the investigator asked if the owner had had any type of formal or informal agreement regarding Respondent's payment for work completed at the cemetery. The owner replied that at no time they or the Respondent have any type of formal or informal arrangements concerning compensation. The owner did state that they had had a discussion with Respondent about Respondent obtaining the cemetery when the owner died or was ready to relinquish ownership of the cemetery, but again reiterated that no formal or informal arrangements were ever made. The owner further provided regarding the missing funds that Respondent did make a restitution, but that the repayment occurred only after the owner became aware of the missing money.

The owner shared that they had watched the February board meeting and had drafted a letter to address some of the questions that had come up. First and foremost, the Owner clarified that they were not one of the anonymous Complainants who filed the complaints. The owner stated that while there was no formal agreement in place, when this was brought to Respondent's attention the

money was “promptly returned and cemetery records were given back without any question or hesitation.” Additionally, the owner confirmed that they have a friendship with Respondent which led to the fairly informal arrangement, and that the owner had worked alongside the Respondent for several years prior to this event. Finally, the owner stated that, in their view, the wrong had been made right and that the Respondent no longer has access to the cemetery records or financials.

Prior to the motion to send this complaint back for further investigation, the Board had discussed a 6 month license suspension, 10 hours of continuing education, 5 of which must be in person, with 3 out of those 10 in ethics, and a \$1,000.00 penalty plus the costs of the investigation.

Recommendation:

- 6 month license suspension of funeral director license, 10 hours of continuing education, 5 of which must be in person, with 3 out of those 10 in ethics, and a \$1,000.00 penalty plus the costs of the investigation. financials.

A motion was made by Anthony Harris for one (1) year suspension of funeral director license, ten (10) hours of continuing education, five (5) of which must be in person, with three (3) out of the ten (10) in ethics, plus the cost of the investigation. Additionally, the Respondent will not work for or be associated with any funeral establishment during the license suspension period. Authorize via Consent Order and formal hearing if necessary.

Seconded by Pam Stephens

Adopted by Voice Vote

ADMINISTRATIVE MATTERS:
ROBERT B. GRIBBLE, EXECUTIVE DIRECTOR

LEGISLATIVE UPDATE:

HB0939/SB0934 – Funeral Directors and Embalmers

Reduces from 180 days to 90 days, the amount of time in which an operator of a crematory facility must wait from the date of cremation before interring, entombing, or inurning unclaimed cremated human remains.

HB0074/SB0255 – Education

Updates the terms “general education development credential,” “high school equivalency test,” and variations of the terms to “high school equivalency credential.”

HB1173/SB1197 – Insurance Companies, Agents, Brokers, Policies

Requires an insurer to provide the names of the beneficiaries of the decedent's life insurance policy, the benefit amount under the policy, and other information requested by a funeral director or funeral establishment that contacts the insurer on behalf of the decedent's family.

HB0242/SB0307 – Anatomical Gifts

Requires the individual that signs the death certificate of a decedent, or an agent of the individual, to ask whether the family or other appropriate person wants to make an anatomical gift of the decedent's body or part; prohibits a procurement organization from contacting the family or other appropriate person if the family or other appropriate person refused to make an anatomical gift of the decedent's body or part.

HB1094/SB1114 – Anatomical Gifts

Requires a procurement organization or such organization's designee, that contacts an individual following the death of the decedent for purposes of allowing the individual to make an anatomical gift to explain to the individual that the individual can designate the decedent's whole body or a part; the process of making an anatomical gift and the condition the decedent's body will be in after the completion of the process, and that the decedent's body may be in a condition that necessitates cremation of the remains.

HB0023/SB0027 – Open Meetings

Requires governing bodies to make agendas of meetings and supplemental meeting documents available to the public at least 48 hours prior to the meeting.

Website for Legislative Bill Searches:

<http://wapp.capitol.tn.gov/apps/billsearch/BillSearchAdvanced.aspx>

LICENSEE REPORT:

REPORT OF LICENSES ADMINISTRATIVELY APPROVED BY EXECUTIVE DIRECTOR PURSUANT TO BOARD AUTHORITY FOR THE PERIOD OF FEBRUARY 11, 2023 – MARCH 10, 2023

<u>Establishment(s)</u>	<u>Type of Action(s)/Change(s)</u>
Collierville Funeral Home Bailey Station Road Location Collierville, TN	Initial Establishment
The Cremation Company Nashville, TN	Initial Establishment
Brent Taylor Paul B. McCarver	Change of Ownership

Funeral Directors
Memphis, TN

Bruceton Funeral Home Bruceton, TN	Change of Ownership
Click Funeral Home & Cremations – Farragut Chapel Farragut, TN	Change of Ownership
Click Funeral Home & Cremations – Middlebrook Chapel Knoxville, TN	Change of Ownership
Coffee County Funeral Chapel Manchester, TN	Change of Ownership
Cremation and Funeral Services of Tennessee Pegram, TN	Change of Ownership
Gentry Griffey Funeral Chapel & Crematory Knoxville, TN	Change of Ownership
McGill Click Funerals & Cremations Loudon, TN	Change of Ownership
Maley-Yarbrough Funeral Home Covington, TN	Change of Ownership
Manchester Crematory Manchester, TN	Change of Ownership
Manchester Funeral Home Manchester, TN	Change of Ownership
Memorial Funeral Chapel Elizabethton, TN	Change of Ownership
Munford Funeral Home – Millington Chapel Millington, TN	Change of Ownership
Munford Funeral Home – Munford Chapel Munford, TN	Change of Ownership
Shackelford Funeral Directors Adamsville, TN	Change of Ownership

Shackelford Funeral Directors Bolivar, TN	Change of Ownership
Shackelford Funeral Directors Collinwood, TN	Change of Ownership
Shackelford Funeral Directors Crook Avenue Location Henderson, TN	Change of Ownership
Shackelford Funeral Directors East Main Street Location Henderson, TN	Change of Ownership
Shackelford Funeral Directors Middleton, TN	Change of Ownership
Shackelford Funeral Directors Savannah, TN	Change of Ownership
Shackelford Funeral Directors Selmer, TN	Change of Ownership
Shackelford Funeral Directors Waynesboro, TN	Change of Ownership
Tullahoma Funeral Home Tullahoma, TN	Change of Ownership
Higgins Funeral Home of Benton Benton, TN	Changes of Name & Ownership
Jasper Memorial Funeral Home Jasper, TN	Changes of Name & Ownership
Lawrence Funeral Home and Cremation Services Chapel Hill, TN	Changes of Name & Ownership
Shackelford Cremation Services Selmer, TN	Changes of Name & Ownership

Individuals)

Leah Nicole Hale
Bowling Green, KY

Type of License(s)

Funeral Director and Embalmer

Donovan Damontez Jackson Greenwood, MS	Funeral Director and Embalmer
Ricky Lynn McNeese, Jr. Mount Juliet, TN	Funeral Director and Embalmer
Samantha Jayde Sissom Shelbyville, TN	Funeral Director and Embalmer
Paulette Pembroke Byas Cordova, TN	Funeral Director and Embalmer Reciprocity – Mississippi
Travis M. Hartzell Lenoir City, TN	Funeral Director and Embalmer Reciprocity – Washington & Utah
Paul Robert Baldy Whitesburg, TN	Funeral Director
Tyler Austin Dial Smyrna, TN	Funeral Director
Jalysia Ardelle Thompson-Kimbrough Memphis, TN	Funeral Director
Mallorye Moore Pegueros Batesville, MS	Funeral Director Reciprocity – Mississippi

CLOSED ESTABLISHMENT REPORT:

There are no closed establishments to report.

DISCIPLINARY ACTION REPORT:

These are Consent Orders that have been administratively accepted / approved by the Executive Director pursuant to Board authority and as reported on the January 2023 Regulatory Board Disciplinary Action Report

Respondent: Charles D. Carter, Dickson, TN
Violation: Performed embalming with an expired embalmer license
Action: \$250 Civil Penalty

Respondent: R. A. Clark Funeral Service, Inc., Bristol, TN
Violation: Permitted an individual to serve as the manager of the funeral establishment with an expired funeral director license
Action: \$250 Civil Penalty

Respondent: Ralph Buckner Funeral Home & Crematory, Cleveland, TN
Violation: Failed to treat members of the public in a respectful manner and engaged in deceptive acts or practices as defined in the Funeral Rule (failure to provide a General Price List at the time of making funeral arrangements and failure to provide a copy of the executed Statement of Funeral Goods and Services Selected contract)
Action: \$3,500 Civil Penalty

Respondent: Taylor Funeral Home, Inc., Dickson, TN
Violation: Permitted an individual to provide embalming with an expired embalmer license
Action: \$250 Civil Penalty

OPEN COMPLAINT REPORT:

As of March 14, 2023, there were 30 open complaints.

A motion was made by Christopher Lea to accept the Executive Director's Report.

Seconded by Tonya Haynes

Adopted by Voice Vote

ADJOURN:

A motion was made by Pamela Stephens to adjourn.

Seconded by Christopher Lea

Adopted by Voice Vote

The meeting was adjourned by President Anthony Harris at 11:24 a.m.

Respectfully submitted,

Robert B. Gribble

Robert B. Gribble, CPM, CFSP
Executive Director