

Louisiana State Board of Embalmers And Funeral Directors

Minutes of the Meeting

For
April 13, 2021

Board Members present:

Rodney McFarland , President
Willie P. Davis, Jr. , Secretary
Duplain W. Rhodes, III, Vice President
Terry Luneau , Treasurer
Lonnelle Aquillard
S. J. Brasseaux
Maurice Southall
Shelton R. Dixon, Consumer Representative

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 Penouilh, Administrative Coordinator, IV, Jude Daigle, Inspector, Christopher Lento, General Counsel and Chanel R. Debose, Prosecuting Attorney. Edward Muhleisen was not present at today's meeting.

Meeting of the Board via Zoom

NO PUBLIC ATTENDANCE ALLOWED

Register in advance for this meeting:

<https://zoom.us/meeting/register/tJcucuCrrj4uE9yAh8yZ-6kxCpqbHI8Aapsq>

PUBLIC COMMENTS:

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

PRESENTATIONS:

There were no presentations for today's meeting.

COMPLIANCE, HEARING and/or ADMISSION AND CONSENT

By a second subpoena request, Andrew Stevenson of Golden Meadows Funeral Home, St. Martinville was present to address the Board with regard to his non responses to the Executive Director and by a previous subpoena to appear before the board.

Motion was made by Ms. Aquillard, seconded by Mr. Dixon, and unanimously passed that the Board move into Executive Session at 9:40 AM for discussion of the issue involving Andrew Stevenson and Golden Meadows Funeral Home, St. Martinville.

Motion was made by Mr. Davis, seconded by Mr. Southall and unanimously passed that the Board move out of Executive Session at 10:15 AM.

FINDINGS OF FACT and DECISIONS of the BOARD

This matter came before the Louisiana State Board of Embalmers and Funeral Directors on April 13, 2021 for a ruling on request issued ordering that: 1. Andrew Stevenson and the entity operating as Golden Meadows Funeral Home in St. Martinville, Louisiana to show cause why he and his firm did not file a timely answer to a complaint filed under complaint number 19.20.28; and 2. Andrew Stevenson and the entity operating as Golden Meadows Funeral Home in St. Martinville, Louisiana to show cause why he and his firm did not appear before the Board on March 9, 2021 pursuant to the subpoena issued on February 3, 2021.

Present:

CHANEL R. DEBOSE, Prosecuting Attorney, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors, not acting in her capacity as Prosecuting Attorney.

CHRIS LENTO, General Counsel, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors, via Zoom.

KIM MICHEL, Executive Director, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors.

ANDREW STEVENSON appearing on behalf of himself and the entity operating as **GOLDEN MEADOWS FUNERAL HOME**.

After considering the law, the evidence, entire record of these proceedings, and the testimony submitted by the parties for a ruling on the Subpoenas issued ordering ANDREW STEVENSON and the entity operating as GOLDEN MEADOWS FUNERAL HOME, who appeared before the Board to be a part of the proceedings held on April 13, 2021, the Louisiana Board of Embalmers and Funeral Directors rule as follows:

FINDINGS OF FACT

That ANDREW STEVENSON is a licensed funeral director and embalmer, (#E-2139) and a licensed funeral establishment manager, owner and the designated agent for the entity known as GOLDEN MEADOWS FUNERAL HOME, (#2301), St. Martinville, Louisiana, and, therefore, subject to the jurisdiction of this Board: that evidence contained within the record of these proceedings, and the statements offered reflect that Andrew Stevenson and the entity operating as Golden Meadows Funeral Home failed to show good cause why they did not file a timely answer to complaint number 19.20.28, and Andrew Stevenson and the entity operating as Golden Meadows Funeral Home failed to show good cause why they did not appear before the Board on March 9, 2021 pursuant to the subpoena issued on February 3, 2021, which was issued under penalty of law, including, but not limited to, license suspension. Andrew Stevenson and the entity operating as Golden Meadows Funeral Home received notice that it was their privilege to be represented by counsel. Andrew Stevenson and the entity operating as Golden Meadows Funeral Home received subpoenas that referred to the subpoena powers granted to the Board under LA R.S. 37:840 A. (4), as well as LA R.S. 37:847).

CONCLUSIONS

As to **Andrew Stevenson and the entity operating as Golden Meadows Funeral Home**, the Board members found that Andrew Stevenson and the entity operating as Golden Meadows Funeral Home failed to show good cause why they did not file a timely answer to complaint number 19.20.28, and Andrew Stevenson and the

entity operating as Golden Meadows Funeral Home failed to show good cause why they did not appear before the Board on March 9, 2021 pursuant to the subpoena issued on February 3, 2021.

DECISION OF THE BOARD

Accordingly, for the reasons as stated and noted herein above;

IT IS ORDERED BY THE BOARD that Andrew Stevenson, manager, owner, and operator of the entity operating as Golden Meadows Funeral Home, funeral director and embalmer license, (#E2139) is suspended for thirty (30) days beginning April 19, 2021. The thirty (30) day suspension will expire on May 18, 2021.

IT IS FURTHER ORDERED BY THE BOARD that Andrew Stevenson, manager, owner and operator of the entity operating as Golden Meadows Funeral Home shall notify the Board of the name and license number of the manager who will be managing his firm during the thirty (30) days that his funeral director and embalmer license is under suspension.

IT IS FURTHER ORDERED BY THE BOARD that Jude Daigle, Inspector for and on behalf of the Louisiana State Board of Embalmers and Directors, is hereby ordered to perform periodic inspections on the entity operating as Golden Meadows Funeral Home to inspect and to verify that Andrew Stevenson and the entity operating as Golden Meadows Funeral Home is complying with the orders of the Board during the time of the suspension.

IT IS FURTHER ORDERED BY THE BOARD that if Andrew Stevenson, manager, owner and operator of the entity operating as Golden Meadows Funeral Home fails to comply with the orders of the Board, then Andrew Stevenson and the entity operating as Golden Meadows Funeral Home will be required to appear before the Board for further sanctions in accordance with the law.

A Resolution was presented to the board members with regard to continuing the update and process for the Complaint Review Committee:

Resolution of the Louisiana State Board of Embalmers

BE IT KNOWN, that during the meeting of the Louisiana State Board of Embalmers and Funeral Directors, Metairie, Louisiana, was held on the 13th day of April, 2021, at 9:00 o'clock a.m. a quorum being present, the following resolution was introduced by Ms. Aquillard and seconded by Mr. Southall, to wit:

WHEREAS, The Louisiana State Board of Embalmers and Funeral Directors authorize the Complaint Review Committee, which consists of the current President of the Board, Prosecuting Attorney for the Board and the Executive Director of the Board, to allow the Complaint Review Committee to process complaints and to perform investigative procedures as necessary, all of which shall remain unidentified and unspecified throughout the absolute process of the complaint investigation;

WHEREAS, The Louisiana State Board of Embalmers and Funeral Directors may include additional investigative procedures of complaints by permitting informal conferences of all parties involved to further determine the necessity of a formal hearing to be scheduled before the entire members of the board;

WHEREAS, The Louisiana State Board of Embalmers and Funeral Directors shall allow legal counsel to be present during an informal hearing with said parties and to include a transcription of the proceedings on record for the purpose of complaint rationality;

WHEREAS, this board is of the belief that by allowing this additional procedure within the Complaint Review Committee and the complaint process, the Board will be providing an extra step to the complaint process for improved transparency and to provide enhanced management for the complaints.

NOW THEREFORE, BE IT RESOLVED, that the Louisiana State Board of Embalmers and Funeral Directors, Metairie, hereby authorizes the Complaint Review Committee to begin implementing, as necessary, to the complaint investigative process, informal conferences.

BE IT FURTHER RESOLVED, that The Louisiana State Board of Embalmers and Funeral Directors agree to the addition of informal conferences of the Complaint Review Committee if the committee deems it necessary.

The above and foregoing resolution was adopted by the Louisiana State Board of Embalmers and Funeral Directors of Metairie at its meeting on the 13th day of April at 9:00 o'clock a.m.

YEAS: 7

NAYS: 0

Absent: 1

A Resolution was presented to the board members with regard to an inquiry for an Attorney General's Opinion, a letter has been drafted for the request and this resolution is required to accompany same;

Resolution of the Louisiana State Board of Embalmers

BE IT KNOWN, that during the meeting of the Louisiana State Board of Embalmers and Funeral Directors, Metairie, Louisiana, was held on the 13th day of April, 2021, at 9:00 o'clock a.m. a quorum being present, the following resolution was introduced by Mr. Brasseaux and seconded by Mr. Rhodes, to wit:

WHEREAS, The Louisiana State Board of Embalmers and Funeral Directors would like to request an Attorney General Opinion regarding the implementation of an online portal for the purposes of administering licensee applications, renewals and maintenance, including the submission of required documents for applications, renewals, continuing education, inspections, investigations and various other related tasks,

WHEREAS, The Board is currently utilizing the older, paper-based method for applications and renewals, file maintenance and inspections, resulting in a significant waste of time and money because of the inherent inefficiency of this outdated process,

WHEREAS, the Board wishes to avoid inefficiency and waste, and in order to streamline the process of recordkeeping and the submission of required licensure documents, the Board wishes to provide an online portal so that licensees will be served in an efficient manner during the application, renewal or maintenance of their licenses,

WHEREAS, The Attorney General's Office requires an official resolution from a state board to request an opinion;

NOW THEREFORE, BE IT RESOLVED, that the Louisiana State Board of Embalmers and Funeral Directors, Metairie, hereby requests an Opinion from Louisiana Attorney General Jeff Landry, concerning the implementation of an online portal provided by the LSBEFD for the submission of documents relating to the application, renewal or maintenance of Board issued licenses.

BE IT FURTHER RESOLVED that the President of this Board is hereby authorized to officially submit a request for an Attorney General Opinion on this matter.

The above and foregoing resolution was adopted by the Louisiana State Board of Embalmers and Funeral Directors of Metairie at its meeting on the 13th day of April 2021 at 9:00 o'clock a.m.

YEAS: __7__

NAYS: __0__

Absent: __1__

A discussion ensued with regard to LA R.S. 37:842. H., Every license issued hereunder shall be signed by the president and secretary of the board, and bear the imprint of the board's seal. The board shall register each license holder as being duly licensed for the purpose covered by such license.

Mr. McFarland brought this to the attention of Ms. Michel and that funeral establishments and crematory authority licenses are not signed by the president, only the secretary.

Ms. Michel stated that, as has been done in the past which has continued with a repeat of the process, there was never an initial license issued to funeral establishments and crematories and that only a license with an expiration date for renewal has always been issued.

Ms. Michel stated that an initial license can be created for establishments and crematories and bear the signatures of the President as well as the Secretary.

Ms. Michel presented her report; noting that Certemy is progressing with moving forward for the website implementation and that the "live" date should be soon.

Ms. Michel presented the Board with the Conference report for exam statistics as well as licensing report for new licenses, reinstatements and interns registered.

License & Registry Update

Updated on 4/9/2021 from March 2021 meeting

Funeral Establishments - new issue

Establishment Ownership/Location/Name Change

Crematory Establishment - new issue**Embalmer and Funeral Director License - new issue**

Thomas Cassaniti	E-2918	-	-	-
Stacie Ralph	E-2919	-	-	-

Funeral Director License - new issue

Robert Lawson, II	U-1726	
Paige Aymond	U-1727	

Retort Operator License - new issue

Brian Carroll	378	Steve Stroud	381
Thomas Vercher	379	James Rogers	382
Michael Murphy	380	Mallory Nugent	383

Internships Registered

Lillian Jackson	0520	Dennis Kazmierczak	0526
Trystan Kostecky	0521	Ansonia Jackson	0527
Ashley Cunningham	0522	Alores Combs	0528
Miranda Lambert	0523		
Velma Wright	0524		
Krisner Sumbler	0525		

Mr. Daigle presented his inspector's report as; 81, 250 miles is the total mileage on the 2017 Ford Fusion. Since the beginning of 2021 a total of 165 inspections have been done so far this year. 64 Inspections since the last meeting. This represents the total number of inspections since the beginning of 2021.

Motion was made by Mr. Southall, seconded by Mr. Davis and unanimously passed that the Executive Director's report as well as the Inspector's report as presented be accepted.

The minutes of January 12, 2021 and March 9, 2021 were presented for review and approval.

Motion was made by Mr. Dixon and seconded by Ms. Aquillard and unanimously passed that the minutes be accepted as presented.

The financial report and budget for FY 20/21 was presented for review and consideration.

Motion was made by Mr. Southall, seconded by Mr. Dixon and unanimously passed that the financial report be accepted as presented.

The Complaint Review Committee's report was presented to the Board by Ms. Chanel 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 remains anonymous while a complaint is pending further investigation and/or until such time as the complaint file has been closed.

Motion was made by Mr. Brasseaux, seconded by Mr. Luneau and unanimously passed that the complaint report be accepted as presented.

NEW BUSINESS

There being no further business, the meeting was concluded at 11:00 AM.



Willie Davis, Jr., Secretary



Rodney McFarland, Sr., President

