

# Louisiana State Board of Embalmers And Funeral Directors

## Minutes of the Meeting

For  
July 20, 2021

### Board Members present:

Rodney McFarland , President  
Willie P. Davis, Jr. , Secretary  
Duplain W. Rhodes, III, Vice President  
Terry Luneau , Treasurer  
Maurice Southall  
S.J. Brasseaux  
Stephen Boudreaux

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. Mr. Dixon and Mr. McKneely were not present at today's meeting.

Meeting of the Board via Zoom - NO PUBLIC ATTENDANCE ALLOWED AT THIS TIME DUE TO THE PANDEMIC

Welcome to new board member, Stephen Boudreaux. On July 5, 2021, Governor Edwards appointed Mr. Boudreaux, E-2371, to represent District C. Mr. Boudreaux is affiliated with the Legacy Funeral Group of Louisiana.

### PUBLIC COMMENTS:

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

### COMPLIANCE, HEARING and/or ADMISSION AND CONSENT

Formal Hearing, "In the Matter of Andrew Stevenson, Golden Meadows Funeral Home, St. Martinville", convened at 10:00 AM.

Formal Hearing, "In the Matter of Andrew Stevenson, Golden Meadows Funeral Home, St. Martinville", concluded at 12:00 PM.

This matter was tabled for discussion during the Executive Session for today's meeting

A license application was presented to the board for review regarding a notation listed upon the submission.

This matter was tabled for discussion during the Executive Session for today's meeting.

Attorney General Opinion 21-0052 was presented to the board members for review. The opinion letter, which addresses the board's online renewal and record keeping is attached to these minutes. The opinion will also be placed upon the board's website.

A letter received from the East Baton Rouge Parish Coroner's office was presented to the board members. The letter stated that Arthur Johnson, of Rollins Funeral Home, Woodville, MS, removed a decedent from the home on June 28, 2021, without contacting the East Baton Rouge Parish Coroner's office or contacting a LA licensed funeral home. East Baton Rouge Parish Coroner's office contacted this board to inform that since the EBRPC office is refusing to assist with the issue, the funeral home is contacting LA licensed funeral homes for assistance with the filing of the death certificate. The EBRPC office's letter is attached to these minutes.

Motion was made by Mr. Brasseaux, seconded by Mr. Southall and unanimously passed that Ms. Michel contact the Mississippi State Board of Funeral Service to file a complaint and inform them of the letter from the EBRPCO letter to Rollins Funeral Home.

The Laws and Rules Committee held their meeting on Friday, July 9, 2021 via zoom. Mr. Brasseaux, the current Chair of the committee, noted that he reviewed the rules and made notations by the rules that need to be addressed. It was the general consensus that the rule chapters that need further change discussions are Chapter 7, Chapter 11, Chapter 19, Chapter 20, and Chapter 23.

Ms. Michel advised the board that the current contract for Ms. Debose, Prosecuting Attorney, will expire on January 20, 2022 and the board was presented with a new contract for new terms to review.

Motion was made by Mr. Southall, seconded by Mr. Luneau and unanimously passed that the contract for Ms. Debose, as presented be accepted for Prosecuting Attorney services.

Ms. Michel presented her report, referencing the attached Conference quarterly report and presented the Board with a current license and registry update.

Ms. Michel advised the board that in keeping with the rules and protocols of the Dept of Civil Service for classified staff, a three percent salary increase was also granted to the unclassified staff.

Ms. Michel also advised the board that in reviewing the financial summary and budget figures, she noted that the current lease will expire in February 2024, and although there was still some time to the lease, she would review other location options in order to reduce the lease payments that are currently, Two Thousand Six Hundred Eighty Five Dollars (\$2,685.00) per month. Ms. Michel advised that the regulations state that the office may establish its office in the metropolitan New Orleans area. Ms. Michel stated that since the pandemic, office real estate should not be a problem due to the fact that most businesses are now working remotely with their employees. Ms. Michel noted that the current suite utilizes approximately 1600+ square feet and that the board could possibly look for a larger space in order to accommodate attendants at open meetings more comfortably in the future at a lower rate. Once Ms. Michel has had the opportunity to gather more information and location options, it will be presented to the board for further review.

# License & Registry Update

Updated on 7/14/2021

## Funeral Establishments - new issue

Colligan Crematory & Funeral Service 2964

## Establishment Ownership/Location/Name Change

## Crematory Establishment - new issue

Colligan Crematory & Funeral Service 53

## Embalmer and Funeral Director License - new issue

Harriet Harmon	E-2921	-	-	-
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## Funeral Director License - new issue

Terese Cooper	U-1730
Hall Davis V	U-1731

## Retort Operator License - new issue

Stanley Levier	390	Justin Pope	394
Darnell Prejean	391	Mark Hutson	395
Amanda Robeau	392	David Montana	396
Aaron Foreman	393		

## Internships Registered

Skye Taylor	0544	Celsea Self	0548
Raven Jackson	0555	Peyton Young	0549
Jimmy Taylor	0546	Kendra Mazyck	0550
Jennifer Sanders	0547		

Mr. Daigle presented his inspector's report as; 88,300 MILES IS THE TOTAL MILEAGE ON THE 2017 FORD FUSION AS OF TODAY ON MEETING DAY; Since the beginning of 2021 a total of 350 inspections have been done so far this year; 60 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. Luneau and unanimously passed that the Executive Director's report and the Inspector's report be accepted as presented.

The minutes of June 22, 2021 were presented for review and approval.

Motion was made by Mr. Luneau and seconded by Mr. Brasseaux 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. Luneau, seconded by Mr. Brasseaux 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 remains anonymous while a complaint is pending further investigation and/or until such time as the complaint file has been closed.

One complaint presented was recommended for a formal hearing.

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

Motion was made by Mr. Brasseaux, seconded by Mr. Southall and unanimously passed that the board move into Executive Session at 12:15 PM for the following;

- Discussion with regard to the formal hearing;
- Discussion with regard to the license application review that was presented;

Motion was made by Mr. Davis, seconded by Mr. Luneau and unanimously passed that the board move out of Executive Session at 1:15 PM.

Motion was made by Mr. Southall, seconded by Mr. Davis and unanimously passed that the license application presented, be accepted and approved.

Motion was made by Mr. Brasseaux, seconded by Mr. Rhodes and passed by a unanimous vote of the six board members present; absent were Mr. McKneely and Mr. Dixon, that Mr. Stevenson and Golden Meadows Funeral Home, St. Martinville be found guilty of violating the following statutes: LA. R.S. 37:846 (A) (14) and fined the sum of Five Hundred Dollars (\$500.00); Five-Hundred (\$500.00) dollars of the fine is suspended for of LA. R.S. 37:846 (A) (14) as it relates to LA. R.S. 40:52 (Burial Transit Permits); that he be found guilty of violating LA. R.S. 37:855 (A), and LA. R.S. 37:846 (A) (5) and fined the sum of Twenty Five Hundred Dollars (\$2,500.00); Two-Thousand (\$2,000.00) dollars of the fine is suspended for the violation of LA R.S. 37:846 (A) (5), (Unprofessional Conduct); and that he reimburse the board for attorney's fees and court reporter for the today's hearing.

#### **FINDINGS OF FACT and DECISIONS of the BOARD**

This matter came before the Louisiana State Board of Embalmers and Funeral Directors for hearing on July 20, 2021.

Present:

**CHANEL R. DEBOSE**, Prosecuting Attorney, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors.

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

**JOHN W. BECKNELL, III**, Hearing Officer, for and on behalf of the Louisiana State Board of Embalmers and Funeral Directors.

**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, the testimony of the parties, and the entire record of these proceedings, and made part of the record before the Board on July 20, 2021. The Board of Embalmers and Funeral Directors rules as follows:

#### **FINDINGS OF FACT**

That **ANDREW STEVENSON** is a licensed funeral director and embalmer, (#E-2139) and a licensed funeral establishment manager 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, together with the testimony of the witnesses made within the presentation, reflects that the Board was unable to conclude that Andrew Stevenson and Golden Meadows Funeral Home, Inc. was guilty of violating the following statutes: LA. R.S. 37:846 (A) (14) for violating Louisiana Revised Statute 40:47 as it relates to death certificates by failing to timely file a death certificate with the State Registrar within five days after the death or prior to the burial of Leonard Francois, Sr.; LA. R.S. 37:855 (A), as it relates to Louisiana Revised Statute 8:655, for failing to allow Mary G. Francois, the next of kin, the right to arrange her late husband's funeral goods and services with the firm by taking it upon themselves to select and arrange the funeral goods and services for the late Leonard Francois, Sr. without inquiring about prices and without approving prices with the family; and LA. R.S. 37:846 (A) (5) for engaging in unprofessional, unethical, or dishonest conduct by filling out and presenting an insurance assignment contract to Mrs. Mary G. Francois in bad faith prior to being presented with any insurance policy information and details and without approving the total price with Mrs. Mary G. Francois;

That evidence contained within the record of these proceedings, together with the testimony of the witnesses made within the presentation, reflects that the Board was able to conclude that Andrew Stevenson and Golden Meadows Funeral Home, Inc. is guilty of violating the following statutes: LA. R.S. 37:846 (A) (14) for violating Louisiana Revised Statute 40:52 as it relates to burial transit permits by burying the deceased, Leonard Francois, Sr. without a Burial Transit Permit as provided and required by Louisiana Revised Statute 40:52; and LA. R.S. 37:846 (A) (5) for engaging in unprofessional conduct by failing to present the Statement of Funeral Goods and Services Selected Contract to Mrs. Mary G. Francois for approval and signing during the process of making funeral arrangements for her deceased husband, Leonard Francois, Sr.

#### **CONCLUSIONS**

As to **Andrew Stevenson and the entity operating as Golden Meadows Funeral Home, Inc.**, the Board members found that Andrew Stevenson and the entity operating as Golden Meadows Funeral Home, Inc. violated LA. R.S. 37:846 (A) (14) for violating Louisiana Revised Statute 40:52 as it relates to burial transit permits by burying the deceased, Leonard Francois, Sr. without a Burial Transit Permit. The Board found the afore-referenced parties guilty based upon the documentation entered into evidence and the testimony provided by Andrew Stevenson. The Board noted that the death certificate introduced into evidence showed a date of issue for the burial transit permit of June 3, 2020, which was after the date of the funeral of March 20, 2020. Furthermore, Mr. Andrew Stevenson admitted multiple times during the hearing that he did not obtain the burial transit permit before burying the deceased, Leonard Francois, Sr.

As to **Andrew Stevenson and the entity operating as Golden Meadows Funeral Home, Inc.**, the Board members found that Andrew Stevenson and the entity operating as Golden Meadows Funeral Home, Inc. violated LA. R.S. 37:846 (A) (5)

for engaging in unprofessional conduct by failing to present the Statement of Funeral Goods and Services Selected Contract to Mrs. Mary G. Francois for approval and signing during the process of making funeral arrangements for her deceased husband, Leonard Francois, Sr. The Board found the afore-referenced parties guilty based upon the documentation entered into evidence and the testimony provided by Andrew Stevenson. The Board noted that the Statement of Funeral Goods and Services admitted into evidence did not contain Mrs. Mary G. Francois' signature. Additionally, Mr. Andrew Stevenson testified that he never obtained the signature of Mary G. Francois on the Statement of Funeral Goods and Services.

#### **DECISION OF THE BOARD**

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

**IT IS ORDERED BY THE BOARD** that Andrew Stevenson, manager, and designated agent of the entity operating as Golden Meadows Funeral Home and the entity operating as Golden Meadows Funeral Home, Inc. are hereby found guilty of violating the provisions of LA. R.S. 37:846 (A) (14) as it relates to LA. R.S. 40:52 (Burial Transit Permits) and LA. R.S. 37:846 (A) (5) (Unprofessional Conduct).

**IT IS FURTHER ORDERED BY THE BOARD** that pursuant to LA. R.S. 37:850, the penalty statute applicable to these violations, which states: Whoever violates the provisions of this Part shall be fined not less than five hundred dollars, nor more than two-thousand, five-hundred dollars, and costs of the court reporter and attorney for the board for each offense, or by imprisonment for not less than thirty days, nor more than one-hundred eighty days for each offense, or both such fine and imprisonment, Golden Meadows Funeral Home, Inc. and its representative, Andrew Stevenson, are fined the sum of Five-Hundred (\$500.00) dollars. Five-Hundred (\$500.00) dollars of the fine is suspended for the above cited violation of LA. R.S. 37:846 (A) (14) as it relates to LA. R.S. 40:52 (Burial Transit Permits).

**IT IS FURTHER ORDERED BY THE BOARD** that pursuant to LA. R.S. 37:850, the penalty statute applicable to these violations, which states: Whoever violates the provisions of this Part shall be fined not less than five hundred dollars, nor more than two-thousand, five-hundred dollars, and costs of the court reporter and attorney for the board for each offense, or by imprisonment for not less than thirty days, nor more than one-hundred eighty days for each offense, or both such fine and imprisonment, Golden Meadows Funeral Home, Inc. and its representative, Andrew Stevenson, are fined the sum of Two-Thousand, Five-Hundred (\$2,500.00) dollars. Two-Thousand (\$2,000.00) dollars of the fine is suspended for the above cited violation of LA R.S. 37:846 (A) (5), (Unprofessional Conduct).

**IT IS FURTHER ORDERED BY THE BOARD** that Golden Meadows Funeral Home, Inc. and its representative, Andrew Stevenson, are to pay the sum of One-Thousand, Two-Hundred Forty-Seven (\$1,247.00) Dollars for the court reporter's fees incurred by the Board for the handling of this matter on July 20, 2021, the date of the Hearing.

**IT IS FURTHER ORDERED BY THE BOARD** that Golden Meadows Funeral Home, Inc. and its representative, Andrew Stevenson, are to pay the sum of Ten-Thousand, Two-Hundred, Eight Six Dollars, and Twenty-Five Cents (\$10,286.25) for the prosecuting attorney's fees incurred by the Board for the handling of this matter from the date the matter was accepted by the Board through July 20, 2021, the date of the Hearing.

**IT IS FURTHER ORDERED BY THE BOARD** that Golden Meadows Funeral Home, Inc. and its representative, Andrew Stevenson, are to pay the sum of One-Thousand, Fifty (\$1,050.00) Dollars for the hearing officer's fees incurred by the Board for the handling of this matter on July 20, 2021, the date of the Hearing.

**IT IS FURTHER ORDERED BY THE BOARD** that Golden Meadows Funeral Home, Inc. and its representative, Andrew Stevenson, are to pay the sum of Six-Hundred, Forty-Seven Dollars and Fifty Cents (\$647.50) for the general counsel's fees incurred by the Board for the handling of this matter on July 20, 2021, the date of the Hearing.

**IT IS FURTHER ORDERED BY THE BOARD** that the total assessed cost to Golden Meadows Funeral Home, Inc. and Andrew Stevenson is Thirteen-Thousand, Seven-Hundred, Thirty Dollars, and Seventy-Five Cents (\$13,730.75) in fines and fees owed to the Board for the above cited violations. The above assessed fines, court reporter's fees, hearing officer's fees, and attorney's fees are to be paid by Golden Meadows Funeral Home, Inc. and/or its representative, Andrew Stevenson, within thirty (30) days of receipt of this decision.

**IT IS FURTHER ORDERED BY THE BOARD** that should the costs not be received by the Board within thirty (30) days of the notification of costs due, then the license of the establishment operating as Golden Meadows Funeral Home, Inc., St. Martinville, Louisiana shall be suspended until such time as all costs are paid.

**NEW BUSINESS**

Ms. Michel presented the board with an inquiry as to the necessity for the wall license certificates of trade and/or contract personnel licensed to practice be placed in the businesses for display.

After some discussion from the board, it was determined that this practice was not necessary as it had not been required previously.

The next meeting of the board will be on August 10, 2021.

There being no further business, the meeting was concluded.



*Willie Davis, Jr.*

Willie Davis, Jr., Secretary



*Rodney McFarland, Sr.*

Rodney McFarland, Sr., President

