

TENNESSEE BOARD OF FUNERAL DIRECTORS AND EMBALMERS

MINUTES OF BOARD MEETING

NOVEMBER 8, 2022

President Charles Rahm called the meeting to order at 10:00 a.m. The meeting was conducted in Conference Room 1-B, Davy Crockett Tower, Nashville, Tennessee.

Board members physically present: Charles Rahm, President; Anthony Harris, Vice President; Fred Berry, Tonya Scales Haynes, Christopher Lea, Scottie Poarch, and Pamela Stephens

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 Anthony Harris to approve the agenda as published.

Seconded by Fred Berry

Adopted by Voice Vote

APPROVAL OF MINUTES:

A motion was made by Anthony Harris to approve the Minutes of the September 13, 2022, Board Meeting.

Seconded by Fred Berry

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.: 2022032681 – Funeral Establishment

During the course of a routine establishment inspection, the inspector discovered that the establishment's preneed seller registration had expired on April 30, 2022 and had not been renewed as of August 1, 2022. The website of the establishment indicated that the establishment offered pre-planning and pre-paying funeral arrangements. After reviewing the files from May 1, 2022 through August 1, 2022 (the period when the registration had expired), the inspector found no evidence to show that any preneed funeral contracts had been written during that time. The following day, the inspector had a conversation with the establishment's manager who confirmed that no preneed contracts had been written during that time.

A preneed complaint in Burial Services had also been opened regarding this matter. Respondent ultimately signed the Consent Order for the preneed complaint and paid the assessed civil penalty. As of August 16, 2022, respondent has re-registered their preneed seller registration.

Recommendation:

- Letter of Warning

A motion was made by Fred Berry to accept Counsel's recommendation.

Seconded by Pam Stephens

Adopted by Voice Vote

2. Case No.: 2022035681 – Funeral Establishment

Complainant filed a complaint alleging unprofessional conduct. Specifically, Complainant stated that they received a bill from the Respondent for non-payment of \$900.00. Complainant stated that they would not pay for the "negligence" of the Respondent as they used the wrong burial site. Complainant claimed that they told Respondent that they wished to use a particular cemetery, but instead Respondent had opened the burial site at a different cemetery. Complainant contends that Respondent is now asking for them to pay for the incorrect opening at the first gravesite.

Respondent replied refuting the facts as Complainant had described them. Respondent stated that the family selected the first cemetery and that all the appropriate paperwork had been drafted consistent with that request. Respondent also stated that the Complainant's family signed the bill and sent additional funding to cover the cemetery at the first cemetery. Respondent denies that they ever requested the second cemetery and did not advise of any change in their selection. Respondent further stated that various documents including vital statistics, death certificate, newspaper announcement, funeral home information, and funeral contract all denoted the first cemetery. Respondent stated that each document that was prepared that included the first cemetery was given to the Complainant family for review, in each instance it was approved and signed off on. Respondent stated that only during the procession did some member of the family realize the mistake and wanted the deceased to be buried at the second cemetery. Respondent then returned to the funeral home to make arrangements for the request of the new cemetery. Respondent provided documents to show where the contract initially stated the first cemetery, and updated documents where the first cemetery was marked out and replaced with the new cemetery per the wishes of the family. Respondent stated the additional charge for opening and closing at the new cemetery was \$1,800.00, and as a matter of courtesy, the Respondent only asked for \$900.00. Respondent also provided documentation for the irrevocable policy assignment which denoted the price of just the first cemetery, and a second updated copy that included the cost of the second opening and closing.

Based on the above and the documentation supplied by Respondent, it appears that the change in cemetery was not due to the "negligence" of Respondent.

Recommendation:

- Closure

A motion was made by Fred Berry to accept Counsel's recommendation.

Seconded by Chris Lea

Adopted by Voice Vote

3. Case No.: 2022037821 – Funeral Establishment

On September 13, 2022 a complaint was opened stating that the Respondent had an employee listed as a funeral director/manager of the Respondent establishment who had resigned and left the organization on July 31, 2022.

Respondent replied stating that the effort to replace previous funeral director/manager began as soon as they had resigned. Respondent also provided that the same effort to remove their information from the website also began but that two other employees also resigned around the same time, one of them being the head administrator who controlled all accounts with user ID and passwords. Due to this, Respondent could not gain control to remove the website information. Eventually, Respondent stated that the website provider provided a workaround to where the information on the website could be removed. Respondent stated there was never any intent to misrepresent to the board or public as to the manager of the establishment.

The response, which was dated September 28, 2022 had been written by the newly appointed manager. Legal confirmed via CORE that Respondent had paid for the submission of the change of manager form on September 16, 2022.

Recommendation:

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

A motion was made by Anthony Harris to accept Counsel's recommendation.

Seconded by Fred Berry

Adopted by Voice Vote

4. Case No.: 2022035741 – Funeral Establishment

Complainant alleged unprofessional conduct on behalf of Respondent Establishment. Specifically, Complainant stated that they performed embalming services and shipped the body to the Respondent establishment. Complainant stated that as of November 1, 2022, Respondent has yet to pay the bill. The services performed occurred shortly after the death of the decedent on November 5, 2021. Complainant stated that when they have spoken to Respondent on the phone, they contend that the bill will be paid; however, Complainant alleges they have yet to receive any payment for the outstanding invoice in the amount of \$2886.82.

Respondent did not respond to the complaint.

Recommendation:

- \$1,500.00 civil penalty (\$1,000.00 civil penalty for failing to pay the outstanding invoice plus \$500.00 for failing to respond to the complaint.) Authorize via Consent Order and formal hearing if necessary.

A motion was made by Anthony Harris to increase the civil penalty to \$2000.00. Authorize via Consent Order and formal hearing if necessary.

Seconded by Fred Berry

Adopted by Voice Vote

5. Case No.: 2022028561 – Funeral Director

6. Case No.: 2022028581 – Embalmer

Complainant, a funeral home licensed in Tennessee, filed a complaint against one of their former employees alleging that the Respondent had stolen funds from the funeral home on two separate occasions. The first occasion occurred on July 1, 2022 when Complainant noted that \$1,500.00 in their system had not been deposited. Respondent had made the arrangements with the family on May 26, 2022. Complainant contacted the family and determined that Respondent had met with the family on June 2, 2022 to receive the payment, Complainant never received the \$1,500.00 payment. The second incident occurred on July 5, 2022, Respondent collected a \$1,500.00 payment and the payment was recorded as a “check payment.” However, the family produced the receipt which showed the payment had been made in cash. Complainant never received this \$1,500.00. When Complainant confronted Respondent about the funds, Respondent stated that “the cash was left in [his] pocket and [his] dry cleaners had called him to let him know that.” However, the \$1,500.00 was never produced; Complainant terminated the Respondent on July 6, 2022.

This case was sent for investigation. During the course of investigation, Respondent signed a document to voluntarily surrender his funeral director, embalmer, and preneed sales agent licenses/registration.

Recommendation:

- Closure by accepting Respondent’s surrender of their Funeral Director and Embalmer licenses as a resolution for these open complaints and complaints FUN-2021025011, FUN-2021012801, and FUN-2021024991 (other funeral board complaints against this Respondent that are currently on litigation monitoring).

A motion was made by Fred Berry to accept Counsel's recommendation.

Seconded by Chris Lea

Adopted by Voice Vote

7. Case No.: 2022022361 – Funeral Establishment

Complainant, daughter of the deceased, alleged unprofessional conduct on behalf of Respondent crematory. Complainant stated that their mother had been cremated between March 27, 2013 and March 31, 2013 and that on mother's day of this year (2022) they discovered, upon opening the box that contained the cremains, that the tag contained the information of a different decedent. Complainant alleged that when reaching out to the Respondent, they told her "there was nothing they could do" and that they offered to call her back later that day. Complainant contends that they never received a communication from Respondent since then.

Respondent replied stating that the crematory had different ownership at the time of the cremation in 2013. Respondent stated that they attempted to speak to Complainant about the situation, but that Complainant would not let them explain. Respondent stated that Complainant was unreasonable, used profanity, and was threatening to their staff. Respondent provided audio recordings of these conversations with Complainant.

This case was sent for investigation. The investigator spoke first to Complainant who reiterated that when they opened the container, they discovered an unknown name on a tag. Complainant said they researched the name and information they found and contacted the family who the ashes belonged to. Complainant stated they spoke with that decedent's daughter who claimed that when they discovered the incorrect name, they contacted the crematory and was told there was nothing the staff could do, and the other decedent's family did not follow up after that. The investigator spoke to the daughter of the other decedent who stated she was very young when her father passed away and did not remember many details. The investigator stated that the daughter was very vague in answering questions and did not provide much further information. The investigator spoke next to a representative of the funeral home who had handled the services in 2013. The representative said that she had received a call from Complainant's brother explaining the situation. The representative stated that she called the manager who explained their process to her and that he was satisfied that the cremated ashes were correct. The manager sent the Respondent an

email detailing their process which included a metal disc containing a number that does not leave the decedent. The Representative stated that they passed this information along to the brother of the Complainant. The investigator spoke next to Complainant's brother who stated that after he received the explanation from the Representative, he turned everything over to Complainant.

The investigator spoke to the manager of Respondent Establishment who stated that the crematory had cremated the deceased approximately nine years ago. The manager stated he spoke with both Complainant and Complainant's brother regarding the matter. The manager stated he was able to explain to Complainant's brother the procedures and tracking system in performing the cremations, however, while attempting to explain to Complainant, the manager stated that Complainant used profanity and threatened to contact an attorney. The manager stated that since the cremation occurred over nine years ago, and the crematory is only required to keep records for seven years, they did not have any additional records regarding the deceased's cremation. Additionally, since the crematory establishment was sold twice since 2013, there were no records kept regarding the cremation of the deceased. Finally, the investigator spoke to the owner of the crematory who stated he had purchased the crematory in 2020. The current owner stated he explained that to Complainant and that he had no previous knowledge of events that transpired prior to its purchase. The owner stated that Complainant called the crematory three or four times and that each call was recorded.

Legal obtained and listened to the provided recordings. During these five recordings, the owner speaks to Complainant twice and the manager speaks to Complainant once (the other two calls were the reception desk transferring the calls). During these calls, the owner and manager do attempt to explain the process to Complainant regarding cremations. Complainant does use considerable profanity throughout these conversations and regularly threatens with an attorney and negative media attention. Based on these calls, it appears that the "nothing we can do" statement is attributed to there being no true way to definitively tell whether the ashes are the Complainant's mother's or not, though both owner and manager attempt to offer an explanation as to why they believe (due to the metal tag system) that Complainant received the correct ashes. During these calls, the owner and manager are not able to fully explain the process to Complainant due to Complainant ending the calls.

Based on the above, Respondent is not legally required to keep documents past seven years. It appears that Respondent attempts to offer insight and information

into their process as best as they could, given their lack of direct involvement with the cremation nine years ago. It appears from the timeline below, that Respondent spoke to the brother of Complainant (Legal confirmed that the manager and the brother spoke after Legal spoke to the brother) and considered the matter resolved since he had been able to explain the process to the brother and believed he had assured the brother that the mix-up was the tag only due to the metal disc. It appears, due to this belief, that Complainant was never called back. Due to not following up with the Complainant we would recommend a letter of warning based on the lack of responsiveness.

In the manager's affidavit, the manager provided the following timeline:

- Call 1 & 2: Occurred on May 9, 2022 at 8:00 a.m. where the owner spoke with Complainant. The owner asked for some time to pull information together since he had not owned the crematory at the time of the cremation.
- The funeral home who handled the arrangements for Complainant's mother called at 8:45. Respondent received the receipt, release forms, and a picture of the tracking disc with the remains.
- Call 3 & 4: Occurred at 9:30 a.m., Complainant calls back and the manager speaks with Complainant. Complainant hangs up the phone before the manager can complete their explanation.
- 9:45, the manager speaks with Complainant's brother and is able to explain the entire process. From the manager's perspective, Complainant's brother is receptive to the explanation and the brother ultimately thanks the manager for his call.
- Call 5: Complainant calls back on June 9, 2022 upset that she was not contacted again by the manager or owner.

Recommendation:

- Letter of Warning

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

Seconded by Pam Stephens

Adopted by Voice Vote

8. Case No.: 2022036361 – Funeral Establishment

Complainant, sister of the deceased, alleged that Respondent embalmed their sister without permission. Further, Complainant claimed that the deceased was embalmed poorly.

Respondent replied stating that when the deceased was received in their care, she was in “very bad condition (very discolored with severe jaundice, severe purge, severe edema, and weighed approximately 450 pounds or more). Respondent stated Complainant originally set a time to make arrangements for Sunday, August 14, 2022 at 9:00 a.m. However, Complainant called at 8:28 the day of the appointment wanting to change the time between 4:00 - 4:30. Respondent stated that after assessing the deceased’s condition, they called the family to let them know that the deceased’s condition was rapidly deteriorating, it was recommended that if the family wished to see the deceased, embalming needed to be done as soon as possible. Respondent stated that when asked about embalming, Complainant asked her mother, who was listening in the background of the phone call, if she wanted to have the embalming done. Complainant’s mother replied “Yes,” and Respondent began the process of embalming the deceased. Finally, Respondent stated that several family members of the deceased, including Complainant, came to see the deceased. Respondent stated that that they were there for over an hour and never mentioned or complained about anything regarding the presentation or preparation of the deceased. Respondent added that in total, sixteen hours passed between death and the embalming process due to the Complainant and the family being unable to decide about embalming. Respondent stated they requested permission to embalm from the very first call but did not receive it until mid-Sunday morning on August 14th. Respondent also provided Legal with an embalming report and a document of notes that included the day and time of the over the phone embalming authorization.

Recommendation:

- Closure

A motion was made by Anthony Harris to accept Counsel’s recommendation.

Seconded by Fred Berry

Adopted by Voice Vote

9. Case No.: 2022036951 – Funeral Establishment

Complainant, brother of the deceased, alleged unprofessional conduct on behalf of Respondent establishment. Specifically, Complainant stated that upon receiving the death certificate for their sister in February of this year, much of the information contained in the death certificate was incorrect. Complainant stated that they have been trying to contact the establishment but that the funeral director he had been working with would no longer communicate with him and asked that all communications go through Complainant's aunt. Complainant stated that the aunt is a distant relative who has little to no contact with him and that he cannot realistically obtain the death certificate through her.

Respondent replied stating that they took full responsibility for the errors on the death certificate, and that they are doing everything within their power to rectify the issue at an expedited rate. Respondent stated they mailed an amendment for the correction of the death certificate on September 2, 2022 and hope to receive the corrections soon.

Recommendation:

- \$750.00 civil penalty to be reduced to a \$250.00 civil penalty once the Respondent has corrected the death certificate to the satisfaction of the Complainant. Authorize via Consent Order and formal hearing if necessary.

A motion was made by Anthony Harris to accept Counsel's recommendation and for the establishment to provide proof of a corrected death certificate.

Seconded by Tonya Haynes

Adopted by Voice Vote

10. Case No.: 2022037281 – Funeral Director

Complainant, daughter of the deceased, claimed that Respondent is the estranged wife of the decedent and alleged a myriad of complaints, including that Respondent had refused to release the body of the deceased to them, asking for additional funds for the decedents burial, alleged a conflict of interest for Respondent being the estranged wife handling the funeral director duties of the deceased, and that the deceased had been shaved with his clothes on evidenced by the hair on the deceased at the service.

Respondent replied stating that the deceased had been her husband for sixteen years and that she had only met the Complainant once. Respondent stated that

Complainant went to the Veterans Hospital in Memphis to try and get the remains of the deceased but were told that the wife (Respondent) had the rights and there wasn't anything they could do. The Respondent argued essentially that as the next of kin, it was their obligation to decide what to do with the remains. Further, Respondent stated that she and the aunt of the Complainant went to the bank to acquire a cashier's check to pay for the services; however, the check did not cover the entirety of the costs, thus additional funds were required. Respondent attached photographs of the deceased at the service, and no hair appeared to be on the clothes of the decedent. Further, Respondent attached photographs to show that Complainant had been pleased with the service stating, "My Dad looked great, the service was beautiful Momma [first name of Complainant], thank you for all you've done."

This complaint seems to primarily be a family dispute and Complainant has not provided any evidence to show the violation of any funeral board statutes or rules. Complainant did not provide any evidence to show that Respondent was no longer legally married to the decedent or to show that there was a power of attorney that had been established for the Complainant.

Recommendation:

- Closure

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

Seconded by Chris Lea

Adopted by Voice Vote

11. Case No.: 2022038151 – Funeral Director

Respondent, a licensed funeral director and embalmer, is also the manager of three separate Tennessee funeral establishments. Respondent's funeral director and embalmer licenses expired on June 30, 2022 and was reinstated on July 22, 2022. During that period, the Respondent acted in the capacity of an establishment manager and served as the funeral director for five decedents in total.

Respondent replied stating that they attempted to renew their funeral director and embalmer licenses in April when their preneed sales agent registration was due to ensure it would not be late. Respondent admits that they failed to confirm that the funeral director and embalmer license renewals had been accepted because

they assumed they had gone through along with the preneed sales agent registration. Respondent stated that on July 22, 2022 they were notified by email that their licenses had lapsed by 21 days. Respondent offered an apology stating that they did not intentionally fail to renew their licenses.

Recommendation:

- Letter of Warning

A motion was made by Pam Stephenson for a \$250.00 civil penalty. Authorization via Consent Order and formal hearing if necessary.

Seconded by Anthony Harris

Adopted by Voice Vote

12. Case No.: 2022038141 – Funeral Establishment

13. Case No.: 2022038421 – Funeral Director

14. Case No.: 2022038431 – Embalmer

Respondent establishment is one of the establishments for which the Respondent on the previous Complaint was a manager. During the 21 days in which the Respondent manager had an expired license, the Respondent establishment had a person without appropriate licensure operating as manager in violation of applicable law.

Additional complaints were opened internally against the Respondent manager for unlicensed activity relating to this establishment; however, the preceding complaint addresses those issues in their entirety so closure is recommended for the Respondent individual.

Recommendation:

- Funeral Establishment: \$250.00 civil penalty. Authorize via Consent Order and formal hearing if necessary.
- Funeral Director: Closure
- Embalmer: Closure

A motion was made by Fred Berry to accept Counsel's recommendation.

Seconded by Anthony Harris

Adopted by Voice Vote

15. Case No.: 2022038481 – Funeral Establishment

16. Case No.: 2022038491 – Funeral Director

17. Case No.: 2022038511 – Embalmer

Respondent Establishment is one of the establishments for which the Respondent on the previous Complaint was a manager. During the 21 days in which the Respondent manager had an expired license, the Respondent establishment had a person without appropriate licensure operating as manager in violation of applicable law.

Additional complaints were opened internally against the Respondent manager for unlicensed activity relating to this establishment; however, the preceding complaint addresses those issues in their entirety, so closure is recommended for the Respondent.

Recommendation:

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

A motion was made by Fred Berry to accept Counsel's recommendation.

Seconded by Anthony Harris

Adopted by Voice Vote

REPRESENTS

18. Case No.: 2022028971 – Funeral Director

Complainant, daughter of the deceased, filed a complaint against Respondent alleging unprofessional conduct. Complainant provided initial context stating that she had a half sister who was also a daughter of the deceased, who as Complainant describes, "was a daughter that our dad had in secret." First, Complainant claimed that on the day of her father's service, Respondent hugged her and gave her a program but refused to give Complainant's half-sister a program, though Complainant says after she said something to Respondent, Respondent did ultimately provide the program to the half-sister. Next, Complainant alleged that during the deceased's processional, Respondent was at the front of the chapel at the decedent's casket. When Complainant and her

half-sister walked up, Complainant alleged that Respondent gave her a tissue and began rubbing her back and arm. Complainant states that they asked Respondent to stop, though Respondent continued to make physical contact with Complainant despite her objections. Finally, Complainant stated specifically, "I do not know when, nor how, but I do know that Respondent . . . went into the office where [my] half-sister was alone and asked her, 'So- how are you related to them?'" referring to the family of the deceased. Complainant further detailed the conversation between her half-sister and Respondent as she understood it to have happened, alleging that Respondent asked the half-sister "why [she was] here" and that Respondent couldn't "believe [she] came." Complainant stated when she returned, her half-sister was visibly upset and later relayed the conversation she had with Respondent to Complainant. Complainant said that her half-sister confided in her that she had felt welcomed by the family regarding her relationship with the deceased, but that Respondent made her feel as if she didn't belong there.

Respondent replied stating that though she was not initially scheduled to work the service in question, due to a past familiarity with Complainant, Respondent wanted to show respect to Complainant and the family since Respondent had known her for "many years" since Complainant and Respondent's daughter had grown up together. Regarding the first allegation, Respondent said that she personally did not line up the family and did not know who was in the family other than Complainant. Respondent added though she had known Complainant's half-sister for over 30 years, she never knew and was not aware at the time of the service that she was the decedent's daughter and not aware that she had come with Complainant. Respondent did not address Complainant's second allegation of unprofessional conduct. Finally, Respondent provided their sequence of events regarding Complainant's third allegation. Respondent stated that she walked by the office and noticed the half-sister in room. Respondent stated she checked on the half-sister to confirm that she didn't need anything and then inquired as to the half-sister's relation to the deceased, such as asking specifically "how are you related to them?" Respondent contends that the half-sister said that she had told Respondent that she was the deceased's daughter several years ago, though Respondent stated in her reply that she did not recall ever being told about their relation. Respondent stated that Complainant's information regarding the conversation with the half-sister was untrue. Respondent concluded saying that her only intent was to provide service to her in a caring manner since she had known Complainant for so long, and again reiterated that she was not aware that Complainant's half-sister was the daughter of the deceased.

Legal spoke to Complainant on September 8, 2022 who largely reiterated what had been stated in the complaint. Complainant added that due to extensive history with the Respondent, they were certain that the comments made by Respondent to their half-sister had been intentional. Legal requested to speak to the Complainant's half-sister and Complainant stated that they would provide Legal's contact information to the half-sister. Legal was able to speak with the half-sister on September 9, 2022. The half-sister confirmed that she had spoken to Respondent and Respondent asked, "why she was there" and "how she knew them" referring to the deceased and the family of the deceased. The half-sister said that to her knowledge, Respondent already knew of the familial relation between her and the deceased.

Recommendation: Letter of Warning

Board Decision: Would like further information regarding second allegation of unprofessional conduct

Update: Legal spoke with Respondent regarding the allegations, specifically the second allegation of unprofessional conduct. Respondent stated that she had known the Complainant since she was in elementary school with her daughter. Respondent stated that she wasn't originally scheduled to work that day, but willingly stayed when she found out it was the Complainant's father to offer additional support. Respondent said she was surprised by the complaint because she was trying to be there for the Complainant. Respondent said although she knew the half-sister, she didn't realize the relationship between her and Complainant. According to Respondent, all Respondent knew was that the deceased was Complainant's father, and that Complainant was in charge of the arrangements. Regarding the second allegation, Respondent said that she walked up with Complainant to the casket because she knew that Complainant had lost both parents. Respondent stated that, as a mother herself and due to the previous relationship with Complainant, she wanted to offer her support. Respondent stated that Complainant said "I'm good" when Respondent reached out. Respondent stated that she may have gone too far by trying to offer support to Complainant, but that she had been a funeral director for a long time and had had several people reach out and thank her for her extra help and support. Respondent communicated to Legal that she wanted to offer that same support to Complainant, who she had known since Complainant's childhood. Respondent stated finally that as a mother and a professional who had been there for a lot of people, she just wanted to be there for Complainant as well.

Recommendation:

- Letter of Warning

A motion was made by Fred Berry for closure.

Seconded by Chris Lea

Adopted by Voice Vote

ADMINISTRATIVE MATTERS:
ROBERT B. GRIBBLE, EXECUTIVE DIRECTOR

FINANCIAL DATA FOR FY21-22:

Financial data was made available to the Board’s Executive Director by the Assistant Commissioner’s Office for Regulatory Boards of the Tennessee Department of Commerce and Insurance on October 12, 2022, for use in the compilation of this report.

Beginning Balance – July 1, 2021	\$1,130,586.00
Net Revenue (Earnings) for July 1, 2021 – June 30, 2022	\$ 802,378.00
Total Funds Available	<u>\$1,932,964.00</u>
Total Expenditures for July 1, 2021 – June 30, 2022	<u>\$ - 600,869.00</u>
Reserve Balance – July 1, 2022	\$1,332,095.00
CORE Expense for FY21-22	<u>\$ - 0.00</u>
Reserve Balance – July 1, 2022 (After CORE Expense)	\$1,332,095.00

LEGISLATIVE UPDATE:

Our office has not contacted by either the Tennessee State Funeral Directors & Morticians Association or the Tennessee Funeral Directors Association regarding their intent to pursue new legislation during the upcoming legislative session. We extend an invitation to both associations and any other interested parties that would like to meet with our staff and legal counsel prior to the introduction of legislation affecting the Board of Funeral Directors and Embalmers.

LICENSEE REPORT:

REPORT OF LICENSES ADMINISTRATIVELY APPROVED BY EXECUTIVE DIRECTOR PURSUANT TO BOARD AUTHORITY FOR THE PERIOD OF SEPTEMBER 12, 2022 – NOVEMBER 4, 2022

Establishment(s)

Bluff City Mortuary Services
Memphis, TN

Type of Action(s)/Change(s)

Initial Establishment

Individuals)

Lauren DuVall Callihan
Goodlettsville, TN

Type of License(s)

Funeral Director and Embalmer

John David Crabtree
Lewisburg, TN

Funeral Director and Embalmer

Savannah Renee Evans
Murfreesboro, TN

Funeral Director and Embalmer

Autumn Milan Teeter
Nashville, TN

Funeral Director and Embalmer

Timothy Eugene Barnett
Whitley City, KY

Funeral Director and Embalmer
Reciprocity – Kentucky

Aaron Lee Meroniuk
Smyrna, TN

Funeral Director and Embalmer
Reapplication

Katherine Faye Chase
Dickson, TN

Funeral Director

Donna Lee Jones
Brush Creek, TN

Funeral Director

Jack Anderson Partlow
Lebanon, TN

Funeral Director

Harry Deyound White
West Memphis, AR

Funeral Director
Reciprocity – Arkansas

CLOSED ESTABLISHMENT REPORT:

One (1) establishment has reported closing since the last board meeting:

- Superior Funeral Home Knight Arnold Chapel, 5270 Knight Arnold Road, Memphis, TN

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 August 2022 and September 2022 Regulatory Board Disciplinary Action Reports

Respondent: Joe Ford Funeral Home, LLC, Memphis, TN
Violation: Unprofessional conduct (failed to have the deceased’s body ready for a private family viewing at the times provided to the complainant, failed to respond to the complainant’s inquires, and did not place certain belongings on the deceased during the viewing of the deceased)
Action: \$250 Civil Penalty plus \$519.75 Investigation Costs

Respondent: Joseph S. Ford, Sr., Memphis, TN
Violation: Unprofessional conduct (failed to have the deceased’s body ready for a private family viewing at the times provided to the complainant, failed to respond to the complainant’s inquires, and did not place certain belongings on the deceased during the viewing of the deceased)
Action: \$250 Civil Penalty plus \$519.75 Investigation Costs

Respondent: Joshua J. Hughes, Grenada, MS
Violation: Failed to comply with the terms of an executed Consent Order
Action: Suspension of funeral director license

Respondent: Neptune Society, Knoxville, TN
Violation: Engaged in the operation of a funeral establishment without a valid license issued by the Board
Action: \$250 Civil Penalty plus \$866.25 Investigation Costs

Respondent: Simple, Easy, Affordable Cremation, Inc., Tampa, FL
Violation: Offered cremation services in Tennessee without a Tennessee funeral establishment license
Action: \$1,000 Civil Penalty plus \$173.25 Investigation Costs

OPEN COMPLAINT REPORT:

As of November 3, 2022, there were 35 open complaints.

A motion was made by Fred Berry to accept the Executive Director’s Report.

Seconded by Anthony Harris

Adopted by Voice Vote

ESTABLISHMENT APPLICATION(S):

**BATES-LOVE FUNERAL AND CREMATION
ATTN: KENLEY LOUIS BATES, MGR.
530 HIGHWAY 64 EAST, SUITE 6
WAYNESBORO, TN 38485-3050**

New Establishment

Ownership: Limited Liability Company

**Owner(s): Bates-Love Funeral and Cremation, LLC, 527 Highway 64 West,
Waynesboro, TN 38485-2355**

Upon motion by Anthony Harris and seconded by Tonya Haynes, based on the application record, this establishment application was tabled to allow the applicant to renovate the building to meet requirements for a fixed place of business for this establishment.

Adopted by Voice Vote

NEW BUSINESS:

Note: Board member Pam Stephens departed the meeting at 11:33 a.m. during the discussion of and prior to the board voting on the new business matter.

**DELEGATE GRANT TO ANNUAL MEETING OF THE INTERNATIONAL
CONFERENCE OF FUNERAL SERVICE EXAMINING BOARDS:**

A motion was made by Fred Berry and seconded by Chris Lea to accept the delegate grant and set the order of priority for one person attending the conference to be: 1) Anthony Harris, 2) Chris Lea, and then 3) a board staff individual.

Adopted by Voice Vote

ADJOURN:

A motion was made by Anthony Harris to adjourn.

Seconded by Fred Berry

Adopted by Voice Vote

The meeting was adjourned by President Charles Rahm at 11:37 a.m.

Respectfully submitted,

Robert B. Gribble

Robert B. Gribble, CPM, CFSP
Executive Director