

**TENNESSEE BOARD OF FUNERAL DIRECTORS AND EMBALMERS**

**MINUTES OF BOARD MEETING**

**AUGUST 13, 2024**

President Pam Stephens 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: Pam Stephens, President; Christopher Lea, Vice President; Don Haynes, Randy Nash, Wendell Naylor, and Tim Wheeler.

Board member(s) absent: Scottie Poarch

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

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**ADOPTION OF AGENDA:**

A motion was made by Christopher Lea to approve the agenda as published.

Seconded by Tim Wheeler

Adopted by Voice Vote

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**APPROVAL OF MINUTES:**

A motion was made by Don Haynes to approve the Minutes of the June 11, 2024, Board Meeting.

Seconded by Randy Nash

Adopted by Voice Vote

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**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

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**1. Case No.: 2024033031 – Funeral Establishment**

This case was administratively opened following a routine inspection conducted on May 20, 2024. During the course of this routine inspection, the inspector observed the following:

The manager of Respondent establishment’s funeral director license expired on March 31, 2024, and was not renewed until April 9, 2024. However, the inspector found no evidence to suggest that arrangement conferences or services had been conducted during that time period. **Respondent stated on March 9, 2024, both license renewal forms were sent to the accounting department for the company which the manager works for. On March 14, 2024, they received an email from the accounting department informing the manager that the license had been renewed. On April 8, 2024, the manager discovered only the embalmer license had been renewed, but not the funeral director license. On April 9, 2024, the fee and late penalty for the funeral director license was paid. The manager stated, “obviously, I did wait on several families during that week, but had no idea that I was doing it unlicensed at the time.”**

Note: The manager in question for this establishment is also a funeral director for the Respondent establishment in the next complaint. Based on evidence and documentation obtained during the inspections, it appears that the admission “I did wait on several families during that week” occurred not with this establishment, but with the next one.

**Recommendation:**

- Letter of Warning

A motion was made by Christopher Lea for a Letter of Warning.

Seconded by Randy Nash

Adopted by Voice Vote

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**2. Case No.: 2024033041 – Funeral Establishment**

This case was administratively opened following a routine inspection conducted on May 20, 2024. During the course of this routine inspection, the inspector observed the following:

Respondent establishment had a funeral director whose license had expired on March 31, 2024, and was not renewed until April 9, 2024. During this time the employee had an invalid funeral director license, the employee acted in the capacity as a licensed funeral director including, but not limited to arrangement conferences for three (3) decedents. **Respondent establishment provided the same timeline as the previous complaint, stating that the embalmer license was renewed in March, but that the funeral director license was not renewed at the same time. The manager did state that unfortunately, the employee did meet with families the first week of April not knowing that the license had expired.**

**Recommendation:**

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

A motion was made by Randy Nash to accept Counsel's recommendation.

Seconded by Christopher Lea

Adopted by Voice Vote

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**3. Case No.: 2024033051 – Funeral Director**

This case was administratively opened following a routine inspection conducted on May 20, 2024. During the course of this routine inspection, the inspector observed the following:

Respondent is the individual identified in the previous two complaints (manager of the first establishment and funeral director employee for the second). The only evidence of unlicensed activity found during the unlicensed week (March 31, 2024 – April 8, 2024) was the three (3) arrangement conferences for the three (3) decedents. **Respondent again replied with the same timeline and explanation as the preceding two (2) complaints.**

**Recommendation:**

- Letter of Warning

A motion was made by Randy Nash to accept Counsel's recommendation.

Seconded by Wendell Naylor

Adopted by Voice Vote

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**4. Case No.: 2024023611 – Funeral Establishment**

Complainant alleged that Respondent had failed to send the cremains and remaining insurance policy funds to them (the granddaughter of the decedent). However, Complainant did not provide any next of kin information and whether they were entitled to receive the cremains or the remaining funds.

Respondent did not reply to the complaint.

Legal called the Complainant and inquired about next of kin determination. Complainant stated that she did have a father involved in the arrangements, but that the insurance policy listed them (the Complainant) as the beneficiary. Complainant stated that although their father made determinations as to the arrangements, Complainant was listed as the policy beneficiary. Complainant explained that they had asked the funeral director if it was possible to send some cremains to her as well since her and her father lived in different states. Complainant stated that the funeral director confirmed this would not be an issue. Complainant updated Legal that they have still not received any contact from Respondent regarding these matters.

**Recommendation:**

- \$2,000.00 civil penalty related to unprofessional conduct and failure to respond to the complaint. Authorize via Consent Order and formal hearing if necessary.

A motion was made by Tim Wheeler to send the complaint for investigation.

Seconded by Randy Nash

Adopted by Voice Vote

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**5. Case No.: 2024032791 – Funeral Establishment**

This complaint is verbatim identical to the one above and was received several weeks after the preceding complaint (the preceding complaint was originally filed

with the Attorney General's Office and then referred to the Department. This second complaint was opened when Complainant contacted the Department requesting an update). As such, the Board's determination in the preceding complaint is sufficient for purposes of this complaint as well.

**Recommendation:**

- Closure

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

Seconded by Randy Nash

Adopted by Voice Vote

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**6. Case No.: 2024026711 – Funeral Director**

**7. Case No.: 2024027651 – Embalmer**

These two complaints are verbatim to a complaint the Board heard at the June board meeting involving a funeral director allegedly holding a handgun and using profanity claiming that they were looking for someone. The contact information comes from the same town in Alabama which suggests they are from the same part of the family the wife of the decedent described as "estranged." Complainant provided no additional information or supporting evidence than had been given in the previous complaint.

**Recommendation:**

- Closure

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

Seconded by Tim Wheeler

Adopted by Voice Vote

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**8. Case No.: 2024027661 – Funeral Establishment**

This case was administratively opened following a routine inspection conducted on April 24, 2024. During the course of this routine inspection, the inspector observed the following:

- a. There were several issues with the General Price List that required correction. The embalming disclosure statement and the direct cremation disclosure statement on the General Price List needed to be corrected, no Casket Price List could be offered with correct information during the inspection, no Outer Burial Container Price List could be offered with correct information during the inspection, and the reason for embalming was missing on nine (9) contracts that were reviewed. **Respondent stated that on the General Price List, all disclosure and wording discrepancies have been corrected and that the ranges listed have also been updated to reflect the options available, and to reflect the prices notated on the caskets on display in the show room.**
  
- b. The pre-need sales agent license of a pre-need sales agent could not be presented during the inspection. Although the individual was not working at the time of the inspection, after several calls to the manager of Respondent establishment, no license could be produced. **Respondent stated that this registration has now been posted to the main office wall.**
  
- c. The current license for the crematory used by Respondent was not available for inspection. **Respondent stated that this license has now been posted to the main office wall.**

**Recommendation:**

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

A motion was made by Don Haynes to accept Counsel's recommendation.

Seconded by Wendell Naylor

Adopted by Voice Vote

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**9. Case No.: 2024029031 – Funeral Establishment**

Complainant, an employee at Respondent establishment alleged that the establishment employed an unlicensed minor for the past two years, alleged that another employee of Respondent establishment claimed he didn't have to undergo a background check like other employees, had a prior conviction prior to

working with Respondent establishment, and alleged that the other employee dresses decedents in costumes “to try and scare coworkers for his own amusement.”

The manager of Respondent establishment responded on the establishment’s behalf. The manager provided that a teenager was hired to work at Respondent establishment through a youth outreach program. The teenager was compensated for work performed including cleaning out cars after services and other tasks that would not be considered licensed activity or that required any direct contact with the families or decedents. The manager stated at that time, the teenager’s employment was on an at-need basis, but now was a field operations support assistant and a full-time employee of Respondent establishment. Next, the manager assured that both the teenager and the employee Complainant referenced had undergone background checks. Further, the manager vehemently denied that the employee dresses decedents in costumes stating that the employee only dresses decedents in clothing provided by the family in anticipation of services. Finally, the manager stated that that the former conviction of the employee occurred in 2013 and was disclosed to the Board during the application process. The employee was granted a valid funeral director license after a full disclosure. The manager stated they believed Complainant’s complaint to be retaliation for a misunderstanding at the establishment. The manager detailed a conversation where they explained to Complainant that a location was overstaffed and they did not have enough work for Complainant, but in lieu of reducing Complainant’s hours, they were exploring the option of moving Complainant to an affiliated funeral establishment. The manager stated following this conversation, Complainant did not show up for work, and that the manager believed Complainant had misunderstood the conversation believing Complainant’s employment had been terminated (the manager provided that this conversation took place on May 14, 2024, and the complaint was filed May 20, 2024). The manager stated that since May 14, 2024, Complainant had not returned to work.

Based on the above, Complainant has not met their burden to establish the occurrence of a violation of applicable statutes or rules.

Note: Board member Wendell Naylor recused himself from participating in this complaint and departed the conference room during its discussion and determination by the board.

**Recommendation:**

- Closure

A motion was made by Randy Nash to accept Counsel's recommendation.

Seconded by Christopher Lea

Adopted by Voice Vote

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**10. Case No.: 2024033011 – Funeral Establishment**

This case was administratively opened following a routine inspection conducted on May 23, 2024. During the course of this routine inspection, the inspector observed the following:

The areas situated directly behind and beside Respondent establishment contained debris and other materials and obstacles. The inspector also observed there was an older refrigerator/freezer that was not secure. **Respondent stated that since opening in mid-2023, due to the surplus of business, they have begun several upgrades to the facility including a new preparation room, a new visitation area, an enlarged chapel, a new selection room, and a new office. Respondent acknowledged the presence of debris and materials behind and beside the funeral home and stated that the area was temporarily used to store scrap materials and items displaced during the ongoing construction work for the renovations. Respondent stated they mistakenly did not recognize the rear side of their building as a public area per the rules. Respondent stated following the inspection they have cleared and disposed of construction scrap items such as tin, wood, and other materials from the identified areas, items moved outside to facilitate construction have been moved to private areas inside the building, and essential items have been organized and condensed to a designated area, ensuring compliance with public area standards.**

**Recommendation:**

- \$750.00 civil penalty. Authorize via Consent Order and formal hearing if necessary.

A motion was made by Tim Wheeler to accept Counsel's recommendation.

Seconded by Wendell Naylor

Adopted by Voice Vote



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**11. Case No.: 2024034611 – Funeral Director**

Complainant stated they were invited to be a guest host of a banquet for funeral directors on June 10, 2024, and “was advised” that Respondent was extremely rude to the staff of the hotel during their [Respondent and staff’s] interactions. Complainant stated they were made aware of this information from the hotel staff and told Complainant that they were instructed to not “take orders” from anyone other than Respondent. Complainant claims they were told by staff that Respondent was “very snide and used obscene language when interacting with them.” Complainant contends this is not the first time they’ve heard or witnessed Respondent display rude behavior, claiming that they had witnessed Respondent threaten bodily harm to people that Complainant is acquainted with. Complainant did not provide any additional information regarding these recollections, stating that they “cannot recount the exact date of each interaction.” Complainant also listed an alleged witness without any contact information (phone number or email address) other than a street address. Legal searched the database and could not find a license for this individual.

Respondent replied stating that they have never met Complainant, and that Complainant is not a member of their association, not a participant of the convention as a speaker or registered attendee. Respondent stated they were unsure who would have extended the invitation for Complainant to be a speaker as they knew through firsthand knowledge, an offer to host the event was not extended to Complainant, though Complainant may have been invited by the host or the host’s wife. Again, Respondent stated they had no interaction with anyone the honoree may have invited and stated that she was not present for the setup of the banquet. Respondent even recalls being late to the banquet and left as soon as it was over. Respondent refuted Complainant’s claim stating that anytime she asked the hotel staff for anything, the staff was overly accommodating. Finally, Respondent refuted Complainant’s claims that Complainant frequents funeral conferences in Tennessee in order to witness these alleged other aspects of unprofessional conduct as Respondent stated that Complainant is “not a member, officer, speaker, or registered convention attendee past or present.” Respondent stated that they have never met Complainant or their alleged witness, and that if she were guilty of the behavior Complainant alleged, they would not be in the position for the convention and association that they are.

Based on the above, most of Complainant’s allegations are based upon hearsay as allegedly having been heard from hotel staff. The other incidents that

Complainant claims they witnessed Respondent threatening bodily harm, they offer no specific information or proof, stating only they “cannot recount the exact date of each interaction” and offer no further information.

Note: Board member Wendell Naylor recused himself from participating in this complaint and departed the conference room during its discussion and determination by the board.

**Recommendation:**

- Closure

A motion was made by Randy Nash to accept Counsel’s recommendation.

Seconded by Christopher Lea

Adopted by Voice Vote

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**12. Case No.: 2024027701 – Funeral Establishment**

Complainant provided a timeline of events that had transpired in 2022, including what Complainant stated were fraudulent Affidavits As to Heir notarized at Respondent establishment. Complainant stated that the director of Respondent establishment notarized the fraudulent affidavits that transferred assets to another family member as the sole beneficiary against the wishes of the decedent, Complainant also provides that these affidavits were prepared two weeks prior to the decedent’s passing. Complainant further detailed the long process to challenge these issues in probate court and provided an order to show that these issues had been addressed in probate court in an order signed February 28, 2024.

The manager of Respondent establishment replied stating that they were fully aware of the unfortunate incident. The manger stated that neither he, nor Respondent establishment had any involvement with the unethical issues that occurred in relation to Complainant’s claim, stating that the only involvement Respondent had was carrying out funeral arrangements and providing funeral services for the decedent. The manager stated, “I want to make it clear that my funeral home did not prepare any Affidavits as to Heirs for [the decedent].” The manager also denies witnessing or signing any Affidavits as to Heirs of the decedent and that anything that occurred beyond the scope of the contract and the professional services rendered had no connection to the probate issues Complainant has experienced. The manager further stated that whatever the

director's role as a notary may have been in this instance is separate from any business that Respondent establishment had serviced for the decedent. The manager also provided documentation referenced but not provided by Complainant that showed where the manager was allegedly a witness to the notary and the Affidavit, however, the manager stated that his signature on these documents was a forgery and again reiterated that neither he nor the funeral home signed any affidavits or documentation in relation to this matter.

Based on the above, while the issues detailed by Complainant are very serious and an arduous task to go through after losing a loved one, Complainant has not met their burden to show that Respondent establishment engaged in unprofessional or unethical conduct. As a point of clarity, based on the information contained in the complaint that Complainant provided, while significant evidence was provided regarding the issues through probate and the history of alleged unethical acts done by their relative, other than the alleged role as notary and witnesses to the affidavits, the staff of Respondent establishment is not directly related to this matter. This is further exacerbated by the fact that the manager of Respondent establishment denies ever signing for the notary or affidavits, offered the documentation to the Board himself, and stated it was a forgery. Compounded by the fact that the Complainant was filed against the establishment in the scope of the establishment's staff's signatures, this appears to be a matter better suited for probate court (which Complainant has prevailed in) and civil court given that the allegations are against the staff in their individual capacity, not necessarily within the confines of professional funeral directing standards.

At an absolute best, the Board is in a position of "he-said-she-said" regarding whether the Respondent's manager's signature on these documents were a forgery. The allegations made within this complaint are far better suited for a civil court to make a determination, as the violations of unprofessional conduct, were they true, are in the individual capacity of the Respondent establishment's staff, not in representation of the establishment's funeral business.

**Recommendation:**

- Closure with remaining issues to be determined by a court of competent jurisdiction.

A motion was made by Tim Wheeler to accept Counsel's recommendation.

Seconded by Wendell Naylor

Adopted by Voice Vote

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**13. Case No.: 2024029491 – Funeral Establishment**

Complainant stated that they had a pre-plan funeral for her mother that had been purchased in 1987. However, Complainant alleged that upon the day of the funeral (Friday, May 3, 2024) according to the establishment's website, the decedent was swollen and bloated. Complainant theorized that Respondent had left the decedent out of a cooler and in the heat so that decomposition could occur but provided no strict proof of this claim. Complainant further stated Respondent could not find a copy of the decedent's contract, but later did because it was "found. . . in the basement."

The manager of Respondent establishment replied on Respondent's behalf. The manager stated that after a thorough investigation, there were no findings of abuse of the decedent's remains. Respondent provided that the decedent came into their care on Friday, April 26, 2024, at 4:18 p.m. and the decedent was placed in their refrigerated storage within 10 minutes of her arrival. Respondent stated that the decedent's remains were only removed from refrigerated storage for embalming and preparation purposes. However, Respondent did not provide the date but stated that when the decedent was removed for embalming, when they discovered that the remains were showing signs of tissue gas being present. Respondent stated they utilized a specialized embalming fluid specifically for tissue gas. Respondent stated that once the process of tissue gas has begun, it is difficult to stop the damage, and the manager admitted that the decedent did appear bloated due to the presence of tissue gas. The manager stated that they believe their embalmers took the necessary steps to reduce the effects of the tissue gas, but that they are unable to entirely stop the decomposition process. The manager stated that prior to the family's visitation, they explained to the family the bloating issue the decedent was experiencing due to tissue gas, and stated they attempted to explain this to Complainant, but that Complainant would not speak with them. Respondent further stated, regarding being unable to find a copy of the contract, that this was false. Respondent stated that Complainant was not present at the arrangement conference, so they were unsure how they came to the conclusion it could not be located or was found in the basement. Respondent stated that the contract is stored digitally, and the family service counselor was able to pull the digital and hard copy of the contract during their meeting with the family.

**Recommendation:**

- Letter of Caution/Instruction

A motion was made by Tim Wheeler for Legal to obtain additional information from the Respondent and re-present the complaint to the board at a future meeting.

Seconded by Don Haynes

Adopted by Voice Vote

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**RE-PRESENT**

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14. Case No.: 2024027121 – Funeral Establishment

This matter was previously presented to the Board at its June 11, 2024 meeting as follows:

**Summary:** *Complainant, wife of the deceased stated that they met with a funeral director at Respondent establishment on March 16, 2024, with arrangements finalized March 18, 2024, with payment made in full. Complainant contends that a private visitation was scheduled for March 21, 2024. Complainant claims that those who were invited to this visitation stated that the decedent was not in a casket and was instead on a metal table with his head propped by a block of Styrofoam. Complainant further contended that the attendees claimed they were only allowed to visit for 10-15 minutes, when Complainant says it was discussed they would be able to visit for 2 hours. Complainant stated on April 5, 2024, Respondent was thirty minutes late with the decedent's remains to the graveside ceremony. Finally, Complainant alleged that she had ordered a poster board with the decedent's photographs, but never received it.*

*Respondent replied, stating that prior to receiving the decedent on March 16, 2024, they spoke to Complainant to determine what services would be provided. Respondent stated that Complainant advised she wanted a formal viewing with a graveside service to follow. On March 19, 2024, one day after the arrangement conference, Respondent advised that Complainant had issues gathering finances to handle the cost of services. In response to these financial issues, Complainant agreed to have an informal viewing with a select few family members. Respondent explained that in an informal viewing, the decedent is not placed in a casket because an informal viewing contemplates not having finances available*

*to purchase a casket (that is, an informal viewing is an option when the family cannot afford a casket). Respondent advised the decedent is placed on a dressing table dressed and placed into an area for limited family to view. Respondent stated the family is given 2 hours during this informal visitation. Respondent stated that Complainant had come to view the decedent separately on March 21, 2024, stayed for approximately 25-30 minutes and left stating that other family members would come in later that day. Respondent stated that at that time, while viewing the decedent, Complainant never mentioned anything about dissatisfaction with the decedent, never mentioned anything about decedent not being casketed, and that later, no family members ever asked why the decedent was not casketed during the informal viewing. On April 5, 2024, the date of the graveside service, Respondent stated the cemetery was packed with vehicles for the graveside service of the decedent, which, as Respondent explains, caused the staff to have issues entering the cemetery for the service. Respondent stated that the policy of the cemetery is to not allow additional traffic into the cemetery until you are able to enter safely. Respondent stated this is why their staff was late, and that the employee of Respondent establishment had been 5-10 minutes late due to the cemetery traffic. Again, Respondent stated that neither the family nor anyone in attendance contacted Respondent to let them know that anyone was late until receiving the complaint. Finally, Respondent stated that the poster board that was ordered by Complainant was not ordered in time, so a refund was issued to the family. Respondent stated that this refund was sent out on May 5, 2024, and that an additional refund of \$995 is also being refunded to the family for the cost of the rental casket.*

*The sister of the Complainant submitted additional information responding to Respondent's reply. The sister stated she was present for the arrangement conference, and while the Complainant did indicate during that meeting that she was low on finances, family members, including the sister, offered to help pay for the services. The sister stated that Complainant provided the manager a check on March 18<sup>th</sup> for the full amount requested. However, the sister stated that due to the overwhelming situation of losing a loved one and the context of the decedent's death, Complainant asked the sister to cancel the viewing, and to ask if it was possible to have a private viewing for the decedent's grandmother and mother. The sister stated she called the Respondent and informed them of the change, to which he explained he had already ordered the casket and had begun embalming the deceased. The sister stated she told the manager that they knew this was a last minute change and because of that they would not be seeking a refund. The sister stated the manager advised they could allow a private viewing on March 22<sup>nd</sup>. However, the sister stated that the manager did not inform them*

*that the decedent would not be casketed for this private viewing, and due to the nature of their conversation that the casket had already been ordered, believed he already had a casket available. The sister closed her rebuttal by stating that their aunt contacted the funeral home fifteen (15) minutes after the remains were scheduled to arrive at the cemetery and that it was another twenty (20) minutes before a representative arrived totaling to over thirty (30) minutes late.*

*Based on the above, there appears to be a discrepancy in communication and understanding on behalf of the manager of Respondent establishment and Complainant and her family. Based on the evidence presented, it appears they were prepared to do a traditional viewing which included a casket, and that payment was received. However, soon after, Complainant asked if they could transition to a private viewing. As Respondent recollects, they had discussed a private viewing during the arrangement conference, which Respondent stated is ordinarily done to save money on the casket rental. It is unclear whether during the conversation between Complainant's sister and Respondent's manager whether it was communicated that the change from a public viewing to a private one (that is, a viewing with a rental casket and a viewing without) was for financial reasons or emotional reasons. While we know why the change was requested based on the sister's response, it is unclear whether Respondent knew why the change was being requested. As such, it appears that consistent with their prior explanation of what a private viewing entailed (no casketing), the manager of Respondent canceled the casket order and processed the refund for the casket to the family which appears to not be consistent with what the family was envisioning (a private viewing, but with casketing). Both parties agree that a representative of Respondent was late with the decedent's cremains but differ in the amounts (5-10 minutes from Respondent; 35 from Complainant's sister).*

*Recommendation: \$500.00 civil penalty. Authorize via Consent Order and formal hearing if necessary.*

*Board Decision: Represent to determine whether a new Statement of Funeral Goods and Services was created to reflect the new contract.*

**Update:** Legal spoke to Respondent and inquired as to whether a new contract or Statement of Funeral Goods and Services Selected was created to reflect the change (going from a casket/formal visitation to no casket and private visitation). Respondent stated that a new contract was not drafted because he received the call to forgo the casket the day of the visitation. Respondent stated ordinarily they have a policy that everything must be paid 48 hours prior to the visitation, but

since the family had difficulty raising the finances, at their request, he allowed them to pay the day of the visitation. However, the day of the visitation, Complainant called and requested that they do an informal visitation and not use the casket. Respondent stated that at this time, the decedent had already been casketed, but at the request of the Complainant, they removed the decedent from the casket and sent it back at a financial loss that was not passed on to the family. Respondent added that the wife of the decedent did not come to the informal visitation as there was friction between the family, thus even if a new contract had been drafted, it could not have been signed by Complainant in time for the visitation to occur. Again, Respondent confirmed that a new contract nor Statement of Funeral Goods and Services Selected had not been drafted as the change occurred the day the visitation was scheduled to take place.

A motion was made by Randy Nash to assess a \$500.00 civil penalty. Authorize via Consent Order and formal hearing if necessary.

Seconded by Tim Wheeler

Adopted by Voice Vote

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**EXECUTIVE DIRECTOR’S REPORT:**  
**ROBERT GRIBBLE, EXECUTIVE DIRECTOR**

**LICENSEE REPORT:**

**REPORT OF LICENSES ADMINISTRATIVELY APPROVED BY EXECUTIVE DIRECTOR PURSUANT TO BOARD AUTHORITY FOR THE PERIOD OF JUNE 7, 2024 – AUGUST 2, 2024**

| <b><u>Establishment(s)</u></b>                                       | <b><u>Type of Action(s)/Change(s)</u></b> |
|--|---|
| Ellis Funeral Home<br>& Cremation Service Nashville<br>Nashville, TN | Name                                      |
| The Cremation Company<br>Nashville, TN                               | Location                                  |
| <b><u>Individual(s)</u></b>  | <b><u>Type of License(s)</u></b>          |
| Alexis Nicole Carlson<br>Sioux Falls, SD                             | Funeral Director and Embalmer             |
| Paul Aaron Emerson   | Funeral Director and Embalmer             |



Millington, TN

Brandon Allen Cochran  
Lyles, TN

Funeral Director

Christopher Nathan Conley  
Jefferson City, TN

Funeral Director

Bradley Eugene Guthrie  
Hermitage, TN

Funeral Director

**CLOSED ESTABLISHMENT REPORT:**

Two (2) establishments have reported closing since the last board meeting:

- Hatch & Flemmings Funeral Home, 314 Donelson Pike, Nashville, TN and
- Baxter Funeral Home, 228 3<sup>rd</sup> Avenue South, Baxter, 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 May 2024 and June 2024 Regulatory Boards Disciplinary Action Reports**

Respondent: Associated Family Funeral Home, LLC, Adamsville, TN  
 Violation: Aiding and abetting unlicensed persons to practice within the funeral professional on six (6) occasions, no licensed funeral director appointed as manager by the funeral establishment, did not have a copy of the latest inspection report or a copy of the license of the crematory facility, Statements of Funeral Goods and Services Selected were not completed correctly, and unreasonably delaying the filing of death certificates  
 Action: \$4,000 Civil Penalty

Respondent: Forest Hill Funeral Home & Memorial Park - Midtown, Memphis, TN  
 Violation: Engaged in deceptive acts or practices as defined in the Funeral Rule (charged an additional non-allowable fee despite the existence of a preneed funeral contract)  
 Action: \$250 Civil Penalty

Respondent: Jim Rush Funeral and Cremation Services, Memphis, TN  
 Violation: Failed to treat a member of the public in a reasonable manner (failed to comply with a request to remove a wedding ring from a decedent prior to cremation)  
 Action: \$500 Civil Penalty

Respondent: Brandon Pusser, Bethel Springs, TN  
Violation: Engaged in funeral directing without a funeral director license and engaged in false or misleading advertising  
Action: \$500 Civil Penalty

**OPEN COMPLAINT REPORT:**

As of August 6, 2024, there were 58 open complaints.

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

Seconded by Wendell Naylor

Adopted by Voice Vote

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**NEW BUSINESS:**

**Update on Retrospective Rule Review – Rulemaking Hearing:**

Troy Bryant, Associate General Counsel, presented an update on the Retrospective Rule review and requested permission to schedule a date for a rulemaking hearing.

A motion was made by Tim Wheeler to accept the update.

Seconded by Wendell Naylor

Adopted by Voice Vote

**Grant Recipient – Regulatory Board Service 101 Session – The International Conference of Funeral Service Examining Boards, Inc.**

Robert Gribble, Executive Director, presented information regarding an opportunity for board member training by The International Conference of Funeral Service Examining Boards, Inc.

A motion was made by Randy Nash to select Tim Wheeler to represent the Tennessee Board of Funeral Directors and Embalmers.

Seconded by Christopher Lea

Adopted by Voice Vote

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**INDIVIDUAL APPLICATION(S):**

**Charles Ramos, Jr.  
Smyrna, TN**

**Funeral Director and Embalmer**

Note: Board member Randy Nash recused himself from participation in this application and departed the conference room during its discussion and determination by the board.

Upon motion by Wendell Naylor and seconded by Christopher Lea, based on the application record, these applications were approved for licensure by the Board.

Adopted by Voice Vote

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**ESTABLISHMENT APPLICATION(S):**

**LA PALOMA FUNERAL SERVICES  
ATTN: ESPERANZA ANNABELL KING, MGR.  
5507 WINCHESTER ROAD, SUITE 3  
MEMPHIS, TN 38115-4615**

**New Establishment**

**Ownership: Limited Liability Company**

**Owner(s): FS INTERNATIONAL, LLC, 5507 WINCHESTER ROAD, SUITE 3,  
MEMPHIS, TN 38115-4615**

Upon motion by Wendell Naylor and seconded by Christopher Lea, based on the application record, this establishment application was approved for licensure by the Board.

Adopted by Voice Vote

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**PUBLIC COMMENTS:**

President Pam Stephens asked if anyone desired to make public comments related to the agenda items.

Nobody made public comments at this time.

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**ADJOURN:**

A motion was made by Don Haynes to adjourn.

Seconded by Wendell Naylor

Adopted by Voice Vote

The meeting was adjourned by President Pam Stephens at 12:12 p.m.

Respectfully submitted,

*Robert B. Gribble*

Robert B. Gribble, CPM, CFSP  
Executive Director