



**TENNESSEE BOARD OF FUNERAL DIRECTORS AND EMBALMERS  
500 JAMES ROBERTSON PARKWAY  
NASHVILLE, TENNESSEE 37243  
615-741-5062**

**Minutes of Board Meeting  
December 9, 2025**

President Chris Lea called the meeting to order at 10:32 a.m. The meeting was conducted in Conference Room 1-B, Davy Crockett Tower, Nashville, Tennessee and via Webex Webinar.

**ROLL CALL:**

Lisa Bohannon called the roll, and it was established that a quorum was present.

**BOARD MEMBERS VIRTUALLY PRESENT:** Chris Lea, President; Wendell Naylor, Vice President; Tracy Allen, Don Haynes, Scottie Poarch, and Tim Wheeler

\*Tim Wheeler arrived virtually at 10:45 a.m., and Don Haynes arrived virtually at 10:48 a.m.\*

**BOARD MEMBERS ABSENT:** Randy Nash

**STAFF MEMBERS PHYSICALLY PRESENT:** Troy Bryant Associate General Counsel, and Lisa Bohannon, Regulatory Board Administrative Manager

**STAFF MEMBERS VIRTUALLY PRESENT:** Robert Gribble, Executive Director

President Chris Lea explained the process for public comment, stating that any member of the public could provide comments related to agenda items, and that opportunity would be available near the end of the board meeting.

The following business was transacted:

**AGENDA:**

Tracy Allen made a motion to adopt the agenda as published. Scottie Poarch seconded the motion.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, and Lea

Board Member(s) Voting No: None

Board Member(s) Absent: Nash, Wheeler, and Haynes

**OCTOBER 14, 2025, MINUTES:**

Wendell Naylor made a motion to adopt the minutes of the October 14, 2025, meeting as written and presented to the board. Tracy Allen seconded the motion.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, and Lea

Board Member(s) Voting No: None

Board Member(s) Absent: Nash, Wheeler, and Haynes

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**LEGAL REPORT:**

**TROY BRYANT, ASSOCIATE GENERAL COUNSEL**

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**1. Case No.: 2025054481 – Funeral Establishment**

This case was administratively opened following a routine inspection conducted on September 8, 2025. During the course of this routine inspection, the inspector observed the following:

The establishment license for Respondent establishment expired on August 31, 2025, and was not renewed until September 3, 2025. Although it did not appear that Respondent establishment conducted business during this time, the establishment remained open for business.

Manager of Respondent establishment apologized for the delay in submitting their establishment license renewal stating they fully recognize the importance of maintaining compliance with state regulations. Respondent stated moving forward they will ensure that this does not happen again and are taking proactive steps to prevent a recurrence of this issue.

**Recommendation:**

- Closure

A motion was made by Wendell Naylor to accept Counsel's recommendation. The motion was seconded by Tracy Allen.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, and Lea

Board Member(s) Voting No: None

Board Member(s) Absent: Nash, Wheeler, and Haynes

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**2. Case No.: 2025056141 – Funeral Establishment**

This case was administratively opened following a routine inspection conducted on September 18, 2025. During the course of this routine inspection, the inspector observed the following:

An employee of Respondent establishment allowed their funeral director license to expire on June 30, 2025. The employee did not meet the requirements to renew their license until August 5, 2025. During the unlicensed period, the employee served in the capacity of a Tennessee funeral director for four (4) decedents.

Respondent replied stating that the employee recently went through a divorce and that the notification of the license expiration was sent to his former address. Respondent stated that the employee's ex-wife did not notify the employee that the notice was delivered. Respondent added that they, like the employee, believed that his license expired in 2026.

**Recommendation:**

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

A motion was made by Wendell Naylor to accept Counsel's recommendation. The motion was seconded by Scottie Poarch.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, and Lea

Board Member(s) Voting No: None

Board Member(s) Absent: Nash, Wheeler, and Haynes

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**3. Case No.: 2025056151 – Funeral Director**

This case was administratively opened following a routine inspection conducted on September 18, 2025. During the course of this routine inspection, the inspector observed the following:

Respondent is the employee from the preceding complaint who permitted their funeral director license to expire on June 30, 2025, and did not meet the requirements to renew their license until August 5, 2025. During the unlicensed period, Respondent served in the capacity of a licensed funeral director for four (4) decedents.

Respondent reiterated their response from the previous complaint.

**Recommendation:**

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

A motion was made by Wendell Naylor to accept Counsel's recommendation. The motion was seconded by Scottie Poarch.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, and Wheeler

Board Member(s) Voting No: None

Board Member(s) Absent: Nash and Haynes

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**4. Case No.: 2025056201 – Funeral Establishment**

This case was administratively opened following a routine inspection conducted on September 2, 2025. During the course of this routine inspection, the inspector observed the following:

- a. Respondent had a price discrepancy on the Statement of Funeral Goods and Services and a price list. Specifically, the SFGS stated a grave liner was \$1,500.00 while the price list listed the grave liner as \$1,350.00 resulting in an overcharge of \$150.00 for two (2) contracts. **Respondent apologized for the “inconvenience of the influx grave liner prices” and stated there had been a delay in communication and action was being taken to correct that information.**
- a. The website for Respondent establishment listed an advertisement for preneed planning. However, Respondent was not registered as a preneed seller at the time of inspection. **Respondent stated that the information on the website had been updated so as to not reflect the offering of preneed.**

**Recommendation:**

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

A motion was made by Tim Wheeler to accept Counsel's recommendation. The motion was seconded by Scottie Poarch.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

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#### **5. Case No.: 2025056271 – Funeral Establishment**

This case was administratively opened following a routine inspection conducted on August 5, 2025. During the course of this routine inspection, the inspector observed the following:

An employee of Respondent establishment was registered as a Tennessee preneed sales agent. However, their preneed sales agent registration expired on June 28, 2025, and was not renewed at the time of the inspection. During the unlicensed period, the employee wrote nine (9) preneed sales contracts.

**The employee replied apologizing for the oversight, explaining that this was their first time going through the renewal process and that they were not fully aware of all the steps and requirements necessary. The employee stated it was not their intent to act outside of compliance or disregard the registration requirements. The employee provided that they have put measures in place to track renewal deadlines and requirements to ensure that it does not happen again.**

Likewise, the manager of Respondent establishment responded stating that they first became aware of the employee's registration lapse on August 5, 2025, during the inspection. The manager stated it was their understanding that the employee erroneously believed his preneed sales agent registration would automatically be renewed along with his insurance producer license. Respondent stated this was a genuine misunderstanding on the employee's part and that the expiration date has now been incorporated on the renewal calendar so it is not missed in the future. Respondent stated that upon being made aware of the expired registration, the employee immediately began the paperwork to have the registration reinstated, was filed on August 13, 2025, and was received on August 28, 2025. Respondent stated they are aware that the employee had written nine (9) contracts during the unlicensed period, and that they are working with the nine (9) customers to rewrite their contracts to ensure that they were executed by a licensed sales agent. Once

the employee became aware of the expired registration, the employee stopped meeting with families and stopped executing contracts.

**Recommendation:**

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

**Note: Wendell Naylor recused himself from this case. He turned the camera and sound off.**

A motion was made by Tim Wheeler for a \$750.00 civil penalty and Respondent must provide proof to show that nine (9) contracts have been re-written by a registered preneed sales agent. The motion was seconded by Don Haynes.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

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**6. Case No.: 2025056331 – Funeral Establishment**

This case was administratively opened following a routine inspection conducted on August 19, 2025. During the course of this routine inspection, the inspector observed the following:

Respondent's manager permitted their funeral director license to expire on January 31, 2025, and did not meet the requirements for renewal until March 24, 2025. Although records examined did not indicate that the manager had conducted any arrangement conferences or services during the unlicensed period, the manager remained as the manager of the Respondent establishment without appropriate licensure.

The manager replied stating that they realized that their license was set to expire at the end of January so began looking for courses in the first part of December. The manager began looking for courses like what they had previously taken but then realized that the requirements had changed regarding 5 in person hours. The manager stated that they searched around for CE courses including asking the Tennessee, Kentucky, Georgia, and South Carolina boards regarding CE classes but discovered none were being offered in December or January. Eventually they found online webinars that were offered at two a month for one CE credit per seminar but that with this timeline "there was no way I could find to get the required CE before my license expired." The manager stated that fortunately, they did not have any funerals during the expiration period.

Again, while the evidence obtained showed that no funeral occurred during the unlicensed period, the manager, who was unlicensed from February 1, 2025, until March 24, 2025, remained the manager of Respondent establishment during the unlicensed period.

**Recommendation:**

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

A motion was made by Tim Wheeler to accept Counsel's recommendation. The motion was seconded by Wendell Naylor.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

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**7. Case No.: 2025057821 – Funeral Establishment**

This case was administratively opened following a routine inspection conducted on September 24, 2025. During the course of this routine inspection, the inspector observed the following:

The funeral director and embalmer licenses for an employee expired on July 31, 2025, and they did not meet the requirements to be reinstated until August 11, 2025. During the unlicensed period, the employee acted in the capacity of a funeral director and an embalmer. Specifically, the employee was listed as the funeral director for six (6) decedents on death certificates and the embalmer for two (2) decedents. Likewise, the employee signed one (1) Statement of Funeral Goods and Services, signed two (2) Authorizations for Cremation and Disposition of Human Remains, four (4) Permits for Cremation of Human Remains as the certification of person in charge of the cremation. In short, the employee had fifteen (15) instances of conducting action or signing documents that required licensure during the unlicensed period.

Respondent replied stating that this is the first time the employee has worked on a lapsed license and provided that the employee was under a good faith basis that the renewal had been completed and thought they were only waiting on the certificates to arrive. Respondent stated the employee completed all continuing education requirements in June 2025, and that their records showed she had logged into the CORE system on July 17, 2025, to complete the renewal application. Respondent stated the employee believed they had successfully completed the full transaction for the renewal of both the funeral director and embalmer licenses. Respondent provided they now know that the employee did

not successfully complete the final payment step in the process. Respondent stated that the employee “did not receive any written communication – by mail or email – indicating that [their] license had lapsed” and only became aware of the lapse after wondering where the renewed license certificates were. Respondent stated that due to this belief that the licenses had been renewed, the employee continued their duties as normal. Respondent provided that though the lapse was unintentional, they “fully recognize that it is the establishment’s responsibility to ensure that every licensed individual is properly credentialed at all times.” Respondent described numerous corrective actions they have taken to prevent occurrences in the future.

**Recommendation:**

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

A motion was made by Don Haynes to accept Counsel’s recommendation. The motion was seconded by Tracy Allen.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

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**8. Case No.: 2025057831 – Funeral Director**

This case was administratively opened following a routine inspection conducted on September 24, 2025. During the course of this routine inspection, the inspector observed the following:

Respondent is the employee identified in the preceding complaint who permitted their funeral director and embalmer licenses to expire on July 31, 2025, and did not meet the requirements to be reinstated until August 11, 2025.

Respondent reiterated their complaint from the previous response.

**Recommendation:**

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

A motion was made by Wendell Naylor to accept Counsel’s recommendation. The motion was seconded by Tim Wheeler.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes  
Board Member(s) Voting No: None  
Board Member(s) Absent: Nash

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**9. Case No.: 2025063451 – Funeral Establishment**

This case was administratively opened following a routine inspection conducted on October 21, 2025. During the course of this routine inspection, the inspector observed the following:

- a. Upon arrival at Respondent establishment, the inspector observed “very tall grass in all areas surrounding the establishment. Directly in front of the steps leading to the front door of the establishment was a very large ant bed. There was a three (3) body refrigeration unit in the yard adjacent to the side of the funeral establishment. The refrigeration unit was not locked.
  
- b. The chapel area of the establishment was “very cluttered” and the men’s restroom “was inoperable and in a very unsanitary condition.

Respondent stated that all complaints have been addressed and corrected. Respondent sent Legal roughly 30 photographs showing that the issues identified had been addressed. Respondent further stated that the outside cooler had been removed from this property as of November 20, 2025.

**Recommendation:**

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

A motion was made by Tim Wheeler to accept Counsel’s recommendation. The motion was seconded by Wendell Naylor.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes  
Board Member(s) Voting No: None  
Board Member(s) Absent: Nash

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**10. Case No.: 2025057821 – Funeral Establishment**

Complainant stated that they observed a hearse and other funeral vehicles parked in a parking lot of a local building that was not operating as a funeral establishment. Complainant also claimed that there were stretchers coming in and out of the building and theorized that the building was being used for the preparation and

storage of bodies. Complainant stated that renovation work was occurring on the building but stated that they contacted the city and confirmed that no permits had been obtained. Complainant also alleged that the Respondent location, which operates in a different city in Tennessee but uses this new location as a satellite location without the Board's knowledge.

This case was not sent for response so that an investigator could make an unannounced stop at the location. On October 14, 2025, the investigator traveled to the location. Coincidentally, the owner of the building was present and explained that he had purchased the property two (2) years ago and was in the process of remodeling the building for a funeral establishment in the future. The owner stated they were planning to make an application to the Board for a funeral establishment upon the project's completion. The owner stated they were a licensed funeral director and owner of Respondent facility. The investigator found no evidence of deceased human remains at the location, and the owner indicated that there had been no deceased human remains stored at this location since the property had been purchased. Likewise, the owner stated no family members of decedents had come to this location to make arrangements, make funeral payments, or make pre-need arrangements. The investigator photographed all portions of the building and found no evidence of any human remains, nor any documents that would suggest that any type of arrangements had occurred. The investigator again returned unannounced on October 18, 2025, and did not witness activity on the premises. The investigator asked the owner to also look in an adjacent building situated next to the identified location where the owner stated it was an office used for administrative work. The owner stated it was never used for funeral arrangement or funeral related business. Again, the investigator found no evidence that any funeral business had been conducted with either location.

**Recommendation:**

- Closure

A motion was made by Don Haynes to accept Counsel's recommendation. The motion was seconded by Wendell Naylor.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

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**11. Case No.: 2025057821 – Funeral Establishment**

Complainant stated that they were the manager of Respondent establishment up and until September 3, 2025, when they were abruptly terminated by the owner of the establishment. Complainant alleged that the facility is currently being operated without any licensed personnel.

Respondent replied stating that on September 3, 2025, at approximately 9:00 p.m. they received a text from Complainant informing them that they would not be present at work for the remainder of the week with the knowledge that a graveside burial was scheduled for 2:00 p.m. the following day. Respondent stated Complainant indicated that the absence was due to a disagreement regarding a decision involving a previous visitation. Respondent stated after being notified of Complainant's absence they contacted a different licensed funeral director to ask them to cover for the September 4, 2025, burial. Following that conversation, Respondent also contacted a separate individual to inquire if they would be willing to take over as manager for Complainant. Legal confirmed that payment for change of establishment manager occurred on September 12, 2025, within the required ten (10) day period. Respondent stated that at no time did they ever operate without a licensed funeral director present to oversee operations or to have a licensed individual as manager of Respondent establishment.

Based on the above, the "abrupt termination" of Complainant is strictly a civil matter. If Complainant believes that they were wrongly terminated, they may file a civil suit alleging the same. Such a determination is not within the Board's jurisdiction. Likewise, Complainant provides no evidence that Respondent operated without a licensed individual and their allegation appears to be based strictly on an assumption that in their absence due to termination no licensed funeral director was available to take their place. Respondent provided evidence to the contrary, indicating that a licensed director was available for the burial service the following day and implemented a new manager eight (8) days later.

**Recommendation:**

- Closure

A motion was made by Tim Wheeler to accept Counsel's recommendation. The motion was seconded by Wendell Naylor.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

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**12. Case No.: 2025053521 – Funeral Establishment**

Complainant, daughter of the decedent, stated that their mother passed away on August 16, 2025. The following day, they arrived at the funeral establishment and gave the information that would be on the death certificate to confirm that it was correct. Complainant stated that they didn't notice but that the decedent's middle name was listed as the middle name as it appeared on the birth certificate. Complainant stated that the decedent's legal name had been updated to have her maiden name as the middle name. Complainant stated they called and informed them of this on August 18, 2025, and let them know that it should be corrected. Complainant stated on August 20<sup>th</sup>, the obituary was published where the middle name was listed as the death certificate middle name. Complainant stated that they immediately called Respondent location and indicated that it needed to be corrected. Complainant stated that on August 27<sup>th</sup>, they picked up the death certificates and went to establish an account for the decedent's estate and was told that the death certificate was incorrect. Complainant stated that Respondent filed an affidavit with the state of Tennessee and it was received on September 9, 2025, and that Complainant was told it would be an additional 10-20 business days until it would be corrected. Complainant stated they could not pay the decedent's bills in the meantime.

Respondent replied stating that they had several conversations with Complainant regarding this matter. Respondent stated they explained to Complainant that upon entering the decedent's maiden middle name and social security number into VRISM there was not a match with an error that would prohibit them from submitting the death certificate for signature. When entering the decedent's name that matched the birth certificate, it was verifiable in VRISM and accepted. Respondent stated that the decedent had made pre-arrangements with them back on March 6, 2025, and that she had given her name as the birth certificate name. Respondent stated that after the decedent passed away, Complainant did not want the name listed as the birth certificate name and that she had dropped that name in 1965. However, Respondent stated it appears that was never legally done and that the decedent started informally using the maiden name middle name. Respondent stated they explained to Complainant that they cannot use the maiden name on line 1 of a certified death certificate, but that Complainant did not accept this explanation and asked for an amendment which was completed within 12 hours of the request. Respondent stated that Complainant is frustrated that the state of Tennessee cannot make the change occur immediately. Respondent provided that they had done everything that Complainant asked and had even met with her after hours twice in an effort to make things more convenient for her. Respondent added that Complainant signed every document that indicated the

decedent's name as the birth certificate name and never made a comment until she realized that the decedent had multiple names that she had used throughout her life. Respondent even stated that they had contacted the bank personally and made it possible for Complainant to meet with the bank manager in hopes to assist with the banking matters. Respondent stated they cannot think of anything more that they could have done to assist Complainant.

Complainant provided a rebuttal stating that the decedent legally dropped their birth certificate name in 1965 and that legal documentation had reflected the maiden name as her middle name for decades. Complainant attached legal documentation (driver's license, insurance cards, social security, etc.) that indicated the maiden name as her middle name. Complainant stated that they did not request one name over another, only that the death certificate accurately reflected the decedent's legal name. Complainant indicated that they received a corrected death certificate on September 24, 2025.

Based on the above, it is unclear regarding the status of the decedent's legal name. While Complainant provides legal documentation suggesting the maiden middle name is the correct legal name, Respondent describes issues with VRISM matching the maiden name middle name with the social security number. To further complicate this question, Complainant also attached a copy of the pre-need contract where the decedent signed their name with the birth certificate middle name. Respondent appears to have done everything in their power to assist Complainant and submitted an amendment for the middle name when the possible error was brought to their attention.

**Recommendation:**

- Closure

A motion was made by Don Haynes to accept Counsel's recommendation. The motion was seconded by Tracy Allen.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

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**13. Case No.: 2025054471 – Funeral Establishment**

Complainant was formerly employed by Respondent establishment as an apprentice funeral director and apprentice embalmer from March 1, 2023 – March

20, 2024. Complainant stated the owner of Respondent establishment was listed as the sponsor on the quarterly reports. Complainant stated that the owner signed favorable quarterly reports for the second, third, and fourth quarters of 2023 and that they mutually agreed to part ways in March of 2024. On April 13, 2024, Complainant contacted the owner's daughter asking when a good time would be to sign the apprenticeship paperwork for the first quarter of 2024, Complainant contends this text was ignored and that they sent a follow up text on April 15 that the daughter communicated with. Ultimately, the daughter stated that a hard copy was being sent via mail and a copy was also available at the funeral home. Complainant stated they requested a Docusign version but were told by the daughter that the report had to be notarized so it needed to be signed in person. Complainant stated they told the daughter "I'll take it from here." Complainant stated the envelope containing the apprenticeship paperwork never arrived. Complainant stated she gave the situation time hoping that it would "heal this divide." On July 28, 2024, Complainant contacted the owner's wife asking if they could set up a meeting with the owner to sign the paperwork. Complainant stated the text was read but not responded to. Complainant emailed the daughter on August 11, 2024, requesting a meeting to meet with the owner to sign the paperwork. Complainant stated the daughter responded stating that she should contact the State because the owner's health had deteriorated to where he didn't recall Complainant's role or who they were. Complainant then makes allegations that the daughter, who is not a licensed funeral director, routinely commits unlicensed activity, but provided no evidence to support this assertion.

The daughter responded on behalf of Respondent establishment stating that after Complainant's termination, they contacted them via text regarding the quarterly reports. Respondent explained that in April 2024 their father's health declined rapidly resulting in a hospital stay. The daughter also stated around this time they were out of the state and that "facilitating the signature for her reports was not our family's main priority; our focus was on my father's health." Respondent stated, "after several days of not responding to [Complainant's] repeated messages, she escalated the situation by sending a text message threatening to report us to the state board if her request was not addressed." The daughter stated that day she showed her father the text who asked that she print the report and give it to him the next day so he could sign it. The daughter stated she then directed an employee to overnight it to the state board and text Complainant stating the same and that the issue was resolved. However, the daughter stated they returned to realize that her father had not signed the report because Complainant had filed out sections meant for the owner and used an electronic signature. The owner stated he would only sign the document in person because it needed to be notarized. The

daughter relayed this information to Complainant and asked her to call regarding future matters. The daughter stated that the next contact she received was a month later from the state board that included a communication from Complainant stated she did not feel comfortable coming to Respondent establishment. From May 2024 until July 2025 there was no further contact. In July 2025, Complainant again contacted them requesting a meeting with the owner to sign the quarterly report. The daughter stated at this time her father was not mentally capable of completing or signing the report and was often confined to bed or a recliner at his home. Respondent stated Complainant was aware of his declining condition and dementia prior to her termination and that it was her responsibility to bring the report to the owner in a timely manner and that the owner had previously agreed to sign the report if it was presented in person, but that Complainant did not follow through.

**Recommendation:**

- Closure

Note: Tim Wheeler recused himself from this case and moved from the camera view and sound.

A motion was made by Wendell Naylor to accept Counsel's recommendation. The motion was seconded by Tracy Allen.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

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**14. Case No.: 2025060221 – Funeral Establishment**

Complainant stated that Respondent establishment failed to give them proper information regarding the cemetery's rules for the decedent's headstone. Complainant stated that the cemetery is planning to remove the headstone for violating cemetery rules/requirements for headstones. Complainant alleges unprofessional conduct that Respondent funeral establishment failed to communicate these rules/requirements to them.

Respondent replied stating that they fulfilled all services outlined in their agreement, including coordination with the cemetery for burial. Respondent stated that cemetery requirements, such as those regarding headstone specifications, are independently managed by the cemetery and falls outside their scope of service. Respondent stated it was their understanding that Complainant had

purchased their marker through Amazon and that Complainant did not inform them that they were anticipating buying a headstone without clearing the requirements with the cemetery first.

As a rebuttal, Complainant attached a copy of communication from the cemetery that states specifically, “we sell many types of monuments and hope that you will purchase one from us. But if you purchase elsewhere, please have your monument company ask for a copy of our “Monument Policy” which describes our requirements. Monuments that do not meet our requirements will be removed and held for 90 days. Monuments MAY NOT be installed by individuals.” However, interestingly, the sheet that contained this disclaimer was signed by a representative of the funeral home, not by Complainant. While Complainant filed a similar complaint against the cemetery stating that they failed to make them aware of the cemetery requirements, the cemetery provided ample evidence to show that Complainant had been made aware of the marker requirements via conspicuously posted notices in the cemetery office.

Based on the above, ordinarily Respondent would not have an obligation to inform Complainant of the marker requirements in the cemetery. However, with a representative signing the disclaimer sheet, which was intended for the Complainant, in Legal’s opinion, Respondent adopted that responsibility and the requirement to inform Complainant was transferred to them. From Legal’s point of view, it was Complainant’s duty to know or should know of the cemetery requirements before taking it upon themselves to purchase a marker from Amazon and installing it themselves without clearing it with the cemetery. However, Respondent also adopted the responsibility to inform Complainant of those cemetery requirements when signing the disclaimer sheet.

**Recommendation:**

- Letter of Warning

A motion was made by Don Haynes to accept Counsel’s recommendation. The motion was seconded by Wendell Naylor.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

Complainant submitted what amounts to an anonymous complaint by erroneously providing the information of an individual who works at Respondent establishment as the "Complainant" alleging that Respondent establishment refused to provide them copies of the decedent's files since they were not listed as the next of kin even though Respondent allegedly knew the individual was the decedent's daughter. Would-be Complainant stated that they showed Respondent copies of administrator letters from the courts and claimed that they were told the employee listed as "Complainant" would be in touch. Would-be Complainant stated it had been months and Respondent had not replied.

Respondent replied stating on February 11, 2025, they were contacted for removal of the decedent and were informed by the medical center that the person of contact was the sister of the decedent. The sister scheduled an arrangement conference for 10:00 a.m. on February 12<sup>th</sup>. The sister brought an individual with her who she introduced as the husband of the decedent. The two provided all the vital information and the husband of the decedent signed the cremation authorization form identifying him as the authorizing agent and allowing the sister to receive the remains after cremation occurred. The sister's daughter paid for the funeral bill in full. On February 13, at 1:50 a.m. Eastern time, Respondent received a call from, who is presumably, the Complainant asking why she had not been contacted about their mother's passing as she was the next of kin. The funeral director on call attempted to call them back but received no answer. Thus, the funeral director put a hold on the case and on the cremation as they wished to verify they had the proper next of kin on file. On February 14<sup>th</sup>, the daughter spoke with two funeral directors and claimed that the decedent and the husband were divorced and that there were two additional children. The daughter stated she was fine with cremation but wanted a copy of the death certificate. The two directors called the husband to inform him of the claim and the husband confirmed they were married at the time of the decedent's death and supplied a copy of the marriage certificate which was attached to Respondent's reply. When the husband provided the death certificate, he specifically stated that he did not want anyone to receive information or documentation besides himself and the decedent's sister.

Respondent then called the county court to check and see if a divorce decree was ever filed. The court clerk indicated that there was no divorce decree and that the husband was still legally married to the decedent. Thus, an update was made to the case management system indicating that no information could be shared with the decedent's children at the request of the decedent's husband, the next of kin. The directors then called the daughter to let her know that the husband was the verified next of kin and was told that she could go to the local health department

to request a death certificate if one was needed. On February 15<sup>th</sup>, the daughter emailed the director expressing doubts about the marriage, which the director stated had been confirmed by the courts and they were required to follow the husband's wishes. On February 24<sup>th</sup>, the remains and copies of the death certificate were released to the husband and sister. On February 26<sup>th</sup>, the daughter emailed the director again asking for information involving the death certificate and the director did not respond. This was the last they heard from the daughter until July 21<sup>st</sup>. The daughter again spoke with one of the directors stating that she thought "something sinister happened to her mom and that she 'got appointed' and that she was going to get her doctors and things to get info." The daughter continued stating the sister had lied on the paperwork and that the children wanted copies of everything for "peace of mind." The daughter called again on July 22<sup>nd</sup> stating that she had been appointed executor of the estate and that she wanted a copy of everything in the funeral file adding again that the sister of the decedent had lied. The director advised that they are not permitted to release information to anyone who is not the next of kin, to which the daughter stated that she was the next of kin. The daughter concluded by stating she would have her lawyer call them because she needed a copy of everything. Respondent stated they have received no contact from an attorney in any form and that there have been no calls or communications from the husband of the decedent granting permission to release any information or documentation.

Complainant stated in a rebuttal that while the decedent was legally married to the husband at the time of passing "they were living separately and estranged." Complainant then argued that Tenn. Code Ann. § 62-5-703 follows the right of disposition as follows, "1. The surviving spouse, if legally married and not estranged or living apart; 2. The surviving adult children;" and purports that this proves that she and the other surviving children should be the next of kin.

Based on the above, the latter portion of the clause that Complainant purports proves the matter is incorrect. Tenn. Code Ann. § 62-5-703 does not carve out an exception for a legally married couple if the couple is "estranged or living apart." It is unclear where Complainant contends this latter clause comes from, but in reviewing the statute, that exception simply does not exist. Respondent appears to have gone above and beyond in confirming that the husband and decedent were still legally married at the time of the decedent's death. Upon confirming as such, Respondent followed the next of kin's instruction that no information or documentation should be shared with anyone else other than themselves and the sister of the decedent. Respondent followed this instruction. If a valid basis exists for Complainant to obtain the funeral documentation and information as executor

of the estate that would be for a court of competent jurisdiction to determine, not this board. Without a court order, Respondent is bound to abide by the wishes of the designated next of kin which they have.

**Recommendation:**

- Closure

A motion was made by Tim Wheeler to accept Counsel's recommendation. The motion was seconded by Don Haynes.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

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**16. Case No.: 2025061801 – Funeral Establishment**

Complainant stated that their son passed away in July 2022 and despite multiple attempts to contact Respondent's office, they have not received the death certificate. Complainant stated they have been unable to complete important legal and personal processes.

Respondent replied stating that they called the Complainant and apologized that they were not aware that she had not received her son's death certificate and that they would contact the health department and pick them up. Respondent apologized for the delay and inquired as to whether Complainant would want to pick them up or have them mailed. When Complainant confirmed they wanted them mailed, Respondent sent them via certified mail and called to ensure that Complainant had received them, which Complainant indicated she had.

Legal spoke to the Complainant on the phone and confirmed that she had received the death certificate. However, Complainant indicated that though they had received communication from Respondent following the filing of this complaint, they did not receive any communication during all of the preceding time.

Legal also contacted the Department of Health to determine the timeline of this death certificate:

- July 12, 2022: Record was created
- July 14, 2022: Assigned to Respondent
- July 15, 2022: Case was certified

- July 19, 2022: Case was released
- April 27, 2023: Delayed diagnosis was added
- April 27, 2023: Death certificate signed by the certifier

Based on this timeline, it does appear that there was a significant delay in the diagnosis and certification by the medical examiner, however this still only gets Respondent to late April 2023. It does not appear that Respondent maintained any form of contact with Complainant, updating them, informing them of the delay, etc.

**Recommendation:**

- \$1,000.00 civil penalty. Authorize via Consent Order and formal hearing is necessary.

A motion was made by Don Haynes to accept Counsel's recommendation. The motion was seconded by Tim Wheeler.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

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**17. Case No.: 2025064121 – Funeral Director**

Complainant stated that their mother passed away on May 15, 2025, and was placed in the care of Respondent for cremation services. Complainant stated that Respondent gave repeated excuses as to why the cremation was delayed but that the decedent was finally ready for pick up on June 6<sup>th</sup>. When Complainant received the documents, they advised Respondent that the name and address were wrong on the death certificate and the address was wrong on the cremation certificate. Complainant stated Respondent indicated that they would get those corrected, but despite allegedly contacting Respondent for months, they had yet to receive the amended documents.

After a conversation with Legal, Respondent contacted Vital Records on November 18, 2025, regarding the death certificate amendment. Respondent stated only, "I think I now know why this was not amended" but did not elaborate further. Respondent indicated that it would be overnighted tomorrow (November 19, 2025) and indicated that they should receive it on November 20, 2025. In this response, Respondent indicated they would provide proof that it was overnighted, at this time, Legal did not receive that information. After a call on December 1, 2025, Respondent stated that they are not entirely sure why the death certificate

amendment was not received because it was sent. Respondent theorized that it was sent to the wrong address and thus not properly received but could not say for certain. Respondent indicated in this conversation that they would send Legal proof that it had been overnighted on the 19<sup>th</sup> of November. Having not heard from Respondent, Legal again contacted Respondent on December 3, 2025. Respondent explained that they had not yet sent the amendment for the death certificate but claimed that it would be overnighted that day and claimed that they would provide proof it was overnighted. Respondent did not elaborate why it had not been overnighted on November 19, 2025, as they had originally indicated.

**Recommendation:**

- \$1,000.00 civil penalty. Authorize via Consent Order and formal hearing is necessary.

A motion was made by Tim Wheeler to accept Counsel's recommendation. The motion was seconded by Tracy Allen.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

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**18. Case No.: 2025062871 – Funeral Establishment**

On July 30, 2025, a preneed auditor with the Department conducted a routine preneed audit of Respondent establishment. During the course of the audit, the auditor found that for one contract cash advance items had been paid as honorariums. It was discovered that a decedent had passed away on April 14, 2022, and was a resident of an assisted living facility. The contract was entered into on July 2022, 98 days after the decedent had passed. Due to the decedent's passing, the decedent was not an insurable entity, and so the funds were deposited into a trust account. The decedent had donated their body to science due to having no family. The cremated remains were ultimately returned to the assisted living facility some time in 2024. The staff at the facility contacted Respondent to set up services for June 26, 2024, in order to extinguish the trust funds. Per Respondent management, they sold an urn, niche plaque, niche vase, niche, memorial service, and cemetery equipment set up. However, the two nursing home staff members required that the minister (who appears to be related to the two nursing home staff members) and the service participants (the two nursing home staff members) be paid with the remaining funds. It was noted that the final bill signed by the two staff members was a line item for "Florist-Geraldines"

for \$1,000.00. However, per conversation with the Respondent, the staff member decided not to use the flowers and those funds were split three ways between the "Minister," "Speaker" (one of the staff members), and "Musician" (the other staff member). Respondent divided the remaining excess funds and issued them as cash advance honorariums for the minister and service participants. Checks were issued to the "Minister," "Speaker," and "Musician" in the amount of \$1,956.35, \$1,956.35, and \$1,956.36 respectively. Respondent was unable to provide documentation to show that the decedent had authorized these payments to the three individuals.

Respondent replied stating that they were approached by the facilities case-manager, the "Speaker", who said the decedent had died earlier in the year and that they needed to clear her resident account funds to close out their fiscal year-end. The Speaker stated it was their intent to spend all of the balance on funeral expenses. Respondent stated after discussing with a director that since the decedent would be cremated at the expense of the medical donation coordinator they could not reasonably "sell" them nearly \$9,000.00 in goods or services. After discussion, it was decided to include a cemetery niche, plaque and urn and provide a graveside service with cemetery equipment for approximately \$3,400.00. The "Speaker" stated that the balance could not go back to the facility, so Respondent proposed the idea to divide the balance into cash advance to go to the service participants and that the money could be donated toward resident activities or other ways in which the decedent could "support" other residents of the facility. Thus, ultimately, the three checks were written directly to the "Minister," "Speaker," and "Musician."

This appears to be a highly unique situation. In short, the decedent had excess funds in their preneed trust that Respondent did not feel comfortable charging for the entirety of, particularly for a decedent who had already been cremated. What was ultimately done after the \$3,400.00 was charged for the funeral services is that the remainder went to three individuals without any authorization or way to verify that the funds were indeed going to "support" other residents of the facility. While Legal cannot say with complete certainty, Legal feels obliged to share with the Board that after a brief Google search, an obituary from a few years ago list the name of the "Minister," the "Speaker" as the daughter of the "Minister" and the first name of an individual matching the first name of the "Musician" as another daughter of the "Minister" (suggesting that this was the "Musician's" maiden name). The evidence suggests, but does not prove, that the three cash advance participants were all related. It appears to Legal that Respondent attempted to do the right thing, particularly at their decline to find charges to equal \$9,000.00 so

that they may have the full value of the preneed funds. However, no documentation from the decedent authorized those funds going to three individuals under the basis of “cash advance” items particularly without verification that it would go back to the assisted living facility as was evidently the stated plan. Furthermore, this concern is further exacerbated by the fact that the “Speaker” chose to cancel the \$1,000.00 flower arrangements. Legal would suggest to the Board that Respondent had an obligation to, at the very least, ask additional questions and implement reasonable safeguards to ensure that these three individuals did not receive the decedent’s funds that did not belong to them. While Respondent indicates that many discussions occurred internally, they provide no proof to ensure that the funds would indeed go to the facility as was intended, or that detailed questions were posed to the cash advance participants to ensure that this was indeed endorsed by the facility. Likewise, indisputably, Respondent wrote a pre-need contract 98 days after the decedent had already died.

Notably, Respondent states in their reply, “I do not know what the final disposition of any funds was, after we provided the refund checks to the service participants. . . in hindsight, this should have been handled differently but we were acting in what we thought was the most reasonable manner.” Legal would suggest to this Board that failure to implement those safeguards or take steps to ensure that the cash advance funds would go back to the facility as planned is a violation of professional conduct and that the Respondent should receive a letter of warning.

**Recommendation:**

- Letter of Warning

A motion was made by Tim Wheeler for a \$1,500.00 civil penalty. Authorize via Consent Order and formal hearing if necessary. The motion was seconded by Wendell Naylor.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

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**19. Case No.: 2024062531 – Funeral Establishment**

Complainant stated that their mother arrived at Respondent establishment at 1:19 a.m. on November 1, 2024, (a Friday morning) and was placed in a temperature-controlled room, not refrigeration, until November 4, 2024. Complainant stated that Respondent was made aware that the decedent was Jewish and per Jewish custom, they would not be embalming the decedent. Complainant alleged that the

decedent's body began to decompose specifically due to not being stored in the refrigeration cooler and due to the decomposition, the decedent was unable to have a proper Jewish burial and was placed in a bio bag on November 4, 2024. Complainant also alleged that Respondent had "fraudulently overcharged" for services provided.

Respondent replied through counsel stating that the decedent had passed away on October 31, 2024, and upon arrival "the skin on the right side of her face was purple with discoloration due to blood settling." Following treatment, the decedent was placed in Respondent's "care center" (which contextually appears to be the preparation room). Respondent stated that the husband of the decedent, one son, and one daughter, were present for the arrangement conference but that Complainant was not present. The decedent had left instructions for her disposition which were, 1: she was not to be embalmed; 2: she was to have a plastic burial vault, and (3) she was to be buried in a specific space already owned by the family. Respondent stated neither the decedent nor decedent's husband had any other religious based instructions, but Respondent secured the name of an appropriate Rabbi to ensure that all religious practices were followed. On November 5, 2024, the decedent's children, including Complainant came to Respondent establishment to express their discontent over the services, but that decedent's husband, the next of kin, never complained. However, Respondent stated due to the persistent complaints from the decedent's children, all funeral services, merchandise, and burial services were provided to the decedent's husband free of charge and provided a courtesy discount of \$2,189.00 for the companion memorial.

Complainant provided a rebuttal stating in part that their father, husband of the deceased, had not been made aware of the "issues" the family had had due to his health and age and that they had intentionally shielded him from knowledge of their concerns.

This case was sent for investigation. Complainant largely reiterated what they had stated in their complaint, providing specifically that it appeared the decedent was not placed in refrigeration until November 4, 2024. Complainant claimed when staff was asked why the decedent was not placed in refrigeration prior, they were told that decedents are placed in the care center while they wait to schedule the family to discuss arrangements. The arrangement conference occurred on November 1, 2024, however the decedent ultimately was not moved to refrigeration storage until November 4, 2024, resulting in the decedent being in the care center for four (4) days prior to being moved to refrigeration storage. The investigator also spoke to

the employee of Respondent establishment who had made the arrangements with the decedent's family. The employee stated that they met with the family on November 1, 2024, and that a graveside service was scheduled for November 6, 2024. The employee stated that after they (the employee) arrived at the funeral home at approximately 7:45 a.m. on Monday November 4, 2024, and discovered that the decedent had some discoloration and purging. The employee contacted the Rabbi to confirm that a BioSeal container would be appropriate for Jewish ceremony and the Rabbi confirmed that it would be. The decedent was then placed in a BioSeal container and put into refrigeration. Soon after, the Employee had a discussion with one of the children of the decedent who stated that a licensed funeral director and embalmer would be accompanying the Rabbi to assist in performing the Jewish ceremony in the preparation room. However, per company policy and for liability concerns, the funeral director/embalmer, who was not an employee of Respondent establishment, was not allowed in the prep room. Following this, on November 5, 2024, the three children met with the employee and expressed their dissatisfaction. As a result, the employee asked the manager of Respondent establishment to speak with them. The investigator asked the employee why the decedent's body was not placed in refrigeration when brought to the funeral home on Saturday morning and the employee replied that they were unsure.

Next, the investigator spoke with the manager of Respondent establishment who described the timeline as follows, funeral home employees made the removal of the decedent from her home on October 31, 2024, and that the body was brought directly to the funeral home and arrived at 1:19 a.m. on November 1, 2024, and was placed in a temperature-controlled care center. The care center was approximately 60 degrees. Next, the employee made funeral arrangements with the family on November 1, 2024. On November 5, 2024, the manager met with the decedent's children and did her best to address the concerns of the family. Including stating that per company policy, a separately licensed funeral director/embalmer is not permitted to enter the care center or preparation room but that they could be allowed to assist the Rabbi in one of the adjoining rooms to perform the requested Jewish rituals and that the manager asked several times what else could be done to satisfy their displeasure with the services. Ultimately, Respondent agreed to waive all services and merchandise charges, not as an admission of guilt, but in an effort to provide customer service to a family who was displeased with their services. The investigator inquired as to why the decedent was not placed into refrigeration upon arrival and that the manager stated they were not sure but that there had been some miscommunication with the funeral home staff.

The investigator also obtained the funeral file which included a letter from the embalmer dated November 6, 2024. The letter describes the decedent as coming in on a cot and sheet “covered in brownish red coloring from blood and purging from her nose and mouth. . . and the blood had settled and her face on the right side was completely purple with discoloration. On Nov. 6, 2024, I took her out of the cooler and opened BioSeal bag. Her face was still discolored and still purging from her mouth and nose. . . from her chest down there was some slight discoloration. . . her ankles and feet had no discoloration. I sealed her back up in a new BioSeal bag and put her in the casket.”

Based on the above there appears to be three (3) allegations from Complainant:

1. Respondent did not abide by proper Jewish tradition: Based on the information provided it appears Respondent did everything in their power to properly research proper Jewish burial tradition and contacted a Rabbi to assist in this endeavor. Omitted from this summary are several steps Respondent underwent in order to confirm everything was proper for Jewish custom and worked closely with the Rabbi. Even when Jewish custom at times conflicted with company policy (as it did when the funeral director/embalmer sought to enter the preparation room with the Rabbi) Respondent attempted to work around this as best as possible so as not to disturb their corporate set policies, but also so that the proper Jewish practices could be followed. One specific complaint introduced from Complainant is that due to the use of the bio bag, the decedent was unable to use the shroud, one part of the traditional Jewish ceremony. The manager of Respondent establishment provided that it had been obtained and provided to the Rabbi and the licensed funeral director/embalmer assisting the Rabbi, but that it was not used in the ritual. Based on the information obtained, it is uncertain if this was due to the use of the bio bag or was not used for another reason. It would be my recommendation to the Board to not find for violation on this allegation.
2. Respondent “fraudulently overcharged” for services provided. Complainant does not provide specific proof of this allegation other than to say that there was a charge for the dressing and cosmetizing of the deceased and that the employee was “very pushy” when it came to hair and makeup services when they were against Jewish tradition. Notably, when the investigator met with Complainant, Complainant did not mention or provide any additional information regarding this allegation. Likewise, Respondent refunded all

funds associated with the funeral and burial services and merchandise. It would be my recommendation to the Board to not find for violation on this allegation.

3. Respondent violated professional standards when failing to refrigerate the decedent. Based on the timeline, the decedent came into Respondent's care late October 31, 2024, (Thursday) or very early Friday morning (arriving at Respondent establishment at approximately 1:19 a.m.) on November 1, 2024. The decedent was placed in a temperature-controlled room (which again appears based on contextual information to be the preparation room) set at 60 degrees. Based on evidence obtained, it appears that it is custom practice of Respondent establishment to keep decedents here while next steps are being determined through the arrangement process. An employee met with the family of the decedent (without Complainant present) for the arrangement conference. Respondent's removal staff learned of the decedent's Jewish custom upon transport on October 31, 2024, and the employee learned of it at this conference the following day. Key among this information was that per Jewish custom and tradition, the decedent was not to be embalmed which was, at the latest, communicated to Respondent at the arrangement conference. Per the timeline provided, it appears that the graveside funeral service was set for Wednesday November 6, 2024. Per the employee, on Monday November 4, 2024, at approximately 7:45 a.m. the employee discovered discoloration and purging from the decedent, cleared it with the Rabbi that a BioSeal container was appropriate per Jewish custom and then placed the decedent in the refrigeration unit. In short, the decedent was in Respondent's care for approximately 78 hours and 25 minutes before being moved to the refrigeration unit with the knowledge that the decedent could not be embalmed per the family's wishes and per Jewish custom. During this period the decedent was kept in the Respondent's care center which was a temperature-controlled room of approximately 60 degrees. Tennessee does not have a law that specifies that a decedent must be placed in refrigeration within a specific time frame or placed in refrigeration at all. However, it appears to Legal that this is the particular rule at play:

Rule 0660-11-.05(j) states:

Funeral directors, embalmers, and establishments shall conduct themselves in a way that does not offend the reasonable sensibilities of the public and reflects respect for dead human bodies.

My recommendation to the Board is that the Board discuss on the record, whether the facts as we understand them, suggests whether Respondent placing a decedent who could not be embalmed in a care center temperature controlled at 60-degree room for roughly 78 hours and 25 minutes before being placed in refrigeration is a violation of the stated professional conduct rule. To clarify, there can be no violation specifically for failing to place a decedent within a refrigeration unit within a certain frame as no law or rule exists in Tennessee. However, the underlying conduct may still violate applicable professional conduct standards if determined by the Board.

**Recommendation:**

- Board Discussion

A motion was made by Tim Wheeler for a Letter of Warning, The motion was seconded by Tracy Allen.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

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

**LEGISLATIVE UPDATE:**

Our office has not been officially contacted by either the Tennessee State Funeral Directors & Morticians Association or the Tennessee Funeral Directors Association concerning their plans to pursue new legislation affecting the Board of Funeral Directors & Embalmers during the next session.

We proactively invite both associations, and any other interested party, to meet with our staff and legal counsel before introducing any bill that impacts the Board.

**LICENSEE REPORT:**

**REPORT OF LICENSES ADMINISTRATIVELY APPROVED BY EXECUTIVE  
DIRECTOR PURSUANT TO BOARD AUTHORITY FOR THE PERIOD OF  
OCTOBER 10, 2025 – DECEMBER 5, 2025**

**Establishment(s)**

Bills-McGaugh & Hamilton Funeral Home

**Type of Change(s)**

Ownership

**& Crematory  
Lewisburg, TN**

Horizon Cremations  
East Ridge, TN

Name

La Paloma Funeral Services  
Memphis, TN

Location

Premier Funeral & Cremation Services  
Nashville, TN

Location

Simple Cremation Solutions  
Memphis, TN

Location

**Individual(s)**

**Type of License(s)**

Madison Marie Cole  
Nashville, TN

Funeral Director and Embalmer

Alexandra De Ette Freeman  
Oak Ridge, TN

Funeral Director and Embalmer

Kristi Shenae Williams  
Nashville, TN

Funeral Director and Embalmer

Jeffrey Tyler Byrd  
Wytheville, VA

Funeral Director and Embalmer  
Reciprocity – Virginia

Gerald Charles Hubbell  
Ooltewah, TN

Funeral Director and Embalmer  
Reciprocity – Florida

Kenneth Frank Rogers  
Strawberry Plains, TN

Funeral Director and Embalmer  
Reciprocity – Georgia and  
South Carolina

Aaron Paul Hazen  
Memphis, TN

Funeral Director and Embalmer  
Reapplication

Dianne Evyonne Bishop  
Ripley, TN

Funeral Director

Doris M. Colvin-North  
Estill Springs, TN

Funeral Director

Dwight Lashaun Shyes  
Columbia, TN

Funeral Director

David Day Spears  
Bethpage, TN

Funeral Director

Joseph Thomas Simon  
Nashville, TN

Funeral Director  
Reciprocity – Iowa

Holly Danielle Sutton  
Boca Raton, FL

Funeral Director  
Reciprocity – Georgia and Florida

Madeleine Juliette Baker  
Johnson City, TN

Embalmer

**CLOSED ESTABLISHMENT REPORT:**

There are no closed establishments to report.

**DISCIPLINARY ACTION REPORT:**

**These are Consent Orders that have been administratively accepted / approved by the Executive Director pursuant to Board authority and as reported on the October 2025 Regulatory Boards Disciplinary Action Report**

Respondent: Melanie Burroughs Cole, Germantown, TN  
Violation: Engaged in funeral directing with an expired funeral director license  
Action: \$250 Civil Penalty

Respondent: Davis Funeral Home, Wartburg, TN  
Violation: Conducted funeral arrangements and cremation services for four decedents with an expired funeral establishment license and violated a statute pertaining to the prearrangement or prefinancing, or both, of a funeral  
Action: \$1,000 Civil Penalty

Respondent: Joe Ford Funeral Home, LLC, Memphis, TN  
Violation: Unprofessional conduct (funeral director of establishment failed to transport a decedent’s remains to a foreign country in a timely manner), being unresponsive to members of the public for an unreasonable period of time without justification, and failed to comply with the terms of the Consent Order  
Action: Suspension of establishment license for 12 calendar months, \$1,000 civil penalty, and \$358.88 costs

Respondent: Joe Ford Funeral Home, LLC, Memphis, TN

Violation: Failed to comply with the terms of a Consent Order  
Action: Suspension of establishment license

Respondent: Joseph S. Ford, Sr., Memphis, TN  
Violation: Unprofessional conduct (failed to transport a decedent's remains to a foreign country in a timely manner), being unresponsive to members of the public for an unreasonable period of time without justification, and failed to comply with the terms of the Consent Order  
Action: Suspension of funeral director license for 12 calendar months, \$1,000 civil penalty, and \$358.88 costs

Respondent: Joseph S. Ford, Sr., Memphis, TN  
Violation: Failed to comply with the terms of a Consent Order  
Action: Suspension of funeral director license

Respondent: Justin Ford Funeral Home, Memphis, TN  
Violation: Failed to comply with the terms of a Consent Order  
Action: Suspension of establishment license

Respondent: Justin Joseph Ford, Memphis, TN  
Violation: Failed to comply with the terms of a Consent Order  
Action: Suspension of funeral director and embalmer licenses

Respondent: Tate Funeral Home, LLC, Jasper, TN  
Violation: Unprofessional conduct (unreasonably delayed the filing of a certificate of death) and being unresponsive to a member of the public for an unreasonable period of time without justification  
Action: \$4,000 Civil Penalty

**OPEN COMPLAINT REPORT:**

As of December 4, 2025, there were a total of 65 open complaints, 28 against funeral directors and/or embalmers and 37 against funeral establishments.

A motion was made by Tim Wheeler to accept the Executive Director's Report. The motion was seconded by Don Haynes.

Adopted by Roll Call Vote  
Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes  
Board Member(s) Voting No: None  
Board Member(s) Absent: Nash

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**ELECTION OF OFFICERS FOR 2026:**

**PRESIDENT:**

Chris Lea made a motion to nominate and elect Wendell Naylor as President of the Board for 2026. Tim Wheeler seconded the motion.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

**VICE PRESIDENT:**

Chris Lea made a motion to nominate and elect Randy Nash as Vice President of the Board for 2026. Tim Wheeler seconded the motion.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

**APPOINTMENT OF CONTINUING EDUCATION LIAISON:**

Chris Lea made a motion to appoint Don Haynes as Continuing Education Liaison for 2026. Tim Wheeler seconded the motion.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

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**PUBLIC COMMENTS:**

President Chris Lea inquired if any members of the public wished to provide comments on the agenda items. No public comments were offered at that time by those attending the meeting, either in person or virtually.

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**ADJOURN:**

A motion was made by Chris Lea to adjourn. This motion was seconded by Don Haynes.

Adopted by Roll Call Vote

Board Member(s) Voting Yes: Allen, Poarch, Naylor, Lea, Wheeler, and Haynes

Board Member(s) Voting No: None

Board Member(s) Absent: Nash

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The meeting was adjourned by President Chris Lea at 12.24 p.m.

Respectfully submitted,

*Robert B. Gribble*

Robert B. Gribble, CPM, CFSP  
Executive Director