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MINUTES
South Carolina Board of Funeral Service
Board Meeting

9:00 a.m., Tuesday, February 5, 2013
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 202-02
Columbia, South Carolina

Tuesday, February 5, 2013

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1. Meeting Called to Order

11 Thomas E. Baker, II, of Kershaw, Vice President, called the meeting of the SC Board of Funeral
12 Service to order at 9:00 a.m. Other Board members present for the meeting included: Kenneth
13 E. Beasley, of Fountain Inn, President; Wallace McKnight, Jr., Secretary, of Andrews; Charlie
14 Bradford Evans, of Abbeville; William B. Horton, Jr., of Kingstree; Mark R. O'Steen, of
15 Spartanburg; John L. Petty, III, of Landrum; and, Jeffrey K. Temples, of Columbia.

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17 Staff members participating in the meeting included: Amy Holleman, Administrative Assistant;
18 Sara McCartha, Advice Counsel, Office of Advice Counsel; and, Sharon Wolfe, Chief
19 Investigator, Office of Investigations and Enforcement.

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21 This proceeding was recorded by a court reporter in order to produce a verbatim transcript
22 should one be necessary.

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a. Public Notice

25 Mr. Baker announced that public notice of this meeting was properly posted at the SC Board of
26 Funeral Service office, Synergy Business Park, Kingstree Building, and provided to all
27 requesting persons, organizations, and news media in compliance with Section 30-4-80 of the
28 South Carolina Freedom of Information Act.

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b. Pledge of Allegiance

31 All present recited the Pledge of Allegiance.

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2. Reports

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A. Investigative Review Committee (IRC) Report

35 Ms. Wolfe said the IRC recommended one case be forwarded to the next IRC meeting,
36 dismiss three cases, cease and desist one case, a letter of caution be issued for one case,
37 and formal complaints be issued on three cases.

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MOTION

40 Mr. O'Steen made a motion that the Board approve the IRC recommendations. Mr. Evans
41 seconded the motion, which carried unanimously.

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B. OIE Report

44 No OIE report at this time.

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9:10 a.m. Meeting Recessed

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MOTION

Mr. Horton made a motion the Board recess the meeting and reconvene at the Columbia Metropolitan Convention Center. Mr. Petty seconded the motion, which carried unanimously.

**10:04 a.m. Meeting Reconvened at the
Columbia Metropolitan Convention Center
1101 Lincoln Street, Columbia, SC**

Kenneth E. Beasley, of Fountain Inn, President, reconvened the meeting of the SC Board of Funeral Service to order at 10:04 a.m. Other Board members present for the meeting included: Thomas E. Baker, II, Vice President, of Kershaw; Wallace McKnight, Jr., Secretary, of Andrews; Michelle Cooper, of Moncks Corner; Charlie Bradford Evans, of Abbeville; William B. Horton, Jr., of Kingstree; Mark R. O'Steen, of Spartanburg; John L. Petty, III, of Landrum; and, Jeffrey K. Temples, of Columbia.

Staff members participating in the meeting included: Wendi Elrod, Program Assistant; Jeanie Rose, Administrative Assistant; Amy Holleman, Administrative Assistant; Sara McCartha, Advice Counsel, Office of Advice Counsel; Christa Bell, Office of General Counsel; Buddy Poole, Inspector, Office of Investigations and Enforcement; and, Sharon Cook, Investigator, Office of Investigations and Enforcement.

Members of the public attending the meeting included: David Hartley, Hartley Burgess Funeral Home; James Patterson; Theresa Bishop; Nathan Hamby; William White, Jr., Parker-White Funeral Home; Rob Sosebee, Woodlawn-Sosebee Funeral Home; Andy Byrd, Heritage Funeral Home; Betty Eggers, Eggers Funeral Home; John Eggers, Eggers Funeral Home; Tommy Harris, Eggers Funeral Home; Norma Helmly, Piedmont Tech.; Myra W. Dyson, Dyson's Home for Funerals; Al Cannon; Carol Cannon Hopkins, Heritage Funeral Home; Lecus Hicks, Piedmont Tech.; Ruthene Kennedy, Piedmont Tech.; Richard Dyson, Dyson's Home for Funerals; Larry C. Hendrix, Davenport Funeral Home; Russell L. Hendrix, Davenport Funeral Home; Bill Reece, Davenport Funeral Home; Danny Collins, of SC Dept of Consumer Affairs (SCDCA); Matalie Mickens, of SC Dept of Consumer Affairs (SCDCA); Scott Fowler, of the SC Funeral Directors Association (SCFDA); and, Lou Ann Pyatt, SC Morticians Association (SCMA).

3. Introduction of Board Members and Persons Attending the Meeting

The Board members, staff, and all other persons attending the meeting introduced themselves.

4. Approval of Excused Absences

No one was absent.

5. Approval of Minutes for the December 13, 2012, Meeting

MOTION

Mr. Evans made a motion that the Board approve the minutes for the December 13, 2012, meeting. Mr. O'Steen seconded the motion, which carried unanimously.

6. President's Remarks – Kenneth Beasley

94 Mr. Beasley welcomed everyone to the meeting and thanked everyone for attending. He
95 apologized for being late to the meeting. He also wished to take a moment of silence in honor
96 of Mr. Luther Johnson, Jr. since his passing just a few days earlier.
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98 **7. Administrator's Remarks – Amy Holleman**

99 Ms. Holleman stated that Ms. Doris Cubitt had jury duty and was unable to attend. She stated
100 that Mr. Ernest Adams is also absent since he is at a conference in Tennessee.
101

102 **8. Reports**

103 A. Inspection Report

104 Mr. Poole reported that Mr. Adams returned around the first of January 2013. He stated that
105 there have been about 90 inspections completed since December 14, 2012.
106

107 B. Office of General Counsel

108 Ms. Bell presented the Board with the report from the Office of General Counsel (OGC). She
109 included in the report that OGC opened 21 cases, 18 cases are pending action, two cases she
110 hopes will be resolved today, and six cases closed since January 31, 2013.
111

112 Mr. Evans asked Ms. Bell if they see the same issues/violations being reported.
113

114 Ms. Bell stated the most common violations are General Price List (GPL), funeral homes not
115 having a signed contract and selling preneed without a license.
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117 **MOTION**

118 Mr. Petty made a motion that the Board approve the OGC report. Mr. O'Steen seconded the
119 motion, which carried unanimously.
120

121 **9. Disciplinary Hearing**

122 Case No. 2012-2 – Brown and Son

123 This proceeding was recorded by a court reporter in order to produce a verbatim transcript
124 should one be necessary.
125

126 Ms. Bell reminded the board that this case came before them at the December 13, 2012,
127 meeting. She stated that Mr. Smith conducted a funeral without being licensed.
128

129 Ms. Bell stated that the recommendations are six months probation and \$250 fine.
130

131 **MOTION**

132 Mr. Petty made a motion to approve the recommendations. Mr. Baker seconded the motion,
133 which carried unanimously.
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135 **10. Present Plaque to Eddie Nelson for years of service**

136 Mr. Beasley stated that Mr. Nelson was unable to attend since he is also in Tennessee at a
137 conference.
138

139 **11. Approval of Consent Agreement (OIE – 2011-47)**

140 This proceeding was recorded by a court reporter in order to produce a verbatim transcript
141 should one be necessary.
142

143 Ms. Bell stated that the consent agreement has been signed by J P Holly Funeral Home for
144 not having a signed contract prior to services being rendered. She stated the
145 recommendations are public reprimand and a \$500 fine.
146

147 **MOTION**

148 Mr. Baker made a motion to approve the recommendations. Mr. Temples seconded the
149 motion, which carried unanimously.
150

151 **New Business**

152 **12. Application Hearings**

153 Additional Facility

154 1. Heritage Funeral Home – Carol Cannon Hopkins

155 Mr. Bryd stated that he is opening a branch funeral home, and Ms. Hopkins will be the
156 manager and now she can work 35 hours a week at the funeral home. She stated that she
157 has made arrangements for someone else to run the event planning business.
158

159 **MOTION**

160 Mr. Baker made a motion the board approve this application pending passing final
161 inspection and submitting zoning documents. Mr. O'Steen seconded the motion, which
162 carried unanimously.
163

164 2. Sosebee Mortuary and Crematory – Robert Sosebee

165 Mr. Sosebee stated that he is opening a branch funeral home, with him as manager. He
166 stated his family owns Woodlawn and Sosebee Funeral Home. He stated they are currently
167 changing the names to Sosebee Mortuary and Crematory.
168

169 **MOTION**

170 Mr. Horton made a motion that the Board approve this application pending passing final
171 inspection. Mr. O'Steen seconded the motion, which carried unanimously.
172

173 License Reinstatement

174 1. James Ford Patterson, Jr – Funeral Director/Embalmer

175 Mr. Patterson stated that he let his license lapse in 2010 and now wishes to reinstate his
176 license.
177

178 **MOTION**

179 Mr. Evans made a motion that the board approve Mr. Patterson's request to reinstate his
180 license. Ms. Cooper seconded the motion, which carried unanimously.
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182 Request for Student Permit

183 1. Theresa Marie Bishop – Student Funeral Director/Embalmer

184 Ms. Bishop wished to apply for a student permit. She appeared for charges on her criminal
185 background. She stated that the charges were years ago when she was young. She stated
186 she is trying to turn her life around.

187
188 She started Piedmont Tech. in January 2013 and has talked to people in the business but
189 she hasn't approached a funeral home yet to inquire on serving her apprenticeship until she
190 new that the Board would approve her for a permit.

191
192 **Executive Session**

193 **MOTION**

194 Mr. Horton made a motion that the Board enter into executive session for legal advice. Mr.
195 Temples seconded the motion, which carried unanimously.

196
197 **Return to Public Session**

198 **MOTION**

199 Mr. O'Steen made a motion that the Board return to public session. Mr. Petty seconded the
200 motion, which carried unanimously. Mr. Beasley noted for the record that no official action
201 was taken during executive session.

202
203 **MOTION**

204 Mr. Horton made a motion that the board grant Ms. Bishop's request to for a student permit.
205 Mr. Evans seconded the motion, which carried unanimously.

206
207 **Request to serve Apprenticeship again**

- 208 1. David Hartley – Apprentice Funeral Director/Embalmer

209 Mr. Hartley wishes to serve his apprenticeship since he served the apprenticeship over five
210 years ago and has not taken the exams.

211
212 Ms. Holleman stated that Ms. Cubitt said in the past the Board has allowed applicants to
213 apply to take the exams once they have completed the educational requirements. Then
214 once they pass the exams appear before the Board for consideration on counting the
215 apprenticeship.

216
217 **MOTION**

218 Mr. Horton made a motion that the board approves Mr. Hartley to serve the apprenticeship
219 again. He stated that the apprenticeship must be completed in the two years because he
220 will not be able to renew the apprenticeship. Mr. Evans seconded the motion, which carried
221 unanimously.

222
223 **Request to accept Embalming Apprenticeship**

- 224 1. Nathan D. Hamby – Apprentice Embalmer

225 Mr. Hamby is a licensed funeral director and wishes to serve the embalming apprenticeship
226 for one year. He stated he was licensed as a funeral director in 2003, then managed a vault
227 company, then worked for Michelin, and recently went to work for Thomas McAfee Funeral
228 Home.

229
230 Mr. Horton stated Regulation 57-04(e)(24) Doesn't give the board the authority to waive the
231 apprenticeship requirement. Mr. John White stated Mr. Hamby completed his
232 apprenticeship years ago under him. Mr. Hamby stated he has heard one-year
233 apprenticeship so that is why he requested one year. He will do what the board requires
234 even if it is to complete the two-year apprenticeship.

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MOTION

Mr. Evans made a motion for the board to give Mr. Hamby three months from the date of the meeting to pass the embalming exam or he must complete the full two-year apprenticeship. Mr. Horton seconded the motion, which carried unanimously.

Request for Apprenticeship applicant has other full-time employment

1. Myra W. Dyson – Apprentice Funeral Director

Ms. Dyson wishes to serve her apprenticeship and has another full time job as an Elementary School Guidance Counselor in Sumter.

Ms. Cooper asked how many months she works at the school. Ms. Dyson stated she works nine months out of the year for the school.

Mr. O'Steen asked how she will meet the 35 hours a week if she also works for the school. She stated she works nights, weekends, spring break and during the summer. Mr. Temples stated it must be during normal business hours of the funeral home.

Mr. Baker asked what the case volume per year is. Mr. Dyson stated about 20 cases per year.

Mr. Dyson, owner and manager of the funeral home and husband to Ms. Dyson, stated that he and his wife both own the funeral home so they are always there so it will not get a problem for her to get more than 35 hours a week at the funeral home.

Executive Session

MOTION

Mr. Baker made a motion that the Board enter into executive session for legal advice. Mr. Temples seconded the motion, which carried unanimously.

Return to Public Session

MOTION

Mr. Horton made a motion that the Board return to public session. Mr. Temples seconded the motion, which carried unanimously. Mr. Beasley noted for the record that no official action was taken during executive session.

MOTION

Mr. Evans made a motion that the board approve Ms. Dyson's request to serve her apprenticeship based on the fact that she is part owner and her and husband/supervisor spend most of their time at the funeral home. Mr. O'Steen seconded the motion, which carried unanimously.

2. Andrew Charles Fuller – Apprentice Funeral Director

Mr. Fuller called and was unable to attend and requested that he be put on the next agenda.

3. Quentin Leon Martin – Apprentice Funeral Director/Embalmer

Mr. Martin called and was unable to attend and requested that he be put on the next agenda.

284 4. William Timothy Plummer – Apprentice Funeral Director
285 Mr. Petty and Mr. Horton recused themselves from voting in this matter since they know
286 John and Betty Eggers.

287
288 Mr. Plummer wishes to serve his apprenticeship but he also works full time at Land-O-Sun
289 as a transportation supervisor.

290
291 Mr. Plummer's supervisor will be Ms. Eggers, and she stated she feels sure that Mr.
292 Plummer can meet the 35 hours a week. She stated she wouldn't put her license on the line
293 if she didn't feel he could meet that requirement.

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295 **MOTION**

296 Mr. Evans made a motion that the board approve Mr. Plummer's request to serve his
297 apprenticeship pending a letter from his Land-O-Sun supervisor stating that his work hours
298 can be flexible to allow him to work a minimum of 35 hours a week at the funeral home. Ms.
299 Cooper seconded the motion, which carried unanimously.

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301 5. Joan Laverne White – Apprentice Funeral Director
302 Ms. White wasn't present so the board tabled this item until Ms. White could be present.
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304 **13. Committee Reports**

305 A. Legislative Committee – Brad Evans
306 This committee had no report.
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308 B. Examination/CEU/Education – Jeff Temples, Mark O'Steen
309 Mr. Temples stated that tours are not acceptable CE courses so some courses are being
310 denied.

311
312 C. Regulatory Compliance (Federal and State) / FTC / OSHA / ADA / PreNeed – Billy
313 Horton, Doris Cubitt

314 Mr. Horton stated that the inspectors are checking the general price list, cast price list and
315 outer burial container price list. He stated that the board may need to request all funeral
316 homes to send in their GPL, CPL and OBPL.

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318 Ms. Holleman stated she will ask Ms. Cubitt to contact Mr. Horton to discuss this issue and
319 possible make a motion at the April 3, 2013, meeting.

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321 **MOTION**

322 Mr. O'Steen made a motion that the board accept all reports as information. Mr. Evans
323 seconded the motion, which carried unanimously.

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325 **14. Public Comments**

326 No public comments at this time.

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328 **15. Adjournment**

329 **MOTION**

330 Mr. Horton made a motion the Board adjourn. Mr. Temples seconded the motion, which carried
331 unanimously.

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333 The February 5, 2012, meeting of the SC Board of Funeral Service adjourned at 11:50 a.m.

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335 The next meeting of the SC Board of Funeral Service is scheduled for April 3, 2013.

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