

MINUTES South Carolina Funeral Board Board Meeting 10:00 a.m., April 4, 2002 Synergy Business Park 110 Centerview Drive, Kingstree Building, Room 108 Columbia, South Carolina

Bob Parks, Vice President, of Charleston, called the regular meeting of the S.C. Funeral Board to order at 10:00 a.m., with a quorum present. Other board members participating during the meeting included: Gregory Jones, Secretary, of Greer; Jim Adcock, of Orangeburg; Ward Avinger, of Holly Hill; Phillip Caulder, of Chesterfield; Roger Finch, of Greenville; Charles Green, of Charleston; Clarence Hampton, of Seneca; Larry Strom, of Pelzer; and A. P. Williams, III, of Columbia.

Mike Thornwell, President, of Rock Hill, was granted an excused absence.

Staff members participating during the meeting included: Sharon Dantzler, Deputy General Counsel, LLR-Office of General Counsel; Sandra Dickert, Administrative Assistant; Larry Hall, Investigator; Dwight Hayes, Interim Administrator; and Jeanie Rose, Administrative Specialist.

Mr. Parks announced that the meeting was being held in accordance with the Freedom of Information Act by notice mailed to The State Newspaper, Associated Press, WIS-TV and all other requesting persons, organizations, or news media. In addition, notice was posted on the bulletin boards at the two main entrances of the Kingstree Building.

Invocation Mr. Jones delivered the invocation.

Pledge of Allegiance All present recited the Pledge of Allegiance

Approval of Minutes for the February 6, 2002 Meeting and the March 14, 2002 Work Session Meeting Mr. Caulder moved the minutes from the February 6, 2002 and the minutes from the March 14, 2002 work session meeting be approved as submitted. Mr. Adcock seconded the motion, which carried unanimously.

Vice President's Remarks Mr. Parks stated Mr. Thornwell is attending the ICFEB national conference in Dallas, Texas. He further stated there seems to be a shift in the funeral service through continuing education credits. He continued by saying that by attending the ICFEB national conference Mr. Thornwell is attempting to understand what the colleges are requesting to be endorsed regarding the continuing education credits.

Mr. Parks stated Mr. Thornwell had asked that he commend staff on the work being performed on behalf of the funeral industry.

Interim Administrator's Remarks Mr. Hayes stated the recent budget cuts have been made within the agency have been absorbed without reduction in force of staff at this

time. He indicated that fifty-seven inspections have been conducted since January 1, 2002. He further stated the investigators from the Barber Board as well as the Cosmetology Board are assisting with the funeral home inspections. He noted that the inspectors conducting the inspections are retired law enforcement officers. He also stated all of the crematories have been inspected since the media broadcast the news regarding the crematory in Georgia. He continued by saying that a local news channel in Greenville requested and videotaped a crematory inspection, which went very well. He also noted that South Carolina has been heralded as one of the better states, if not the best state, regulating crematories.

Mr. Hayes presented the members, for their information, with a list of licenses issued to new funeral directors/embalmers. He noted that twelve licenses have been issued to funeral directors/embalmers since the last meeting. (The list of licenses issued to new funeral directors/embalmers is attached as Addendum A.)

Mr. Hayes presented the members, for their information, with a list of routine managers issued. He noted that two licenses to routine managers have been issued since the last meeting. (The list of routine manager licenses issued is attached as Addendum B.)

Mr. Hayes presented the members, for their information, with a list of funeral home permits issued since the last meeting. He indicated one permit has been issued. (The list of funeral home permits issued is attached as Addendum C.)

Mr. Hayes stated that during the last meeting the board had discussed staff holding a continuing education class and that the continuing education committee would coordinate a speaker for that class. He continued by saying that the board should work quickly in coordinating the class. He stressed that staff would at least need a date (from the board) for the class so that the licensees may be notified when the renewal notices have been mailed. He indicated he would contact the Fire Academy to see if dates would be available in May 2002. He also said that if the Fire Academy were not available staff would contact local hotels to inquire about a conference room. He said that the board would need to charge \$50 to cover the expenses.

Mr. Hayes stated that Dr. Ball would be here at 11:00 a.m. for a presentation on communicable diseases. He indicated that Dr. Ball's presentation might be worthy of time allotted in the continuing education class.

Advisory Opinions, If Needed, Sharon Dantzler, Office of General Counsel There were no advisory opinions given during the April 4, 2002 meeting.

Legislative Update, If Needed, Legislative Liaison Office There was no legislative update given during the April 4, 2002 meeting.

Action Items Unfinished Business New Facility Myrtle Beach Cremation and Shipping Mr. Hayes stated this matter was presented to the board at the February 6, 2002 meeting.

He further stated this facility would offer cremation and shipping service. He continued by saying the board had questioned the embalming of the shipping service, if there was going to be any and the cremation. (The application for Myrtle Beach Cremation and Shipping is attached as Addendum D.)

Mr. Richard Neal, owner of Myrtle Beach Cremation and Shipping, said that he would like to direct a cremation service. He further stated the shipping would be of cremated remains only. He indicated there would be no services. He continued by saying he thought he had an agreement with a funeral home, however, the facility determined not to go that route. He also stated that the bodies would be taken directly to the crematory. He noted the business would be located in an executive office suite where he is doing business for another company.

MOTION Mr. Avinger moved this matter be discussed in executive session. The motion was seconded by Mr. Hampton and unanimously carried.

The People's Mortuary Mr. Hayes stated the proposed manager of this facility, Ms. Connie Jackson, is a full-time employee of DSS. He further stated Ms. Eloise Davis, Human Resource Manager for DSS, sent the board a letter indicating that Ms. Jackson would be allowed to use annual leave to attend the funeral home business. (The letter from Ms. Eloise Davis, DSS Human Resource Manager, is attached as Addendum E.)

MOTION Mr. Hampton moved the board discuss in executive session. Mr. Adcock seconded the motion, which carried unanimously.

New Business Reciprocity - Funeral Director Byron Percival Harrison Mr. Harrison was not present for the meeting. Mr. Harrison is duly licensed in Georgia. His application does not show where he would be employed. Mr. Harrison's application does not include a SLED report or a photograph. (Mr. Harrison's application is attached as Addendum F.)

MOTION Mr. Caulder moved the board table this matter until all items for the application have been received. The motion was seconded by Mr. Strom and carried unanimously.

2 Additional Facility Troy Funeral Home Mr. William Benton Troy stated he is proposing to purchase Nelson Funeral Home in Myrtle Beach. He further stated the name would be changed from Nelson Funeral Home to Troy Funeral Home. He indicated the proposed manager is 13.8 miles from the proposed additional facility.

MOTION Mr. Hampton moved the board approve this facility pending inspection. Mr. Strom seconded the motion, which carried unanimously.

3. Funeral Director/Embalmer Joseph M. Palmisano Mr. Hayes stated Mr. Palmisano phoned and indicated he would be not be present. He indicated Mr. Palmisano allowed his license to expire in 1999. He further stated Mr. Palmisano is applying for reinstatement.

MOTION Mr. Green moved the board table this matter until all pertinent documents are in order. The motion was seconded by Mr. Strom and carried unanimously.

Mr. Hayes noted that Mr. Palmisano's file does include a law enforcement report from the State of New York, which would be equivalent to the SLED report.

Mr. Green withdrew his motion at this time.

MOTION Mr. Caulder moved the board approve the application. Mr. Green seconded the motion, which carried unanimously.

4. Apprentice Funeral Director/Embalmer Leland Hollingsworth, Sr. Mr. Hayes stated Mr. Hollingsworth could not appear before the board today. He further stated Mr. Hollingsworth's SLED report indicates he has been arrested for fraudulent checks. He went on to say he informed Mr. Hollingsworth he would need to send the board an explanation regarding the fraudulent checks. He went on to say the arrest in 1993 was for assault and battery, however, the charges were dropped. He noted that SLED reports indicate arrests and conviction, not just convictions.

MOTION Mr. Avinger moved the board accept the application and to notify Mr. Hollingsworth the profession he is undertaking is a profession that he needs to uphold high standards. Mr. Caulder seconded the motion, carried.

5. Approval of Pre-Need Policy Southland National Insurance Company Mr. Hayes stated this matter was inserted on the agenda in error. He indicated that there is proposed legislation before the General Assembly which would eliminate the board's approval in this process.

A discussion ensued on the pre-need policies and the approval process by the S. C. Insurance Commission.

MOTION Mr. Caulder moved the board accept the Southland National Insurance Company pre-need policy. The motion was seconded by Mr. Jones and carried unanimously.

Mr. Parks stated that with the number of insurance companies that the funeral service have access to it is becoming increasing important for the funeral director be very careful which company they are trusting money with and under what terms they are trusting the money.

6. Reinstatement - Funeral Director Tommy Capers Mr. Hayes stated Mr. Tommy Capers allowed his license to expire at the end of 1999. He noted that the application is in order.

Mr. Capers stated he allowed his license to expire due to a divorce and briefly explained what happened. He indicated he would be working for another funeral home.

MOTION Mr. Hampton moved the board accept this application. Mr. Strom seconded the motion, which carried unanimously.

7. New Facility a. Brown Memorial Chapel - Walter Bernard Brown Mr. Walter Brown appeared before the board and is the proposed manager of this facility.

Mr. Hayes noted that staff has now received the corporation and limited liability documents. He stated that the application is now complete.

Mr. Brown stated he plans to renovate a home as the facility. He is currently employed as a clinical research coordinator with MUSC in Charleston; however, he plans to leave this job once the facility has opened.

MOTION Mr. Caulder moved the board approve this application. The motion was seconded by Mr. Adcock and carried unanimously.

Recess The board recessed for five minutes.

Return to Public Session The board returned to public session.

Discussion Items Communicable Diseases - Dr. Robert Ball, SCDHEC Bureau of Disease Control Dr. Richard Ball, MD, MPH, of DHEC, made a presentation regarding communicable diseases.

Apprentice Program This item was not discussed at April 4, 2002 meeting.

Public Comments There were no public comments made during the April 4, 2002 meeting.

Executive Session Mr. Caulder moved the board enter executive session. The motion was seconded by Mr. Adcock and unanimously carried.

Return to Public Session to Report on Executive Session Mr. Parks noted for the record that no motions were made and no votes were taken during the time the board was in executive session.

Myrtle Beach Cremation and Shipping MOTION Mr. Caulder moved the board deny this application. Mr. Avinger seconded the motion, which carried unanimously.

The People's Mortuary MOTION Mr. Strom moved the board deny Ms. Jackson's application again due to lack of sufficient evidence of accessibility. Mr. Williams seconded the motion, which carried unanimously.

DRC Report MOTION Mr. Green moved the board approve the DRC report with the

exception of case #508 and moved that case #508 receive a private reprimand. The motion was seconded by Mr. Caulder and carried unanimously.

Mr. Parks asked the board members to review the apprentice program discussed at the March 14, 2002 meeting and that this item be place on the agenda for the June 6, 2002 meeting.

Adjournment There being no further business to be discussed, Mr. Caulder moved the meeting be adjourned. Mr. Adcock seconded the motion, which carried unanimously. The April 4, 2002 meeting of the S.C. Board of Funeral Service adjourned at 2:20 p.m.

The next meeting of the Board of Funeral Service is scheduled for June 6, 2002.