

MINUTES
South Carolina Board of Funeral Service
Committee Meeting

3:00 p.m., January 21, 2015
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 202-03
Columbia, South Carolina

Wednesday, January 21, 2015

1. Meeting Called to Order

Charlie Bradford Evans, Vice President, of Abbeville, called the committee meeting of the SC Board of Funeral Service to order at 2:55 p.m. Other Committee members present for the meeting included: Michelle Cooper, of Monks Corner; William B. Horton, Jr., of Kingstree; and, Eddie Nelson, of Blythewood.

Staff members participating in the meeting included: Wendi Elrod, Program Assistant; Doris Cubitt, Administrator; and, Amy Holleman, Administrative Assistant.

a. Public Notice

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

2. Introduction of Board Members and Persons Attending the Meeting

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

3. Discussion of Permissions and Duties which May Be Given or Assigned to the Board Administrator

A. Application changes for facility manager, location changes, and additional facilities

Ms. Cubitt stated the administrator currently has the authority to approve manager changes, location changes, and additional facilities. She stated the sometime around 2006 or 2007 the Board gave the administrator the authority to approve manager changes; however, we do not show a motion in any board minutes to verify this. Ms. Cubitt stated at the April 3, 2013, board meeting the administrator was given the authority to approve applications for additional locations. And at the September 23, 2013, board meeting the administrator was given the authority to approve applications for location changes.

Ms. Cubitt stated that we need to formalize these items giving the administrative authority to approve these applications.

Recommendation

Mr. Evans recommended that the Board give the administrator the authority approve manager changes, location changes and additional facilities.

B. Granting facilities a thirty (30) day extension for manager change

Ms. Cubitt stated that the law currently states that the board must be notified within thirty (30) days upon the death, resignation, or incapacity of the manager of a funeral establishment or crematory.

She stated it may be beneficial for her to be given the authority to extend an additional thirty (30) days for the manager change, depending on the circumstances, as long as the funeral establishment has a full-time licensed person there.

Recommendation

Mr. Horton recommended that the Board give the administrator the authority to give the funeral establishment one (1), thirty (30) day extension with documents showing their efforts.

C. Reinstatement of license to be manager

Mr. Horton asked why does someone reinstatement their license need to be licensed for one (1) year before being manager of a funeral home.

Mr. Evans stated that this was addressed at the December 11, 2014 Board meeting.

December 11, 2014 Board meeting

Ms. Cubitt stated that the question has come up if a licensee lets their license lapse and reinstates the license can they be a manager immediately following the reinstatement.

Mr. Evans stated in Section 40-19-20 (16) "Manager" - means a licensed funeral director who has been licensed in this State for at least one year, who is a fulltime regular employee, and who is responsible for and has the binding authority from the owner for the day-to-day management of funeral establishments or crematories including compliance with all applicable laws governed by this chapter.

He stated the Boards position is the license must be active and in good standing for one (1) year prior to being a manager.

Mr. Nelson inquired on if the manager of the crematory has to be a crematory operator as well. Ms. Cubitt stated the manager of a crematory does not need to be a crematory operator unless the manager is the operator of the crematory.

MOTION

Mr. Evans made a motion that they move this item to the February 3, 2015 board meeting. Mr. Horton seconded the motion, which carried unanimously.

Recommendation

Mr. Evans recommended that the Board stick to the written statute regarding manager.

D. Deregulating for Retail Sales Outlets

Mr. Evans stated that he believes that the Board of Funeral Service no long wants to regulate "Retail Sales Outlets". Ms. Cubitt states that goes back to the deregulating committee task force. She stated she will find the Bill that was proposed for deregulating retail sales outlets and present that to the Board at the February 3, 2015 meeting.

E. Apprenticeship served for the fourth (4th) time

Ms. Cubitt stated that we currently allow apprentices to serve their apprenticeships three (3) times and the fourth (4th) time they must appear before the board for approval to serve the apprenticeship the fourth (4th) time, which would be the fifth (5th) year.

Recommendation

Mr. Evans recommended that the Board give the administrator the authority to give approve the apprenticeship for the fourth (4th) time.

F. Apprentices with other employment (full-time and part-time)

Ms. Cubitt stated that currently staff advises apprentices that they must work full-time at the funeral home, under direct supervision, and during normal business hours of operation of the funeral home.

Ms. Cooper stated that the apprentice should be allowed to work at anytime as long as their supervisor is on the premise.

Recommendation

Mr. Evans recommended that the apprentice would receive credit for the apprenticeship as long as the apprentice and supervisor are on the premise together full-time. He suggested that staff change the apprentice application to state that signing the apprentice application that the apprentice and supervisor understand they must work the same hours full-time.

Mr. Evans inquired on who is currently the Boards investigator.

Ms. Cubitt stated that we currently have Ms. Sharon Cook and Ms. Yolanda Rodgers. But Ms. Cook is being phased out to work for other Boards.

Mr. Evans inquired why they are doing that. Ms. Cubitt stated that the Investigation and Enforcement Department are trying to better utilize Ms. Cooks skills.

Mr. Evans stated that the Board has changed administrators, advice attorneys, and litigating attorneys so much over the years that the Board has suffered. He stated that when LLR is placing anyone in staff positions with the Board that they make sure that they have the knowledge to keep to the level of integrity and professionalism that the Board expects.

4. Public Comments (no votes taken)

No public comments at this time.

5. Adjournment

MOTION

Mr. Horton made a motion the Board adjourn. Ms. Cooper seconded the motion, which carried unanimously.

The January 21, 2015, committee meeting of the SC Board of Funeral Service adjourned at 4:29 p.m.

The next scheduled meeting of the SC Board of Funeral Service is scheduled for January 22, 2015.