

MINUTES
South Carolina State Board of Funeral Service
Board Meeting

10:00 a.m., June 23, 2022
Synergy Business Park
110 Centerview Drive, Kingtree Building Room 108
Columbia, South Carolina

Thursday, June 23, 2022

1. Meeting Called to Order

Landis Price, II, President, of Leesville called the regular meeting of the South Carolina State Board of Funeral Service to order on June 23, 2022 at 10:00 a.m. Other board members present for the meeting included; Kenneth E. Baxter, Sr., Vice-President, of Greenville; James P. Hodge, Secretary/Treasurer, of Anderson; Michelle A. Cooper, of Moncks Corner; Darryl Dickerson, of Goose Creek; Gregory Evans, of Newberry; Eddie J. Nelson, of Blythewood; William E. Taylor, of Chesterfield; D'Michelle P. DuPre, of Chapin; and Thoma L. Williams, of Sumter. Stephen L. McMillan, Jr. was not in attendance.

Staff members present for the meeting included: Alexis Bell, Disciplinary Counsel, Office of Disciplinary Counsel; Kyle Tennis, Advice Counsel, Office of Advice Counsel; Amy Holleman, Administrator; Norma McAllister, Program Assistant; Kristina Zepp, Administrative Assistant; Rodney Pigford, Chief Investigator, Office of Investigations and Enforcement; Matalie Mickens, Inspector, Office of Investigations and Enforcement; William Poole, Inspector, Office of Investigations and Enforcement; Michael Smith, Investigator, Office of Investigations and Enforcement; and Rosa Campbell, Investigator, Office of Investigations and Enforcement.

Members of the public attending the meeting included: Derrick S. Robinson, of Lancaster Funeral Home & Cremation Service and Cremation Specialist; Laura A. Roberts, of Wolfe Funeral Home; and Mark A. Aaroen, Chief Operating Officer of Heritage South Carolina, LLC.

A. Public Notice

Mr. Price announced that public notice of this meeting was properly posted at the South Carolina State Board of Funeral Service office, Synergy Business Park, Kingtree 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. The meeting will be held via video and teleconference. Members of the public who wish to attend may do so by live streaming at <https://lfr.sc.gov/fs/videos.aspx>.

Prior to the Pledge of Allegiance, the Board held a moment of silence for Officer Austin Aldridge of Spartanburg, who passed away in the line of duty.

B. Pledge of Allegiance

All present recited the Pledge of Allegiance.

2. Approval of the Agenda

Mr. Price called for a motion to approve the agenda.

MOTION: Mr. Baxter made a motion, seconded by Dr. DuPre that the Board approve the agenda. The motion carried unanimously.

3. Introduction of Board Members and Staff Attending the Meeting

The board members and staff attending the meeting introduced themselves.

4. Approval of Excused Absences

Mr. Price stated there were no excused absences according to the Board’s policy.

5. Approval of Minutes from the April 27 & 28, 2022 meetings.

The Board reviewed the minutes.

MOTION: Mr. Baxter made a motion, seconded by Mr. Nelson, to approve the minutes. The motion carried unanimously.

6. President’s Remarks – Landis D. Price, II

Mr. Price welcomed everyone in attendance and wished everyone a safe July 4th holiday.

7. Administrator’s Remarks – Amy Holleman

A. Financial Report

Ms. Holleman reported that the Board’s cash balance at the end of May 31, 2022 was \$-127,273.88.

B. Updates – Funeral Establishments

Change of Managers

FE#	Name of Funeral Establishment (FE) – location	Name of Former Manager		Name of New Manager		Effective Date
1074	EGGERS FUNERAL HOME	GERALD WILLIAM HUTCHINS	FD.3977	JUDSON NASH HORNER	FDE.3815	05/06/2022
1075	EGGERS FUNERAL HOME OF CHESNEE	GERALD WILLIAM HUTCHINS	FD.3977	JUDSON NASH HORNER	FDE.3815	05/06/200
1076	EGGERS CREMATORY	GERALD WILLIAM HUTCHINS	FD.3977	JUDSON NASH HORNER	FDE.3815	05/06/2022
1031	BASS CAUTHEN FUNERAL HOME AND CREMATION CENTER	CHRISTOPHER HENRY BIECKER	FDE.4219	DAVID L. HARRIS	FDE.4140	05/06/2022
6	MILLER’S FUNERAL HOME	MICHELLE GREEN NELSON	FDE.3613	HAZ MICHAEL HAMMONDS	FDE.4230	05/13/2022
1047	SIMPLICITY LOWCOUNTRY CREMATION & BURIAL SERVICES	JOSEPH DEMERLY BELL	FD.4177	SHARON NANCY RICHARDSON STAHL	FD.2091	05/26/2022
1048	LOWCOUNTRY CREMATORY	JOSEPH DEMERLY BELL	FD.4177	SHARON NANCY RICHARDSON STAHL	FD.2091	05/26/2022
1070	SIMPLICITY LOWCOUNTRY CREMATION & BURIAL SERVICES	JOSEPH DEMERLY BELL	FD.4177	SHARON NANCY RICHARDSON STAHL	FD.2091	06/06/2022

Ms. Holleman informed the Board that since the last Board meeting, April 28, 2022, staff issued:

Apprentice Certificates			Student Certificates			License		
FDE	FD	EMB	FDE	FD	EMB	FDE	FD	EMB
12	4	0	0	0	0	4	0	0

Ms. Holleman informed the Board that all licensees are currently in renewal and the renewal numbers are as follows:

Licensees			Facilities		
FDE	FD	EMB	Parent	Branch	Crematory
241	150	3	136	47	21

Ms. Holleman informed the Board that the International Conference will consolidate the State Board Exam (SBE) program and the National Board Exam (NBE) program beginning January 1, 2023. All candidates for licensure will take the NBE Arts and/or NBE Sciences based on eligibility requirements set forth by their regulatory board/agency or their ABFSE accredited program.

8. Reports

A. Inspection Report – Matalie Mickens

Ms. Mickens informed the Board that she and Mr. Poole conducted 105 inspections between April 19, 2022 and June 9, 2022.

The Board discussed the report and asked that the number of re-inspections be mentioned during the report.

B. Investigative Review Committee (IRC) Report – Rodney Pigford

Mr. Pigford presented the June 9, 2022 IRC recommendations to the Board, which are to dismiss cases 2022-3, 2022-6, 2022-11, 2022-22, 2022-23, 2022-30, 2022-50, 2022-38, and 2022-39; issue a letter of caution for cases 2022-4, 2022-5, 2022-35, 2022-36, 2022-20 and 2022-40; and for the following cases to move forward with a formal complaint: 2022-44, 2022-45, 2022-55, 2022-56, 2021-59 and 2021-60.

Mr. Price called for a motion in this matter.

Executive Session

Motion: Ms. Cooper made the motion, seconded by Mr. Baxter, to go into Executive Session to receive legal advice. The motion carried unanimously.

Return to Public Session

Motion: Dr. DuPre made the motion, seconded by Mr. Dickerson, that the Board come out of Executive Session. The motion carried unanimously.

Mr. Price noted, for the record, there were no votes taken during Executive Session.

MOTION: Ms. Cooper made a motion, seconded by Mr. Baxter, to approve the IRC recommendations for the cases with the exception of 2022-40 which the Board recommends reconsideration by the IRC. The motion carried unanimously.

Ms. Cooper recused herself for the disposition of case 2022-49.

MOTION: Mr. Baxter made a motion, seconded by Dr. DuPre, that the Board dismiss case 2022-49. The motion carried unanimously.

Ms. Cooper returned to the session.

C. Office of Investigations and Enforcement (OIE) Report – Rodney Pigford

Mr. Pigford stated that the Office of Investigation and Enforcement received 75 complaints between January 1, 2022 and June 14, 2022. There were 27 active investigations and 10 closed cases.

D. Office of Disciplinary Counsel (ODC) Report – Alexis Bell

Ms. Bell presented the ODC report to the Board stating that as of June 15, 2022, there were 41 open cases; 16 pending hearings and agreements; and 10 closed since April 16, 2022.

Applications

Application Hearings

9. Funeral Establishment

These proceedings were recorded by a court reporter in order to produce a verbatim transcript should one be necessary.

Both parties concurred with the Board hearing the applications for Lancaster Funeral Home & Cremation Services and Cremation Specialist simultaneously.

A. Change of Ownership

1. Lancaster Funeral Home & Cremation Service
2. Cremation Specialist

Mr. Derrick S. Robinson and Mr. Mark A. Aaroen appeared before the Board on behalf of Lancaster Funeral Home & Cremation Services and Cremation Specialist.

Ms. Holleman informed the Board that the application is complete and that Mr. Robinson is asking that the Board approve the change of ownership with him as the manager. Mr. Robinson, license number FD. 2257, initially licensed on October 16, 1995, resides 14.9 miles from the facilities. Ms. Holleman informed the Board that staff has not received a copy of Mr. Robinson's background check. Ms. Holleman stated that Heritage South Carolina, LLC is the parent company with members, Renee Lockhart and Mark A. Aaroen.

Both, Mr. Robinson and Mr. Aaroen responded to questioning from the Board. After concluding there were no other statements and/or questions, Mr. Price called for a disposition in this matter.

MOTION: Ms. Cooper made a motion, seconded by Mr. Baxter, that the Board approves the change of ownership with Mr. Derrick S. Robinson as the manager of record for both facilities pending the facilities passing final inspections, receipt of a favorable letter from the South Carolina Department of Consumer Affairs regarding preneed, and the receipt of Mr. Robinson's favorable background check. The motion carried unanimously.

3. Wolfe Funeral Home

Ms. Laura A. Roberts and Mr. Mark A. Aaroen appeared before the Board on behalf of Wolf Funeral Home.

Ms. Holleman informed the Board that the application is complete and that Ms. Roberts is asking that the Board approve the change of ownership with her as the manager. Mr. Robinson's, license number FD. 2359, initially licensed on April 7, 1997, resides 3.2 miles from the facility and does have a criminal background. Ms. Holleman stated that Heritage South Carolina, LLC is the parent company with members, Renee Lockhart and Mark A. Aaroen.

Both, Ms. Roberts and Mr. Aaroen responded to questioning from the Board. After concluding there were no other statements and/or questions, Mr. Price called for a disposition in this matter.

MOTION: Mr. Nelson made a motion, seconded by Mr. Dickerson, that the Board approves the change of ownership with Ms. Laura A. Roberts as the manager of record pending the facility passes final inspection and the receipt of a favorable letter from the South Carolina Department of Consumer Affairs regarding preneed. The motion carried unanimously.

10. Elections – Investigative Review Committee (IRC) members

Ms. Holleman reminded the Board that according to its policy IRC members serve a two-year term and that at the end of each term the Board would nominate and approve the current or new IRC member. Because of COVID disruptions, this was delayed

The Board called for an Executive Session with the Administrator present to discuss this matter.

Executive Session

Motion: Ms. Cooper made the motion, seconded by Mr. Taylor, to go into Executive Session to receive legal advice. The motion carried unanimously.

Return to Public Session

Motion: Dr. DuPre made the motion, seconded by Mr. Nelson that the Board comes out of Executive Session. The motion carried unanimously.

Mr. Price noted, for the record, there were no votes taken during Executive Session.

MOTION: Ms. Cooper made a motion, seconded by Mr. Baxter, to approve Mr. Brad Evans, Mr. Glen Crawford, Mr. Charvis Gray, Mr. William Horton, and Ms. Elizabeth Simmons to serve as IRC Committee members. The motion carried unanimously.

11. Clarification of Regulation 57-13.2, Websites

Ms. Holleman asked that the Board, for clarification, provide guidance and render an interpretation regarding the new regulation 57-13.2. The regulation states “Websites for funeral establishments must list the individual South Carolina State Board of Funeral Service license number of all licensed funeral directors and embalmers employed at the establishment and further must identify all other employees mentioned in the website as either unlicensed or apprenticed, as the case may be. If a funeral director or embalmer’s license is subsequently lapsed, revoked, suspended, or surrendered, the website shall not continue to identify the individual as licensed as long as the disqualification exists.”

The Board discussed the matter and determined based on the verbiage that a funeral establishment with a website present must list all licensees employed at the establishment on its website along with their license numbers, but the establishment is not required to list unlicensed employees, whether they are unlicensed individuals or apprentices. If the establishment chooses to list unlicensed employees or apprentices on its website, it must identify them as such.

In addition, the Board determined that any person paid as a W2 employee by the funeral home is considered an employee for the purpose of website listing. If a funeral home engages a licensee, such as a trade embalmer, as an independent contractor and that licensee is provided a 1099 form, then the licensee is not considered an employee and is not required to be listed on the website.

12. Discussion: Cremation Task Force

Ms. Holleman informed the Board that the South Carolina Funeral Directors Association (SCFDA) and the South Carolina Morticians’ Association (SCMA) respectively submitted the following names for the Crematory Task Force:

SCFDA

Brad Evans
Homer E. Elwood, Jr.
Randall Calcutt, Jr. - Alternate

SCMA

Wayne K. Pratt
Vonda Priester-Orr

Mr. Dickerson stated that the SCMA will submit the name of their alternate at the next Board meeting. Mr. Price called for a motion in this matter.

MOTION: Mr. Price made a motion, seconded by Mr. Nelson that the Board accepts the submitted names to the Crematory Task Force. The motion carried unanimously.

13. Administrator Authority to Accept Late Apprentice Quarterly Reporting Forms

Ms. Holleman asked that the Board grant the Administrator the authority to accept only one late quarterly report from an apprentice at the completion of his/her apprenticeship.

The Board discussed the matter.

MOTION: Mr. Baxter made a motion, seconded by Mr. Nelson that the Board grants the Administrator the authority to approve one late quarterly report. The motion carried unanimously.

14. Executive Session for Legal Advice, If Needed

15. Public Comments (no votes taken)

There were no public comments.

16. Adjournment

Mr. Price called for a motion to adjourn.

MOTION: Mr. Dickerson made a motion, seconded by Mr. Nelson, to adjourn the meeting. The motion carried unanimously.

Mr. Price, after ensuring there being no further business to discuss, adjourned the June 23, 2022 meeting for the South Carolina State Board of Funeral Service at 12:50 p.m.

The next scheduled Board meeting for the South Carolina State Board of Funeral Service is August 31, 2022 and September 1, 2022 at 10:00 a.m.