

MINUTES
South Carolina State Board of Funeral Service
Board Meeting

10:00 a.m., September 7, 2022
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 202-02
Columbia, South Carolina

Wednesday, September 7, 2022

1. Meeting Called to Order

James P. Hodge, President, of Anderson, called the first Crematory Task Force meeting of the South Carolina State Board of Funeral Service to order on September 7, 2022 at 10:00 a.m. Other members present for the meeting included; Dr. D'Michelle Dupre, of Chapin. Homer E. Elwood, Jr., of Laurens; Wayne K. Pratt, of Newberry; Landis D. Price, II, of Leesville; Vonda Priester-Orr, of Hampton; Mr. Charlie B. Evans, of Abbeville, joined the meeting via teleconference.

Staff members present for the meeting included: Alexis Bell, Disciplinary Counsel, Office of Disciplinary Counsel; Kyle Tennis, Advice Counsel, Office of Advice Counsel; Donnell Jennings, Assistant Deputy Director, Office of Investigations and Enforcement; Amy Holleman, Administrator; Matalie Mickens, Inspector, Office of Investigations and Enforcement; and Norma McAllister, Program Assistant.

Members of the public attending the meeting included: Justin Baxley, of Whitaker Funeral Home

A. Public Notice

Mr. Hodge announced that public notice of this meeting was properly posted at the South Carolina State 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. Approval of the Agenda

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

MOTION: Dr. DuPre made a motion, seconded by Mr. Price to approve today's agenda. The motion carried unanimously.

3. Introduction of Task Force Members and Persons Attending the Meeting

The Task force members, staff, and all persons attending the meeting introduced themselves.

4. Discussion: Safe Cremation Act

Both, Ms. Holleman and Mr. Tennis, discussed the Crematory Task Force's role and reviewed various areas of the Safe Cremation Act and other statutes, such as those in the South Carolina State Board of Funeral Service Practice Act, that mention some aspects of cremation.

Specifically, the Task Force will be reviewing the South Carolina Safe Cremation Act, determining whether the current regulations are relevant and adequately protect the public. Other interested entities may review the current laws for relevancy in today's market, and if they provide protection to the public. These entities might petition the legislative body for changes; however, this Task Force will study the statutes and determine whether the regulations protect the public, identify issues present in current statutes, and make recommendations for the Board to consider regarding regulations.

As a point of reference, Ms. Holleman informed the Task Force, that currently a crematory operator is not required to be licensed, obtain continuing education, nor submit to a criminal background check. The operator, according to statute and regulations does not retain any liability in cases of a disciplinary matter. This liability rests solely on the manager and the facility's license.

The crematory, according to statute section 40-19-265(D)(7) must provide evidence of employment of a factory trained operator. Training requirements for a Certified Crematory Operator and Crematory Trainer/Preceptor are covered in regulations 57-14.3(B)(1)(2)(3) and 57-14.4.(B)(1)(2)(3)(4)(5), stating that the training should encompass such topics as; documents required prior to cremation authorization; compliance with the record keeping requirements of this chapter; and operation of the retort and processing cremains, including specific safety precautions. Also, including other components such as, factory approved instructions in the operation of the on-site unit; documents required prior to cremation (e.g. authorization, burial transit permit, death certificate, cremation permit from the coroner); compliance with the record keeping requirements of Chapter 19; operation of the retort and processing cremains, including specific safety precautions; and packaging and delivery of cremains.

The Task Force discussed their role in identifying issues in the statutes and providing recommendations to strengthen the regulations in order to protect the public.

Mr. Tennis tasked the members with reviewing the current regulations and statutes to identify problems and concerns and to be ready to discuss. In addition, he asked the Task Force to review Alabama's Crematory laws. Ms. Holleman will provide each member with an electronic copy of Alabama's Funeral Services' statutes and regulations.

5. Next Meeting

The Task Force agreed that the next meeting would be held through WebEx on October 5, 2022 at 10:00 a.m.

6. Public Comments (no votes taken)

Mr. Justin Baxley addressed the Task Force with a few comments.

7. Adjournment

Mr. Hodge called for a motion to adjourn.

MOTION: Dr. DuPre made a motion, seconded by Mr. Price, to adjourn the meeting. The motion carried unanimously.

Mr. Hodge, after ensuring there being no further business to discuss, adjourned the September 7, 2022 meeting for the South Carolina State Board of Funeral Service's Crematory Task Force at 11:20 a.m.