

MINUTES
South Carolina State Board of Funeral Service
Board Meeting

10:00 a.m., February 22, 2023
Synergy Business Park
110 Centerview Drive, Kingtree Building Room 108
Columbia, South Carolina

Wednesday, February 22, 2023

1. Meeting Called to Order

James P. Hodge, President, of Anderson, called the meeting of the South Carolina State Board of Funeral Service to order on February 22, 2023 at 10:11 a.m.

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, 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 Act. Members of the public who wish to attend may do so by live streaming at <https://llr.sc.gov/fs/videos.aspx>

B. Pledge of Allegiance

All present recited the Pledge of Allegiance.

2. Approval of Agenda

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

MOTION: Ms. Cooper made the motion, seconded by Mr. Dickerson, which carried unanimously that the Board approves today's agenda.

3. Introduction of Board Members and Staff Attending the Meeting

The board members and staff introduced themselves.

Board Members Present:

James P. Hodge, President, of Anderson
Thoma L. Williams, Vice-President, of Sumter
Gregory E. Evans, Secretary/Treasurer, of Newberry
Kenneth E. Baxter, Sr., of Greenville
Michele A. Cooper, of Moncks Corner
Darryl Dickerson, of Goose Creek
Landis Price, II, of Leesville
William E. Taylor, of Chesterfield
Thomas J. Wright, IV, of Beaufort

SCDLLR Staff Present:

Alexis Bell, Disciplinary Counsel, Office of Disciplinary Counsel
Kyle Tennis, Advice Counsel, Office of Advice Counsel
Norma McAllister, Program Assistant
Kristina Zepp, Administrative Assistant
Michael Smith, Investigator, Office of Investigation and Enforcement
Beverly Gould, Paralegal, Office of Disciplinary Counsel
Shari Waters, Media Resource Technician, Web Development Division

Members of the Public:

- Jason B. Hucks, of Shellhouse Funeral Home, Inc.
- Curtis M. Rivers, of Shellhouse Funeral Home, Inc.
- Alex Imgrund, Attorney, Law Firm of Caskey & Imgrund
- Michael A. Glenn, of Community Mortuary, Inc.
- Helena Norris-Jackson, of Community Mortuary, Inc.
- Wayne K. Pratt, Sr., of F.B. Pratt & Son Funeral Home, Inc.
- Cloriena Smith
- Jamelle Batchelor
- Monica Betsill

4. Approval of Excused Absences

Dr. Michelle DuPre was not in attendance.

MOTION: Mr. Wright made the motion, seconded by Mr. Price, which carried unanimously to approve Dr. DuPre’s absence.

Disciplinary Hearings

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

5. A. Evidentiary Hearing

1. Case Nos.: 2018-74 and 2018-75

Respondents Shellhouse Funeral Home Inc. (License No.FE.536) and Shellhouse-Rivers Funeral Home (License No.FE.580) were represented by Alex Imgrund, Esq. Both the State and Respondent’s attorney jointly moved to amend the Memorandum of Agreement (MOA) to state that both parties agreed to both the facts and the violations.

Both, the State and the Respondent’s attorney made opening statements. Ms. Bell, representing the State, presented the MOA before the Board.

The Board questioned both Ms. Bell and Mr. Imgrund regarding this matter. The Respondent’s Attorney and the State gave closing statements. Mr. Hodge called for a motion to go into executive session to seek legal advice.

Executive Session

Motion: Mr. Price made a motion to go into Executive Session to receive legal advice. Mr. Dickerson seconded the motion, which carried unanimously.

Return to Public Session

Motion: Mr. Dickerson made a motion that the Board come out of Executive Session. Mr. Taylor seconded the motion, which carried unanimously.

Mr. Hodge noted, for the record, there were no votes taken during Executive Session and called for a disposition in this matter.

MOTION: Ms. Cooper made a motion, seconded by Mr. Dickerson which carried unanimously that the Board accepts the amended Memorandum of Agreement. The Board imposes a joint fine of \$1,000.00 to be paid within thirty (30) days of the date of the Final Order, both licensees publicly reprimanded and that both licenses be placed on probation for a period of two (2) years commencing on the date of the signed Final Order.

The Board recessed for 15 minutes.

2. Case Nos.: 2019-1 and 2019-56

The Respondent, Community Mortuary Inc., appeared before the Board without legal representation. Ms. Helena Norris-Jackson, current manager of the facility, spoke on behalf of the Respondent. Both, the State and Respondent's representative made opening statements. Ms. Bell representing the State, then presented the case before the Board. The state presented Michael Smith, Investigator for the State, Cloriena Smith, Jamelle Batchelor, and Monica Betsill as witnesses.

Ms. Keisha Floyd, a respondent in this matter, was not in attendance. Ms. Beverly Gould, paralegal and witness for the State attested to the service of the Notice of Hearing, Formal Complaint, and the Notice of Service to Ms. Keisha Floyd.

The Respondent's representative cross examined Ms. Cloriena Smith and Ms. Monica Betsill. The State redirected Ms. Cloriena Smith and Ms. Jamelle Batchelor, and recalled witness Michael Smith.

The Board questioned all of the witnesses and the Respondent's representative. The State gave closing remarks. Mr. Hodge called for a motion to go into executive session to seek legal advice.

Executive Session

Motion: Mr. Dickerson made a motion to go into Executive Session to receive legal advice. Mr. Price seconded the motion, which carried unanimously.

Return to Public Session

Motion: Mr. Dickerson made a motion that the Board come out of Executive Session. Mr. Price seconded the motion, which carried unanimously.

Mr. Hodge noted, for the record, there were no votes taken during Executive Session and called for a disposition in this matter.

MOTION: Ms. Cooper made a motion, as read by advice counsel that the Board finds that the State has proven both violations against both respondents. With respect to Community Mortuary, Inc., the Board imposes a five hundred dollar (\$500.00) fine per violation for a total fine of one-thousand dollars (\$1,000.00) payable within sixty (60) days of the date of the signed Final Order. Additionally, Community Mortuary, Inc.'s license shall be placed on probation for a period of five (5) years commencing on the date of the signed Final Order. Probation is appropriate given the concerns raised at the hearing in respect to the decedent's family that directly caused harm to the public. Should Community Mortuary fail to abide by the aforementioned terms and conditions or found to have failed to comply with statutes and regulations governing the practice of Funeral Service more serious sanctions may be taken against its license.

With respect to Ms. Keisha Floyd, the Board finds that permanent revocation of her Funeral Director and Embalmer license, currently under suspension, is appropriate given the egregiousness of the misconduct that occurred with respect to the decedent, under Ms. Floyd's tenure as manager of the funeral establishment. The permanent revocation of the license becomes effective on the date of the signed Final Order.

Ms. Cooper's motion was seconded by Mr. Price and carried unanimously.

B. Consent Agreement

1. Case Nos.: 2022-89 & 2022-88

Ms. Alexis Bell, Disciplinary Counsel, presented the Consent Agreement.

Mr. Hodge called for questions. The board posed no questions; therefore, Mr. Hodge called for a disposition in this matter.

MOTION: Ms. Cooper made the motion, seconded by Ms. Williams, which carried unanimously that the Board approves the Consent Agreement.

2. Case Nos.: 2022-90 & 2022-107

Ms. Alexis Bell, Disciplinary Counsel, presented the Consent Agreement. The Board moved into Executive Session to seek legal advice regarding this matter.

Executive Session

Motion: Mr. Price made a motion to go into Executive Session to receive legal advice. Ms. Cooper seconded the motion, which carried unanimously.

Return to Public Session

Motion: Mr. Dickerson made a motion that the Board come out of Executive Session. Mr. Taylor seconded the motion, which carried unanimously.

Mr. Hodge noted, for the record, there were no votes taken during Executive Session and called for a disposition in this matter.

MOTION: Mr. Price made the motion, seconded by Ms. Cooper, which carried unanimously that the Board rejects the Consent Agreement and requires that the Respondents appear before the Board regarding these disciplinary matters.

6. Adjournment

Mr. Hodge called for a motion to adjourn the February 22, 2023 Funeral Board meeting.

MOTION: Mr. Price made a motion and Mr. Taylor seconded to adjourn the meeting. The motion carried unanimously.

Mr. Hodge, after ensuring there being no further business to discuss, adjourned the February 22, 2023 meeting for the South Carolina State Board of Funeral Service at 3:05 p.m.

The next scheduled Board meeting for the South Carolina State Board of Funeral Service is February 23, 2023 at 10:00 a.m.