

MINUTES
South Carolina State Board of Funeral Service
Board Meeting

10:00 a.m., June 29, 2023
Synergy Business Park
110 Centerview Drive, Kingstree Building Room 108
Columbia, South Carolina

Members of the public who wished to observe may have done so by live streaming at
<https://llr.sc.gov/fs/videos.aspx>

Thursday, June 29, 2023

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 June 29, 2023, at 10:05 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, 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.

B. Pledge of Allegiance

All present recited the Pledge of Allegiance.

2. Approval of the Agenda

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

MOTION: Mr. Price made a 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 attending the meeting introduced themselves.

Board Members Present:

James P. Hodge, President, of Anderson
Thoma L. Williams, Vice President, of Sumter
Gregory Evans, Secretary/Treasurer, of Newberry
Michelle A. Cooper, of Moncks Corner
Darryl Dickerson, of Goose Creek
Dr. D'Michelle P. DuPre, of Chapin
Wayne K. Pratt, Sr., of Newberry
Landis D. Price, II, of Leesville

SCDLLR Staff Present:

Donnell Jennings, Esq., Legal Services, Director of the Office of Investigations and Enforcement
Kyle Tennis, Esq., Advice Counsel, Legal Services, Office of Advice Counsel
Alexis Bell, Esq., Disciplinary Counsel, Legal Services, Office of Disciplinary Counsel
Amy Holleman, Administrator
Norma McAllister, Program Assistant
Yolanda Lewis, Administrative Assistant
Agrida Nero, Administrative Assistant
James Kemfort, Lead Investigator, Legal Services - Investigations and Enforcement
Matalie Mickens, Inspector, Legal Services - Investigations and Enforcement
William "Buddy" Poole, Inspector, Legal Services - Investigations and Enforcement
Shari Waters , Media Resource Technician, Web Development Division

Members of the Public:

Fred Douglas Garrett, Jr., of WGW-JC Moore Crematory
Ernest Adams, of WGW-JC Moore Crematory
P. L. Griffin, Jr., of Chimes Mortuary, LLC
Irvin Wilson, of Chimes Mortuary, LLC
Kenneth Frank Rogers, of The Howze Mortuary
Raymond Brown, of The Howze Mortuary
Ryan Joseph Pitts, of Harley Funeral Home
Melody Health Alexander, of Service Corp. International, Greenville, SC
Andy Cone, of Service Corp. International, Greenville, SC
Matthew James, of Service Corp. International, Greenville, SC
Tracey Perlman, Attorney, The Law Office of Tracey R. Perlman
William Hayward King, of King Funeral Home

4. Approval of Excused Absences

Mr. William E. Taylor and Mr. Thomas J. Wright were not in attendance.

MOTION: Mr. Price made a motion, seconded by Dr. DuPre which carried unanimously that the Board approves the absences.

5. Approval of Excused Absences for IRC members

Mr. Glen Crawford was not in attendance for the IRC meeting.

MOTION: Dr. DuPre made a motion, seconded by Ms. Williams, which passed unanimously to approve the absence.

6. Approval of Minutes from the April 26 & 27, 2023 meetings

The Board reviewed the minutes.

MOTION: Mr. Dickerson made a motion, seconded by Mr. Pratt, which passed unanimously to approve the minutes.

7. President’s Remarks – James P. Hodge

Mr. Hodge welcomed everyone.

8. Administrator’s Remarks – Amy Holleman

A. Financial Report

Ms. Holleman reported that the Board’s cash balance as of May 31, 2023 was \$-384,271.79.

B. Updates – Funeral Establishments

Funeral Establishment **Change of Managers**

FE#	Name of Funeral Establishment (FE) -Location	Name of Former Manager		Name of New Manager		Effective Date
30	MARSEL'S WRIGHT-DONALDSON FUNERAL SERVICE	WILLIAM HB MARSHEL	FDE.1327	BARBARA WINTERS MARSHEL	FD.2605	06/01/2023
1147	MCALISTER-SMITH FUNERAL HOME	JOHN D. THOMPSON	FD.1346	WILLIAM HERBERT LYNCH	FDE.4024	05/24/2023
1035	AVINGER FUNERAL HOME	GREGORY PAUL BROUSSARD	FDE.3873	GREGORY R ROBERTSON	FDE.3170	05/24/2023
1084	J P HOLLEY FUNERAL HOME NE	RONALD E MORRISON	FDE.1924	EBONIC NIKKI BROWN	FDE.3603	04/27/2023
955	THOMPSON FUNERAL HOME AT GREENLAWN MEMORIAL PARK	SEAN M SCHREFFLER	FDE.4082	DAVID RICHMOND HARDEE	FD.3366	06/02/2023

Ms. Holleman informed the Board that since April 27, 2023, staff issued:

<u>Apprentice Certificates</u>			<u>Student Certificates</u>			<u>Licenses</u>		
FDE	FD	EMB	FDE	FD	EMB	FDE	FD	EMB
8	9	0	1	0	0	9	10	0

Amy introduced new Funeral Service staff members Agria Nero and Yolanda Lewis.

9. Reports

A. Inspection Report – Matalie Mickens

Ms. Mickens and Mr. Poole conducted 78 inspections between April 19, 2023, and June 16, 2023.

B. Investigative Review Committee (IRC) Report

Mr. Kemfort presented the June 14, 2023 IRC recommendations to the Board, which are to dismiss cases 2023-21, 2023-22, 2023-28, 2022-123, and 2022-112; issue a letter of caution for cases 2020-22, 2020-24, and 2022-45; and move forward with a formal complaint for case 2022-109.

Mr. Hodge called for a motion in this matter.

MOTION: Dr. DuPre made a motion, seconded by Mr. Evans, to approve the IRC recommendations. The motion carried unanimously.

C. Office of Investigations and Enforcement (OIE) Report

Mr. Kemfort presented the report stating that the Office of Investigation and Enforcement received 43 complaints between January 1, 2023, and June 23, 2023. There were six (6) active investigations and eleven (11) closed.

D. Office of Disciplinary Counsel (ODC) Report

Ms. Bell presented the ODC report to the Board stating that as of June 19, 2023, there were 45 open cases; 40 pending hearings and agreements; and 10 closed since the last report.

Applications

Application Hearings

10. Funeral Establishment

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

A. New Crematory

1. WGW-JC Moore Crematory – Easley – Fed Douglas Garrett, Jr.

Mr. Fred Douglas Garrett, Jr. and Mr. Ernest Adams appeared before the Board on behalf of WGW-JC Moore Crematory.

Ms. Holleman informed the Board that the application is complete and that the Board approved the initial application for the crematory on October 28, 2021, with Mr. Garrett as the manager of record; however, the crematory did not open within the one year of approval, therefore, the Board on October 20, 2022 granted an extension until June 20, 2023. As of date, the crematory has not opened. Mr. Garrett is before the Board requesting an additional extension.

Mr. Garrett, licensed number FDE.1962, initially licensed on July 8, 1987, resides 14.1 miles from the facility. Ms. Holleman informed the Board that Watkins, Garrett & Woods Mortuary is the parent facility.

Both, Mr. Garrett and Mr. Adams responded to questions from the Board. After concluding there were no other statements and/or questions, Mr. Hodge called for a disposition in this matter.

Executive Session

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

Return to Public Session

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

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

MOTION: Ms. Cooper made a motion, seconded by Mr. Price, which carried unanimously that the Board approves an additional extension until October 28, 2023, if the crematory is not in operation by that date, the applicant must reapply and reappear before the Board.

B. New Facility

2. Chimes Mortuary, LLC – Columbia – P. L. Griffin, Jr.

Mr. P. L. Griffin and Mr. Irvin Wilson appeared before the Board on behalf of Chimes Mortuary, LLC.

Ms. Holleman informed the Board that the application is complete and that Mr. Griffin is asking that the Board approves the new facility with him as the manager of record. Mr. Griffin, license number FD.2799, initially licensed on October 7, 2003, resides 3.3 miles from the facility. Chimes Mortuary LLC is the parent facility.

Both, Mr. Griffin and Mr. Wilson responded to questions from the Board. After concluding there were no other statements and/or questions, Mr. Hodge called for a disposition in this matter.

MOTION: Ms. Cooper made a motion, seconded by Mr. Dickerson which carried unanimously that the Board approves the new facility with Mr. P. L. Griffin as the manager of record pending the facility passing the final inspection.

C. Change of Ownership

1. King Funeral Home – Pageland – William Hayward King

William Hayward King appeared before the Board on behalf of King Funeral Home.

Ms. Holleman informed the Board that the application is complete and that Mr. King is asking that the Board approve the change of ownership of King Funeral Home with him as the manager of record and that the Board allows the facility to maintain the current license number. Mr. King, license number FDE.2273, initially licensed on February 13, 1996, resides at the facility. The owners of the facility are Joyce D. King, Ellen King Amudipe, Hellen King Walker, and William Hayward King. King Funeral Home is the parent facility.

Mr. King addressed the Board and responded to questions. After concluding there were no other statements and/or questions, Mr. Hodge called for a disposition in this matter.

MOTION: Mr. Dickerson made a motion, seconded by Dr. DuPre which carried unanimously that the Board approves the change of ownership with Mr. William Hayward King as the manager of record and the facility retaining its current license number pending passing the final inspection.

The Board recessed for 15 minutes.

11. Funeral Director/or Embalmer Application

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

A. Licensure by Endorsement

1. Kenneth Frank Rogers

Mr. Kenneth Frank Rogers and Mr. Raymond Brown appeared before the Board on behalf of Mr. Rogers without legal representation.

Ms. Holleman informed the Board that the application is complete and that Mr. Rogers is asking that the Board approve his Funeral Director and Embalmer licensure by endorsement. Mrs. Rogers initially licensed in Georgia as a Funeral Director and Embalmer on December 10, 2021. According to his presented information, Mr. Rogers served a total of 3200 hours as an apprentice from October 16, 2017 through April 29, 2019 in the state of Georgia. He completed 142 Funeral Director and 123 Embalmer cases. On August 6, 2021, Jefferson State Community College, Birmingham, AL awarded Mr. Rogers an Associate of Applied Science in Funeral Service Education.

Mr. Rogers addressed the Board and responded to questions from the Board.

After concluding there were no other statements and/or questions, Mr. Hodge called for a disposition in this matter.

Executive Session

Motion: Mr. Price made a motion, seconded by Dr. DuPre, to go into Executive Session to receive legal advice. The motion carried unanimously.

Return to Public Session

Motion: Dr. DuPre made a motion, seconded by Mr. Dickerson that the Board comes out of Executive Session. The motion 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 Dr. DuPre, with abstentions from Mr. Price, Mr. Dickerson, and Mr. Evans, that the Board approves Mr. Rogers' Funeral Director and Embalmer licensure by endorsement application pending passing the South Carolina State Funeral Law Exam. The Board finds that Georgia apprenticeship requirements are substantial similar to that of South Carolina. The motion passed by a majority.

The Board recessed for 20 minutes.

Mr. Hodge called for a motion to go into a closed session due to State and Federal confidentiality laws.

MOTION: Mr. Price made a motion, seconded by Dr. DuPre, which passed unanimously that the Board move a closed session

B. Funeral Director

1. Ryan Joseph Pitts

Mr. Pitts appeared before the Board on his own behalf without legal representation. Mr. Pitts addressed the Board and responded to questions from the Board.

Executive Session

Motion: Mr. Dickerson made a motion, seconded by Dr. DuPre, to go into Executive Session to receive legal advice. The motion carried unanimously.

Return to Public Session

Motion: Dr. DuPre made a motion, seconded by Mr. Dickerson that the Board comes out of Executive Session. The motion 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. Price, which carried unanimously that the Board approves Funeral Director application pending completing a one (1) year Funeral Director apprenticeship at a South Carolina-licensed facility to include the 25 specified cases that include the specific tasks as required on the quarterly reports.

Mr. Hodge called for a motion to come out of closed session and return to regular session.

MOTION: Dr. DuPre made a motion, seconded by Mr. Dickerson, which passed unanimously that the Board come out of closed session and return to open session.

C. Funeral Director and Embalmer

1. Melody Heather Alexander

Ms. Melody Heath Alexander, represented by Tracey Perlman, Esquire, appeared before the Board on her behalf.

Ms. Holleman informed the Board that the application is complete and that Ms. Alexander is asking that the Board accepts her apprenticeship and grant permission for her to license as a Funeral Director and Embalmer pending passing the law exam. Ms. Alexander initially began her Funeral Director and Embalmer apprenticeship on December 14, 2020, and granted a one year extension on December 14, 2022. On March 16, 2023, Gupton-Jones College, College of Funeral Service, Decatur, Georgia awarded Ms. Alexander an Associate of Science in Funeral Service.

Ms. Holleman explained staff's concerns regarding Ms. Alexander's apprenticeship to the Board. Both statute and regulation address licensure for a funeral director and an embalmer separately, and each require twenty-four (24) months of apprenticeship work in addition to the case requirements for each. Ms. Alexander did not perform both funeral directing and embalming tasks each month of her apprenticeship. She completed a total of 19 months in funeral directing apprenticeship work with 134 total funeral directing cases that included 69 cases with the Board's specific task requirements. She completed 7.5 months of embalming apprenticeship work with 66 total cases that included 37 cases with the Board's specific task requirements.

Ms. Alexander's attorney addressed the Board and the Board questioned Ms. Alexander regarding this matter.

After concluding there were no other statements and/or questions, Mr. Hodge called for a disposition in this matter.

Executive Session

Motion: Mr. Price made a motion, seconded by Ms. Williams to go into Executive Session to receive legal advice. The motion carried unanimously.

Return to Public Session

Motion: Dr. DuPre made a motion, seconded by Mr. Dickerson that the Board comes out of Executive Session. The motion 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 denies the application as Ms. Alexander has not met the requirements of Sections 40-19-230, 40-19-240, and the related regulations.

12. OIE Reorganization – Donnell Jennings, Esq.

Mr. Jennings, Chief Division Director for the Office of Investigation and Enforcement, presented the agency's new organizational structure to the Board. In the new structure, the Office of Investigation and Enforcement, Office of Disciplinary Counsel, and Office of Advice Counsel are areas under the Division of Legal Services and Enforcement. Robbie Dean is the new Lead Investigator for the Board of Funeral Service.

13. Apprenticeship Discussion

Ms. Holleman informed the Board that there have been reports regarding apprentices continuing practicing after the expiration of his/her apprenticeship. In an effort to decrease instances of unlicensed practice, the Agency has begun sending automated messaging alerting the apprentice both 30 days prior to the expiration of the apprenticeship and on the date of apprenticeship expiration.

To provide additional guidance and education, Ms. Holleman asked that the Board approve staff developing a continuing education training webinar sponsored by the South Carolina State Board of Funeral Service, offered free to all South Carolina licensees for one (1) hour of CE credit. Ms. Holleman asked the Board to approve the development of the webinar by the Board Administrator and Ms. Matalie Mickens.

The Board discussed the matter and made a motion to approve the developing of a webinar.

MOTION: Dr. DuPre made the motion, seconded by Mr. Dickerson that the Board Administrator and Ms. Matalie Mickens with consultants Mr. Landis Price, and Mr. James Hodge develop a continuing education webinar.

14. Continuing Education Discussion

Ms. Holleman has reached out to OSHA about the possibility of offering a free OSHA continuing education course on compliance and safety in a funeral establishment for licensees. This course would be offered at no cost to the licensees, but the details of how it would be offered (in person, online, etc.), as well as the course development itself are still being worked out.

The Board discussed the matter and asked that the Administrator move forward with OSHA offering course to licensees.

15. Executive Session for Legal Advice, if needed

16. Public Comments (no votes taken)

There were no public comments.

17. Adjournment

Mr. Hodge called for a motion to adjourn.

MOTION: Mr. Evans 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 June 29, 2023 meeting for the South Carolina State Board of Funeral Service at 3:58 p.m.

The next scheduled Board meeting for the South Carolina State Board of Funeral Service is August 30, 2023 and August 31, 2023 at 10:00 a.m.