

MINUTES
South Carolina State Board of Funeral Service
Board Meeting

10:00 a.m., June 28, 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://lr.sc.gov/fs/videos.aspx>

Wednesday, June 28, 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 June 28, 2023, at 10:06 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 Agenda

Mr. Hodge called for a motion to approve the agenda with the modification that the Consent Agreements for Case Nos.: 2022-120 and 2023-4 be heard before the Memorandum of Agreements.

MOTION: Mr. Dickerson made the motion, seconded by Mr. Pratt, which carried unanimously that the Board approves today's agenda with the aforementioned rearrangement.

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 arrived at 10:16 a.m.
Gregory E. Evans, Secretary/Treasurer, of Newberry
Michele A. Cooper, of Moncks Corner
Darryl Dickerson, of Goose Creek
Dr. D'Michelle P. DuPre, Chapin
Wayne K. Pratt, Sr., of Newberry

SCDLLR Staff Present:

Alexis Bell, Disciplinary Counsel, Office of Disciplinary Counsel
Kyle Tennis, Advice Counsel, Office of Advice Counsel
Marcie Greene, Advice Counsel, Office of Advice Counsel
Amy Holleman, Administrator
Norma McAllister, Program Assistant
Beverly Gould, Paralegal, Office of Disciplinary Counsel
Shari Waters, Media Resource Technician, Web Development Division

Members of the Public:

Paul A. Simmons, of Simmons Funeral Home
Jerome White, of Abbeville & White Mortuary
Tracey Perlman, Attorney, The Law Office of Tracey R. Perlman

4. Approval of Excused Absences

Mr. Landis Price, II, Mr. William E. Taylor, and Mr. Thomas J. Wright were not in attendance.

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

Disciplinary Hearings

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

5. B. Consent Agreement

1. Case No.: 2022-120

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 a motion, seconded by Dr. DuPre which carried unanimously to approve the Consent Agreement.

2. Case No.: 2023-4

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.

Executive Session

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

Return to Public Session

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

Ms. Williams recused herself from the Executive Session and abstained from the vote.

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 to reject the consent agreement because unlicensed practice in the funeral profession is a serious offense and the Board needs to maintain consistency in these matters. Mr. Evans seconded the motion which passed by a majority with Ms. Williams abstaining.

5. A. Memorandum of Agreement (MOA)

1. Case Nos.: 2021-67 & 2021-68

Ms. Alexis Bell, Disciplinary Counsel, representing the State, presented the Stipulations of Fact. The Respondents appeared before the Board and were represented by Tracey Perlman, Esq.

The Respondents' attorney addressed the Board, and the Board questioned the Respondents regarding this matter. The State and the Respondents' attorney gave closing statements. Mr. Hodge called for a motion to go into executive session to seek legal advice.

Executive Session

Motion: Dr. DuPre 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: Dr. DuPre made a motion that the Board come out of Executive Session. Ms. Williams 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. Pratt, which carried unanimously, that the Board finds that State has not proven the alleged violation; therefore, all charges are dismissed.

The Board recessed for 15 minutes.

2. Case Nos.: 2020-75 & 2020-78

Ms. Alexis Bell, Disciplinary Counsel, representing the State, presented the Stipulation of Facts. The Respondents appeared before the Board without legal representation.

Respondent-Manager addressed the Board, and the Board questioned the Respondents regarding this matter. The State and the Respondents gave closing statements. Mr. Hodge called for a motion to go into executive session to seek legal advice.

Executive Session

Motion: Dr. DuPre 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: Dr. DuPre made a motion that the Board come out of Executive Session. Mr. Dickerson 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. Evans, which carried unanimously, that the Board accepts the Stipulation of Facts, imposes a public reprimand against each Respondent as well as a \$500 civil penalty fine against each Respondent. Additionally, each Respondent was assessed the costs of

investigation for their respective case in the amount of \$60. The civil penalty and investigative costs must be paid within 60 days of the date of the final order. Finally, Respondent-Manager's license shall be placed on probation for a 2-year period beginning from the date of the Final Order.

6. Adjournment

Mr. Hodge called for a motion to adjourn the June 28, 2023 Funeral Board meeting.

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

Mr. Hodge, after ensuring there being no further business to discuss, adjourned the June 28, 2023 meeting for the South Carolina State Board of Funeral Service at 12:58 p.m.

The next scheduled Board meeting for the South Carolina State Board of Funeral Service is June 29, 2023 at 10:00 a.m.