

KENTUCKY BOARD OF EMBALMERS AND FUNERAL DIRECTORS

September 11-12, 2017

A regular meeting of the Kentucky Board of Embalmers and Funeral Directors was held at the Crowne Plaza in Louisville, Kentucky on September 12, 2017.

MEMBERS PRESENT

Danny L. Percell
Morris Coffey
Sonny Meyer
Woodford R. Porter, Jr
John Evans

OTHERS PRESENT

Kathleen Schell, Attorney
Dale Powell, State Inspector
Kanetha Dorsey, Executive Director
Sara Sparks, Clerk
Quincy Ward, Office of Legal Services
Patrick Hughes, Attorney

Monday, September 11, 2017

At 9:00 A.M. Oral Embalming and the Funeral Director exams were given. At 1:00 P.M Laws exams were given.

Tuesday, September 12, 2017

Ms. Dorsey called roll for the Written Embalmer exams at 9:00 A.M.
Chairman Percell called the meeting to order at 9:09 A.M. in the Luersen Room.

Mr. Meyer made a motion to approve the August minutes with corrections. Mr. Porter seconded; it carried 5-0.

DALE POWELL'S REPORT

Mr. Powell submitted his report to the Board. Mr. Porter made a motion to approve the Inspector's report with corrections. Mr. Coffey seconded; it carried 5-0.

George R. Mason Funeral Home: The establishment is using signage that does not match the name of the establishment on the license. Mr. Porter made a motion to table the issue due to pending LRC issues. Mr. Meyer seconded; it carried 5-0.

Goad Funeral Home: Mr. Coffey made a motion for Counsel Schell to send letter to the funeral home's attorney to amend the death certificate. Mr. Porter seconded the motion; it carried 5-0.

Evans Monument and Direct Cremation Services: Mr. Powell reported that the signage of the establishment does not match the name for the establishment license as granted at the August Board meeting. Mr. Porter made a motion for the inspector to hand deliver a cease and desist letter to the funeral home and retrieve the establishment license. Mr. Meyer seconded the motion; it carried 5-0.

LEGAL

Stith Funeral Homes & Allison & Rose Funeral Home: At 10:00 A.M. Mr. Porter made a motion to go into closed session per 61.810, "Discussions of proposed or pending litigation against or on behalf of the public agency" to discuss U.S. District Court case 2:17-CV-00104-WOB-CJS, Stith Funeral Home vs. KY Board. Mr. Coffey seconded the motion; it carried 5-0. Returned to open session at 10:15 A.M. Attorney Patrick Hughes met with the Board and provided a summary of the status of the legal issues and his plan to file a motion to dismiss the lawsuit.

Letcher Funeral Home: Counsel Schell contacted the local Coroner's office to get help with the unfiled death certificate. She also contacted the daughter who filed the complaint to explain the situation of the death certificate. Chairman Percell is going to contact the Ohio State Board to see if they can help with the situation.

Filbeck-Cann & King Funeral Home: Counsel Schell spoke to the Kentucky Insurance Fraud Unit about the time line for the case. A Grand Jury decision should be made in September. Ms. Schell has another Prehearing Conference scheduled in October.

Osborne Funeral Home (Evansville, IN): Counsel Schell is still waiting on a response from the Indiana State Board. Inspector Powell met with the County Attorney's office.

Waddell-Whitt Funeral Home: The death certificate was filed with Vital Statistics in Ohio. A copy of the certificate was received by the Board office. The issue is now closed.

Everidge Funeral Home: Mr. Hatton told Counsel Schell that he is faxing over the information she needed. As of the end of the day of the Board meeting that information had not been received. Mr. Porter made a motion to send Mr. Hatton a subpoena to appear at the October Board meeting. Mr. Coffey seconded the motion; it carried 5-0.

Cremation Society of Paducah: Warner Wheat, attorney for Milner & Orr Funeral Home, Pettus-Rowland Funeral Home, and Keeling & Goodman Funeral Home met with the Board to speak about the lease issue of Cremation Society of Paducah. Mr. Wheat informed the Board that the city has not put the lease agreement on the agenda for their meeting and that the location had not paid taxes since opening. Mr. Wheat submitted a complaint against the establishment to Chairman Percell and Counsel Schell. Chairman Percell instructed the Board office to follow the protocol of 201 KAR 15:080 Section 2 of mailing the complaint for a response. Mr. Porter made a motion to send a notice of non-renewal of the establishment license and to cease and desist any services. Mr. Meyer seconded the motion; it carried 4-0 with Mr. Coffey absent.

Robert Moore, Attorney: Mr. Moore submitted a letter regarding crematory requirements and free meals which was discussed by the Board. Counsel Schell will send a response letter.

DISCUSSION

Woodlawn Cremation and Funeral, Agape on Broadway: Edwin Koressel, owner of Agape Cremation, Dixie Hwy and his attorney, Ballard Rogers, met with the Board to discuss the pending legal issues involving the owners of Agape Cremation, Dixie Highway and Woodlawn Cremation and Funeral, Agape on Broadway. Chairman Percell explained that the Board has statutory authority to license and regulate individual licensees and establishments.

Trent Hole, owner and manager of Woodlawn Cremation, Agape on Broadway, met with the Board to discuss the issue that the telephone number at the closed Agape Cremation location on Dixie Hwy is being forwarded to the Broadway location. Chairman Percell told Mr. Hole to cease and desist using the prior telephone number for Agape Cremation, Dixie Highway. Counsel Schell to write letter.

COMPLAINTS

Keith P. Clark Funeral Home: The complaint will be tabled until the response for the second complaint is received by the Board office.

ESTABLISHMENTS

Crum Funeral Home: Michael Crum met with the Board for approval of a full service location in Inez, KY. Mr. Crum bought and renamed Phelps & Sons Funeral Home. Mr. Porter made a motion to approve the establishment license, Mr. Meyer seconded; it carried 5-0. The new license number will be 1118.

Thoroughbred Mortuary Service: Josh Wells and James Fender met with the Board for approval of an embalming service location in Lexington, KY. Mr. Porter made a motion to approve the establishment license, Mr. Evans seconded; it carried 5-0. The new license number will be 1120.

Janazah Funeral Home: James Fender met with the Board for approval of a full service location in Lexington, KY. Chairman Percell discussed the grandfather clause with Mr. Fender. Mr. Fender will appear at the October Board meeting regarding this establishment.

APPRENTICES

Jennifer Downs: Appeared before the Board with her supervisor, Miko McRoy, from TIES in Louisville, KY. She is applying for a funeral director and embalmer apprenticeship. Mr. Coffey made a motion for approval of the apprenticeship, Mr. Evans seconded; it carried 5-0.

Jesse Currens: Appeared before the Board with his supervisor, Brian Ritchie, from Ritchie & Peach Funeral Home in Lawrenceburg, KY. He is applying for a funeral director and embalmer apprenticeship. Mr. Meyer made a motion for approval of the apprenticeship, Mr. Coffey seconded; it carried 5-0.

Dana Heller: Appeared before the Board with his supervisor, Scott Hagerman, from Advantage Funeral Home and Cremation Service's, Hardy Chapel, in Louisville, KY. He is applying for a funeral director and embalmer apprenticeship. Mr. Evans made a motion for approval of the apprenticeship, Mr. Coffey seconded; it carried 5-0.

William McCormick: Appeared before the Board with his supervisor, Bryson Price, from Price Funeral Home in Lewisburg, KY. He is applying for a funeral director and embalmer apprenticeship. Mr. Meyer made a motion for approval of the apprenticeship, Mr. Coffey seconded; it carried 5-0.

Lorzetta Warf: Appeared before the Board with her supervisor, Brian Myers, from Pearson Funeral Home in Louisville, KY. She is applying for a funeral director and embalmer apprenticeship. Mr. Coffey made a motion for the approval of the apprenticeship, Mr. Porter seconded; it carried 4-0 with Mr. Percell absent.

Deron Major: Appeared before the Board with his supervisor, Philip Bianchi, from Harlan Funeral Home in Harlan, KY. He is applying for a funeral director and embalmer apprenticeship. Mr. Porter made a motion for the approval of the apprenticeship; Mr. Evans seconded; it carried 4-0 with Mr. Percell absent.

Amber Phillips: Appeared before the Board with her supervisor, Joshua New, from Southern Oaks Funeral Home in Somerset, KY. She is applying for a funeral director and embalmer apprenticeship. Mr. Porter made a motion for the approval of the apprenticeship; Mr. Coffey seconded; it carried 3-0 with Mr. Percell and Mr. Evans absent.

Doug Tarrence: Appeared before the Board with his supervisor, Aaron Kaelin, from Kentucky Mortuary Service in Lexington, KY. He is applying for a funeral director apprenticeship. Mr. Coffey made a motion for the approval of the apprenticeship; Mr. Porter seconded; it carried 4-0 with Mr. Percell absent.

Andrew Vincent: Appeared before the Board with his supervisor, Patrick Crafton, from Crafton Funeral Home in Franklin, KY. He is applying for a funeral director and embalmer apprenticeship. Mr. Evans made a motion for the approval of the apprenticeship, Mr. Coffey seconded; it carried 5-0.

Lynn Henderson: Appeared before the Board with her supervisor, Jason Duvall, from Duvall & Moore Funeral Home in Olive Hill, KY. She is applying for a funeral director and embalmer apprenticeship. Mr. Porter made a motion for the approval of the apprenticeship, Mr. Meyer seconded; it carried 5-0.

Jerrica Richardson: Appeared before the Board with her supervisor, Amanda Melton, from Milner & Orr Funeral Home in Paducah, KY. She is applying for a funeral director and embalmer apprenticeship. Mr. Evans made a motion for the approval of the apprenticeship, Mr. Coffey seconded; it carried 5-0.

Adam Billings: Appeared before the Board with his supervisor, David Billings, from Maraman Billings Funeral Home in Shepherdsville, KY. He is applying for a funeral director and embalmer apprenticeship. Mr. Meyer made a motion for the approval of the apprenticeship, Mr. Coffey seconded; it carried 4-0 with Mr. Porter absent.

C.E. PROGRAMS APPROVED

- United Funeral Directors and Embalmers of Southern Ohio
 - OSHA Review
 - New Information from Cincinnati Vital Records Office
- Matthews International
 - Thriving in Today's Changing Marketplace
- Kentucky Association of Morticians
 - Annual Fall Meeting
 - Price List Compliance and Package Programs
- Newcomer Funeral Services Group
 - Mastering Minor to Major Reconstructive Skills
- Buckeye State Funeral Directors and Embalmer Association
 - Increase the Funeral Home Profit and Revenue Through Essential Times
- NFDA
 - 2017 International Convention and Expo
- Milner & Orr
 - Risk Management in Death Care- How to Handle Legal, Regulatory, and Ethical Issues

APPLICANTS WHO PASSED THE FUNERAL DIRECTORS EXAM IN SEPTEMBER:

David Anderson, Central City; Jason Bruner, Barbourville; Israel Clark, Whitley City; Bonita Daniel, Earlington; Robin Daniel, Earlington; Cody Delph, Lexington; Desmond Dickerson, Lexington; Donovan Dickerson, Lexington; Gary Fowler, Louisville; Jarrod Gilliam, Olive Hill; Jimmy Hart, Cadiz; Larry Hatter, Lexington; Cheri Harvey, Mt. Sterling; Kristen Hughes, Paducah; Samuel Lange, Florence; Melissa McDaniel, Dawson Springs; Marcus Ray, Elizabethtown; James Robinson, Campbellsville; Miranda Robinson, Lexington; Ana Roman, Louisville; Robin Shoemaker, Harlan; Gidget Slaven, Whitley City; Zachary Young, Lexington
Reciprocal: Julie Bush, Indiana; David Campanella, Kansas; Louise Gohman, Indiana; Steven Moore, Texas; Chad Qualkenbush, Indiana; Aaron Scott, Indiana; Mary Smithson, Ohio.

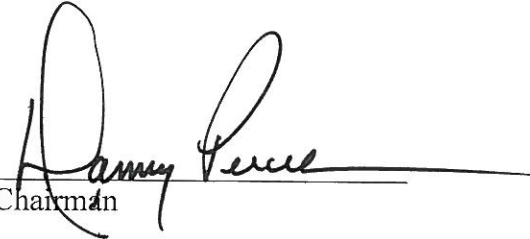
APPLICANTS WHO PASSED THE EMBALMERS EXAM IN SEPTEMBER:


Cody Delph, Lexington; William Prewitt, New Castle; Miranda Robinson, Lexington.
Reciprocal: Julie Bush, Indiana; David Campanella, Kansas; Louise Gohman, Indiana; Steve Moore, Texas.

DISCUSSIONS

Chairman Percell would like to look at the Budget again and see what the totals of the accounts are.

Chairman Percell adjourned the meeting at 6:03 P.M. The next Board meeting will be Tuesday, October 10, 2017 at Pennyrile State Park in Dawson Springs, KY.


Chairman


Clerk