

TENNESSEE BOARD OF FUNERAL DIRECTORS AND EMBALMERS

MINUTES OF BOARD MEETING

APRIL 9, 2024

President Pam Stephens called the meeting to order at 10:00 a.m. The meeting was conducted in Conference Room 1-B, Davy Crockett Tower, Nashville, Tennessee.

Board members physically present: Pam Stephens, President; Christopher Lea, Vice President; Wendell Naylor, Don Haynes, Randy Nash, and Tim Wheeler.

Board member(s) absent: Scottie Poarch

Staff physically present: Robert Gribble, Executive Director; Troy Bryant, Associate General Counsel; and Lisa Bohannon, Regulatory Board Administrative Manager.

ADOPTION OF AGENDA:

A motion was made by Christopher Lea to approve the agenda as published.

Seconded by Tim Wheeler

Adopted by Voice Vote

APPROVAL OF MINUTES:

A motion was made by Christopher Lea to approve the Minutes of the February 13, 2024, Board Meeting.

Seconded by Wendell Naylor

Adopted by Voice Vote

LEGAL REPORT: **TROY BRYANT, ASSOCIATE GENERAL COUNSEL**

Abbreviations:

GPL – General Price List

CPL – Casket Price List

OBCPL – Outer Burial Container Price List

SFGSS – Statement of Funeral Goods and Services Selected

1. Case No.: 2024003781 – Funeral Establishment

A complaint was submitted against Respondent establishment alleging that the company’s website did not have accurate information. Specifically, the allegation stated that the website listed an individual as manager who was not registered as manager with the Department. The information for “Complainant” was filled out as the information for Respondent, either done inadvertently, or intentionally so as to be a somewhat anonymous complaint.

Respondent replied stating the photograph and description of the individual as manager had been removed. Respondent stated that the individual had been the previous manager, and that he had allowed Respondent to continue using his picture and description during the interim of a new manager being appointed as they were going through a change of ownership and management.

When this complaint was referred to Legal on the morning of March 4, 2024, I personally checked the website of Respondent establishment. The webpage referred to in the complaint no longer exists and is received with a 404 broken link error and cannot be accessed from their current webpage.

Recommendation:

- Letter of Warning

A motion was made by Christopher Lea for a Letter of Instruction.

Seconded by Randy Nash

Adopted by Voice Vote

2. Case No.: 2024001961 – Funeral Establishment

Complainant, a former employee of the Respondent establishment, made general allegations of unprofessionalism on behalf of Respondent establishment. Specifically, Complainant stated that it was a hostile work environment at Respondent establishment due to the owner, and that the owner shows favoritism to certain employees. Additionally, the complainant made allegations of “...they’re very disrespectful to the deceased bodies that they take care of” and “...they are several licensed people that work there and the disrespectful remarks they make...is downright disgusting and disrespectful.”

Respondent denied all of the allegations and requested strict proof of these allegations be provided.

Complainant has provided no specific information or proof of instances of unprofessional conduct and has failed to provide evidence of violations of applicable statutes or rules.

Board member Tim Wheeler recused himself from participating in this complaint and departed the conference room during its discussion and determination by the board.

Recommendation:

- Closure

A motion was made by Christopher Lea to accept Counsel's recommendation.

Seconded by Wendell Naylor

Adopted by Voice Vote

3. Case No.: 2023065361 – Funeral Establishment

Complainant, mother of the decedent, stated that her son died on July 14, 2023, and that full payment was made to Respondent funeral home that same day for services. Complainant stated that as of the date of the complaint (December 26, 2023), she had yet to receive the decedent's ashes or the three (3) death certificates. Complainant alleged that they began calling Respondent in August inquiring about the delay and contended that they had called Respondent twice each month since then checking on Respondent's progress. Complainant stated they were given the same response, that they would contact her the following day, but claimed that this never occurred.

Respondent stated that upon removal of the decedent on July 14, 2023, the police gave them the name of the doctor who the medical examiner had spoken to who indicated they would sign the death certificate. Respondent stated that the next of kin was listed as the decedent's son, his mother (Complainant), and then the mother of decedent's son (but presumably not the wife of decedent). Respondent stated that when they contacted the doctor who had previously indicated they would sign, they refused to sign the death certificate. Respondent stated they called the medical examiner for assistance on getting another doctor

to sign, and that the medical examiner stated they would do a chart review. Respondent stated that they explained this difficulty and process to Complainant. Respondent stated that following this, the death certificate was signed by the medical examiner and approval was given for cremation (Respondent attached the permit to their response) and an appointment was made with the crematory. Respondent stated that the initial plan per Complainant was that the cremains would be shipped to Complainant. Respondent stated that while preparing the cremains to be shipped, they were contacted by the mother of the decedent's son who stated that he would like to receive the cremains directly. Respondent stated that they attempted to call Complainant to confirm this change of plans on several occasions and left messages, but their calls were not returned. Eventually, the mother of decedent's son brought a text message from Complainant stating that decedent's son could receive the cremains. Respondent stated that the cremains and death certificates were received by decedent's son.

Respondent attached the cremation request form which was submitted to the medical examiner on August 18, 2023. Respondent also attached the permit for cremation which was signed and approved as of November 17, 2023. Documentation showed that Respondent was cremated as of November 28, 2023.

Based on the above, regarding the pickup of the cremains, decedent's son is the appropriate next of kin and was entitled to receive the cremains. Fortunately, it does not appear to be a point of contention with Complainant, and the decedent's son was the appropriate next of kin to receive the cremains if they chose to do so. Regarding the delay in cremation, it appears that per Respondent's timeline, roughly a month passed from the date of Decedent's death and when the cremation request form was submitted to the medical examiner (July 14, 2023 – August 18, 2023), in part due to the delay and eventual denial from the physician. From here, it was not until November 17, 2023, that Respondent received approval for cremation (nearly 3 months), with cremation following on November 28, 2023. As of December 26, (the date that the complaint was filed), presumably the decedent's cremains had not been picked up. It is unclear whether this delay (from date of cremation to date of complaint filing) was due to Respondent or waiting for the decedent's son to pick up the remains.

Routinely, this Board addresses the difficult issue of receiving documentation from the medical examiner, physician signatures on death certificates, and a delay in cremation while waiting for the necessary documentation. Here,

however, Complainant references an issue with getting in contact with Respondent and receiving an update during the three-month waiting period.

Recommendation:

- \$500.00 civil penalty. Authorize via Consent Order and formal hearing if necessary.

A motion was made by Christopher Lea to accept Counsel's recommendation.

Seconded by Tim Wheeler

Adopted by Voice Vote

4. Case No.: 2024004751 – Funeral Establishment

Complainant alleged unprofessional conduct and failure to abide by proper next of kin determination as Complainant is the daughter of decedent and the individual that Respondent allowed to make arrangements is the sister of the decedent, aunt of the Complainant. Complainant states that they were aware that the aunt was the Decedent's POA, but stated that she informed Respondent that the POA expired after the death of the Decedent. Complainant stated that the aunt did not involve them in any part of the arrangement process and only told Complainant after the arrangements were already made. Finally, Complainant stated that they did not receive a copy of the document that purportedly made the aunt the POA after death.

Respondent replied stating that Complainant erroneously assumed the POA expired at death, but in actuality was a durable POA for healthcare allowing for the designated POA to direct the disposition of the decedent's remains. Respondent stated that the aunt was made the durable POA and also made executor of the Decedent's estate. In decedent's last will, Respondent states that it directs the aunt to, "pay all of my legal debts, administration expenses, the expenses of my last illness, if any, and funeral as soon as may be practicable after my demise." Respondent stated that they were direct, and ultimately required, to acknowledge the aunt as the POA. Respondent attached a copy of the last will and testament and the durable POA document to their response that appointed Respondent as the executor and the durable POA.

Recommendation:

- Closure

A motion was made by Christopher Lea to accept Counsel's recommendation.

Seconded by Don Haynes

Adopted by Voice Vote

5. Case No.: 204001201 – Funeral Establishment

Complainant, son of the Decedent, stated that they met with a representative from Respondent establishment on December 12, 2023, to make preliminary arrangements for their father. Complainant stated that during this meeting, he explained that the decedent's wedding ring was stuck on the decedent's finger, and they were unable to remove it. Complainant stated that it had never been off of the decedent's finger for the last fifty-seven (57) years, and it was important to them that the ring wasn't cut because there was an inscription on the inside. Complainant stated he was told this would not be a problem. The decedent passed away on December 13, 2023, and was picked up by Respondent establishment, Complainant stated he was there when the decedent was picked up and again brought attention to the ring and explained the issue. Complainant stated they were again told this would not be a problem. On December 14, 2023, Complainant and his brother met with an employee to sign the contract and release for cremation. Again, Complainant raised the issue of the ring. The employee stated that he would personally check on it, that the ring would not be cut, and that it would be returned in one piece. On December 26, 2023, Complainant called to check on the status of the Decedent. Complainant was informed that the cremation was complete, but that they were unable to locate the wedding ring. Complainant met with the employee on December 27, 2023, and retrieved the cremains, but Respondent was still unable to locate the ring. Complainant stated that as of January 5, 2024, he had not received an update from Respondent and that the ring had not been returned.

The manager of Respondent replied stating he had spoken to the employee Complainant met with during the meeting on December 11, 2023, and stated that she informed him that a lot had been discussed during that meeting, but that she doesn't recall Complainant mentioning a ring. Respondent further stated he spoken to the employee who was present for the removal at the nursing home on the morning of December 13, 2023, who also stated he did not recall Complainant showing or speaking to him about the ring, stating that he feels like he would have remembered if it was specifically shown to him. The manager stated that he spoke to the employee who worked with Complainant on December 14, 2023, who confirmed that Complainant had spoken to him about

the ring and confirmed that the funeral director had told Complainant he would take care of it, and also recalled the following meeting with Complainant where he told him of his failure to remove the ring. The manager stated that he met with Complainant on December 26, 2023, and told him that unfortunately the Decedent's ring was never taken off and that it was cremated with the Decedent. The manager also stated that he met with the wife of the decedent and explained that the ring was not taken off and was unfortunately cremated with the decedent. The manager stated he was confident that an employee had not stolen it, and even asked anyone involved with the decedent to check all pockets and confirmed that no employee had the ring. The manager also stated he checked with the crematory to see if it had survived the cremation but confirmed that they had not discovered a ring following cremation. The manager added that he updated the decedent's family that his search for the ring had been unsuccessful. The manager stated, "we acknowledge that [the decedent's] ring was not removed as was required and for this we are truly sorry. . . as you would expect, we did not charge the [decedent's] family for any of our services. I assure the board and the family if we had this to do over, we would certainly do things differently. We have put new procedures in place to make sure this never happens again."

Recommendation:

- \$500.00 civil penalty. Authorize via Consent Order and formal hearing if necessary.

A motion was made by Christopher Lea to accept Counsel's recommendation.

Seconded by Randy Nash

Adopted by Voice Vote

6. Case No.: 2024006181 – Funeral Establishment

Complainant, the niece of the Decedent, stated that she had prepaid for her aunt's cremation and death certificate in an executed pre-need contract on April 4, 2013. Complainant stated that on October 27, 2023, her aunt passed away while she was out of town. Complainant said they contacted Respondent and were told that her aunt had already arrived and that they had the prepaid paperwork. Complainant stated she was told that Respondent would get back in touch with her, but stated that she waited two weeks before she was contacted. Complainant stated the owner then reached out and apologized stating that her aunt's paperwork got buried under other papers. Complainant said that the week

of November 13th, they called and was told that the decedent had not yet been cremated. Complainant stated that they were shocked as they were planning for a celebration of life for Thanksgiving. Complainant stated they called again after Thanksgiving, was told that the cremation had not occurred as they were waiting on the death certificate. Complainant stated they finally received a call on December 7th requesting that Complainant sign papers so that the remains could be sent to her (Complainant lives out of state). Complainant stated they called again one week before Christmas hoping they would have the remains in time for Christmas, especially after they were told that the decedent had been cremated on December 12th. Complainant stated that they called again on January 17, 2024, again requesting an update.

The owner of Respondent establishment responded apologizing for “the inconvenience and distress caused by my failure to act more promptly and professionally.” Respondent stated that after receiving the death call and gathering the prearrangement papers, the papers were misplaced under other papers on their desk. Respondent stated that they faxed the cremation authorization form to Complainant out of state and soon received the signed authorization which was immediately sent to the crematory along with the other required documentation. Respondent stated that the cremation was completed on December 12, 2023, and the cremains were picked up on December 13, 2023. Respondent stated that it is their policy to mail cremains by USPS priority mail to either a funeral home or cemetery for security reasons. Respondent provided that this was days before Christmas, so they waited until December 28, 2023, to avoid the Christmas rush. Respondent stated that the remains were received on December 29, 2023.

Complainant provided a rebuttal confirming that she had received the cremains.

Respondent provided a timeline of events. Of particular note per Respondent's timeline:

- The death certificate was registered with Tennessee Vital Records on November 10th with the certified death certificate issued by Tennessee Vital Records on November 13th.
- Respondent did not fax the death certificate and cremation permit to the Medical Examiner for cremation approval until November 28th (constituting a delay of 15 days).
- Respondent picked up the cremains from the crematory on December 13 and mailed the cremains to Complainant on December 28th (constituting a delay of 15 days).

Generally speaking, per Respondent's timeline, the cremation process moved fairly quickly with the exception of these two 15-day delays.

Recommendation:

- \$500.00 civil penalty. Authorize via Consent Order and formal hearing if necessary.

A motion was made by Randy Nash for a \$750.00 civil penalty. Authorize via Consent Order and formal hearing if necessary.

Seconded by Don Haynes

Adopted by Voice Vote

7. Case No.: 2024004631 – Funeral Establishment

The Department's inspector conducted an unlicensed activity check and inspection of Respondent establishment. The during the unlicensed activity check and inspection, the inspector discovered the following:

- a. On January 3, 2024, during the course of the unlicensed activity check, Respondent conducted a funeral service and followed with a committal service at a cemetery. During this time, the inspector observed an unlicensed assistant drive the lead vehicle, carry flowers to the gravesite, instruct pallbearers, and assist the pallbearers in carrying the casket to the gravesite. The inspector spoke to the other individual, the owner of Respondent establishment, in the funeral coach. The inspector asked the individual who was the Tennessee licensed funeral director present for the committal service for the decedent. The owner responded that there was no Tennessee licensed funeral director present for the committal service. Following the service, the owner explained that they were having difficulty hiring a Tennessee licensed funeral director since their previous manager had resigned. The previous manager resigned as of December 13, 2023, and as of January 4, 2024, Respondent did not have a Tennessee licensed funeral director as manager of Respondent establishment. During this time, based upon the records found by the inspector, Respondent establishment's

unlicensed staff made funeral/cremation arrangements for six (6) decedents.

The owner stated that their previous manager had sent him a text message on December 13, 2023, stating that he was leaving their employment and that they had 30 days to get another manager. The owner stated that they interpreted this to mean that the owner was submitting their 30 days' notice, not resigning immediately (for reference the law is 10 days, not 30). The owner stated that they searched "high and low" for a funeral director but to no avail. The owner added they eventually did get a licensed funeral director to be present and wait on families while making arrangements and to handle funeral and committed services in the capacity of a licensed funeral director. The owner stated this individual started on January 5th, and attended and directed one (1) of the six (6) services identified by the inspector. The owner stated that finally on January 29, 2024, they were able to hire a licensed funeral manager. The owner stated the following, "As far as us waiting on families and directing funerals it seemed we had no choice as [the previous manager] would not answer my text or calls so we didn't know what to do except just be there for the families. I do admit to waiting on and directing funeral but in all honesty, we were caught between a rock and a hard place."

- b. Respondent establishment did not have a copy of the license nor latest inspection report of the crematory that they utilized for cremations.
- c. The areas directly behind and beside Respondent establishment contained debris and other materials and obstacles.

The owner stated that these areas have been cleaned up and that in the back area of the funeral establishment where construction is ongoing (which caused the materials and debris during the initial inspection), they have added a temporary orange construction fence to prohibit anyone from entering the area. The owner stated that new construction is being done to add a prep room, dressing room, and refrigeration room.

- d. Numerous Statement of Funeral Goods and Services Selected contracts were signed by decedent family members were not completed, including prices for goods and services. Likewise, the reason for embalming was not included when embalming was charged.
- e. The inspector requested that Respondent provide a copy of the death certificate for the services/cremations conducted in December 2023 and January 2024.

The owner stated he did not have access to the VRISM system because he was not a licensed Tennessee funeral director and the former manager handled the death certificates.

Recommendation:

- \$4,000.00 civil penalty. Authorize via Consent Order and formal hearing if necessary.

A motion was made by Randy Nash for a \$4,000.00 civil penalty and that the Department has an option to conduct establishment inspections, as often as it so deems, over the next twelve (12) months with a reinspection charge assessed to the funeral establishment on each inspection.

Seconded by Tim Wheeler

Adopted by Voice Vote

8. Case No.: 2024004661 – Unlicensed Individual

Respondent is the unlicensed assistant found during the inspection. According to the documents procured during the inspection, the inspector discovered the following:

- a. Respondent made or assisted in making arrangements for three (3) decedents despite not being licensed.
- b. A social media account for Respondent listed numerous advertisement pricing without the required itemized listing of each and every item, procedure, or service.

- c. A photograph on Respondent's social media account displayed staff members not licensed as either a Tennessee licensed funeral director or Tennessee licensed embalmer.

Respondent replied stating that the three (3) funeral arrangements made were under the supervision of the owner (who is also not a licensed funeral director). Respondent stated that according to what he was told by the owner upon being hired, Respondent was to be a funeral director assistant. Job responsibilities were to include participating in funeral directing, interacting with families, and media management. Respondent stated it was never their intention to indicate that they were licensed, and that they had removed all of the advertisement posts from their social media account. Respondent apologized and stated that they have further researched what a non-licensed funeral assistant is allowed to do.

Recommendation:

- \$500.00 civil penalty. Authorize via Consent Order and formal hearing if necessary.

A motion was made by Christopher Lea to accept Counsel's recommendation.

Seconded by Randy Nash

Adopted by Voice Vote

9. Case No.: 2024004681 – Unlicensed Individual

Respondent is the unlicensed representative of the owner from the two previous complaints. Of the six (6) instances of unlicensed activity, Respondent made arrangements for four (4) of the decedents.

Recommendation:

- \$2,000.00 civil penalty. Authorize via Consent Order and formal hearing if necessary.

A motion was made by Christopher Lea to accept Counsel's recommendation.

Seconded by Tim Wheeler

Adopted by Voice Vote

RE-PRESENT

10. Case No.: 2023062091 – Funeral Establishment

This matter was previously presented to the Board at the February 13, 2024 meeting as follows:

Summary: Complainant alleged unprofessional conduct on behalf of Respondent establishment, specifically alleging that Respondent included several additional charges that they believed had already been paid for in their pre-need contract and adding additional fees after the fact. Specifically, Complainant alleged that additional costs were added for procession escorts, processing fee, taxes, and death certificates resulting in an addition charge of \$1,364.36 not covered by the pre-need contract. Furthermore, Complainant stated that soon after, due to a policy created in August 2023, Respondent added an additional cost since Complainant had requested that the service be held on a Saturday adding further additional costs.

Respondent replied confirming that Complainant had an existing pre-need contract dated October 21, 1989, and that the pre-need contract specifically enumerated the following services at the following prices: Basic funeral services, including services of a funeral director (\$1,899.00), Embalming (\$899.00) Dressing, casketing, and cosmetology (\$299.00), Visitation (\$449.00), Funeral ceremony (\$499.00), Transfer to the funeral home (\$549.00), Hearse (\$399.00), Casket (\$2,199.00), and Outer burial container (\$1,549.00). Respondent stated that at the time, the contract did not charge Complainant taxes as required for funeral merchandise or the Respondent's processing fee. Respondent stated that Complainant and her daughter came to Respondent establishment on November 16, 2023, and during this meeting indicated that she wished for the funeral service to be on a Saturday. Respondent stated that a Saturday service is not included in the basic funeral services package enumerated in the pre-need contract, and accounted only for weekday services, thus resulting in an additional charge. Respondent stated in addition to these charges, Complainant requested a motorcade escort which resulted in an additional expense not included in the pre-need contract.

Based on the above, Complainant's primary frustration appears to be that additional costs were incurred despite the existence of a pre-need contract. However, it appears that additional services were added after the creation of the pre-need contract. Both parties agree that the out-of-pocket expense became

\$1,364.36 but resulted from services not enumerated in the original pre-need contract.

Recommendation: Closure

Board Decision: To be re-presented after obtaining the pre-need contract and statement of funeral goods and services to see if the contract enumerates that the service was to be provided on a weekday only.

Update:

The contract did not state that service was to be provided on a weekday only. However, the contract did state, "The funds paid or to be paid (and the net earnings or interest thereon) fully pay for the funeral merchandise and services identified herein." The contract is very sparse and does not include much information regarding an itemization of the merchandise and services.

However, looking at Respondent's General Price List, it appears that a "Pre-need Processing Fee" is included in Complainant's Statement of Funeral Goods and Services Selected as a \$149.00 charge. This is shown as a separate line item on Complainant's Statement of Funeral Goods and Services Selected outside of Respondent's basic services fee. The Funeral Rule states that the only non-declinable fee is for a basic services Fee. Per Respondent's response, "the Funeral Home charged [Complainant] the required taxes in the amount of \$356.29 and the Funeral Home's processing fee of \$149 which were previously not included in preneed contracts."

Recommendation: \$750.00 civil penalty reduced to \$250.00 provided the Respondent refunds the \$149.00 processing fee and submits proof satisfactory to the department. Authorize via Consent Order and formal hearing if necessary.

A motion was made by Christopher Lea to accept Counsel's recommendation.

Seconded by Wendell Naylor

Adopted by Voice Vote

EXECUTIVE DIRECTOR'S REPORT:
ROBERT GRIBBLE, EXECUTIVE DIRECTOR

LEGISLATIVE UPDATE:

HB1742/SB1599 – Funeral Directors and Embalmers

Sunset Laws – As introduced, extends the board of funeral directors and embalmers to June 30, 2030. – Amends TCA Title 4, Chapter 29 and Title 62, Chapter 5.

Public Chapter 490 – Effective date(s): February 21, 2024

HB2097/SB2588 – Advisory Opinions

Boards and Commissions – As introduced, requires state regulatory boards within the department of commerce and insurance and state health related boards within the department of health to issue advisory opinions upon request. – Amends TCA Title 62 and Title 63.

Passed Senate as amended: April 4, 2024 and Placed on Calendar of House Government Operations Committee for April 8, 2024

HB2148/SB2908 – Insurance

Insurance Companies, Agents, Brokers, Policies – As introduced, authorizes a funeral director or funeral establishment providing funeral services for a deceased person insured or believed to be insured under a contract of life insurance to request certain information about the life insurance contract. – Amends TCA Title 35; Title 56 and Title 62, Chapter 5.

HB1811/SB2577 – Pre-need Funeral Contracts

Funeral Directors and Embalmers – As introduced, authorizes sellers of pre-need funeral contracts to keep the interest that accrues on the contract after payment is made for the merchandise and services set forth in the contracts. – Amends TCA Title 62, Chapter 5.

Transmitted to Governor for action: April 5, 2024

HB2173/SB2578 – Funerals

Professions and Occupations – As introduced, revises provisions related to the special account in the general fund known as the “pre-need funeral account”; deletes the indigent burial fund. – Amends TCA Section 62-5-414.

Placed on Senate Finance, Ways, and Means Committee calendar for April 9, 2024 and Placed on Calendar of House Finance, Ways, and Means Subcommittee for April 10, 2024

HB2440/SB2264 – Professions

Professions and Occupations – As introduced, reduces, from 75 to 60 days, after the end of the pre-need seller’s fiscal year the time by which a pre-need seller and trustee must file an annual report with the commissioner of commerce and insurance. – Amends TCA Title 62 and Title 62.

Amendment changed bill to deal exclusively with licenses issued by the Tennessee Real Estate Commission. Enrolled and ready for signatures - Passed Senate as amended on March 25, 2024 and Passed House on April 4, 2024

HB1916/SB2179 – Anatomical Gifts

Anatomical Gifts – As introduced, creates a process by which an individual or terminal patient can refuse to make an anatomical gift that cannot be amended by another person; requires a procurement organization to follow certain procedures for contacting a decedent’s family member or other authorized person. – Amends TCA Title 63 and Title 68.

HB2026/SB1908 – Cemeteries

Cemeteries – As introduced, requires a cemetery company offering to sell a grave space in a pre-need contract to offer the option to pre-pay for the interment right and interment services applicable to the space; requires the offer of an option to pre-pay for the interment right and interment services to include a written disclosure of the days of the week for which such services for the purchased interment right would be available without additional fees and that pre-paying for the interment right and interment services is not to required but the choice not to pre-pay will likely result in an increase to the purchase cost in the future. – Amends TCA Title 46 and Title 47.

HB2027/SB1909 – Grave Spaces

Cemeteries – As introduced, creates a process by which a grave space will be considered abandoned and revert to the cemetery company that owns or controls the cemetery land or property on which the grave space is located if certain conditions are met. – Amends TCA Title 4; Title 26; Title 35; Title 46 and Title 62, Chapter 5.

Website for Legislative Bill Searches:

<http://wapp.capitol.tn.gov/apps/billsearch/BillSearchAdvanced.aspx>

LICENSEE REPORT:

REPORT OF LICENSES ADMINISTRATIVELY APPROVED BY EXECUTIVE DIRECTOR PURSUANT TO BOARD AUTHORITY FOR THE PERIOD OF FEBRUARY 10, 2024 – APRIL 5, 2024

Establishment(s)

Bilbrey Funeral Home and Cremation Service
Crossville, TN

Type of Action(s)/Change(s)

Change of Ownership

Individual(s)

Melissa Ann Bond
Nashville, TN

Type of License(s)

Funeral Director and Embalmer

Dennis Bart Croslin
Gordonsville, TN

Funeral Director and Embalmer

Tennessee Board of Funeral Directors and Embalmers

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Patricia Lynette Hensley-Coffey Morristown, TN	Funeral Director and Embalmer
Bobby Jack Michael, III Gray, TN	Funeral Director and Embalmer
Christopher Alan Mott Knoxville, TN	Funeral Director and Embalmer
Tracy Ellen Lee Commack, NY	Funeral Director and Embalmer Reciprocity – New York
Adam Matthew Scott Franklin, TN	Funeral Director and Embalmer Reciprocity – Oklahoma
Phyllis A. Crawford-Odom Greenbrier, TN	Funeral Director and Embalmer Reapplication
Terry Lee Alexander Nashville, TN	Funeral Director
Hayden Lee Branham Cleveland, TN	Funeral Director
Crystal Christina Burston Greenbrier, TN	Funeral Director
Timothy Thomas Miles Cookeville, TN	Funeral Director
Jacquita Shantae Mitchell Mount Juliet, TN	Funeral Director
Sherionda Lynn Delaney Marion, AR	Funeral Director Reciprocity – Arkansas
Aaron Clark Rowbury Millington, TN	Funeral Director Reciprocity – Utah and Idaho
Cody Douglas Hunter Bowling Green, KY	Funeral Director Reapplication
Jeff D. Wilder Kingsport, TN	Funeral Director Reapplication
Terrell Andre Broady, Jr.	Embalmer

Nashville, TN

CLOSED ESTABLISHMENT REPORT:

Two (2) establishments have reported closing since the last board meeting:

- Celebration of Life Funeral Services, 5803 Stage Road, Bartlett, TN and
- McDonald Funeral Homes of Perry County, 366 South Main Street, Lobelville, TN

DISCIPLINARY ACTION REPORT:

These are Consent Orders that have been administratively accepted / approved by the Executive Director pursuant to Board authority and as reported on the January 2024 and February 2024 Regulatory Boards Disciplinary Action Reports

Respondent: Associated Family Funeral Home, LLC, Adamsville, TN
 Violation: Failed to report to the Board a change of establishment manager within the time required by law and engaged in deceptive acts or practices defined in the Funeral Rule
 Action: \$500 Civil Penalty

Respondent: Associated Family Funeral Home, LLC, Adamsville, TN
 Violation: The establishment did not have a licensed funeral director and the establishment allowed a person to conduct activity that required the person conducting the actions to be a licensed funeral director
 Action: \$500 Civil Penalty

Respondent: R. Bernard Funeral Services, Memphis, TN
 Violation: Failed to obtain a required permit prior to the cremation of a decedent
 Action: \$500 Civil Penalty and \$891 Investigation Costs

Respondent: Trinity Crematory, Cleveland, TN
 Violation: Permitted an individual who is not licensed to practice funeral directing to sign numerous permits for cremation of human remains on behalf of the crematory
 Action: \$500 Civil Penalty

OPEN COMPLAINT REPORT:

As of April 4, 2024, there were 37 open complaints.

A motion was made by Don Haynes to accept the Executive Director's Report.

Seconded by Christopher Lea

Adopted by Voice Vote

PUBLIC COMMENTS:

President Pam Stephens asked if anyone desired to make public comments related to the agenda items.

Nobody made public comments at this time.

ADJOURN:

A motion was made by Christopher Lea to adjourn.

Seconded by Randy Nash

Adopted by Voice Vote

The meeting was adjourned by President Pam Stephens at 11:20 a.m.

Respectfully submitted,

Robert B. Gribble

Robert B. Gribble, CPM, CFSP
Executive Director