

BEFORE THE NORTH CAROLINA
BOARD OF FUNERAL SERVICE
CASE NO. C24-0065

In the matter of:)
)
Lori's Funeral Home and Cremation)
Services of Raleigh, and)
Lori Chappell-Green Washington,)
)
Respondents.)

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND FINAL AGENCY DECISION

In accordance with N.C. Gen. Stat. § 150B-40(d), the North Carolina Board of Funeral Service (hereinafter the “Board”) issues the following Findings of Fact, Conclusions of Law, and Final Agency Decision in this matter.

The record reflects that a quorum of the Board was present at the hearing held on March 12, 2025 and at the time the Board made this decision on March 12, 2025. The record further reflects that Board members Dr. Stephen Lyons and Mr. Michael Allen did not participate in the hearing or deliberations of this case because they served on the Board's Disciplinary Committee at the time this particular matter was reviewed. At the hearing, Catherine E. Lee, General Counsel, appeared for Board staff and Jeffrey Gray appeared as administrative law counsel for the Board. Respondents appeared *pro se*.

Before the hearing, the following inquiry was read aloud in accordance with state ethics laws: “[d]oes any board member have any known conflict of interest with respect to this matter coming before the Board today? If so, please identify the conflict or appearance of conflict and refrain from any undue or inappropriate participation in the particular matter involved.” No Board members, other than Dr. Lyons and Mr. Allen, stated that they had a conflict of interest or the appearance of a conflict of interest.

PETITIONER'S LIST OF EXHIBITS

1. C24-0065 Complaint submitted by N. Fludd
2. C24-0065 Screenshot Submitted in Support of Complaint
3. C24-0065 Response to Complaint
4. C24-0065 Rebuttal submitted by N. Fludd
5. C24-0065 Investigation Email from Board Inspector Stoessner
6. C24-0065 Screenshots Submitted in Support of Investigation by N. Fludd
7. C24-0065 Notice of Hearing
8. C24-0065 Returns of Service for Notice of Hearing
9. C24-0065 Order for Continuance

RESPONDENTS' LIST OF EXHIBITS

None

FINDINGS OF FACT

1. Lori Chappell-Green Washington d/b/a Lori's Funeral Home and Cremation Services of Raleigh ("Respondent Establishment") is licensed by the Board as Funeral Establishment Permit ("FE Permit") No. 0218 and, therefore, is subject to Chapter 90 of the North Carolina General Statutes and Title 21, Chapter 34 of the North Carolina Administrative Code. Respondent Establishment has held FE Permit 0218 since January 7, 2011. Respondent Establishment is located in Raleigh, North Carolina.
2. Lori Chappell-Green Washington ("Respondent Individual" and collectively with Respondent Establishment, the "Respondents") is licensed by the Board as Funeral Director License No. 3678 and, therefore, is subject to Chapter 90 of the North Carolina General Statutes and Title 21, Chapter 34 of the North Carolina Administrative Code.
3. For all times relevant to this matter, Respondent Individual has served as the licensed manager and sole proprietor of Respondent Establishment.
4. On or about September 4, 2024, Board staff received a complaint from Nakai Fludd (the "Complainant") against Respondent Establishment. Evidence obtained in this matter tends to show the following:
 - a. Complainant is the Deputy Registrar for Guilford County. In that role, Complainant oversees the filing of death certificates by licensees of the Board, in accordance with N.C. Gen. Stat. § 90-130A.115(b), which requires that a licensee who first assumes custody of a dead body shall file the death certificate with the local registrar within five (5) days of the death.
 - b. On July 21, 2023, Medical Examiner, John T. Coble, created a Notification of Death in the North Carolina Database Application for Vital Events ("NC DAVE") for Ronald David Green, Jr., who died the prior day.
 - c. Guilford County Division of Public Health did not receive notification from Respondents of receipt of Mr. Green's body prior to July 23, 2023.
 - d. On July 27, 2023, Respondent Establishment published an online obituary for Mr. Green.

- e. On July 28, 2023, Respondents were notified that a death certificate had been started in NC DAVE by Medical Examiner Coble and Respondents were provided the case number.
- f. On July 30, 2023, Respondents provided funeral services for Mr. Green.
- g. On August 7, 2023, Respondent Establishment took possession of Mr. Green's Death Certificate through NCDAVE.
- h. On August 13, 2023, a representative of Guilford County Division of Public Health contacted Respondents, requesting that they sign the Death Certificate for Mr. Green.
- i. On August 15, 2023, Respondent Individual signed the Death Certificate for Mr. Green.
- j. On August 21, 2024, Bradley Baggett, PA-C with Atrium Health – High Point Medical Center created a Death Certificate in NC DAVE for Lou Ann Cargile, who died the same day.
- k. Guilford County Division of Public Health did not receive notification from Respondents of receipt of Ms. Cargile's body prior to August 23, 2024.
- l. On August 24, 2024, Respondent Establishment published an online obituary for Ms. Cargile.
- m. On August 28, 2024, Complainant conducted an online search in an effort to ascertain which funeral establishment had taken Ms. Cargile into its care and reviewed the online obituary that Respondent Establishment had published on August 24, 2024.
- n. On August 30, 2024, Complainant contacted Respondents through Respondent Establishment's website, providing information that would facilitate Respondents' signing of Ms. Cargile's death certificate. In that message, Complainant explained that PA Baggett already had created and certified Ms. Cargile's death certificate, and that Respondents needed to take possession of said death certificate. Respondents received an automated response acknowledgment receipt.
- o. On September 3, 2024, Complainant called Respondent Individual to discuss Respondents' failure to sign the death certificate created by PA Baggett. During this call, Respondent Individual was uncooperative with the Complainant's courtesy efforts to assist Respondents with the signing of Ms. Cargile's death certificate.

- p. On September 4, 2024, Respondent Individual placed a call to Complainant, in which Respondent Individual refused to answer Complainant's inquiries as to whether she would sign Ms. Cargile's death certificate.
- q. Following this September 4, 2024 call, and after verifying that Respondents still had not signed Ms. Cargile's death certificate, Complainant filed a complaint with the Board against Respondents.
- r. On or about September 4, 2024, and after Complainant had filed the above-referenced complaint, Respondent Individual signed the Death Certificate for Ms. Cargile.

CONCLUSIONS OF LAW

1. Respondents are subject to Chapter 90 of the North Carolina General Statutes and Title 21, Chapter 34 of the North Carolina Administrative Code and the standards set forth in Funeral Industry Practices, 16 C.F.R. § 453 (1984).
2. Respondents are subject to jurisdiction before the Board.
3. The Board is authorized under Article 3A, Chapter 150B of the North Carolina General Statutes to hear this matter.
4. To the extent that the Findings of Fact contain conclusions of law, or that the Conclusions of Law are findings of fact, they should be so considered without regard to their given labels. Charlotte v. Heath, 226 N.C. 750, 755, 40 S.E.2d 600, 604 (1946); Peters v. Pennington, 210 N.C. App. 1, 15, 707 S.E.2d 724, 735 (2011).
5. The acts and omissions of the Respondents described in Paragraphs 1-4 violate N.C. Gen. Stat. § 90-130A.112, which requires that a licensee who first assumes custody of a dead body submit a notification of death to the local registrar in the county where death occurred, within 24 hours of taking custody of the body.
6. The acts and omissions of the Respondents described above violate N.C. Gen. Stat. § 130A-115(b), which requires that a licensee who first assumes custody of a dead body shall file the death certificate with the local registrar within five (5) days of the death.
7. The acts and omissions of the Respondents described above violate N.C. Gen. Stat. § 90-210.25(e)(1)(m), which prohibits licensees from violating or cooperating with others to violate any provision of Article 4 or 16 of Chapter 130A of the General Statutes or any rules or regulations promulgated under those Articles as amended from time to time.

8. The Board concludes that one or more of the violations described above were committed by an owner, officer, operator, manager, member, or partner of Respondent Establishment, or by any agent or employee of Respondent Establishment with the consent of any person, firm, or corporation operating it. Pursuant to N.C. Gen. Stat. § 90-210.25(d)(4), the Board has the authority to revoke, suspend, or refuse to issue or renew the funeral establishment permit of Respondent Establishment, or to place Respondent Establishment on probation, and to assess a civil penalty not to exceed \$5,000.00.
9. The Board concludes that Respondent Individual committed one or more of the violations described above but remains fit to practice. Pursuant to N.C. Gen. Stat. § 90-210.25(e)(2), the Board has the authority to place Respondent Individual on probation and to assess a civil penalty not to exceed \$5,000.00.

FINAL AGENCY DECISION

The North Carolina Board of Funeral Service hereby issues the following decision:

1. The funeral director license of Respondent Individual is hereby suspended for thirty (30) days from the effective date of this Final Agency Decision, except that said suspension is stayed. The stay of the suspension shall be automatically lifted upon failure to comply with the following terms and conditions:
 - a. Within ten (10) days following effective date of this Final Agency Decision, Respondent Individual shall pay a civil penalty of Five Hundred Dollars (\$500.00) to the Civil Penalty and Forfeiture Fund, in accordance with Article 31A of Chapter 115C of the North Carolina General Statutes.
2. No sanctions shall be imposed on the funeral establishment permit of Respondent Establishment.
3. Respondent Individual is hereby warned that the Board considers the findings of fact and conclusions of law set forth herein to be a very serious matter, and that any future violations of law similar to those set forth herein likely will result in greater sanctions.
4. The Board shall retain jurisdiction under Article 3A, Chapter 150B for all administrative hearings held in connection with, or pursuant to, this Final Agency Decision. If the Board receives evidence of any violations of the Board's statutes and rules identified during the period of stayed suspension, or any violation of the terms and conditions of this Final Agency Decision, the Board shall schedule a show cause hearing for a determination of the violations. If the Board determines that a violation has occurred, the Board may impose such disciplinary action as it determines is appropriate and is authorized by law.

5. Pursuant to N.C. Gen. Stat. § 150B-45(a), Respondents have thirty (30) days from the date that they receive this Final Agency Decision to file a Petition for Judicial Review. The Petition for Judicial Review must be filed in the Superior Court of the county where the person aggrieved by the administrative decision resides, or in the case of a person residing outside the State, in the county where the contested case that resulted in the final decision was filed. Since this is an administrative appeal, no additional evidence will be taken. If a Petition is filed, a Superior Court Judge will review the Final Agency Decision to determine whether there were any legal errors in the Final Agency Decision.
6. This Final Agency Decision shall take effect upon service of Respondents, in a manner consistent with N.C. Gen. Stat. § 150B-42(a).

By order of the North Carolina Board of Funeral Service, this, the 20 day of March, 2025.

By:



Thomas T. Hilderbrand, President
N.C. Board of Funeral Service