

NORTH CAROLINA
BOARD OF FUNERAL SERVICE



Minutes
June 14, 2023, Board Meeting

The North Carolina Board of Funeral Service met for a duly scheduled Board meeting on June 14, 2023, at the NC Board of Funeral Service office suite at 1033 Wade Avenue, Suite 108, Raleigh, NC 27605.

Present: Dr. Steven Lyons, President; Thomas Hilderbrand, Vice-President; Darrell McCormick, Secretary; Steve Herndon; Chris Watson; LeShekia Coleman; Dr. Kimberly Kelsey; Richard Hinchey; and Robert Jansen via Webex.

Staff and Counsel: Stephen Davis, Executive Director; Amy Acord, Assistant Director; Brett Lisenbee, Compliance Officer; and Catherine Lee, General Counsel.

Dr. Lyons called the meeting to order at 9:05 a.m. and led members and staff in a recitation of the Pledge of Allegiance followed by the invocation which Mr. Hinchey offered. He then read the Statement of Ethics and asked if any Board members had any conflict or appearance of conflict of interest. Mr. Hilderbrand stated that he would be recused from voting on Board Case Number C23-0040.

Dr. Lyons proceeded by asking if any guests were present and if they wished to offer any public comment. Mr. Chase Noble introduced himself as the Executive Director of the NC Funeral Directors Association; Ms. Barbara Poole introduced herself as a licensee retired from Harold Poole Funeral Home of Knightdale, NC and Chair of the NCFDA Education Committee; and Mr. Garland Smith introduced himself as President of the NCFDA.

Dr. Lyons continued and recognized Mr. McCormick for the presentation of the minutes from the May 10, 2023, meeting. Mr. McCormick stated that staff had provided the minutes prior to the meeting for review and invited any changes or amendments. None were offered. Dr. Lyons invited a motion for approval.

Upon a motion by Mr. Hinchey and a second by Ms. Coleman, the Board voted unanimously by roll call to approve the May 10, 2023, minutes as presented.

Dr. Lyons continued and recognized Mr. Herndon for the Disciplinary Committee report.

Disciplinary Committee

Mr. Herndon said that the Disciplinary Committee met on June 9, 2023, to consider the following disciplinary cases along with recommendations and rationale for each case number. Mr. Herndon reminded members that Mr. Hilderbrand was recused from voting on Case Number C23-0040.

DISMISSALS

C23-0023 C23-0029 C23-0032 C23-0040

LETTER OF CAUTION

C23-0026 M23-0033

NOTICE OF HEARING

C23-0036 C23-0043

OTHER

M23-0026 M23-0027 M23-0029 M23-0037

Mr. Herndon invited any questions or comments concerning the cases he presented in the Disciplinary Committee report. He then offered a motion for approval.

Upon Mr. Herndon's motion, Mr. McCormick offered a second.

Mr. Hilderbrand asked Ms. Lee for additional information regarding Case Number C23-0040. He asked why the recommendation was for dismissal rather than a Letter of Caution or other discipline. Ms. Lee noted that the issue under consideration in this case was under the jurisdiction of the Federal Trade Commission, rather than under a North Carolina statute or rule. While noting that the Board does have authority to discipline licensees for violations of the FTC rule, Ms. Lee observed that the Disciplinary Committee agreed that it would be appropriate to advise the licensee of the FTC opinion on their rule as a means of education rather than elevating the matter to a Letter of Caution or higher discipline. Mr. Hilderbrand said that this particular complaint was known to the professional funeral associations in North Carolina, and he believed it was important to provide the additional information regarding the recommendation for dismissal of the complaint.

Dr. Lyons then called for the vote on the pending motion. The Board voted in the majority by roll call to approve the recommendations presented by the Disciplinary Committee. Mr. Hilderbrand did not vote.

Dr. Lyons noted that the Board would hear other matters pertaining to the Funeral Consumers Alliance North Carolina as an Old Business item. He continued and recognized Mr. Davis to offer a summary of the Finance and Personnel Committee report.

Finance and Personnel Committee

Mr. Davis reported that the Statement of Net Position and the Statement of Revenues and Expenses are consistent with prior financial reports and do not show any balances or other indicators that would prompt concern. Mr. McCormick asked about any noted trends in preneed contract registrations relative to population. Mr. Davis said that a spike in these registrations occurred in 2020 and 2021 likely due to the pandemic and the public perception that there was an increased risk of death during that time. He said that the preneed registrations have since leveled off but that for the preceding six (6) year period, staff had noticed an upward trend in preneed registrations as public awareness of preplanning and prearrangements has increased. Discussion ensued.

Mr. Davis continued his summary and noted that the Preneed Recovery Trust Fund showed a balance of \$611,853 compared to \$433,882 for the same period in 2022, and he affirmed that the Trust Fund continues to accrue funding from preneed contract registration fees at a consistent annual rate since 2019. He summarized other key indicators on the Statement of Net Position and highlighted the Accounts Receivable balance under Current Assets. He explained to the Board the kinds of transactions that are included under the Current Assets heading. He continued and said that the Board's Total Assets in relation to Total Liabilities were greater than for the same period in 2021 and 2022.

Mr. Davis then summarized the Statement of Revenues and Expenses. He reported that the Total Revenues collection rate was slightly lower than for the same period in 2022, but he said the difference was not significant. He said that the collections for Cremation Fees were less than for the same period in 2022 but that the fees for Preneed Contracts were slightly higher. He said that on balance, the revenue collections

are consistent with the rates for 2021 and 2022. He then highlighted specific line items in the Chart of Accounts and focused on Gross Wages which he said were a prime indicator of the Board's rate of expenditures. He noted that the current Year-to-Date rate for Gross Wages was 33.2% which is exactly where the rate should be for the period ending April 2022. He also explained how expenses are reported under Contract Services so that members understood that the costs for legal services are separate from other contract services.

He reported that the overall rate of expenses in relation to revenues was 34.1% which is .8% higher than the benchmark percentage for the first four (4) months of the fiscal year. He said that the Statement of Revenues and Expenses on balance was positive and consistent with prior fiscal year reports. In response to a question from Dr. Lyons, Mr. Davis reported that the \$120 entered under Temporary Services was payment for a private firm to haul discarded furniture and obsolete computer peripheral equipment since none of the items removed could be considered surplus property. He also noted that Mr. Watson had asked about the specific expenses included under Staff Travel during the Committee's discussion. Mr. Davis responded by saying that he explained to the Committee that these funds support reimbursement for mileage and lodging for Compliance Inspectors primarily.

Mr. Davis concluded his summary to the Board by announcing that he and Ms. Acord would be meeting with the 401-k Plan Administrator on June 15, 2023, to review the plan's performance and other measures as part of an annual review. He said that the Plan Administrator would also reserve time to speak with employees regarding any questions or concerns they might have regarding their retirement planning or their 401-k investments.

Dr. Lyons thanked Mr. Davis for his summary and invited a motion for the Finance and Personnel Committee report.

Upon a motion by Mr. McCormick and a second by Dr. Kelsey, the Board voted unanimously by roll call to approve the Finance and Personnel Committee report as presented.

Dr. Lyons then recognized Ms. Coleman for the Traineeship Committee report.

Traineeship Committee

Ms. Coleman reported that the Traineeship Committee convened by Webex on June 7th for a staff briefing on a proposal to modify existing work reports that trainees must submit to the Board each month. She said that Ms. Acord highlighted issues with current monthly work report submissions and Board staff processing of the current monthly work reports for funeral directing, funeral service and embalming. Ms. Acord suggested that secondary activities on the current monthly work report form be shifted to the daily checklists and that only core activities be reported to the Board monthly. Ms. Coleman stated that the Committee discussed at length current monthly work reports compared to proposed new monthly work reports and daily checklists. Members agreed that shifting the secondary work requirements to trainees' daily checklists would enable a focus on primary duties in their attainment of trainee hours and cases.

Ms. Coleman asked Ms. Acord to offer more detail as to the rationale for shifting the secondary activities to the daily checklists that trainees must complete and retain in their records. Ms. Acord explained the need for streamlining the procedures that govern traineeship work reports to assure that the information provided is reliable, accurate and timely. She noted that the format of the current monthly reports has created confusion among some trainees which has resulted in not properly recording their hours or credits. Ms. Acord said that moving the secondary activities would be an important decision since it would enable trainees and their supervisors to concentrate and focus on their core activities.

Mr. Hilderbrand offered comments in support of transitioning to a new 1-page format for the monthly work reports and agreed that the retention of the secondary activities to the daily checklists would be an effective improvement. Dr. Kelsey said that the Committee also recognized the importance of trainee supervisors taking an active role in mentoring, instructing and preparing trainees for their respective roles in funeral

directing, funeral service or embalming. Brief discussion ensued. Ms. Coleman asked about the timeframes for implementing the new monthly work report forms, and Ms. Acord explained that staff would provide information to trainees soon but would continue to accept the current forms until they have been phased out through attrition.

Dr. Lyons thanked Ms. Coleman and the Committee for their work in considering the proposal for streamlining the trainee monthly reporting procedures.

Upon a motion by Ms. Coleman and a second by Mr. McCormick, the Board voted unanimously by roll call to approve the Traineeship Committee's recommendation to modify the trainee monthly work report forms as presented.

Dr. Lyons proceeded and asked Mr. Jansen to present the report from the Continuing Education Committee.

Continuing Education Committee

Mr. Jansen reported that the Continuing Education Committee met on June 7 to hear a presentation from Mr. Davis regarding a Continuing Education Initiative that the Board approved in 2018. He said that the Committee was briefed on the rationale for the initiative and initial steps that staff had taken to improve the procedures associated with the approval and certification of continuing education courses. He referenced a suggestion from Mr. Hincer regarding the feasibility of maintaining an archive of courses that had been approved in the past on the Board website as a reference for sponsors and providers to review in seeking approval for courses they wished to provide. He noted that the Committee briefly discussed this issue and that the Board maintains files of prior courses and instructors but not in a format that could be easily transferred to a web-based application. Mr. Davis said that staff would continue to study his recommendation to determine whether this information could be posted to the Board website.

Mr. Jansen continued and reported that much work had been done on the Continuing Education Initiative since 2018 to include drafting new CE forms; developing guidelines and proposed topics for courses and instruction that comply with administrative rules; and in identifying program measures which could be used in auditing the CE program as well as in evaluating its effectiveness. He said that staff were prepared to move forward on amended forms and program guidelines as first steps toward implementing the Continuing Education Initiative that was begun in 2018. He noted that staff had asked selected accredited sponsors to use the proposed forms as part of a pilot program, and he added that the Committee discussed the challenges associated with outdated administrative rules that govern the CE program. He said that staff would identify those rules which should be repealed or amended. He said that Mr. Davis had worked with General Counsel in considering draft rules that might be useful in developing recommendations for the Board's consideration.

Mr. Jansen concluded the report and said that staff would continue the implementation of the CE Initiative and would be bringing a recommendation to the August Board meeting for the approval of new CE forms to replace those that have been in use since 2005.

Dr. Lyons conveyed thanks for the Continuing Education Committee report and then recognized Mr. Davis for the Executive Director's Report.

Executive Director Report

Mr. Davis reported the following items to the Board:

- The Board Retreat has been set for October 11, 2023, at the Grandover Resort in Greensboro, NC which will include the regular Board meeting in the morning followed by three sessions: Board Vision Statement and Core Values; Deregulation and Multi-state Compacts for Reciprocity; Board Examinations Development, Validity and Management. Mr. Davis said that Nahale Kalfas, Legal Counsel from the Council of State Governments and Dalene Paull, Executive Director of The International Conference of Funeral Service Examining Boards, have agreed to lead two of the three

sessions. Mr. Watson asked about the Board's past practice in meeting jointly with the two professional funeral associations in NC and wondered if that was a possibility for the future. Discussion ensued.

- Each year, the Qualified Retirement Plan Services, Inc. conducts an annual review of the Board's retirement plan for its employees. Our annual evaluation for the period ending December 2022 showed a 20% drop in investment value for the plan. Our assets at the beginning of the year were 1,082,820 and fell to 897,515 by the end of the year. As of the end of May, the plan's assets have recovered to 939,552.
- I have reached out multiple times since late April/early May to the General Assembly regarding our proposed legislation to amend the statute on reciprocal licensure and to seek a modest fee increase for cremations and preneed contract registrations. To date, I have not had any confirmation about the status of our proposal.
- I wanted to update you on the status of transitioning to a new security and fire safety system. The firm that the Board engaged to install new software for access control and for fire security has completed their work. We now have a new system that enables Board staff to control access in real time as needed as well as remotely when necessary. We also have the capacity for identifying staff each time they use their access FOB, and we can generate reports on any attempts to access the Board's office suite by those without authorization to enter.
- I wanted to remind you that the Funeral Directors and Morticians Association of NC will be meeting in Greenville, NC beginning this coming Monday for their annual convention. The convention will run through June 22nd. Former Board President Valdus Lockhart is the Convention Coordinator and Mr. Hilderbrand is the Association's Sergeant-at-Arms.
- The NC Office of the State Controller has sent the annual Internal Controls Self-Assessment which must be completed by June 30th. We use this report to assure proper internal controls which have direct impact on the Board's audit of its financial statements each year.
- I received a call from a reporter in Kinston, NC who is planning a story on Mills Funeral Home. I do not have information on when this story will be published but wanted you to be aware of it.
- WRAL TV in Raleigh is planning an investigative story on Rachels Family Funeral Home. We have provided information that is in the public record regarding consumer complaints regarding preneed. Again, just wanted you to be aware.
- The News & Observer ran an investigative story in its June 4th edition on the Office of the Chief Medical Examiner and the delays in completing death investigations. The piece also included a story on the difficulties in getting death certificates on a timely basis as a result of the delays in autopsy reports from the Chief Medical Examiner's Office.

Mr. Davis then recognized Ms. Acord and Mr. Lisenbee for answering any questions regarding the New Licensure and Inspections Reports. Mr. Lisenbee noted that the Compliance Inspectors are exceeding the Board's standard of a 3-year inspections cycle for funeral establishments. He reported that the inspections team has eliminated the backlog of establishment inspections and is now effectively operating on a 2.5 year inspections cycle.

Dr. Lyons thanked Mr. Davis for his report and commended staff for their collective efforts and hard work in the management and administration of the Board's programs and services. He then recognized Ms. Lee for the Legal Case Report.

Legal Case Report

Ms. Lee reported the following information concerning legal cases to the Board:

DISCIPLINARY MATTERS

Current Active Cases: 50

Pending Investigation: 22
Pending Review by Disciplinary Committee: 0
Pending Dispositive Action: 13
Pending Hearing: 11
Post-Hearing: 0
Other: 4

New files opened since last Board meeting: 17

Notices of Hearing sent since last Board meeting: 5

Consent Orders received since last Board meeting: 3

Cases reviewed by Disciplinary Committee since last Board meeting: 13

PRENEED RECOVERY FUND CLAIMS

Current Active Preneed Recovery Fund Claims: 1

Pending Investigation: 0
Pending Dispositive Action: 0

Preneed Recovery Fund Claims received since last Board meeting: 0

Preneed Recovery Fund Claims re-opened since last Board meeting: 0

Preneed Recovery Fund Claims reviewed by Committee since last Board meeting: 0

Ms. Lee concluded her report by providing a brief update on the status of the proposed administrative rules regarding removal and transportation of decedents. She said that she is anticipating comments from the NC Office of the Chief Medical Examiner after a joint meeting to review and discuss the proposed rules. She noted that once the OCME feedback has been received and considered, she would be bringing the final draft of the rules for the Board's consideration in whether to proceed with rulemaking. Ms. Lee invited any questions or comments from the Board.

Mr. Hilderbrand asked about the volume and scheduling of pending cases, and Ms. Lee explained that there are hearings that could be noticed but that there are none that have been outstanding for any significant period of time. She further noted that several matters pertain to licensure and that she would expedite those matters. Dr. Lyons asked about the increased number of consumer complaints, and Ms. Lee said that there was an uptick in those numbers due primarily to several complaints regarding a single establishment that recently closed.

Dr. Lyons thanked Ms. Lee for her report and acknowledged the work by Board staff on the matters she presented.

He then asked for any Old Business items.

Old Business

Dr. Lyons introduced an issue regarding activities by the Funeral Consumers Alliance NC in their efforts to solicit pricing information from funeral establishments. Mr. Hilderbrand reported that he had received a number of calls and inquiries regarding these activities and expressed concern that some members of the Alliance have stated that the Board is in partnership with their organization and supports their efforts in conducting their price survey. He noted that some licensees have expressed concern that the outreach by Alliance members has been aggressive and threatening. Mr. Hilderbrand noted that there was a consumer complaint against at least one licensee for not providing requested price information, and he said that the licensee had copied the FDMANC on his response to the complaint. He indicated that clarification of the Board's role and responsibility in relation to the Funeral Consumers Alliance NC would be important so that licensees and others are fully aware that the Board does not endorse particular groups and organizations. Dr. Lyons asked Mr. Davis if he thought a communication to the Alliance addressing these concerns would be appropriate. Mr. Davis agreed and said that he would draft a letter to Ms. Sara Williams, President of the Alliance, to assure clarity about the Board's role in relation to the Alliance. Discussion ensued.

Mr. McCormick commented that a communication should be sent to the Alliance to assure a clear understanding of the Board's commitment to consumer interests and the regulation of the funeral profession in North Carolina pursuant to applicable statutes and rules. He expressed concern with the tactics that have been reported to Board members by Alliance members in gathering price survey information, and he emphasized the importance of assuring licensees that the Board has a responsibility to protect licensees from adversarial and antagonistic activities. Mr. McCormick said a communication should clarify what the Board's obligations are and what they are not. Discussion ensued.

Ms. Coleman and Mr. Hilderbrand echoed Mr. McCormick's concerns and acknowledged the importance of assuring clarity in the Board's responsibility for regulation and consumer protection without aligning itself or endorsing a particular organization including the Funeral Consumers Alliance North Carolina. Mr. Herndon conveyed his funeral home's experience in receiving a call requesting price information and noted that it was a cordial exchange. He expressed agreement with the discussion among Board members for clarity and transparency in the communications from Alliance members to licensees. Dr. Lyons then asked Mr. Davis to prepare a letter in consultation with Ms. Lee expressing the Board's concerns and clearly stating that the Board's commitment is to consumers and licensees alike without any endorsement or alignment with a particular organization.

Dr. Lyons thanked Board members for their discussion on such an important matter. He then recognized Mr. Davis for a New Business item.

New Business

Mr. Davis reported that an issue emerged from the recent annual conference and exhibition sponsored by the NC Funeral Directors Association in Winston-Salem, NC, concerning continuing education courses offered. Mr. Davis reported that the NCFDA sought approval for four (4) courses which Board staff approved, but he said that the Association offered an additional course sponsored by The Embalmers Supply Company titled "Embalming Seminar." He informed Board members that the NCFDA nor the sponsor submitted any request for approval to Board staff, but the course was offered for CE credit during Conference and several licensees attended. Mr. Davis said that the Board could not award CE credit without having approved the course. He noted discussions with Mr. Chase Noble, NCFDA Executive Director, regarding the issue and conveyed that the NCFDA could ask the Board to waive the particular administrative rule regarding course approval and subsequent marketing of such a course. He said the rule was at 21 NCAC 34B .0411(f). Mr. Davis said that the Board could waive the rule if it believed there was sufficient justification to do so under a statute allowing such waivers of rules on matters not otherwise found in statute. He then offered to answer any questions from Board members.

Mr. McCormick asked if the approval of a waiver would be retroactive. Mr. Hilderbrand asked if Mr. Noble had submitted a written request for the waiver, and Mr. Davis said that he had done so by email which he would provide to Board members if desired. Dr. Lyons asked Mr. Noble to respond to offer information regarding his request for the waiver, and Mr. Nobles provided members an explanation of the circumstances regarding the course in question. Following Mr. Nobles' comments, Mr. McCormick summarized and restated the issue including the request for a retroactive waiver of the pertinent administrative rule. Discussion ensued.

Mr. Herndon questioned whether the Board's approval of the requested waiver would create a precedent and bind future Boards to granting waivers in similar circumstances. Ms. Lee referred members to the copy of the statute allowing a waiver and noted that there are a number of factors which must be considered in determining whether to grant waivers. She noted that each request would be subject to an assessment of these factors on its own merits. Members continued their discussion on the matter.

Mr. McCormick offered a motion for accepting the request from the NCFDA for waiving the applicable administrative rule. Discussion continued. Mr. Watson asked what other organizations or associations can pre-approve a course. Mr. Davis said that only an approved accredited sponsor has presumptive approval of a course offering according to the administrative rules. Ms. Coleman asked how a sponsor could proceed with offering a course that had not been approved, and Mr. Davis responded that this particular issue appeared more of an oversight than a deliberate attempt to circumvent the Board's rules.

Mr. Hilderbrand asked how does the sponsor gauge or determine attendance. Members discussed the requirement for attendance sheets that each licensee must sign prior to and then immediately after a continuing education course. Mr. Davis said that the NCFDA did not use sign in sheets for the approved course but that Mr. Nobles had certified attendance for the approved courses and submitted his certification timely. Members discussed the issue of sign-in sheets in depth including the Board's approval in 2018 to shift from the former 3-part card to a single sign-in/sign-out sheet that all attendees must sign. Mr. Davis said that the absence of the attendance sheets was a problem, but that he had sent an email to each attendee on the certified attendance sheets asking them to self-certify as a condition of their eligibility for credit. Ms. Lee affirmed that this approach would not violate the Board's rules governing attendance and the subsequent award of CE credit. Discussion continued.

Mr. McCormick asked if the Board should meet in closed session to discuss the request for waiver. Ms. Lee stated that there likely was no basis for the Board to convene in closed session unless there are particular questions that require attorney-client privilege. Dr. Lyons asked Mr. Noble if he could certify each of the attendees for the course in question. Mr. Noble responded that he had photographic evidence of the attendees as well as an instructor list. Mr. McCormick asked if the Board was required to rule on the matter at the present time. Ms. Lee said that there is no particular deadline for the Board to rule on the matter. Mr. McCormick suggested that the matter be tabled. Discussion ensued regarding the impact of deferring the decision on the attendees who might receive credit if the Board proceeded with a decision at present. Mr. Hinchler said that he did not believe an exception to the rule was appropriate based on his personal knowledge of the circumstances. He affirmed that denial of the waiver would cause the attendees to lose one (1) hour of CE credit, but he noted that "rules are rules" and should be followed.

Mr. Herndon then offered a motion that the Board not accept the waiver of the rule. Mr. McCormick offered a second to the motion. Brief discussion ensued regarding the phrasing of the motion. Mr. Herndon withdrew the motion. Mr. McCormick then offered a motion that the Board support its rules as they exist today. Discussion continued on the motion's phrasing. Mr. Watson then offered a motion that the Board approve the waiver of the rule in question so that attendees will receive continuing education credit. Ms. Coleman offered a second to the motion.

Dr. Lyons called the roll for the vote on the motion. Mr. Watson voted Aye. Mr. Hilderbrand, Mr. McCormick, Mr. Herndon, Dr. Kelsey, Ms. Coleman and Mr. Jansen voted Nay. Dr. Lyons and Mr. Hinchler recused themselves from voting.

Members then discussed a proposal that Board members should receive continuing education credit if they are in attendance at a monthly Board meeting. Discussion ensued. Mr. McCormick offered a motion to award CE credit to Board members in attendance at a Board meeting. Mr. Jansen offered a second to the motion. Discussion among

members ensued. Mr. McCormick then amended his motion to table the matter until the August Board meeting. Mr. Jansen offered a second. The Board voted unanimously by roll call to table the proposal for awarding CE credit to Board members for their attendance at Board meetings until the August meeting.

Dr. Lyons then announced that the Board would conduct administrative hearings but would first convene in closed session to hear matters from General Counsel.

Upon a motion by Mr. McCormick and a second by Mr. Hilderbrand, the Board voted unanimously by roll call to convene in closed session to hear matters subject to attorney-client confidentiality pursuant to NCGS 143-318.11.

Upon proper motion and second, the Board voted unanimously to reconvene in open session. Dr. Lyons invited any motions pertaining to the matters discussed in closed session.

Upon proper motion and second, the Board voted unanimously to approve Consent Orders in settlement of Board Case Numbers M23-0030, M23-0031 and M23-0032.

Dr. Lyons then announced that the Board would conduct an administrative hearing in the matter of Board Case Number M23-0034.

Following the hearing, Dr. Lyons invited a motion for the Board to convene in closed session to deliberate on the matter of M23-0034.

Upon a motion by Mr. Hilderbrand and a second by Dr. Kelsey, the Board voted unanimously to convene in closed session to deliberate on Case Number M23-0034.

Upon a motion by Mr. Hilderbrand and a second by Mr. Hincer, the Board voted unanimously to convene in open session.

Dr. Lyons invited any motions pertaining to the matter discussed in closed session.

Upon a motion by Ms. Colemand and a second by Mr. McCormick, the Board voted unanimously to uphold the Summary Suspension of Preneed Establishment Permit 1026 until such time that an adjudication of Case Number M23-0034 by the Board is made.

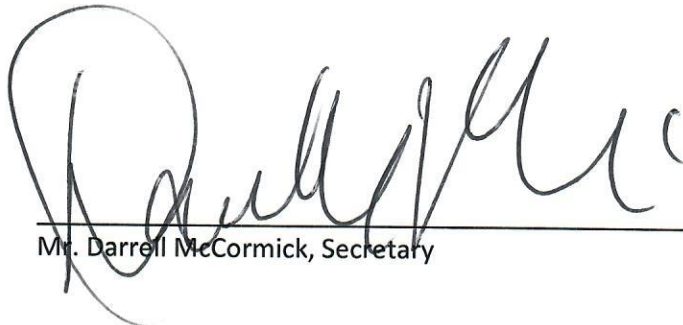
Dr. Lyons asked if there was further business to come before the Board. Hearing none, he invited a motion for adjournment.

Upon proper motion and second, the Board voted unanimously to adjourn the meeting.

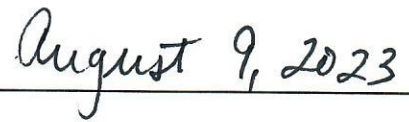
Affirmation:



Dr. Steven L. Lyons, President



Mr. Darrell McCormick, Secretary



Date