

North Carolina Board of Funeral Service

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The next meeting of the Board will be held at 9 a.m. Wednesday, April 8, 2009 at the Board offices, 1033 Wade Avenue, Ste. 108, Raleigh, NC 27605. The agenda for the meeting can be viewed by [following this link](#). The Board has also scheduled hearings for 9 a.m. Thursday April 9, 2009 at the Board offices.

[CLICK HERE FOR CONTINUING EDUCATION PROGRAMS](#)

BOARD ACTIONS-

Actions and results of the March 11 Board meeting:

- Ms. Elizabeth S. Webber took her Oath of Office. Ms. Webber was appointed to the Board as a public member by the General Assembly on the recommendation of Speaker Hackney. She is a licensed realtor and resides in Chapel Hill.
- Approved additional recovery fund claims of approximately \$ 7,000.00 for the Howell matter and a repayment proposal from Mr. Howell.
- Laws, Rules & Legislation committee reported they have begun discussions on requirements to determine solvency in order for preneed establishments to petition the Board to discontinue a surety bond. The Board also approved the committee recommendation to request the Mutual Burial Association rules be moved from Title 4 to Title 21.
- Set a hearing only date of Wednesday, April 29.

TRANSPORTATION SECURITY ADMINISTRATION REGULATIONS:

Effective July 1, the TSA will begin enforcing an existing policy that requires all human remains shipments originating in the U.S. or its territories, to be tendered by a "known shipper." This policy requires funeral homes to register as a "known shipper" for each airline they use to ship bodies, and might require both a facility inspection and payment of a fee. Licensees should contact the airlines to obtain more information on this matter.

TSA website: <http://www.tsa.gov/index.shtm>

TSA regulations for traveling with cremated remains:

http://www.tsa.gov/travelers/airtravel/specialneeds/editorial_1296.shtm

WEBSITE UPDATES TO CONTINUING EDUCATION AND LAWS & RULES

PAGES:

The Board's website has been updated to reflect approved online courses. You may access that page by [following this link](#). The laws and rules page was also recently updated to include additional links to statutes and regulations related to funeral service in North Carolina. You may access that page [by following this link](#).

DISCIPLINARY ACTIONS

CASE FILE NUMBER: M06-001; M06-019; V07-013; V07-028; V07-068; M07-001; M08-001.

LICENSEES: Ronnie Riddle (FD #3065); Melton-Riddle Funeral Home (FE #396; PNE #492) Sylva

SUMMARY: The Board found that the parties had practiced without renewing their licenses and permits in calendar years 2007 and 2008, violated the terms of a previous consent order by failing to respond to Board correspondence in the time required, committed fraud in the practice of funeral service and preneed funeral planning, and violated Board regulations regarding the filing and handling of preneed funeral funds.

BOARD ACTION: The Board revoked the funeral establishment permit, preneed establishment license, and all ancillary preneed sales licenses of Melton-Riddle Funeral Home. The Board also revoked the funeral director license and preneed sales license of Ronnie Riddle. After serving the order, the Board applied for and received a temporary restraining order and preliminary injunction against the parties for possible violations of the Board's Final Agency Decision. The parties have appealed the Board's decision.

EFFECTIVE DATE: January 15, 2009.

CASE FILE NUMBERS: V07-055; V08-019; V08-020; V08-029.

LICENSEES: Tucker & Sons Funeral Home (FE #591) Dunn; Nathaniel Tucker, Jr. (FSL #855) Dunn.

SUMMARY: Mr. Tucker sold several preneed contracts but failed to file them with the Board and failed to timely deposit the funds from these contracts into a trust account. One of the contracts was sold when the firm was no longer licensed for preneed.

BOARD ACTION: The Board approved a consent order surrendering the funeral establishment permit of Tucker & Sons Funeral Home and the funeral service license for Nathaniel Tucker. Mr. Tucker would be eligible to reapply for an embalmer license in one (1) year and for a funeral service license in five (5) years.

EFFECTIVE DATE: February 18, 2009.

CASE FILE NUMBER: V08-029

LICENSEES: Brenda Jo Wilson-Simmons (FSL #2489).

SUMMARY: While employed by Tucker & Sons Funeral Home, Ms. Simmons sold a preneed contract without first obtaining a preneed sales license and used a form that was not a Board-approved preneed contract form.

BOARD ACTION: The Board adopted a consent order placing Mrs. Simmons funeral WHAT license on probation for one (1) year.

EFFECTIVE DATE: February 18, 2009

CASE FILE NUMBER: M08-001-Clark.

LICENSEES: Clark Funeral Home (FE #39; PNE #613) Enfield; Earl Schirra Joyner Clark (FSL #1726).

SUMMARY: Clark Funeral Home failed to file an accurate preneed report, failed to file one or more preneed contracts on time, and failed to respond to correspondence. Mr. Clark was found not to have actively managed Clark Funeral Home.

BOARD ACTION: The Board issued a final agency decision suspending Mr. Clark's preneed sales license for one (1) year but stayed the suspension for a period of probation for one (1) year. The Board suspended the preneed establishment license of Clark Funeral Home for one (1) year but stayed the suspension for one (1) year. Mr. Clark was ordered to take five (5) hours of continuing education and to correct the outstanding violations.

EFFECTIVE DATE: February 18, 2009.

CASE FILE NUMBER: M08-011.

LICENSEES: Hester-Whitted-Daye Funeral Service (FE #246) Hillsborough; Fred D.L. Whitted (FSL #902).

SUMMARY: During an inspection, the Board inspector found that the Hillsborough violation was not in compliance with the General Price List requirements of the Funeral Rule. The General Price List violations were repeated from a previous inspection. Mr. Whitted was found not to have actively managed the Hillsborough location.

BOARD ACTION: The Board issued a final agency decision revoking the funeral service license of Mr. Whitted, but Mr. Whitted was allowed to retain an embalmer license. The Board also suspended the funeral establishment license of the Hillsborough location but stayed the suspension on probation for one (1) year. The firm will be reinspected within six (6) months. The Board took no disciplinary action against the Roxboro branch of the firm.

EFFECTIVE DATE: February 18, 2009.

CASE FILE NUMBER: M08-017.

LICENSEES: Kennedy Funeral Home (FE #309; PNE #331) Robbins; Stanley York (FSL #784).

SUMMARY: The Board staff determined that an unlicensed insurance agent was allowed to complete preneed contracts with the arrangements. The preneed salesperson subsequently signed the preneed contract after the insurance agent completed the contracts.

BOARD ACTION: The Board entered into a consent order placing Mr. York and the Kennedy Funeral Home funeral establishment permit and preneed licenses on probation for one (1) year.

EFFECTIVE DATE: March 11, 2009.

CASE FILE NUMBER: M09-003.

LICENSEES: Goodwill Funeral Home (FE #198) Whiteville; Mildred McKoy (FD #2476).

SUMMARY: During a recent inspection, the Board's Inspector found Funeral Establishment was not in compliance with the price list requirements of the Funeral Rule. Funeral Establishment has not corrected the errors after several attempts by the Inspector to correct the violations.

BOARD ACTION: The Board entered into a consent order placing the funeral establishment permit and manager's funeral director license on probation for three (3) years and paying a \$1,000.00 civil penalty. Continuing education in the Funeral Rule was also ordered.

EFFECTIVE DATE: March 11, 2009.

CASE FILE NUMBER: M09-008.

LICENSEES: Terence Rountree (FD #3504) Greenville.

SUMMARY: Mr. Rountree previously surrendered his funeral director license under a consent order for six (6) months.

BOARD ACTION: The Board reinstated Mr. Rountree's funeral director license subject to three years probation.

EFFECTIVE DATE: March 11, 2009.

OUR SYMPATHIES ARE EXTENDED THE FAMILY OF:

Ms. Virginia B. Walker, of Louisburg, NC who died on Wednesday, March 11, 2009.

The Board offices will be closed on April 10 in observance of Good Friday.