

# North Carolina Board of Funeral Service

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[www.ncbfs.org](http://www.ncbfs.org)

**E-NEWS** December 2009 Volume 6, Issue 8

The next meeting of the Board will be 9 a.m. Wednesday, December 9, 2009 at the Board offices, 1033 Wade Avenue, Ste. 108, Raleigh, NC 27605. Hearings are scheduled for Thursday, December 10, 2009 also at the Board offices. The agenda for the meeting can be viewed by [following this link](#).

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**[CLICK HERE FOR CONTINUING EDUCATION PROGRAMS](#)**

BOARD ACTIONS- Actions and Results from the November 4 Board meeting:

- A. Adopted recommendation from Laws, Rules and Legislation for unaffiliated licensees names on websites.
- B. Adopted recommendation from the Preneed committee regarding use of the current certificate of performance form. Notices will be mailed with the renewal forms this year. Beginning January 1, 2010, the current Certificate of Performance form must be used and completed with the required information. The current form can be [found by following this link](#). A copy of the form will also be included in the renewal mailings.
- C. Adopted recommendation from Finance and Personnel committee to approve the proposal by the publisher of the new law books to mail the books directly to licensees.
- D. Adopted recommendation from the Continuing Education committee to require at least 10 days notice from individual licensees to take approved online courses by filing form CE-5.

SWINE FLU: Licensees are encouraged to get vaccines from their health care providers. As part of the Board's planning for other potential events a list of suggestions for reducing the risk of exposure has been developed. [Please follow this link to access the list](#). Additional information can be found at the following links:

[NC Public Health webpage](#)

[Centers for Disease Control and Prevention Swine Flu webpage](#)

[http://www.cdc.gov/h1n1flu/post\\_mortem.htm](http://www.cdc.gov/h1n1flu/post_mortem.htm)

<http://www.nfda.org/index.php/additional-tools-disaster/1686-h1n1-swine-influenza-flu-outbreak-information-and-resources>

[National Swine Flu Information Page](#)

OUR SYMPATHIES ARE EXTENDED TO THE FAMILY OF:

- **Thurman English**, formerly of Peoples Funeral Home, Whiteville, who died October 28, 2009.

## FRAUD NOTICE

Beware of attempted fraud using the relay operator for the hearing impaired. So far these have been a variation of previously reported instances involving deaths outside the United States. The recent reports include these common factors:

- A. Use of the relay operator for the hearing impaired by a person claiming to be a "family member" of the deceased.
- B. The "family member" is out of state or the country and cannot be reached except through the relay operator.
- C. The deceased is out of state and a funeral home in the other state has custody of the remains. In at least one case, the "family member" provided the name of a real funeral home. In the other reports, the local funeral home could not confirm the existence of the out of state funeral home.
- D. The telephone number for the out of state funeral home is provided by the "family member". (This did not match the published number in the case of the real funeral home cited in item C above.) Reports are consistent that a male with a heavy foreign accent answered when the local funeral homes called to confirm the details.
- E. The "family member" requests the local funeral home to arrange for a grave space at a local cemetery.
- F. The "family member" provides a credit card number for the local and out of state expenses and then directs the local funeral home to arrange a wire transfer of money for the charges from the out of state funeral home.

## THE BOARD OFFICES WILL BE CLOSED:

- THURSDAY DECEMBER 24 AND FRIDAY DECEMBER 25 IN OBSERVANCE OF CHRISTMAS.
- FRIDAY JANUARY 1, 2010 IN OBSERVANCE OF NEW YEAR'S DAY.

## DISCIPLINARY ACTIONS

CASE FILE NUMBER: V06-013; M09-001.

LICENSEES: David Morrison (FD #2512); Morrison-Studevent Funeral Homes Mocksville and Lexington (FE #412, # 413).

SUMMARY: The Board found that the parties made false statements to the Clerk of Court to refund monies from the estate to the person making arrangements. The Mocksville location also failed to renew its license for 2009.

BOARD ACTION: The Board issued a final agency decision revoking the funeral director license of David Morrison and the funeral establishment permits of the Mocksville location for a minimum of 2 years. The Board placed the Lexington location on probation for 2 years. Restitution to the estate of the deceased was ordered.

EFFECTIVE DATE: August 12, 2009.

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CASE FILE NUMBER: M09-012.

LICENSEES: Shumate-Faulk Funeral Home, Goldsboro (FE #548; PNE #267).

SUMMARY: During a recent inspection, the Board inspector found that Preneed Establishment failed to report several insurance policies and maintain records required by Rule. Preneed Establishment had similar recordkeeping problems on a previous inspection.

BOARD ACTION: The Board adopted a consent order that placed the preneed establishment license on probation for one year and ordered them to take continuing education in preneed.

EFFECTIVE DATE: October 14, 2009.

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CASE FILE NUMBER: V07-014.

LICENSEES: Reginald Richmond (FSL #1486); Richmond Funeral Home (FE #682); Simone Richmond.

SUMMARY: The Board received a complaint alleging Mrs. Richmond engaged in an activity requiring a funeral director license by obtaining written permission to embalm. Mr. Richmond was not on the premises at the time of the event. During the Board's investigation, several aspects of the firm's price lists did not comply with the Funeral Rule.

BOARD ACTION: The Board adopted a consent order placing the funeral establishment permit and Mr. Richmond's license on probation for five years. Any initial license issued to Mrs. Richmond would be subject to probation for one year. The parties paid a \$750.00 penalty, were ordered to take continuing education in the Funeral Rule, and submitted a written plan for supervising its unlicensed employees.

EFFECTIVE DATE: November 4, 2009.

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CASE FILE NUMBER: M09-020.

LICENSEES: Watson Mortuary, Sanford (FE #610; PNE #244).

SUMMARY: During a recent inspection, the Board inspector found that Preneed Establishment was not issuing cash receipts for monies received. The inspector also found that the firm had not updated its cash receipt journals or preneed contract registers, or individual journals in several years. Finally, the Board inspector found that Preneed Establishment failed to file a certificate of performance.

BOARD ACTION: The Board adopted a consent order admitting placing the preneed establishment license on probation for one (1) year. The firm paid a \$500.00 penalty and was ordered to take continuing education in preneed.

EFFECTIVE DATE: November 4, 2009.

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