

North Carolina Board of Funeral Service

1033 Wade Avenue, Suite 108, Raleigh, NC 27605

(919)-733-9380 or 1-800-862-0636

www.ncbfs.org

E-NEWSLETTER February 2017: Volume 13, Issue 2

The Board will next meet at 9 a.m. on Wednesday, March 8, 2017 at 1033 Wade Avenue, Suite 108, Raleigh, North Carolina.

BOARD STAFF ANNOUNCEMENTS

NCBFS Endorses Proposed Bill

Following multiple public comments sessions, the Board voted during the February 2017 Board Meeting to revise and approve the proposed Bill which can be found at this

link: <http://www.ncbfs.org/February%202017%20-Revised%20Bill%20v.4.pdf>

Our appreciation goes out to those who participated in what appeared to be a productive day.

June Board Meetings

The Board voted to cancel the June 14 and 15 meeting. Please make a note on your June calendar as appropriate.

Welcome

We are pleased to welcome Mr. Chuck Grunewald as the IT Manager to the Board's staff. Mr. Grunewald comes to us with a wealth of experience in the technology field. His first day was February 13, 2016.

Reminder: Anonymous complaints will not be processed! Pursuant to 21 NCAC 34A .0123, an individual seeking to file a complaint against a licensee of the Board must "furnish the names and addresses of all parties involved, a description of the complaint, the signature of the complainant, and other information that the Board deems necessary as required by law."

PRENEED ANNOUNCEMENTS

2016 Preneed Annual Reports were mailed the week of January 16th to those establishments that submitted a written request by the deadline. The online portal is now available. Please use your assigned PIN number to gain access. You are reminded that the report is due **March 31, 2017**.

TRAINEE ANNOUNCEMENTS

Pursuant to 21 NCAC 34B .0110, each trainee's monthly work reports must be received by Board staff on or before the 10th calendar day of the month that immediately follows the completion of each one month period of his or her resident traineeship.

Because these monthly reports have to be notarized, Board staff must receive the original hard copy in the Board office. However, for purposes of meeting the deadline referenced herein, trainees may submit a copy of their monthly report by facsimile to the attention of Marty Mills at (919) 733-8271 or by e-mail to mmills@ncbfs.org. Please note that if a trainee submits his or her monthly report by facsimile or e-mail for the purposes of complying with the submission deadline, the trainee will still need to submit the original, notarized monthly report in person or by mail to the Board's office at 1033 Wade Avenue, Suite 108, Raleigh, North Carolina 27605. Trainees incurring two missed or late reports in one year will be suspended and required to come before the Traineeship Committee.

TRANSPORTER ANNOUNCEMENTS

If an individual does not meet one of the three following criteria, he or she must apply for and be granted a transport permit before transporting or removing a dead human body:

- 1) not otherwise licensed by the Board;
- 2) not employed by a licensee of the Board; or
- 3) not eligible for a limited exemption under N.C. Gen. Stat. § 90-210.25(c)(5).

Each individual employee of a transport company not otherwise licensed by the Board must individually register and be approved for a transport permit prior to engaging in the transportation of a dead human body. If the Board receives evidence that a transport company not otherwise licensed by the Board is employing individuals to transport bodies without first obtaining individual permits from the Board, the Board may choose to file a civil lawsuit seeking injunctive relief.

NEW LICENSEES, TRAINEES, AND ESTABLISHMENTS

CHAPELS – 0

CREMATORY

Evans Cremation Center

FUNERAL HOMES

Evans Funeral Home & Crematory
Serenity Memorial funeral & Cremations, LLC
Boles Funeral Home – Red Springs (changed ownership)

Boles Funeral Home – Rowland (changed ownership)
Saint Paul Boles – (changed ownership)
Johnson & Sons Funeral Home
River-Morgan Funeral Home & Cremation of Greenville

TRANSPORT

Robert Lewis Joyner, Jr. (Joyner Removal Service)

UNAFFILIATED

Robert Lewis Joyner, Jr.

COURTESY CARD – 0

FUNERAL SERVICE LICENSEES – 0

FUNERAL DIRECTOR LICENSEES

Myron D. Harris

TRAINEES

Barbara Addison – City of Oaks Cremations
Andrew Bahanovich – Kenneth Poe Funeral & Cremation Service
Thomas C. Benjamin – Faison’s Funeral Home
Carrie D. Carter – Regional Memorial Cremation & Funeral Service
Francis E. Dattolo – McEwen Funeral Service @ Sharon Memorial Park (resart)
Jimmi A. Lowe – lowe Funeral Home & Crematory, Inc.
Tyler M. Master – Rogers & Breece Funeral Home
Laura R. Osborne – MeLaurin & Pinecrest Funerals & Cremations
Shannon G. Whitfield – R. Swinson funeral Service
Brent W. Woodruff – Bryan-Lee Funeral Home

DISCIPLINARY MATTERS

Case File Number: M15-043.

Respondent: Blackwell Funeral Home, Inc. (FE # 691; PE # 784).

Summary: Former manager and co-owner of funeral establishment pleaded guilty to felony charges involving crimes of fraud and moral turpitude as it pertains to federal bankruptcy proceedings.

Board Action: The Board adopted a Consent Order, whereby Respondent agreed to a stayed revocation subject to the following conditions: 1) Respondent Funeral Home shall provide a balance sheet prepared by a Certified Public Accountant that shows solvency of Respondent

Funeral Home. Respondent Funeral Home provided said balance sheet on 12/22/2016; 2) Respondent Funeral Home shall be placed on a probationary period for at least one (1) year, and until such time as Respondent Funeral Home submits to and passes without substantial deficiency a preneed examination and audit conducted by Board staff; and 3) Respondent Funeral Home agrees to be held responsible for insuring it complies with any limitations that may be placed on Faiger Megree Blackwell's individual licenses now or at any point in the future. Effective Date: February 8, 2017.

Case File Number: M16-045.

Respondents: Stokes Mutual Burial Association; Stokes Mortuary, Inc. (FE # 569; PE # 419); Marian Sherrod Lewis (FD # 3728).

Summary: An auditor contracted by Board staff to audit mutual burial associations discovered a cash shortage in the amount of \$44,107.87. The secretary-treasurer of the mutual burial association fraudulently converted, or knowingly and willingly converted to unauthorized use said funds and made impermissible transfers of money from reserve funds of the mutual burial association.

Board Action: The Board adopted a Consent Order, whereby Respondents agreed to stayed revocations of both the at-need and preneed funeral establishment permits upon the following conditions: 1) the funeral directing license of Respondent Lewis shall be placed on probation for a period of five (5) years; 2) the at-need and preneed establishment permits shall be placed on probation for a period of five (5) years; 3) Respondents shall reimburse the amount of \$44,107.87 to the mutual burial association on or before 12/31/2017; 4) Respondents shall submit to and pass an inspection and preneed examination and audit within six (6) months; 5) Respondent Lewis shall attend mandatory Board-sponsored continuing education in the amount of two (2) credit hours of Federal Trade Commission Funeral Rule coursework and three (3) credit hours of preneed coursework; and 6) the mutual burial association license is revoked and the membership shall be transferred or dissolved no later than 12/31/2017.

Effective Date: February 8, 2017.

Case File Number: C15-061.

Respondents: Trice Funeral Home (FE # 590); Carl A. Trice (FD # 3081).

Summary: Complainant, decedent's wife and next-of-kin, served as the authorizing agent for the cremation of her husband. In the cremation authorization, it was specified that the cremated remains were to be delivered to Complainant. The cremated remains were instead delivered to the decedent's brother-in-law. Complainant denies ever giving permission for the cremated remains to be provided to anyone other than herself. Funeral Establishment contends that Complainant did not want to be involved in the arrangements process for her husband, and that she verbally instructed the Funeral Establishment to release the cremated remains to another family member.

Board Action: The Board adopted a Consent Order, whereby Respondents agreed to be reprimanded for their alleged violation of the Board's laws and rules by failing to release the cremated remains of the decedent to the person designated on the Cremation Authorization as the recipient. Additionally, Respondents agreed to pay a \$1,000.00 compromise penalty; to successfully complete a Board-sponsored cremation continuing education course; and to allow

the Board to issue a Notice of Hearing to Show Cause should any subsequent violations arise within the next twelve (12) months.

Effective Date: February 8, 2017.

Case File Number: M16-047.

Respondents: Stallings Funeral Home (FE # 854; PE # 512); Darryl Stallings (FD # 3210); Timothy C. Stallings, Jr. (FD # 3905).

Summary: Board staff conducted a preneed audit and examination, and discovered that the preneed trustee's files had multiple recordkeeping violations. However, some portion of said violations may have been the result of a fire at the establishment; and/or may have been inherited by the establishment when Board staff transferred a set of preneed contracts to Respondents following the closure of another preneed establishment.

Board Action: The Board adopted a Consent Order, whereby the funeral establishment and chapel permits are placed on probation for at least one (1) year, and shall not be eligible to come off of probation until such time as they have passed an inspection and preneed audit and examination. Respondents also agreed to pay a \$500.00 compromise penalty, and agreed to attend a mandatory preneed continuing education course.

Effective Date: February 8, 2017.

RECENTLY APPROVED CONTINUING EDUCATION COURSES

Date(s):	March 15, 2017
Sponsor:	Arnold Wilbert Corp.
Title:	Burial Vault Basics – Plant Tour
Location(s):	Arnold Wilbert Corp. – 1401 W. Grantham Street-Goldsboro, NC 27530
Time:	9:00am – 12:00 pm
Hours:	3 Hours
Contact:	Bruce Tart 919-735-5008
Registration Fee:	\$0.00

Date(s):	April 12, 2017
Sponsor:	National Funeral Directors Association
Title:	Cremation Certification Program
Location(s):	Wayne State university – 5439 Woodward Avenue – Detroit, MI 48202
Time:	8:00 am – 4:00 pm
Hours:	7 hours
Contact:	Shari Foucault/ Jackie Lindberg 262-789-1880
Registration Fee:	\$160.00 - \$655.00

Date(s):	April 26, 2017
Sponsor:	National Funeral Directors Association
Title:	NFDA Cremation Certification Program
Location(s):	Mount Ida College – 777 Dedham Street – Newton, MA 02459
Time:	8:00 am – 4:00 pm
Hours:	7 hours
Contact:	Shari Foucault/ Jackie Lindberg 262-789-1880
Registration Fee:	\$160.00 - \$655.00

Date(s):	May 11-12, 2017
Sponsor:	The Dodge Institute for Advanced Mortuary Studies
Title:	2017 The Dodge Technical Seminar – New Jersey
Location(s):	Harrah’s Resort – 777 Harrah’s Blvd. – Atlantic city, NJ 08401
Time:	various
Hours:	Poss. 8 hours
Contact:	Debbie Dodge / Kristine Douceet
Registration Fee:	Sliding scale

Date(s):	May 15, 2017
Sponsor:	National Funeral Directors Association
Title:	NFDA Arranger Training
Location(s):	Hilton Columbus at Easton – 3900 Chargin Drive – Columbus, OH 43219
Time:	8:00 am – 4:30 pm
Hours:	8 Hours
Contact:	Shari Foucault / Jackie Lindberg – 262-789-1880
Registration Fee:	\$160.00 - \$655.00

Date(s):	November 9-10, 2017
Sponsor:	A Dodge Institute for Advance Mortuary Studies
Title:	2017 The Dodge Technical Seminar – Las Vegas
Location(s):	The Flamingo Resort – 3555 S. Las Vegas Blvd.- Las Vegas, Nevada
Time:	various
Hours:	Poss. 8 hours
Contact:	Debbie Dodge / Kristine Douceet
Registration Fee:	Sliding Scale

The Board’s list of approved Continuing Education courses is updated regularly and can be found on the Board’s website at the following link: <http://www.ncbfs.org/list.html>.
