

NORTH CAROLINA BOARD OF FUNERAL SERVICE

Summer 2023

Ensuring the Safety, Health & Welfare of NC Citizens Through Professional Funeral Service

To Complete Robert Jansen's Unexpired Term; Starts New Term in 2024

NC Senate Recommends Roger D. Barnes For Term on the Board



Roger D. Barnes

The NC Senate passed Senate Bill 754 on June 29, 2023, recommending the appointment of persons to various public offices. Among those recommended through the legislation is Roger D. Barnes of Wilmington, North Carolina, to fill the unexpired term of Mr. Robert D. Jansen who recently resigned his seat on the Board to become a professional educator in North Carolina. Mr. Barnes will complete Mr. Jansen's term which expires on December 31, 2023, and will then serve a three-year term beginning January 1, 2024. His seat on the Board is recognized as one of two Public Members.

Mr. Barnes is the Director of Operations for the CTC Supply Company of Jacksonville, North Carolina, and a licensed heating and air conditioning contractor. He currently serves the Moores Creek Baptist Church in Currie, North Carolina, as Pastor. In 2021, Mr. Barnes was elected President of the North Carolina Pastor's Conference for a one-year term.

FTC Issues Fraud Alert To Consumers Warning of Scam Calls

The U.S. Federal Trade Commission issued a news release in June regarding a scheme involving individuals posing as Funeral Directors who are calling families as a "funeral home representative" demanding additional payments for funeral goods and services. These imposters then threaten to cancel planned funeral services for these families unless payment is received immediately through a wire transfer, credit card, gift card or cryptocurrency. The

Board has received reports from North Carolina licensees affirming that families in Wake and surrounding counties have received these calls. Some funeral homes have inserted a Fraud Alert banner on their websites to alert consumers of these illegal activities. Consumers should end such a call if it appears suspicious or a scam. The FTC recommends the following preventive measures for consumers:

- ❖ **Resist the pressure to act immediately.** Funeral homes and their licensees do not pressure consumers to pay or provide personal information over the telephone.
- ❖ **Contact the funeral home directly.** If you have a legitimate telephone number for the funeral home, call that number. Do not use any telephone number that the imposter may provide. If you trust contact information for a particular funeral home with a website on the Internet, you can use that number. You will likely find a legitimate telephone number on the General Price List that the funeral home provided you.
- ❖ **Know how scammers tell you to pay.** Consumers should avoid payment of any kind in response to insistent demands for money which are accompanied by threats to cancel a funeral service if payment is not made immediately. Consumers should never send payment in response to a request by telephone.

NC Department of Insurance Advises Insurers to Pay Death Benefits When Cause of Death Pending

In a recent email exchange with Washburn & Dorsey Funeral Home in Bostic, NC, the Board's Executive Director, Stephen Davis, received information regarding insurers' obligation to pay a death benefit to beneficiaries even though the cause of death shown on a death certificate may be designated as "pending."

The following advisory from NC Insurance Commissioner Mike Causey offers a detailed summary of this requirement.



May 20, 2020 – Press Release from the NC Department of Insurance

Insurance Commissioner Mike Causey has issued an advisory to all life insurers writing individual and group coverage in North Carolina of their obligation to pay death benefits as required by law. The advisory was issued at the request of the North Carolina Office of the Chief Medical Examiner who has been receiving consumer inquiries due to the delayed payment of life insurance benefits because death certificates were issued with the cause of death listed as "pending."

Medical examiners are required to make a medical certification as to the cause of death within three days and must file a death certificate within five days. However, there are times where a medical examiner cannot determine the cause of death within this timeframe. In those cases, a medical examiner may list the cause of death as "pending" on a death certificate.

Insurers are not allowed to withhold payment of a death benefit to any beneficiary longer than reasonably necessary to determine whether benefits are payable. After a life insurance policy has been in force for two years, an insurer's ability to contest the validity of a policy is limited. In most cases, an insurer only needs to know that an insured has died; the cause of death has no impact on whether benefits are payable. As a result, the payment of benefits should not be delayed because the cause of death on a death certificate is listed as "pending."

"I appreciate the North Carolina Office of the Chief Medical Examiner bringing this issue to our attention. It is always important that insurance benefits are promptly paid, especially in situations where someone has lost a family member," said Insurance Commissioner Mike Causey. "I encourage insurers, when possible, to accept a death certificate issued by a medical examiner with a 'pending' cause of death as sufficient proof of loss to facilitate prompt and fair claim settlement."

Consumers who have questions about the prompt payment of benefits under a life insurance policy may speak to a consumer specialist at the N.C. Department of Insurance by calling 855-408-1212.

The complete Advisory may be found at: <https://www.ncdoi.gov/news/press-releases/2020/05/20/insurance-commissioner-mike-causey-reminds-insurers-their-obligation>

From The President's Desk

Our Ability To Handle Life's Challenges

. . . . Is A Measure Of Our Strength Of Character

I recently encountered this quote in some of my readings, and I could not help but think how true these words are for each of us in a world that seems increasingly challenging. I'm not obsessed with watching cable news and other news media on television, but I am fully aware that we live in a time like no other. When I hear reports of uncontrolled wildfires throughout the world, I'm reminded of the sensitivity of our environment to subtle as well as dramatic changes in our climate. When I hear reports of excessive and record-breaking heat in our country and in Europe, China, Africa, Australia and India, I'm faced with the inevitable conclusion that our weather is changing in ways we could not have foreseen several years ago. And when I hear reports of civil unrest, wars, famine, and political extremism, I'm dismayed and concerned.



*Dr. Steven L. Lyons,
President*

But I remain optimistic and hopeful. Why? Because of our work in serving families who face these same challenges but who also rely upon us to help them through something even more personal for them. The loss of a loved family member is among life's most daunting challenges, but time and again, I hear families express their deep appreciation and gratitude for guiding them through funeral arrangements, services, and committals. So, in spite of what we see and hear on cable news or other media outlets about the challenges we face on a continuous basis, I know that the families and communities we serve are grateful for our work on their behalf.

Funeral service is indeed a calling, and it's our strength of character that enables us to set aside our own concerns and fears about our world so that we can focus on helping those families who need us. That's why I'm optimistic and hopeful. The work we do in professional funeral service is tangible and often difficult, but it has immediate impact on those we assist and support. That impact is often measured in tears and grief, but we know the esteem others have for us and our commitment to them when death calls. Our impact is also evident when we hear simple, kind words of thanks from our families for the service we have provided. The world could learn lessons from professional funeral service about how to treat others in a time of personal crisis. I'm convinced it would be a more hopeful place if others would realize their own strength of character when facing so many challenges in life.

Next Board Meeting

Wednesday, August 9, 2023



NC Board of Funeral Service
1033 Wade Avenue, Suite 108
Raleigh, North Carolina 27605

All Board meetings are live-streamed through YouTube and may be accessed by visiting www.ncbfs.org. Licensees joining the meeting in-person or via YouTube are eligible to receive 3 hours of continuing education credit.

In Remembrance,



Elliott R. Futrell

November 29, 1941 – February 14, 2023

It is with sadness that the NC Board of Funeral Service recognizes the death of Mr. Elliott R. Futrell, former President of the Board, in 1989 and again in 1998. An exceptional and inspirational leader in North Carolina's funeral service professions, Mr. Futrell is a graduate of the Cincinnati College of Mortuary Science in Cincinnati, Ohio. A licensed embalmer and funeral director, Mr. Futrell is a former owner of Hall-Wynne Funeral Service in Durham, NC, and he is the Founder and operator of Futrell Funeral Service of Goldsboro and Princeton, North Carolina. At the time of his death, he was a partner in Evergreen Funeral Home, Cemetery & Cremation and with All Memorial Stone Company. Deeply dedicated and committed to the practice of professional funeral service, Mr. Futrell inspired and mentored a number of apprentices as well as colleagues with whom he worked since 1956.

The Board acknowledges Mr. Futrell's lifelong service and contributions to our profession and deeply appreciates his leadership as a former Board President.



TRAINEESHIP PROGRAM NEWS

Board Approves Revisions to Monthly Work Reports

At its June 14, 2023, meeting, the Board heard a presentation from Ms. Le'Shekia Coleman, Chair, Traineeship Committee, highlighting issues with the requirement that trainees submit a monthly work report showing number of hours completed as well as work activities.

Ms. Coleman noted that the current format for work reports is often difficult to complete, and the Committee heard from Amy Acord, Assistant Director, that there is considerable variation in the way that trainees are indicating hours and activities they complete in a particular month.



Amy Acord

Ms. Acord, who oversees the Board's traineeship program with assistance from Ms. Glenda Ryan, Funeral Programs Specialist, said that shifting secondary activities to the daily checklists that trainees must complete and retain in their records would be a significant improvement in the design of the monthly work report. Acord

said that *"shifting the secondary work requirements to the trainee's daily checklist will enable a focus on primary duties in their attainment of trainee hours and cases."*

In her presentation to the Board, Ms. Coleman said that the monthly work report format would be revised with clear instructions for proper completion.

She said that the format change would likely result in greater consistency and accuracy in the completion of these reports. She also noted that the section for signatures and notary seals would be improved as well so that a supervisor who is also a Location Manager would only sign in one place rather than signing twice as is currently required.

Ms. Coleman and Ms. Acord agreed that the proposed changes would make it easier for trainees to complete their monthly work reports and that staff could more easily process the information provided to assure timely credits for hours and cases completed each month.

The Board adopted the Traineeship Committee's recommendations and directed that the current monthly work report forms continue in effect during the transition to the new formats. The revised Monthly Reports will be available on the Board website at www.ncbfs.org beginning August 1, 2023.

Reminders for Our Resident Trainees

- You must submit your monthly work report on or before the 10th of the month for the previous month's tasks
- You must submit your monthly work report electronically in PDF format – the Board no longer uses FAX
- Be sure to include "Hours Worked" at the top of Page 1 on the right-hand side
- Each work report requires two notary seals
- Be sure that your supervisor and your location manager have both signed your work report

A Message to Resident Trainees and Trainee Supervisors

We have recently updated information available to trainees and their supervisors through the Board website at www.ncbfs.org, and we encourage you to review this guidance and the Frequently Asked Questions we have posted. We know that you often have questions regarding your traineeship requirements; certification; renewal of a traineeship; and other issues concerning your respective responsibilities as a trainee or as a trainee supervisor. We hope the updated information will prove helpful to you.

NC Medical Board Addresses Challenges in Completing Death Certificates

Earlier this year, the NC Medical Board presented a Case Study concerning the obligation of a medical certifier to complete a death certificate through the NCDAVE system that the NC Department of Health & Human Services administers. The NCMB offers a regular feature on its website known as the Digital Forum. Among the articles included in the March-April 2023 edition of the Forum was a Case Study and Discussion of an issue that has concerned the NC Board of Funeral Service and its licensees in fulfilling their statutory responsibility for filing death

certificates. As stated in their introduction to the March-April Digital Forum, “NCMB presents examples of issues that frequently come before the Disciplinary Committee but don’t often result in public action. Our hope in highlighting these topics is to help licensees avoid problems and ensure they meet appropriate professional obligations.”



Following is the Case Study and Discussion found on the NCMB website for your information:

[1Case Study: \[NCMB\] Licensee Obligation To Complete Death Certificates](#)

A general internal medicine physician receives a faxed request from a local funeral home asking that the physician complete the death certificate for a patient who recently died alone at home. The decedent is a 76-year-old male with multiple chronic health conditions including hypertension and coronary artery disease. The patient established with the practice about 20 years ago but has not been seen in almost two years. The patient was found dead at home after a grown daughter who lives in another state contacted local law enforcement for a wellness check when her father did not respond to repeated voicemails, texts and email messages. The funeral home contacted the internal medicine physician after he was identified as the patient’s primary care provider with the daughter’s help.

The physician is uncomfortable determining a cause of death due to the length of time that passed since the decedent’s last office visit. The physician has no idea why the patient died and is unsure that they are the best person to certify the death. In addition, although the physician is registered to complete death certificates online as required by state law, he has not yet had to prepare one and is not sure how.

Due to these reservations, the physician does nothing with the request. A funeral director calls and leaves multiple messages asking about the status of the death certificate. When more than a week passes after the initial request with no action, the funeral director calls the practice and asks to speak with the physician, who takes the call. After the physician expresses reluctance to certify the death, the funeral professional states that the physician has already failed to comply with state law, which requires medical professionals who complete death certificates to do so within three days of receipt of a request. The funeral director further states that if the physician does not complete the death certificate soon, he will have no choice but to file a complaint with the medical board.

Discussion

It is NCMB’s position that licensees should complete death certificates if asked as a final service to a former patient, their family members and to society at large. This view is captured in the position statement entitled, “Clinician Obligation to Complete a Certificate of Death”. NCMB is familiar with, and sympathetic to, the reasons some licensees feel uncomfortable determining cause of death. That said, a death certificate is required for every person who dies and, by law, only physicians, physician assistants and nurse practitioners may complete them. Nonetheless, NCMB has for years received informal and formal complaints from family members and funeral professionals who encounter medical professionals who decline to certify deaths.

While it is impossible to say exactly how often refusals occur, it is evident that they create considerable delays and difficulties. Without a completed death certificate, it is not possible for families or others to move forward with funeral arrangements, close bank accounts, claim insurance benefits or handle other financial matters related to the closing of the decedent's estate. In the most extreme cases, the decedent may be held in cold storage for months while the family and funeral home struggles to get a death certificate completed.

The introduction of the NC Database for Vital Events (NC DAVE), the online system recently implemented by the NC Department of Health and Humans Services, introduced new challenges that seem to have magnified licensees' issues with completing death certificates. In 2022, NCMB received 90 complaints related to death certificate issues – nearly five times as many as the previous year. Licensees who complete death certificates, or could be asked to, can reduce the likelihood of a complaint by educating themselves about the process and responding in a timely manner when a request comes in. Some key points that may make licensees more comfortable:

- ❖ There is a defined process for determining who should sign the death certificate. NCGS § 130A-115 (c) lays out who should complete and sign death certificates in specific circumstances. Deaths judged to be the result of injury or violence, or that are otherwise suspicious or unusual, fall within the jurisdiction of the medical examiner system. In all other situations, the death certificate can be completed and signed by:
 - The physician, PA or NP who was “in charge of the patient's care for the illness or condition which resulted in death”;
 - The chief medical officer of the hospital or facility in which the death occurred;
 - A physician who has completed an autopsy of the deceased, with access to medical history and the opportunity to view the deceased at or near the time of death;
 - Any other physician, physician assistant, or nurse practitioner who undertakes reasonable efforts to ascertain the events surrounding the patient's death. (This option comes into play when none of the other options are viable.)
- ❖ If a request to sign a death certificate comes to a medical practice, it is likely because none of the circumstances listed applied. And, as stated in the example, the clock is ticking. State law sets the expectation for clinicians to complete the death certificate within 72 hours of receipt of the request.
- ❖ Certifying a death is a legal process not a medical diagnosis. When certifying a death, the clinician's job is simply to state a reasonable probable cause of death based on the information available to them. In the example provided, the physician would refer to the patient's medical records, even though the patient had not been seen recently. The state's online death certification system, NC DAVE, was designed to improve accuracy and reduce “guess work” by guiding clinicians to a cause of death based on the information entered.
- ❖ There is no penalty for “getting it wrong”. In the rare circumstance that a family arranges to have their loved one privately autopsied after the death is certified, and the cause of death is determined to be something other than what the certifying clinician listed on the death certificate, the clinician cannot be disciplined by the medical board or be held civilly liable. NCGS § 130A-115(f) ensures that, provided the clinician completed the death certificate to the best of their ability, without fraud or malice, they are held harmless.

¹Extracted as a public record from:

<https://www.ncmedboard.org/resources-information/professional-resources/publications/forum-newsletter/march-april-2023-digital-forum>

Welcome To Our New Licensees!

FUNERAL DIRECTORS

Rico I. Beasley-Mungin
Travis J. King
Milon Fenner, Jr.
Joycelyn A. French
Marcus T. Willoughby
Kyle D. Chrisco
Spencer M. Carter
Howard G. Gray
Shannon G. Whitfield
April A. Hernandez
Wesley D. Bullins
Linwood Melvin, Jr.
Patrick T. Harlow
Tonya Simmons
Pearl Joyner-Lee
Dewey J. McNeill
Michelle R. Wright
Bobbie J. Little
Aaron T. Luoma
Seth M. Bowden
Steven E. Sutton
Stephen D. Grace
Stanley C. Jones, Jr.
Delrika L. McManus
Melbra F. Todd
Danzenia Moore
Daphne L. Williams
Teshia R. Toney
Joe Benjamin Wilkes, III
Katrice R. Solomon
Suzanne E. Casper
Daisette Stroud
Vincent J. Jordan
Debra C. Keck
Angela S. McLaurin
John R. King
Christopher H. Haley
Jonathan T. Penland
Tracy K. Gross

Fayetteville, NC
Mount Airy, NC
Raleigh, NC
Apex, NC
Tarboro, NC
Reidsville, NC
Pembroke, NC
Jamestown, NC
Kinston, NC
Belmont, NC
Winston-Salem, NC
Hope Mills, NC
Greensboro, NC
Sanford, NC
Madison, NC
Lumberton, NC
Franklinton, NC
Lilesville, NC
Asheboro, NC
Burlington, NC
Hope Mills, NC
Thomasville, NC
Warrenton, NC
Charlotte, NC
Tabor City, NC
Fayetteville, NC
Indian Trail, NC
Spring Hope, NC
Hamlet, NC
Fuquay-Varina, NC
Swan Quarter, NC
Durham, NC
Siler City, NC
Thomasville, NC
Fayetteville, NC
Rock Hill, SC
Zebulon, NC
Fairview, NC
Laurel Hill, NC

EMBALMER

Dequalyn S. Dawson

Wilson, NC

FUNERAL SERVICE

Sierra B. Littrell
Robert E. Brown
Alaina N. Kalicinski
Jessica L. Romanowski
Diana L. Downey
Abigail M. Cole
Craig L. Adams, Jr.
Darrin K. Moore
Jessica M. Stefano
Joseph N. Priester
Jordan D. Wince
Amy Lyn Parker
Asturn G. Bartch
Cassandra J. Champion
Lyndsey C. Hazelhurst
Torez D. Blue
Megan K. Hicks
Elise P. Lang
Heather A. Norton
Elizabeth D. Morgan
Nicole S. Henderson
Zeke L. Duet
George Staley, Jr.
Leslie Cobb VanPelt
Jonathan B. Rudel
Christian S. Cashion
Kerry M. Norton
Jennifer N. Petty
Karen S. Mercer
Dequalyn S. Dawson
Sedale J. Green
Tyra L. Setzer

Raleigh, NC
Chesterfield, VA
Mint Hill, NC
Durham, NC
Alexandria, VA
Winchester, VA
Zebulon, NC
Whiteville, NC
Elizabeth City, NC
Charlotte, NC
Winchester, VA
Washington, NC
Shannon, NC
Oxford, NC
Lenoir, NC
Lexington, NC
Lenoir, NC
Winston-Salem, NC
Winter Garden FL
Hickory, NC
Hope Mills, NC
San Antonio, TX
McLeansville, NC
Kings Mountain, NC
Fleetwood, NC
Randleman, NC
Charlotte, NC
Inman, SC
Fayetteville, NC
Wilson, NC
Effingham, NC
Granite Falls, NC





FTC Action Leads to Civil Penalties, Strict Requirements for Funeral and Cremation Provider That Withheld Remains from Loved Ones to Extract Payment

Court order would require defendants to post price lists online
and fully disclose all third-party providers

Anthony Joseph Damiano and his funeral service companies—Funeral & Cremation Group of North America, LLC, and Legacy Cremation Services, LLC (doing business as Heritage Cremation Provider, Evergreen Funeral Home and Crematory, and Carolina Central Crematory)—will pay civil penalties and abide by strict requirements on how they communicate with customers to resolve a lawsuit filed on behalf of the Federal Trade Commission by the U.S. Department of Justice.

The DOJ and FTC filed their complaint against Damiano and his companies in April 2022, alleging that they misrepresented their location, leading consumers to believe they were a local provider, advertised deceptively low prices, illegally threatened and failed to return cremated remains to bereaved consumers, and failed to provide disclosures required by the Funeral Rule. “Lying to consumers about critical information including price and location of services when they are dealing with the loss of a loved one is outrageous and illegal,” said Samuel Levine, Director of the FTC’s Bureau of Consumer Protection. “Our actions in this case show the FTC’s commitment to enforcing the Funeral Rule to protect consumers and honest funeral homes.”

The complaint alleged that the defendants claimed to be local funeral or cremation providers when speaking with customers, failing to disclose that the services would be contracted to a third party, sometimes hours away from loved ones. The complaint also alleged that when consumers were presented with undisclosed fees and higher prices, the defendants in some cases withheld the remains of their loved ones to extract payment.

The Court order, which was agreed to by the defendants in the case, would require the defendants to:

- **Share important info on their website:** The order requires the defendants to disclose key facts on their website, including their actual physical location and a general price list, as well as a notice when funeral goods or services will be provided by a third-party company not owned by the defendants.
- **Disclose their price list upfront:** The defendants are required to provide consumers with a general price list either during or immediately after their first interaction with a consumer about funeral goods or services, whether online or by telephone, and before any discussion of price occurs.
- **Provide info on third parties:** The order requires the defendants to give consumers the name, address, and contact information for any third-party provider that will provide funeral goods or services.
- **Pay a civil penalty:** The order requires the defendants to pay \$275,000 in civil penalties.

Editor’s Note: In 2016, Mr. Damiano and his funeral service companies entered into a Consent Judgment in Wake County Superior Court and admitted their engagement in activities which constituted the unlawful practice of funeral service in North Carolina in violation of NC General Statute 90-210.20(k). Pursuant to the Consent Judgment and a subsequently-entered Consent Judgment Finding Contempt, Legacy is permanently enjoined from engaging in the unlicensed practice of funeral service as defined by NC General Statute 90-210.20(k).

DISCIPLINARY ACTIONS

Complete copies of the Disciplinary Actions taken by the Board are available on the Board's website here: <https://ncbfs.org/disciplinary-actions.php>

Board Case Number: M22-0038/M22-0044

Respondents: Wells Family Mortuary, LLC and Vashti Lenique Ayers

Summary: At hearing, the Board concluded that Respondent had used a non-compliant operating name that is inconsistent with that registered with the Board; failed to display wall certificates of all employed licensees; failed to enclose all embalming instruments as required by law; engaged in various violations of the FTC Rule; failed to maintain an agreement for off-site refrigeration as required by law; did not have completed SFGSS signed by a licensee in all at-need files reviewed; did not maintain completed Form 56D1 for all at-need files reviewed; and did not maintain a copy of the cremation authorization in all cremation files reviewed. At hearing, the Board concluded that the unlicensed owner had practiced funeral service on behalf of Respondent Establishment; that Respondent Establishment had offered preneed funeral planning without being licensed to do so; and that Respondent Individual had failed to be actively engaged in, and failed to oversee, the daily operations of Respondent Establishment.

Board Action: The Board issued a Final Agency Decision, whereby:

- The 2023 renewal application for Respondent Establishment's at-need funeral establishment permit was denied.
- The funeral service license (FSL No. 3563) of Respondent Vashti Lenique Ayers was placed on probation for one year. She was ordered to take a Board-sponsored course on the FTC Rule, in addition to five (5) hours of continuing education, before she is eligible to renew her funeral service license for 2024.

Effective Date: March 23, 2023.

Board Case Number: C22-0091, C22-0091, C22-0093

Respondents: Mills Funeral Home, Inc., Craig Randolph Mills, Haskins Memorial Services, Inc. and Leader Robert Morgan, Jr.

Summary: The Board received multiple consumer complaints against Respondents. At hearing, the Board concluded that all Respondents had failed to provide to two consumers, within a reasonable time, either the goods and services contracted for, or a refund for the price of goods and services paid for but not fulfilled. The Board further concluded that Mills Funeral Home, Inc. and Craig Randolph Mills (the "Mills Respondents") had failed to provide to a third consumer, within a reasonable time, either the goods and services contracted for, or a refund for the price of goods and services paid for but not fulfilled. The Board further concluded that the Mills Respondents had violated the terms of two prior Consent Orders entered by the Board; failed to maintain a surety bond in an amount not less than fifty thousand dollars (\$50,000) for a period of at least two years following issuance of its preneed establishment permit; and failed to obtain and maintain a preneed contract that is fully executed by the purchaser.

Board Action: The Board and Respondent issued a Final Agency Decision, whereby:

- The Funeral Service License of Respondent Morgan was placed on probation for a period of three years and was ordered to pay to the Board a civil penalty of \$1,500.00.
- The Funeral Service License of Respondent Mills was actively suspended for a period of thirty days.
- The At-Need Establishment Permit of Respondent Haskins Memorial Services, Inc. was placed on probation for a period of three years and assessed a civil penalty of \$5,000.00.
- Haskins Memorial Services, Inc. and Craig Mills were ordered to share joint and several responsibility to make certain reimbursements to consumers and to provide a certified copy of a death certificate to a consumer.
- The At-Need Establishment Permit of Respondent Mills Funeral Home, Inc. was suspended for a period of three years, provided that said suspension shall be stayed. However, the stay of the suspension shall be automatically lifted upon its failure to comply with the following terms and conditions:
 - Respondent Mills Funeral Home, Inc. shall pay a civil penalty of \$5,000.00;
 - Respondent Mills shall not serve as the manager of Respondent Mills Funeral Home, Inc. during the period of stayed suspension. Mills Funeral Home, Inc. must submit in writing to the Board within 30 days the name of its new licensed manager, who cannot be Gary Nobles.
 - Within thirty (30) days following the effective date of this Final Agency Decision, Respondent Mills Funeral Home, Inc. shall provide to the Board written proof that the headstone purchased by a consumer has been ordered.
- The Pre-Need Establishment Permit of Respondent Mills Funeral Home, Inc. was actively suspended for thirty days, provided that Board staff shall stay the suspension upon receipt of written proof that a preneed establishment bond that is compliant with N.C. Gen. Stat. § 90-210.67(b) has been issued to Respondent Mills Funeral Home, Inc.

Effective Date: April 30, 2023

Board Case Number: C23-0012/C23-0019

Respondent: Mills Funeral Home, Inc. and Craig Randolph Mills

Summary: The Board received multiple consumer complaints against Respondents. At hearing, the Board concluded that all Respondents had failed to provide, within a reasonable time, either the goods and services contracted for, or a refund for the price of goods and services paid for but not fulfilled. The Board further concluded that Respondents had violated prior consent orders issued by the Board and failed to refund any insurance proceeds received as consideration in excess of the funeral contract purchase price within 30 days of receipt.

Board Action: The Board and Respondent issued a Final Agency Decision, whereby:

- The stay of suspension previously imposed on the funeral service license of Respondent Mills in prior Board orders was lifted.
- The Funeral Service License of Respondent Mills, FSL 1837, was revoked.
- The stay of suspension previously imposed on the At-Need Establishment Permit of Respondent Mills Funeral Home, Inc. in prior Board orders was lifted.
- The At-Need Establishment Permit of Respondent Mills Funeral Home, Inc., FE Permit No. 1048, was revoked.
- The Preneed Establishment Permit and all ancillary preneed sales licenses of Respondent Mills Funeral Home, Inc., PN Permit No. 1048, was revoked.

Effective Date: May 15, 2023