

ARKANSAS STATE BOARD OF EMBALMERS AND FUNERAL DIRECTORS

Secretary's Report

May 2010- May 2011

Current members of the State Board are: President Tony Smith, Glenwood, AR, At Large; Vice President James Terry Woodard, Wynne, AR, 1st District; Garland Camper, Little, Rock, AR, 2nd District; R.W. Ocker, Van Buren, AR, 3rd District; Eddie Hawkins, Texarkana, AR, 4th District; Patricia Roberts, Prescott, AR, Senior Citizen Representative. The Consumer position is currently vacant due to the resignation of Dr. George Smith, Camden, AR.

Current Staff: Rachael F. McGrew, Executive Secretary; Boyd Heath, Inspector and Amy Goode, Administrative Assistant. Legal counsel is provided to the Board by the office of the Attorney General. Assistant Attorney General Arnold Jochums presently serves in that capacity

Over the course of this reporting period the Board convened on six occasions to conduct Board business. Board activities included reviewing complaints, convening hearings when appropriate, hearing applications for reinstatement, reviewing applications for new establishments, establishment inspections, monitoring the apprenticeship program, testing, licensing, responding to public inquiries and administering the Arkansas Laws Exam for licensure once a quarter.

The Board also reviews and approves applications for Continuing Education programs. The Board co sponsored an 8 hour CE program in October of 2010 in conjunction with ARORA. It was an outstanding program that was well attended and reviewed. The Board tries to sponsor at least one program a year, provided we can find quality speakers at an affordable price. All programs that are approved are listed on the web site, www.arkansas.gov/fdemb.

Other areas of activity included legislation primarily to change renewal due dates. It was passed into law and is now Act 874 2011. The renewal dates will be in effect for 2012. All renewals will be due in the office by December 31st. If the 31st occurs on a weekend or holiday, renewals will be due in the office the next business day. Postmarks will not be considered. Delinquent fees will be assessed starting January 1st.

The Board is undertaking another review of the Rules and will be proposing amendments and or changes. Additionally, the Board is in the process of revamping the licensing data base system. We will keep you informed as things progress.

COMPILATION OF BOARD ACTIVITIES

COMPLAINTS

The Board reviewed 15 complaints. These complaints dealt with allegations of fraud, timely filing of death certificates, failure to provide services as contracted, misrepresentation, practicing without a license, FTC violations and unethical and unprofessional conduct. After review of the complaints and consultation with Board counsel it was determined that there was sufficient evidence of possible violations in 4 of the complaints, further investigation resulted in the withdrawal of two of the complaints and 2 were set for Hearings. All other complaints were dismissed for insufficient evidence or actions and or activities outside the scope of the Board's authority.

IN THE MATTER OF DILLARD FUNERAL HOME, EUDORA, AR, JOHN DILLARD, FD

The Board found that Mr. Dillard was in violation of the 2 sections of the Funeral Service Practices, in violation of FTC, disclosures and meeting the needs of the family. Mr. Dillard's personal license was placed on probation for 2 years, all three Dillard Funeral Homes were placed on probation for 2 years and Mr. Dillard was ordered to repay \$1650.00 to the family.

IN THE MATTER OF PRESIDENTIAL FUNERAL HOME, GUNN FUNERAL HOME, JETHRO HARRIS, FD & MGR AND DERRICK GUNN, EMBALMER

The above captioned matter was continued pending the review of additional documents.

COMPILATION OF BOARD ACTIVITIES

TEST

	EXAMINEES	PASS	FAIL
July 6	31	10	21
October 5	33	16	17
January 11	31	13	18
April 12	28	12	16

LICENSES ISSUED	FD	66	EMB	20
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REGISTERED APPRENTICESES	FD	105	EMB	43
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ESTABLISHMENT LICENSES ISSUED

538	Community Funeral Service, Clarksville, AR, Lewis Wood, Christy Hamilton & Mike Sizemore, Owners
537	Hardy & Loresa's Family Funeral Service, Batesville, AR, Hardy Willis, Owner
536	McFadden & Hitcheye Funeral Enterprises, Hope AR., James McFadden Kim Hitcheye, Owners
535	Gunn Funeral Home, Pine Bluff, AR, Presidential Funeral Homes
534	Conner Hankins Funeral Home, John & Jackie Conner & Colby Hankins, Mountain Home, Owners
533	Williams Funeral Home, Arkadelphia, AR, Roland Gosey, Owner

CREMATORY LICENSES ISSUED

33	Barker Crematory, Salem, AR, Steven Barker & Matthew Miller, Owners
32	Legacy Enterprises, Hope, AR, Michael J. Smith & John Rose, Owners

TRANSPORT LICENSES ISSUED

21	Mortuary Services, Belleville, AR, Tim & Connie Allen
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FINANCIAL

Funds collected from July 1, 2010 to date:	\$152,900.00
Projected Fund balance, June 30, 2011	317,640.00
Budget for FY 12 (July 1, 2011-June 30 2012)	205,604.00
Transfer to Burial Board July 1, 2012	67,000.00