

APPROVED

BOARD OF FUNERAL DIRECTORS AND EMBALMERS FORMAL HEARING MINUTES

Tuesday, December 4, 2007

Department of Health Professions
Perimeter Center
9960 Mayland Drive, Suite 300
Richmond, Virginia

CALL TO ORDER:

A meeting of the Virginia Board of Funeral Directors and Embalmers was called to order at 1:00 p.m. to conduct a formal hearing.

PRESIDING:

Randolph Minter, F.S. L., Chair

MEMBERS PRESENT:

Robert Burger, F.S.L.
Michael Leonard, F.S.L.
Billie Watson-Hughes, F.S.L.
Barry Murphy, F.S.L.
Walter Ball, Citizen Member

MEMBERS RECUSED:

W. D. Tharp, F.S.L., President
Blair Nelsen, F.S.L.

STAFF PRESENT:

Elizabeth Young, Executive Director
Jeanette Meade, Administrative Assistant
Lynne Helmick, Senior Inspector

COUNSEL PRESENT:

Jack Kotvas, Asst. Attorney General
Wayne Halblieb, Asst. Attorney General
Cynthia Gaines, Adjudication Analyst, APD

OTHERS PRESENT:

Carlos Howard, F.S.L.
Kimberly Murphy, Esquire

COURT REPORTER:

Lynn Aligood

QUORUM:

With 6 members present, a quorum was established.

FORMAL HEARING:

**Carlos A. Howard, F.S.L.
#99958**

A formal hearing was held in the matter of Carlos A. Howard, Funeral Service Licensee to discuss the

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allegations that he may have violated portions of the laws and regulations governing the practice funeral directing and embalming in the Commonwealth of Virginia

Mr. Halblieb, Assistant Attorney General, representing the Commonwealth, presented to the Board evidence that Mr. Howard failed to reimburse another funeral establishment for the services they rendered under the contract in a timely manner. When in fact the funding company had paid Mr. Howard in advance, before the claim from the Decedent A's insurance company had paid the funding company.

CLOSED MEETING:

On a motion made by Mr. Burger and properly seconded by Mr. Murphy at 3:40 p.m., the Board voted 6-0 in favor of the motion to enter into a closed meeting pursuant to §2.2-3711 (A)(28) of the Code of Virginia to deliberate in reaching a decision in the matter of Carlos A. Howard, F.S.L.

RECONVENED:

On a motion made by Mr. Burger and properly seconded by Mr. Leonard at 3:55 p.m., pursuant to §2.2-3712 (D) the Board voted 5-0 in favor of the motion, that only public business matters as were identified in the motion convening the closed meeting were heard, discussed and considered by the Board.

On a motion made by Mr. Burger and properly seconded by Ms. Hughes, the Board voted to dismiss the case.

ADJOURNMENT:

With all business concluded, the Board adjourned at 4:00 p.m.

Randy Minter, Vice President, Chair

Elizabeth Young, Executive Director

Date

Date