

# Funeral Board News

South Carolina Board of Funeral Service

Office of Business and Related Services

Spring 2000

## From the Desk of the President...



*Ernest C. Adams, Jr.*

Now that the new Millennium is here, we all wonder what it will mean to our industry. No one knows for sure, but we can rest assured that it will bring change – change in the ways we conduct our businesses and the ways we think about our businesses.

How will change in the rule affect us? How will changes in the state law affect us? How will the Internet affect us? How will consolidation affect us? These are just a few of the possible changes that we will be faced with in this millennium. How will we react to these changes? It is our hope that we will not react but be proactive with these changes. Let us use our collective thinking abilities to face these changes and go in the direction that will take the industry forward.

By now you should have received a copy of the statutes and regulations that are current as of June 1999. Please read and become very knowledgeable of the statutes and regulations. This is what governs our industry, and you need to know the rules. Ignorance of the law is no excuse.

We, the members of the state Board, are here to serve you and the public. However, we need your help in doing our job. If you have a complaint, please file it with the Board's office at the S.C. Department of

Labor, Licensing and Regulation. Thoroughly complete all the paper work that you send to the Board's office, and then be patient.

I sincerely appreciate the opportunity to serve as president of the state Board. I hope that we can make a difference in our industry. Please feel free to give me a call at: (864) 292-0740, home; (864) 288-6470, office and /or email at "bigecarstrolla@worldnet.att.net.

## Meet Your Newest Board Members ~ "Welcome Aboard"

**Michael G. Thornwell**, a dual license funeral professional, was appointed to the Board on August 15, 1999. He attended and graduated from Kentucky School of Mortuary Science. Furthering his education, he enrolled at Benedict College in Columbia and earned a bachelor of science in business administration, Class of 1977. Currently, he presides as governor of the Fifth District of the South Carolina Morticians Association (SCMA) and serves as the treasurer of SCMA, Inc. He is affiliated with the Robinson Funeral Home in Rock Hill. His term expires August 15, 2002.

**E. Ward Avinger, Jr.**, graduated from the Military College of South Carolina (The Citadel) in 1990 with a bachelor of science in business. He's also a graduate of Gupton-Jones College of Funeral Service in Atlanta (1991), where he earned an associate of science in funeral service.

Avinger is manager of Avinger Funeral Home, Inc. in Holly Hill. He is married to the former Alice West and is the

### ***Special Points of Interest:***

- The New Millennium and our Industry
- Improving Our Level of Communication
- Funeral Laws and Implementation

*continued page 3*

## Funeral Board News

Funeral Service Newsletter is a product of the S.C. Board of Funeral Service and the S.C. Department of Labor, Licensing and Regulation.

### South Carolina

#### Board of Funeral Service Members:

Ernest C. Adams, Jr. President  
Greenville  
(864) 288-6470

Larry C. Hendrix, Vice President  
Walhalla  
(864) 638-3611

E. Ward Avinger, Jr., Secretary-Treasurer  
Holly Hill  
(803) 496-3434

James M. Adcock, Jr.  
Orangeburg  
(803) 534-6621

Charles Green  
Charleston  
(843) 720-3891

Leigh M. Branch  
Bennettsville  
(803) 479-2881, Ext. 3368

Sam William Halls  
Mt. Pleasant  
(843) 884-4252

Julius Cameron  
Winnsboro  
(803) 635-2411

Mike G. Thornwell  
Rock Hill  
(803) 327-4245

John B. Eggers, Jr.  
Boiling Springs  
(864) 578-3838

Frank M. Way, III  
Charleston  
(843) 722-2555

#### Board Staff

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E-mail: rosej@mail.llr.state.sc.us

**Call the office if you have questions concerning applications, examinations, filing of complaints, or if you need assistance regarding other program matters.**

# How to Properly File a Complaint

The procedures in filing a complaint are very simple, but they must be made in writing. Individuals will need to contact the **Board's office** and request a Complaint Form that has been designed and approved by the Board.

A trained investigator will conduct an inquiry into the allegations. Once necessary information has been accumulated, the case will be presented to the Board in a "blind brief" for approval. The Board does not know the specifics of the case complaint or licensee.

Once a complaint has been approved by the Board, a consulting Board member is chosen. This will be a professional member chosen to be a part of the Investigating Review Committee (IRC). The investigator will coordinate with the professional member and provide him/her with any and all information which has been gathered.

If it is determined there is no violation of the Practice Act, at the direction of the IRC, the investigator will submit the case to the Board and request it to be dismissed. If the IRC determines there has been a violation and there are facts to substantiate the misconduct and prosecution, the licensee may: a) Enter into a Consent Order which is a voluntary agreement between the licensee and the Board for a sanction on the licensee, and a possible civil penalty; or b) Deny the allegation and request a full administrative hearing. The Board will convene in Columbia, and a hearing will take place.

If the Board finds no violation of the Practice Act, the case is dismissed. If the Board determines there has been a violation, the

licensee will be sanctioned, which may include a civil penalty.

The licensee's appellate route is to a South Carolina Administrative Law Judge, State Circuit and the South Carolina Supreme Court.

The five types of sanctions are:

1. **Private Reprimand** – Non-public sanctions. May include a civil penalty. Least severe sanction.
2. **Public Reprimand** – Public sanctions may include a civil penalty. The sanctions along with any attachments are considered a public document and are accessible by the media. Additionally, the Board will publish in its newsletter and provide notification to national databases and other states. This information may also be used by complainants in civil litigations.
3. **Probation** – Public sanction. Probation for whatever time-frame the Board determines and whatever stipulations. May be used in civil litigation.
4. **Suspension** – Public sanction. May include a civil penalty. Licensee would not be able to practice. May have stipulation where licensee would have to prove fitness to re-enter the profession. May be used in civil litigation.
5. **Revocation** – Public sanction. May include a civil penalty. Not allowed to practice in South Carolina. May be used in civil litigation.

*continued page 4*

## Board Members - *continued from page 1*

father of one son, E.W. "Trey" Avinger, III. His term expires August 15, 2002.

**Sam William Halls**, of Mt. Pleasant, is a graduate of American Academy McAllister Institute of Funeral Service. He is a licensed funeral director and embalmer and is manager of Johnson Halls Funeral Home. He also is a member of the South Carolina Morticians Association, Inc., NFMA, and president of Pi Chapter of Epsilon Nu Delta Mortuary Fraternity. His term expires August 15, 2001.

**Charles Green** is a native South Carolinian who resides in Charleston. He is employed by the City of Charleston Police Department as a Special Operations Officer assigned to security for Mayor Joseph P. Riley. He is also an ordained Baptist minister, and serves as pastor of the Holy Rock Missionary Baptist Church in Charleston. Green graduated from the Florida Bible Institute and Seminary with a bachelor's degree in Bible theology in 1984. He also graduated from the S.C. Police Academy in 1993. His term expires August 15, 2002. He is married with one daughter.

**James M. Adcock, Jr.**, graduated from Gupton-Jones College of Funeral Service in Atlanta, Georgia. He was appointed to the Board in August 1999. A licensed funeral director and embalmer since 1978, he is employed by Dukes-Harley Funeral Home in Orangeburg. He is a former Orangeburg County deputy coroner and coroner. Adcock also is a member of the South Carolina Funeral Directors Association and a member of the British Institute of Embalmers. He is married and the father of one daughter. His term expires August 2002.

### Violations and Fines...

The Board has voted to impose the following fines for the following violations of the law:

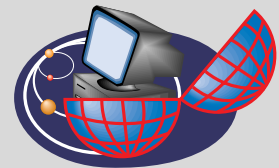
#### A. Preparation (Embalming) Room:

• Backflow	\$500
• Instruments & Supplies	250
• Embalming Machine	250
• Exhaust Fan	250
• Fluids & Equipment	500
• Sharps Disposal	250
• Sanitary Flow Covering	250
• Dirty Preparation Room	500
• Bio-Hazard Container	250

#### B. Chapel:

• Six Caskets	\$500
• Casket List	500
• Casket Price List	500
• General Price List	500
• Outer Burial Container/Vaults	500
• No Hearse	250
• Refusal to Submit to Inspection	250
• Refusal of Inspection after 24 hours' notification	250
• Expired license or permit (Per occurrence and Cease and Desist Order)	250

### We're on the Internet!



Check out the S.C. Board of Funeral Service on LLR's "home page" on the world wide web, or Internet.

The page includes general information about the agency, and key data on individual programs.

Become a web surfer and visit our website. Our address is: <http://www.llr.state.sc.us/bfs.htm>.

See you online!

[www.llr.state.sc.us/bfs.htm](http://www.llr.state.sc.us/bfs.htm)

# Funeral Service Education

The Funeral Service Program at Piedmont Technical College is in its final phase toward accreditation by the American Board of Funeral Service Education (ABFSE). The College was granted "Candidacy Status on November 3, 1998 and it continues to refine and operate the funeral services program. An ABFSE accreditation team visit was scheduled to take place on March 5-7, 2000."

They have also applied to the Commission of Higher Education for a free-standing major in Funeral Services.

This program will provide men and women with the educational foundation needed to seek South Carolina licensure both as embalmers and as funeral directors.

The State Board of Funeral Service has agreed to administer licensing examinations to students completing the program (and other requirements of the Board) until accreditation is received from the ABFSE.

For information concerning the program, Ms. Gloria Vessels, Program Director, may be contacted at (800) 868-5528 or (864) 941-8690.

## Communication Skills: A Powerful Funeral Professional Skill

There are several things we can do to improve our communication skills with people, understanding that there is a basic theory: 70 words or less, K.I.S.S. ("keep it simple stupid") theory.

1. Let people know you are interested in what they are talking about through pleasant facial expressions.
2. If you do not understand what they are talking about, ask for a better explanation.
3. If you understand what they are talking about, say "I understand."
4. Make good eye contact during the conversation. Use positive body language.
5. Eliminate "I or You." Use "We and Us."

### How to File a Complaint - *continued from page 2*

This type of professional investigation, along with direction from a consulting Board member, is designed to protect both the licensees and the public. The results of this type of investigation may be used during civil litigation to disprove or to assist a licensee against false claims.

## Mark Your Calendar

### 2000 Board Meeting Dates:

February 24  
April 6  
August 15  
October 5  
December 14

These are scheduled meeting dates, which are subject to change. Notice of meetings and agendas are appropriately posted at least 24 hours in advance. Unless otherwise noted, all Board meetings are held at 10 a.m., at 110 Centerview Drive, Koger Office Park, Kingstree Building, Columbia, SC.

## Need to Know

DHEC asks that all licensees be reminded of the following requirement concerning persons dying while enrolled in a methadone program.

"An autopsy shall be performed on any person on a methadone program who dies while enrolled in such program. A report concerning the autopsy shall be filed with the Department of Health and Environmental Control. Each person enrolling in such program shall be notified of the autopsy provision as a part of such person's consent which is required prior to admission to such program."

Refer to **Section 44-53-750.**

# Board-Sponsored Continuing Education Classes

The following Board-sponsored classes have been approved for three hours of continuing education credit. All classes are from 9 a.m. to noon with registration beginning at 8:30 a.m. The cost is \$25.

March 1 – Greenville Technical College

April 20 – Florence/Darlington  
Technical College

May 24 – James Island State Park

## Consent Orders Issued

The following licensees entered into Consent Orders with the Board during this fiscal year to date (since July 1, 1999):

Hubert K. Boatwright	\$ 500
Kenneth J. Brown	0
Sabrina W. Brown	\$1,000
Eulia G. Fleming	\$ 500
Ronald D. George	\$ 250
George D. Hamilton	\$ 500
Lawrence C. Daniel, Jr.	\$ 500
Keith G. Thompson	\$ 500
Ronald D. Ray	\$ 250

## Cease and Desist Notices Issued

The following is a list of persons for whom the Board has issued Cease and Desist Notices during this fiscal year to date (since July 1, 1999):

- Sabrina W. Brown
- Keith G. Thompson

## Complaints Received

The Board, during this fiscal year to date (since July 1, 1999), has received 24 Complaints.

## Funeral Service 2000 Examination Dates

National Examination:

March 6

June 5

September 11

December 4

State Laws Examination:

January 14

February 11

March 10

April 14

May 12

June 9

July 14

August 11

September 8

October 13

November 3

December 8

All examinations are administered at the Board's office located at 110 Centerview Drive, Koger Office Park, Kingstree Building, Columbia, S.C., unless otherwise noted. Registration begins at 8 a.m. and the examinations begin at 8:30 a.m. If one examination is taken, the end time is noon; the second examination is administered from 1-5 p.m.



South Carolina Board of Funeral Service  
**Funeral Board News**  
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Columbia, SC 29211-1329

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## Inside This Issue:

New Board Members .....	1
How to File a Complaint .....	2
Violations and Fines .....	3
Meeting Dates 2000 .....	4
Exam Dates .....	5