

Arkansas State Board of Embalmers and Funeral Directors
Board Meeting

MINUTES

Thursday, August 15, 2013, 9:00am
101 East Capitol, Suite 117
Little Rock, AR

President James Terry Woodard called the meeting to order. Members present were: Vice President Bobby Thurman, Jerry Adams, Bobby Burns, and Ben Brazzel. Board members absent were: Patricia Roberts and Mary Ann Allen. Staff that were present: Amy Goode, Executive Secretary, Boyd Heath, Inspector, and Katina Hodge, Board Counsel.

1. **Introduction of the Board**

2. **Oral Examinations**

a. **Zachary Ocker**

All oral examinations were administered.

3. **Hearings**

a. **In the matter of Bradford Funeral Home LLC., Elizabeth Christine Lemons-Case#13-09**

Assistant Attorney General Peggy Johnson served as Hearing Officer and swore in witnesses.

Assistant Attorney General Kat Hodge represented the Board.

Respondent's witnesses: E. Christine Lemons, Russell Lemons, Jeremy Lemons, Nan Turner and Deanna Ybanez appeared on their own behalf for the following- Case No.13-09, 13-11, 13-12, 13-13, 13-14, 13-15, and 13-16

Complainant witnesses Rose Ann Collins, Lena Rath, Leah Brannon, Tyler Hyatt, and Amy Hyatt appeared on their own behalf in case #13-09

Hearing officer Johnson explained that the hearing would follow the Administrative Procedures Act and allowed Hodge to enter Board's compilation exhibit 1 pages 1 through 39 into the record, since there were no objections from Christine Lemons. Attorney Hodge had a brief opening that we were here on the complaint case #13-09 initiated by Rose Ann Collins concerning a purchase of a casket from Bradford Funeral Home and Ms. Collins alleges in her complaint that she purchased a casket from Bradford Funeral Home; and subsequently learned that the casket was a used casket. The Collins family purchased a casket from Bradford, but used Powell Funeral Home for her late husbands' funeral service and eventually bought a new casket from Powell. Ms. Collins filed a complaint against Bradford concerning the first casket she purchased. Johnson gave Ms. Lemons the opportunity for an opening statement. Ms. Lemons stated that the opening Ms. Hodge had given was correct.

Factual Allegations

A.1. Respondent Bradford Funeral Home, LLC is currently licensed as a Funeral Establishment Type A in the State of Arkansas. Respondent was so licensed at all times relevant to the matters addressed herein.

A.2. Respondent Elizabeth Christine Lemons is the Manager, Owner and Funeral Director at Bradford Funeral Home.

Collins v. Bradford Funeral Home and Elizabeth C. Lemons, Case No. 13-09

A.3. On May 1, 2013, the Board received a complaint from Rose Ann Collins and other members of the Collins family concerning a complaint that Bradford Funeral Home had sold to them a used casket.

A.4. The Collins family visited Bradford Funeral Home to purchase a casket for Charles Collins, deceased.

A.5. The family met with Nan Turner, an employee at the Bradford Funeral home. Nan Turner is not a licensed funeral director.

A.6. Upon arrival at the funeral home, Ms. Turner showed the Collins family an 18 Gauge Black Brushed stainless steel casket from the display floor. The casket was purchased new from the Thacker Casket Company in December 2011 and remained on the showroom until the Collins family purchased it in April 2013.

A.7. The Collins family selected that casket and had it delivered to Powell Funeral home later that day. The casket was detailed by Deanna Ybanez and Nan Turner prior to delivering it to Powell Funeral Home. At the time the casket was delivered, none of the Powell Funeral Home funeral directors were present.

A.8. Amy Hyatt at Powell Funeral Home received the casket.

A.9. On Friday, the Collins family was advised by Tyler Hyatt at Powell Funeral Home to come and view the casket.

A.10. The family observed cosmetic and other stains on the pillow and interior of the casket, hair in the casket, scratches, and other physical damage.

A.11. The Collins family then purchased a different casket from the Powell Funeral Home.

At the conclusion of the testimony given the Board made the following decisions.

Motion made by Burns to find factual allegations A.1-A.11 be found true, striking the first sentence of A.11 as factual, second by Brazzel, all in favor. Motion carried.

Motion made by Burns that charges C.1-C.6 were not substantiated by the testimony presented, second by Thurman, motion carried three to two.

Conclusions of Law

In the matter of *Collins v. Bradford Funeral Home and Elizabeth C. Lemons*, Case No. 13-09, the allegation that Respondent sold a used casket was unsubstantiated, and the Board dismisses that claim.

b. In the matter of Bradford Funeral Home LLC., Elizabeth Christine Lemons-Case#13-11

Assistant Attorney General Peggy Johnson served as Hearing Officer and swore in witnesses.

Assistant Attorney General Kat Hodge represented the Board.

Respondent's witnesses: E. Christine Lemons, Russell Lemons, Jeremy Lemons, Nan Turner and Deanna Ybanez appeared on their own behalf for the following- Case No.13-09, 13-11, 13-12, 13-13, 13-14, 13-15, and 13-16
Complainant witnesses Stephanie Reynolds appeared on her behalf in case #13-11

Hearing officer Johnson explained that the hearing would follow the Administrative Procedures Act and allowed Hodge to enter Board's compilation exhibit 2 pages 1 through 13 into the record, since there were no objections from Ms. Lemons. Attorney Hodge had a brief opening that case #13-11 was another public generated complaint initiated by Stephanie Reynolds. Reynolds alleges in her complaint that she sought the services of Bradford Funeral Home in connection with the death of her uncle. Reynolds uncle had pre-paid burial insurance at Powell Funeral Home. Reynolds visited the Bradford Funeral Home and arranged to have those services with Nan Turner who is not a licensed funeral director. That Reynolds signed a contract for a certain amount of services, but when the contract was submitted to Powell Funeral Home for reimbursement that a second contract was submitted for a higher amount that bore her signature that she did not sign. She is filing a complaint for misrepresentation in the contract, the forgery of her signature, and her inability to get a copy of the death certificate in a timely manner. Ms. Lemons did not have an opening statement.

Ms. Nan Turner admitted to making arrangements with Ms. Reynolds, per the instructions from Ms. Lemons.

Reynolds v. Bradford Funeral Home, E. Christine Lemons, Manager, Owner, and Funeral Director, Case No. 13-11

Findings of Fact

A.1. Respondent Bradford Funeral Home, LLC is currently licensed as a Funeral Establishment Type A in the State of Arkansas. Respondent was so licensed at all times relevant to the matters addressed herein.

A.2. Respondent Elizabeth Christine Lemons is the Manager, Owner and Funeral Director at Bradford Funeral Home.

A.12. On or about May 21, 2013 the Board received a complaint from Stephanie Reynolds ("Complainant").

A.13. On or about November 13, 2012, the Reynolds family engaged the Bradford funeral home to provide funeral services for Floyd Keim, deceased.

A.14. Nan Turner assisted the Reynolds/Keim Family with funeral arrangements. Turner is not a licensed funeral director.

A.15. At the time of his death, Keim had an insurance policy.

A.16. On or about November 13, 2012, Complainant signed a Statement of Funeral Goods and Services for the amount of \$3,972.62 with the Bradford Funeral Home. The statement is signed by C. Lemons; however, C. Lemons was not present when Complainant made arrangements with Bradford Funeral Home.

A.17. Thereafter, Complainant took her copy of the Statement of Funeral Goods and Services and a copy of Keim's death certification to Powell Funeral Home to file an insurance claim.

A.18. During the claims process, the Powell Funeral Home received a second Statement of Funeral Goods and Services and death certificate from Bradford Funeral Home for Floyd Keim.

A.19. The second bill showed a balance of \$6,128.65. The second statement contains Complainant's signature; however, Complainant did not sign the second statement. Her signature has been forged.

A.20. There was also a delay in Complainant receiving the death certificate from Bradford Funeral Home.

Motion made by Burns, to find factual allegations A.1-A.2 and A.12-A.20 to be found true, seconded by Brazzel, all in favor. Motion carried.

Motion made by Burns, to find charges C.1 (2), (7), (8), (9), (10), C.2-C.3 to be substantiated, seconded by Adams, all in favor. Motion carried.

Motion made by Thurman, to find charges C.1 (14), C.4 (1), (2), (3), C.5, and C.6 to not be substantiated, seconded by Brazzel, all in favor. Motion carried.

Motion made by Thurman, to suspend E. Christine Lemons funeral director license #4471 for a period of 6 months, fine the Bradford-Kensett location Board ID#24051 a \$5,000 civil penalty to be payable within ninety (90) days; seconded by Brazzel, all in favor. Motion carried.

Conclusions of Law

In the matter of Reynolds v. Bradford Funeral Home, E. Christine Lemons, Manager, Owner, and Funeral Director, Case No. 13-11, based upon factual findings in A.1-A.2 and A.12- A.20, Respondent is guilty of violating Arkansas Code Annotated § 17-29-311(a)(2), (7), (8), (9), and (10); Arkansas Code Annotated § 17-29-311(h), and Board Rule IV.2(f).

c. In the matter of Bradford Funeral Home LLC., Elizabeth Christine Lemons-Case#13-12

Assistant Attorney General Peggy Johnson served as Hearing Officer and swore in witnesses.

Assistant Attorney General Kat Hodge represented the Board.

Respondent's witnesses: E. Christine Lemons and Nan Turner appeared on their own behalf

Complainant witnesses: Dr. G. Scott Dicus, M. D. was unable to attend the hearing.

Board witness: Amy Goode, Executive Secretary was sworn in for the record.

Hearing officer Johnson explained that the hearing would follow the Administrative Procedures Act and allowed Hodge to enter Board's compilation exhibit 3 consisting of 3 pages and exhibit 11B consisting of 32 pages into the record, since there were no objections from Ms. Lemons. Attorney Hodge had a brief opening that case #13-12 was a generated complaint initiated by Dr. G. Scott Dicus, M. D. alleging his signature has been forged on a death certificate for Willie Mae Mashburn.

E. Christine Lemons did admit in the answer she filed with the Board, that she or another in her office had forged Dr. Dicus's signature on the death certificate for Willie Mae Mashburn. She also admitted the same for the record and that they did not have Dr. Dicus's permission. Ms. Lemons further explained to the Board that they did

not do it to intentional harm, but to help the family. They had several mistakes on the death certificate and it kept being returned by the Health Department.

Ms. Turner did agree that she did admit on page 7 of exhibit 11B in a statement to the White County Sherriff's Office that she had signed Dr. Dicus's name.

Dr. G. Scott Dicus, M.D. v. Bradford Funeral Home, E. Christine Lemons, Manager, Owner, and Funeral Director, Case No. 13-12

Findings of Fact

A.1. Respondent Bradford Funeral Home, LLC is currently licensed as a Funeral Establishment Type A in the State of Arkansas. Respondent was so licensed at all times relevant to the matters addressed herein.

A.2. Respondent Elizabeth Christine Lemons is the Manager, Owner and Funeral Director at Bradford Funeral Home.

A.21. On or about May 29, 2013, the Board received a complaint from Dr. G. Scott Dicus, M.D., (Complainant) concerning forgery of a death certificate for Willie Mae Mashburn.

A.22. Ms. Mashburn died at the White County Medical Center in Searcy, Arkansas on February 23, 2013.

A.23. Ms. Mashburn was cared for by the Bradford Funeral Home in Bradford, Arkansas.

A.24. Dr. Dicus's signature is forged on Ms. Mashburn's death certificate. At the request of the White County Coroner's Office, Dr. Dicus reviewed the certificate and confirmed the forgery.

A.25. Additionally, the cause of death has been forged. The cause of death is typed and misspelled. Dr. Dicus handwrites his portion of the death certificate, including the cause of death.

A.26. Respondents E. Christine Lemons admitted that she signed Dr. Dicus's name to Ms. Mashburn's death certificate after it was returned by the Arkansas Department of Health for corrections.

Motion made by Thurman to find factual allegations A.1, A.2, and A.21-A.25 substantiated; A.26 was unsubstantiated, seconded by Brazzel, all in favor. Motion carried.

Motion made by Thurman that charges C.1 (2) (14) and C.3 were found true; all other remaining charges were found not true, seconded by Brazzel, all in favor. Motion carried.

Conclusions of Law

In the matter of *Dr. G. Scott Dicus, M.D. v. Bradford Funeral Home, E. Christine Lemons, Manager, Owner, and Funeral Director, Case No. 13-12*, based upon factual allegations in A.1-A.2 and A.21-A.26, Respondent is guilty of violating Arkansas Code Annotated 17-29-311(a)(2) and (14), and Board Rule IV.2(f).

d. In the matter of Bradford Funeral Home LLC., Elizabeth Christine Lemons-Case#13-16

Assistant Attorney General Peggy Johnson served as Hearing Officer and swore in witnesses.

Assistant Attorney General Kat Hodge represented the Board.

Respondent's witnesses: E. Christine Lemons appeared on her own behalf

Complainant witnesses: Jeanie Barnett, R. N appeared on her own behalf.

Hearing officer Johnson explained that the hearing would follow the Administrative Procedures Act and allowed Hodge to enter Board's compilation exhibit 7 consisting of 3 pages into the record since there were no objections from Ms. Lemons. Ms. Barnett was called and indicated she is a nurse for Hospice Home Care in Searcy. She initiated the complaint in case #13-16 after being contacted by the White County Coroner's Office to review. Ms. Barnett confirmed after reviewing that her signature was forged on the death certificate of John Richard Foster. The death certificate had already been filed with the Health Department prior to her reviewing it.

Ms. Lemons was questioned by Burns whether or not she had signed Ms. Barnett's signature. She indicated she believed it was Ms. Barnett's signature she had signed.

Jeanie Barnett, RN-Hospice Home Care v. Bradford Funeral Home, Elizabeth C. Lemons, Manager, Owner, and Funeral Director, Case No. 13-16

Factual Allegations

A.1. Respondent Bradford Funeral Home, LLC is currently licensed as a Funeral Establishment Type A in the State of Arkansas. Respondent was so licensed at all times relevant to the matters addressed herein.

A.2. Respondent Elizabeth Christine Lemons is the Manager, Owner and Funeral Director at Bradford Funeral Home.

A.49. On or about July 3, 2013, the Board received a complaint from Jeanie Barnett, RN, at Hospice Home Care concerning the forging of several death certificates.

A.50. After reviewing the files, Complainant discovered that several death certificates filed with the Arkansas Department of Health contained a forged signature. Specifically, Complainant identified the death certificate of John Richard Foster, Jr. as one that contained a forged signature.

A.51. All of the death certificates were handled by Bradford Funeral Home.

A.52. E. Christine Lemons admits that she signed Complainant's name to John Richard Foster's death certificate after it was returned for corrections by the Arkansas Health Department.

Motion made by Burns to find factual allegations A.1-A.2, and A.49-A.52 true, seconded by Brazzel, all in favor. Motion carried.

Motion made by Brazzel that charges C.1 (2) (14) and C.3 were found true; all other remaining charges were found not true, seconded by Burns, all in favor. Motion carried.

Conclusions of Law

In the matter of *Jeanie Barnett, RN-Hospice Home Care v. Bradford Funeral Home, Elizabeth C. Lemons, Manager, Owner, and Funeral Director*, Case No. 13-16 based upon factual allegations in A.1-A.2 and A.49-A.52, Respondent is guilty of violating Arkansas Code Annotated 17-29-311(a)(2) and (14), and Board Rule IV.2(f).

e. In the matter of Bradford Funeral Home LLC., Elizabeth Christine Lemons-Case#13-14

Assistant Attorney General Peggy Johnson served as Hearing Officer and swore in witnesses.

Assistant Attorney General Kat Hodge represented the Board.

Respondent's witnesses: E. Christine Lemons and Nan Turner appeared on their own behalf.

Complainant witnesses: Shawna Bell, R. N. appeared on her own behalf.

Hearing officer Johnson explained that the hearing would follow the Administrative Procedures Act and allowed Hodge to enter Board's compilation exhibit 5 consisting of 8 pages into the record since there were no objections from Ms. Lemons. Hodge gave a brief opening that Ms. Bell had filed a complaint with this Board alleging her signature had been forged on several death certificates all handled by Bradford Funeral Home. Shawna Bell stated for the record she was a nurse with Hospice Home Care and she did file the complaint in exhibit 5. She had been contacted by the White County Sheriff's Department concerning death certificates for Betty Jean Wadley, Perry Edward Paul, and James R. Menser. She stated that she had informed Detective Manues that she had not signed those death certificates.

Lemons did admit in her statement with the sheriff's office that she had signed Ms. Bell's name to Perry Edward Paul's death certificate. She further stated that the Menser one was only one they did not remember signing, but did admit to others. Turner admits that in the statement she gave the sheriff's office she did sign Bell's name to James Roger Menser's death certificate.

Shawna Bell, RN-Hospice Home Care v. Bradford Funeral Home, Elizabeth C. Lemons, Manager, Owner, and Funeral Director, Case No. 13-14

Factual Allegations

A.1. Respondent Bradford Funeral Home, LLC is currently licensed as a Funeral Establishment Type A in the State of Arkansas. Respondent was so licensed at all times relevant to the matters addressed herein.

A.2. Respondent Elizabeth Christine Lemons is the Manager, Owner and Funeral Director at Bradford Funeral Home.

A.38. On or about May 25, 2013, the Board received a complaint from Shawna D. Bell, RN, ("Complainant") a nurse at Hospice Home Care concerning the forging of several death certificates.

A.39. After reviewing the files, Complainant discovered that the death certificates filed with the Arkansas Department of Health for James R. Menser; Perry Edward Paul; and Betty Jean Wadley contained a forged signature.

A.40. All of the death certificates were handled by Bradford Funeral Home and signed by Christine Lemons.

A.41. E. Christine Lemons admitted that she signed Complainant's name to Perry Edward Paul's death certificate after it was returned for corrections by the Arkansas Health Department.

Motion made by Burns to find factual allegations A.1, A.2, and A.38-A.41 substantiated, seconded by Brazzel, all in favor. Motion carried.

Motion made by Thurman that charges C.1 (2) (14) and C.3 were found true; all other remaining charges were found not true, seconded by Adams, all in favor. Motion carried.

Conclusions of Law

In the matter of *Shawna Bell, RN-Hospice Home Care v. Bradford Funeral Home, Elizabeth C. Lemons, Manager, Owner, and Funeral Director*, Case No. 13-14, based upon factual allegations in A.1-A.2 and A.38-A.41, Respondent is guilty of violating Arkansas Code Annotated 17-29-311(a)(2) and (14), and Board Rule IV.2(f).

f. In the matter of Bradford Funeral Home LLC., Elizabeth Christine Lemons-Case#13-13

Assistant Attorney General Peggy Johnson served as Hearing Officer and swore in witnesses.

Assistant Attorney General Kat Hodge represented the Board.

Respondent's witnesses: E. Christine Lemons and Nan Turner appeared on their own behalf.

Complainant witnesses: John Tyler Hyatt and David R. Powell, Jr appeared on their own behalf.

Hearing officer Johnson explained that the hearing would follow the Administrative Procedures Act and allowed Hodge to enter Board's compilation exhibit 4 consisting of 30 pages into the record since there were no objections from Ms. Lemons. Hodge gave a brief opening that this was another similar case involving forged death certificates. This was a complaint initiated by John Tyler Hyatt. In addition, to being employed by Powell Funeral Home he is also the White County Chief Deputy Coroner. The complaint resulted when Mr. Hyatt was reviewing death certificates; one of the deceased was not embalmed and was to be cremated. He further contacted the crematory to see if they were holding the body for that period of time un-embalmed. He was informed they had already cremated and the death certificate they used was signed by the White County Coroner David Powell, Jr. However, during that time Mr. Powell had knee surgery and Hyatt was handling all the coroner calls.

Lemons denied signing Tyler Hyatt's name on the death certificates for Batchelor or Gilbert. She did agree that there was a difference in the signatures on the death certificates. Ms. Lemons further stated she did not believe that any of her employees would have signed them. That in the statements that herself and Ms. Turner had given to the investigator they had admitted their wrongs, but she would never sign Mr. Hyatt's name. Ms. Turner stated she had never signed Mr. Hyatt's name.

Thurman clarified with Ms. Lemons if any other employees could have signed them, she indicated there were two other employees who were not present. She stated that no one from her funeral home would have signed them.

J. Tyler Hyatt, White County Chief Deputy Coroner. v. Bradford Funeral Home, E. Christine Lemons, Manager, Owner, and Funeral Director, Case No. 13-13

Factual Allegations

A.1. Respondent Bradford Funeral Home, LLC is currently licensed as a Funeral Establishment Type A in the State of Arkansas. Respondent was so licensed at all times relevant to the matters addressed herein.

A.2. Respondent Elizabeth Christine Lemons is the Manager, Owner and Funeral Director at Bradford Funeral Home.

A.27. On or about May 31, 2013, the Board received a complaint from J. Tyler Hyatt, White County Chief Deputy Coroner (Complainant) concerning forgery of a death certificates for Isaac Batchelor and Carmeletta Denise Gilbert.

A.28. Complainant is the Chief Deputy Coroner for White County, Arkansas.

A.29. On or about October 2012, Complainant was contacted concerning the death of Isaac Batchelor. He signed a death certificate on or about October 22, 2012.

A.30. A death certificate for Isaac Batchelor was filed with the Arkansas Department of Health. The death certificate filed with the Arkansas Department of Health is not the same death certificate signed by Complainant.

A.31. The death certificate filed with the Arkansas Department of Health has J. Tyler Hyatt's signature. However, Complainant did not sign it. It is forged.

A.32. Additionally, the death certificate filed with the Arkansas Department of Health contains several other discrepancies. The name of the deceased is has been altered; the deceased's wife's name is incomplete, the cause of death is typed not handwritten, and the name of the crematory is slightly different.

A.33. Complainant was also contacted concerning the death of Carmeletta Denise Gilbert.

A.34. A death certificate for Carmeletta Denise Gilbert was filed with the Arkansas Department of Health. The death certificate filed with the Arkansas Department of Health is not the same death certificate signed by Complainant.

A.35. The death certificate filed with the Arkansas Department of Health has J. Tyler Hyatt's signature. However, Complainant did not sign it. It is forged.

A.36. In addition to the above, the White County Coroner's Office discovered at least four additional death certificates that contained forged signatures. The forged death certificates were filed with the Arkansas Department of Health for John Richard Foster; Judy Ann Camden; Sandra Kay Cook; and Arnold Deed West.

Motion made by Burns that factual allegations A.1, A.2, and A.27-A.36 to substantiated, A.37 was found to be unsubstantiated, seconded by Brazzel, all in favor. Motion carried.

Motion made by Burns that no charges were substantiated, seconded by Thurman, Adams abstained. Motion carried 3-1.

Conclusions of Law

In the matter of *J. Tyler Hyatt, White County Chief Deputy Coroner v. Bradford Funeral Home, Elizabeth C. Lemons, Manager, Owner, and Funeral Director*, Case No. 13-13, based upon the factual allegations in A.1-A.2 and A.27-A.36 the complaint against Respondent was unsubstantiated and the Board dismisses that claim.

g. In the matter of Bradford Funeral Home LLC., Elizabeth Christine Lemons-Case#13-15

Assistant Attorney General Peggy Johnson served as Hearing Officer and swore in witnesses

Assistant Attorney General Kat Hodge represented the Board.

Respondent's witnesses: E. Christine Lemons and Nan Turner appeared on their own behalf.

Complainant witnesses: David R. Powell, Jr appeared on their own behalf.

Hearing officer Johnson explained that the hearing would follow the Administrative Procedures Act and allowed Hodge to enter Board's compilation exhibit 6 containing 6 pages into the record since there were no objections from Ms. Lemons. Hodge called David R. Powell, Jr. Powell discovered the forgery after it was brought to his attention by Mr. Hyatt. Mr. Powell stated someone had to start the death certificate process. The coroner or deputy coroner did not initiate the death certificate for Veronica Forrester. A forged death certificate with no cause of death was filed with the crematory.

Lemons stated Nan Turner picked up the death certificate from Ciley Johnson at Powell's Funeral Home and they faxed the death certificate to the crematory. She further stated there was no cause of death because there were mistakes on it and they had to return it.

Lemons called Detective Donnie Manues; he is a Lieutenant for the White County Sheriff's Department and chief investigator in the case. He stated that they could not determine forgery in the Powell and Hyatt cases. However, the case was not closed it is still an active investigation. Russell Lemons questioned Manues if he felt Christine's intent was to defraud or harm anyone. Manues stated that during the initial interview he had with Lemons she was not truthful with him. She lied to him about the heart of these forgery matters. At first blaming on medical staff, Powell Funeral Homes staff, and then she finally admitted the truth. When he asked her if she intended to defraud people or were you just trying to expedite services for her clients, which is a common interrogation technique. When he gave her that out, she immediately accepted it and provided a statement in reference to that. Manues clarified it was two part question, "was she intending to defraud during her initial interview? If you want to call being deceptive defrauding, then yes, but as the interview proceeded she was truthful." Lemons never admitted to the Powell, Hyatt, and a few others, but this is still an open investigation.

David Powell, White County Coroner v. Bradford Funeral Home, Elizabeth C. Lemons, Manager, Owner, and Funeral Director

Factual Allegations

A.1. Respondent Bradford Funeral Home, LLC is currently licensed as a Funeral Establishment Type A in the State of Arkansas. Respondent was so licensed at all times relevant to the matters addressed herein.

A.2. Respondent Elizabeth Christine Lemons is the Manager, Owner and Funeral Director at Bradford Funeral Home.

A.42. On or about June 4, 2013, the Board received a complaint from David Powell, White County Coroner concerning the forging of death certificates.

A.43. On or about February 19, 2013, Veronica May Forrester died at the emergency room of White County Medical Center in Search. Her death was reported to David Powell's office and was fielded by Chief Deputy Coroner Tyler Hyatt.

A.44. Ms. Forrester's body was released to Bradford Funeral Home.

A.45. On March 4, 2013, Hyatt received a death certificate for Ms. Forrester from the Bradford Funeral Home. The certificate had to be returned to Bradford for corrections. On March 18, 2013, Hyatt received a corrected death certificate, which indicated that the body was to be cremated. Upon checking with S&S Crematory, Hyatt discovered that Ms. Forrester already been cremated. The crematory reported that David Powell had signed Ms. Forrester's death certificate.

A. 46. David Powell did not sign the death certificate on file with S&S Crematory. Powell reviewed a copy of the Forrester death certificate and confirmed that his signature is forged.

A.47. Additionally, the cause of death is not indicated on the death certificate.

A. 48. Further, during the time that the Forrester death certificate was signed, Powell was unable to perform official duties as Coroner because of medical issues. Tyler Hyatt was fulfilling the obligations of the Coroner's office.

Motion made by Thurman that factual allegations A.1, A.2, and A.42-A.48 with necessary amendments to the dates in A.42 and A. 45 be found factual, seconded by Brazzel, all in favor. Motion carried.

Motion made by Burns that no charges were substantiated, seconded by Thurman, Brazzel abstained, Adams opposed, Motion carried 2-1.

Disciplinary action in cases 13-12, 13-14, and 13-16

Motion made by Thurman that the Board suspend Lemons funeral directors license #4471 an additional 6 months that will run concurrent with the initial suspension. Issue a civil penalty in the amount of \$1,000.00 payable in 90 days or her license will be revoked. The Bradford-Kensett Funeral Home license #24051 location will be suspend the for one year and the Bradford Funeral Home license #502 and Board ID #20503 location will be suspended for one year including a \$5,000 civil penalty payable within 90 days or both locations licenses will be revoked, seconded by Brazzel, all in favor. Motion carried.

ORDER

1. Respondent, E. Christine Lemons, is ordered to pay a civil penalty in the amount of \$1,000.00. The penalty must be paid in full within 90 days of receipt of this Order.
2. Respondent's, E. Christine Lemons, Funeral Director's license is suspended for one year. If Respondent, E. Christine Lemons, fails to pay the civil penalty of \$1,000 within 90 days, then her Funeral Director's license will be revoked.
3. Respondent, Bradford Funeral Home/Kensett, Arkansas, is ordered to pay a civil penalty in the amount of \$5,000.00. The penalty must be paid in full within 90 days of receipt of this Order.
4. The establishment license for Respondent, Bradford Funeral Home/Kensett, Arkansas, is suspended for one year. If Respondent, Bradford Funeral Home, Kensett, fails to pay the civil penalty of \$5,000 within 90 days, then its establishment license will be revoked.
5. Respondent, Bradford Funeral Home/Bradford, Arkansas, is ordered to pay a civil penalty in the amount of \$5,000.00. The penalty must be paid in full within 90 days of receipt of this Order.
6. The establishment license for Respondent, Bradford Funeral Home/Bradford, Arkansas, is suspended for one year. If Respondent, Bradford Funeral Home/Bradford, Arkansas, fails to pay the civil penalty of \$5,000 within 90 days, then its establishment license will be revoked.

h. In the matter of Powell Funeral Home LLC., John Tyler Hyatt and David R. Powell, Jr. Case #13-17, 13-18, and 13-19

Prior to the beginning of the hearing, the complainant requested that the Board dismiss all three complaints. Accordingly, the Board received no evidence, made no findings of fact or conclusions of law, and the complaints were dismissed.

4. **Administrative**

- a. Motion made by Burns to accept as written the minutes of the July 8, 2013 and July 9, 2013 board meeting, seconded by Brazzel. All in favor, motion carried.
- b. Motion made by Burns to accept and approve the July 2013 trial balance and DF&A documents as delivered, seconded by Brazzel. All in favor, motion carried.

5. **Meeting dates:**

- a. Next meeting scheduled for October 1, 2013 @ 9AM.

6. **Adjournment**

Motion made by Burns to adjourn, seconded by Adams. All in favor, motion carried.