

STATE OF MAINE
BOARD OF FUNERAL SERVICE

Minutes of November 9, 2021, Board Meeting

Members Present: Chad Poitras, Chair; Bethel Shields, Robert Barnes, Brian Mays, and Peter Arsenault

Others Present: Jennifer Hawk, Board Administrator, Elizabeth Stivers, AAG; Tammy Reed, Board Clerk; Candice Wright, Consumer Assistance and Hearing Coordinator

Members Absent: John Brennan

CALL TO ORDER

Chad Poitras, Board Chair, called the meeting to order at 9:01 a.m.

MINUTES REVIEW AND APPROVAL

Bethel Shields made a motion to approve the September 14, 2021 meeting minutes. Robert Barnes seconded the motion.

Vote: 5 in favor

CORRESPONDENCE

The Board reviewed correspondence from Mr. Inman. Mr. Inman was requesting clarification on the continuing education hours due for the 2023 renewal period and had concerns with the state examination.

APPLICATION REVIEW

Christian J Garcia Guzman, PR11305

Robert Barnes made a motion to approve Mr. Garcia Guzman's application for licensure pending passing of the state exam. Bethel Shields seconded the motion.

Vote: 5 in favor

Danny G. Cracknell, Jr, PR11292

Robert Barnes made a motion to approve Mr. Cracknell's application for licensure pending passing of the state exam. Peter Arsenault seconded the motion.

Vote: 5 in favor

COMPLAINT PRESENTATION(S)

2021-FUN-17492

Chad Poitras made a motion to dismiss this complaint and issue a Letter of Guidance. The Letter of Guidance will remain in the licensee's file for a period of 5 years. Robert Barnes seconded the motion.

Vote: 4 in favor (1 abstained – Brian Mays)

2021-FUN-17545

Chad Poitras made a motion to dismiss this complaint. Bethel Shields seconded the motion.

Vote: 4 in favor (1 abstained – Brian Mays)

2021-FUN-17591

Robert Barnes made a motion to set this matter for an adjudicatory hearing and offer to join the following violations to the consent agreement in lieu of adjudicatory hearing that previously identified violations of misconduct under 10 M.R.S. § 8003(5-A)(A)(2), 10 M.R.S. §§ 8003(5-A)(A)(4) and (5) for violation of 32 M.R.S. § 1455-B(9). Chad Poitras seconded the motion.

Vote: 4 in favor (1 abstained – Brian Mays)

2021-FUN-17605

Chad Poitras made a motion to dismiss this complaint. Peter Arsenault seconded the motion.

Vote: 4 in favor (1 abstained – Brian Mays)

2021-FUN-17606

Robert Barnes made a motion to offer the licensee a consent agreement for violations of Chapter 15, section 3 of the board's rules. The terms of the consent agreement include a warning. Chad Poitras seconded the motion.

Vote: 4 in favor (1 abstained – Brian Mays)

2021-FUN-17698

Robert Barnes made a motion to dismiss this complaint. Peter Arsenault seconded the motion.

Vote: 4 in favor (1 abstained – Brian Mays)

2021-FUN-17699

Robert Barnes made a motion to to set this matter for an adjudicatory hearing but to offer a consent agreement in lieu of hearing. The terms of the consent agreement include violations of 10 M.R.S. § 8003(5-A)(A)(2) and 10 M.R.S. § 8003(5-A)(A)(4) violation of Board law. The terms of the consent agreement include a warning and civil penalty of \$1,000 per violation for an total of \$2,000. Peter Arsenault seconded the motion.

Vote: 4 in favor (1 abstained – Brian Mays)

ADMINISTRATOR'S REPORT

ADJOURN

Bethel Shields made a motion to adjourn at 10:17 a.m. Robert Barnes seconded the motion.

Vote: 5 in favor