

**IN THE MATTER OF
THOMAS S. CHAMBERS**

License Number M00670

Board Case Number 14-018

*** BEFORE THE MARYLAND
* STATE BOARD OF MORTICIANS
* AND FUNERAL DIRECTORS

PRE-CHARGE CONSENT ORDER

PROCEDURAL BACKGROUND

The Maryland State Board of Morticians and Funeral Directors (the "Board") and Thomas S. Chambers (the "Respondent") have agreed, in lieu of the Board's filing formal charges, to enter into to this Pre-Charge Consent Order (the "Order"). The Respondent waives his right to a hearing and agrees to be sanctioned by the Board. This Order is based upon the Board's belief that the Respondent violated provisions of the Maryland Morticians and Funeral Directors Act ("the Act"), Md. Code Ann., Health Occ. ("H.O.") §§ 7-101, *et seq.* (2009 Repl. Vol.), specifically H.O. §7-316(a)(26) by acting in an unprofessional manner when Respondent was overheard uttering a profanity, which referenced Executive Director Ruth Ann Arty, and when he blamed his cancer on her.

In an effort to resolve this matter, the Board invited the Respondent and his attorney to participate in a Pre-Charge Complaint Resolution Conference (CRC) on December 17, 2013. Subsequently the CRC panel reported the details of the CRC to a full quorum of the Board at which time the Board approved the terms and conditions of this Order.

BACKGROUND

By way of a Pre-Charge Consent Order dated June 10, 2010 and incorporated by reference as with fully set forth herein, the Respondent has been, and continues to be, on probation for violations of the Act.

FINDINGS OF FACT

1. At all times relevant, the Respondent was and is licensed to practice mortuary science in the State of Maryland under license number M00670.
2. At all times relevant the Respondent has been on probation pursuant to a Pre-Charge Consent order dated June 10, 2010. Respondent's probationary period had been for a period of two years. But because Respondent never petitioned the Board for termination of probation, he continues to be on probation.
3. On September 20, 2013, the Respondent visited the funeral home while recovering from cancer surgery.
4. Upon observing Executive Director Arty and investigator Ed Fox on the Funeral Home premises, respondent retreated to a different room. Executive Director Arty and investigator Fox overheard Respondent utter a profanity referencing Executive Director Arty.
5. Upon exiting the room, the Respondent approached Executive Director Arty and pointed his finger at her as he yelled at her that she had he had given him cancer.
6. At the time, the Respondent had recently undergone surgery for colon cancer and was awaiting his biopsy results. Respondent is currently receiving chemotherapy.
7. The Respondent has expressed remorse for his actions.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board finds that the Respondent violated H.O. §§7-316(a)(26) by acting in an unprofessional manner when he retreated into a different room and was overheard uttering a profanity, which referenced Executive Director Ruth Ann Arty, and when he pointed his finger at her and blamed his cancer on her.

ORDER

ORDERED that the Respondent's license to practice mortuary science in Maryland shall be **SUSPENDED** for a period of five (5) consecutive days beginning July 14, 2014 through and including July 18, 2014; and it is further

ORDERED that during the period of suspension, the Respondent may not be involved in the day to day business of the Chambers Funeral Home & Crematorium, P.A., including but not limited to: meeting with families, making arrangements, embalming, participating in viewings, services and interments; and it is further

ORDERED that upon reinstatement of his license to practice mortuary science in the State of Maryland, the Respondent's probation will continue for a period of one year from the effective date of this Order;¹ and it is further

ORDERED that within ninety (90) days of the effective date of this Order, the Respondent shall pay fine to the Board in the amount of one five hundred dollars (\$500.00); and it is further

ORDERED that within one hundred and twenty (120) days of the effective date of this Order the Respondent shall take and document completion of a Board approved anger management course; and it is further

ORDERED that the Respondent shall be responsible for all costs incurred under this Order; and it is further

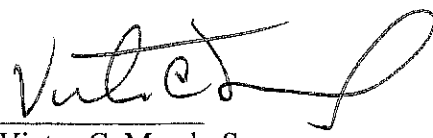
ORDERED that the Respondent shall comply with and practice within all statutes and regulations governing the practice of mortuary science in the State of Maryland; and it is further

ORDERED that any violation of the terms and conditions of this Order shall constitute unprofessional conduct in addition to any applicable grounds under the Act; and it is further

ORDERED that this Consent Order is a PUBLIC DOCUMENT as defined in Md. State Gov't Code Ann. §§ 10-611, *et seq.* (2009).

¹ The effective date is the date the Order is accepted by the Board.

Acceptance Date 7/9/14



Victor C. March, Sr.
President

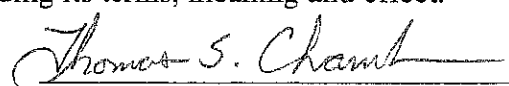
CONSENT

I, Thomas S. Chambers, License Number M00670, by signing this Consent agree to the findings of fact and conclusions of law and further agree to be bound by the terms and conditions of the foregoing Pre-Charge Consent Order as resolution to this matter. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

I acknowledge the validity and enforceability of this Pre-Charge Consent Order as if it were made after a formal evidentiary hearing in which I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections to which I am entitled by law. I also recognize that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing and am also waiving any other legal remedies I may have regarding resolution of this matter.

I have had the opportunity to review this Pre-Charge Consent Order with an attorney of my choice and sign it voluntarily, understanding its terms, meaning and effect.

7-1-14
Date


Thomas S. Chambers

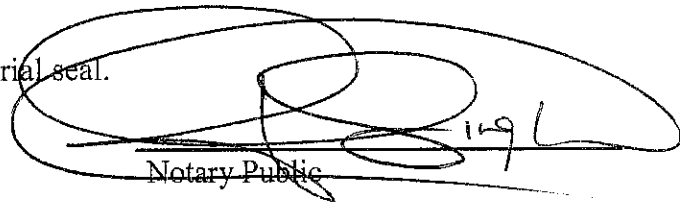
NOTARY

STATE OF MARYLAND

CITY/COUNTY OF Riverdale/PG

I HEREBY CERTIFY that on this 1st day of July, 2014, before me, a Notary Public of the State of Maryland and the City/County aforesaid, personally appeared Thomas S. Chambers, and made oath in due form of law that the foregoing Consent was his voluntary act and deed.

AS WITNESS my hand and notarial seal.


Notary Public

My Commission Expires:

