

IN THE MATTER OF
CURTIS JORDAN
Mortician License Applicant

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BEFORE THE MARYLAND
STATE BOARD OF
MORTICIANS AND
FUNERAL DIRECTORS

CONSENT ORDER OF PROBATION

On or about August 28, 2015, the Maryland State Board of Morticians and Funeral Directors (the “Board”) received an anonymous complaint alleging that Curtis Jordan (the “Applicant”) had been practicing mortuary science in the State of Maryland without a license. Subsequently, on or about April 14, 2016, the Applicant submitted an application for a license to practice as a mortician in the State of Maryland. The Board conducted an investigation. Based upon the complaint, the application, and the investigation, on July 5, 2016, the Board met with the Applicant in an attempt to settle the matter prior to Board formally denying his licensure application. As a result of that meeting, the Applicant and the Board agreed to the following Consent Order.

FINDINGS OF FACT

The Board finds that:

1. On or about August 28, 2015, the Board received an anonymous complaint alleging that the Applicant, while in the employ of a funeral establishment in Baltimore, Maryland, had been practicing mortuary science in the State of Maryland without a license.

2. On or about April 14, 2016, based upon his previous licensure in the State of Alabama, the Applicant submitted to the Board an “Application for Mortician License via Waiver of Apprenticeship Requirements” to obtain a license to practice mortuary science in the State of

Maryland.¹

3. On or about May 10, 2016, the Board conducted an investigative interview with the Applicant. During that interview, the Applicant stated that he worked at a funeral establishment in Baltimore, Maryland and, while working at that facility, he sutured² bodies after the embalming process. While he could not state on how many instances he had sutured bodies, he stated that it was more than twice. Further, the Applicant stated that no one had asked him to suture the bodies and that he only did it to dress the bodies for final disposition.

4. In the State of Maryland, the practice of mortuary science includes the preparation of a dead human body for disposition. *See* Md. Code Ann., Health Occ. § 7-101(u)(1)(ii). As a broad matter, there is no doubt that suturing a body, after it has been disinfected or preserved by arterial or cavity injection, is a part of the “preparation of a dead human body for disposition.” Narrowly, however, because suturing is a clinical procedure involved in the preparation of human remains for disposition, the Board finds that suturing falls within the practice of mortuary science as defined in the State of Maryland.

5. As such, the Board finds that the Applicant practiced mortuary science in the State of Maryland without a license. While the Board does find it to be a mitigating factor that the Applicant has been licensed as a mortician in the State of Alabama, it does not alleviate the Applicant of his responsibility to secure licensure prior to practicing mortuary science in this State.

¹ The Applicant had previously submitted an application for licensure on or about April 13, 2015, however that application was incomplete.

² Suturing is the process by which human tissue is joined together along a line by sewing.

CONCLUSIONS OF LAW

Based on the foregoing findings of fact, the Board concludes that the Applicant violated Md. Code Ann., Health Occ. § 7-316(a)(18) (“Violates any provision of this title...”). Specifically, the Board concludes that the Applicant violated Md. Code Ann., Health Occ. § 7-301(a) (“...an individual shall be licensed by the Board before the individual may practice mortuary science in this State.”)

ORDER

Based upon the foregoing Findings of Fact and Conclusions of Law, it is hereby:

ORDERED that the application of Curtis Jordan to practice mortuary science in the State of Maryland is via waiver of the apprenticeship requirements is hereby **GRANTED**; and it is further

ORDERED that the license of the Applicant to practice mortuary science in the State of Maryland is placed on **PROBATION** for a minimum of **ONE (1) YEAR and SIX (6) MONTHS** subject to the following terms and conditions:

1. The Applicant’s status as a mortician be listed in the Board's computer records and website as being on “**Probation**”;
2. Pursuant to Md. Code Ann., Health Occ. § 7-310(e)(4), the Applicant may not act as a supervising mortician for any funeral establishment in the State of Maryland during the pendency of this probation.
3. The Applicant shall comply with the Maryland Morticians and Funeral Directors Act and the Board’s regulations. Any violation of the Maryland Morticians and Funeral

Directors Act or the Board's regulations shall constitute a violation of probation and a violation of this Order; and it is further

ORDERED that the Applicant shall pay to the Board a monetary fine of **FIVE HUNDRED DOLLARS (\$500.00)** in full by money order or cashier's check made payable to the Board and delivered personally or by certified mail to the Board within **NINETY (90) DAYS** of the effective date of this Order. Failure to pay this monetary fine in full to the Board within **NINETY (90) DAYS** of the effective date of this Order shall constitute a violation of probation and a violation of this Order; and it is further

ORDERED that if the Applicant violates any of the terms and conditions of probation, the Board, in its discretion, after notice and an opportunity for an evidentiary hearing before the Board, if there is a genuine dispute as to the material fact(s), or an opportunity for a show cause hearing before the Board, may impose any other disciplinary sanction which the Board may have imposed in this case under Md. Code Ann., Health Occ. § 7-316 including a reprimand, additional probation, suspension, revocation, and/or monetary fine, said violation being proven by a preponderance of the evidence; and it is further


ORDERED that no earlier than **ONE (1) YEAR and SIX (6) MONTHS** after the effective date of this Consent Order, the Board will consider a petition for termination of the Applicant's probationary status, provided that the Applicant has been compliant with the probationary terms of this Consent Order and safely employed as a mortician for at least **NINE (9) MONTHS** immediately preceding the petition for termination; and it is further

ORDERED that there shall be no early termination of the **ONE (1) YEAR and SIX (6)**

MONTHS probationary period. The Board will not consider any requests from the Applicant to terminate probation any earlier than one (1) year and six (6) months from the effective date of this Order; and it is further

ORDERED that this document is a **PUBLIC DOCUMENT** under Md. Code Ann., General Provisions § 4-333(b).

7/14/16
Date



Victor C. March, Sr., President
Maryland State Board of Morticians and Funeral Directors

CONSENT

By this Consent, I acknowledge that I have read this Consent Order in its entirety and I hereby accept and submit to the foregoing Consent Order and its conditions. I acknowledge the validity of this Consent Order as if entered into after the conclusion of a formal evidentiary hearing in which I would have had the right to legal counsel authorized to practice law in Maryland, to confront witnesses, to give testimony, to request subpoenas for witnesses, to call witnesses on my own behalf, to introduce testimony and evidence on my own behalf, and to all other substantive and procedural protections provided by law. I waive these rights, as well as any appeal rights under Maryland Code Annotated, State Government Article § 10-222.

I sign this Consent Order after having an opportunity to consult with an attorney, voluntarily and without reservation, and I fully understand and comprehend the language, meaning, terms, and effect of this Consent Order.



Curtis Jordan