

IN THE MATTER OF

*

BEFORE THE MARYLAND

C. WILLIAM LEE, III

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**STATE BOARD OF MORTICIANS
AND FUNERAL DIRECTORS**

License Numbers M00362

*

Board Case Number 13-010

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PRE-CHARGE CONSENT ORDER OF REPRIMAND

The Maryland State Board of Morticians and Funeral Directors (the "Board") and C. William Lee, III (the "Respondent") have agreed, in lieu of the Board's filing formal charges, to enter into this Pre-Charge Consent Order of Reprimand (the "Order"). The Respondent waives its right to a hearing and agrees to be reprimanded by the Board. The Board had reason to believe 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.)

On May 9, 2012, the Respondent, accompanied by counsel, attended a Pre-Charge Complaint Resolution Conference with Board representatives in an effort to resolve this matter prior to the Board's filing formal charges against him. The Respondent and the Board subsequently agreed to the following Findings of Fact, Conclusions of Law and Order.

FINDINGS OF FACT

1. At all times relevant, the Respondent was licensed to practice mortuary science in the State of Maryland under license number M00362.
2. At all times relevant the Respondent has owned and operated Lee funeral Home, Inc., license number E00149, located in Clinton, Maryland.
3. Deceased A had been scheduled to be transported to Cheltenham Veterans Cemetery for a military funeral.

4. Deceased B¹ was mistakenly transported to the cemetery instead of Decedent A.
5. During the cemetery service, at the moment the Flag was removed from the casket and presented to the family, Decedent A's daughter, seeing the casket for the first time that morning, realized that this was not the casket containing her father.
6. The Respondent's on site employee, upon examining the long bone tag affixed to Decedent B confirmed that a mistake had been made and Decedent B was returned to the funeral home.
7. Decedent A's family and friends, distraught and in tears, were left at the burial site for quite some time waiting for Decedent A to be located and transported to the cemetery.
8. An hour or later Decedent A was located in the viewing room at the funeral home and from there was transported to the cemetery.
9. Decedent's B's wife was made aware of the mix up. She had been in the funeral home the previous evening visiting with her husband, Decedent B. The mix up occurred following this visit as caskets were moved from one location to another.
10. Following the incident, the Respondent instituted procedures in an effort to guard against a recurrence.

DISCUSSION

The impact of this humiliating and stressful experience on Decedent A's family cannot be measured. Fortunately Decedents' A and B were ultimately laid to rest as the families had wished. Each could have been buried in the others grave site.

¹ The identities of Decedents A & B are maintained by the Board.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board finds that the Respondent violated H.O. § 7-316(a)(26) by practicing mortuary science in an unprofessional manner.

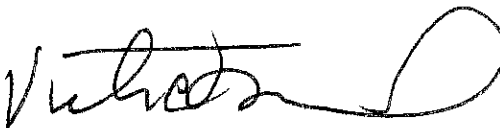
ORDER

ORDERED that the Respondent shall be and is **REPRIMANDED**; and it is further

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

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

9/3/13
Date


Victor C. March, Sr.
President

CONSENT

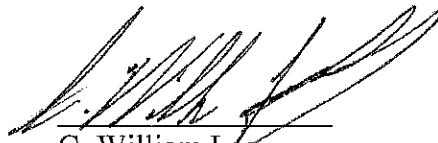
I, C. William Lee, License Number M00362, by signing this Consent agree to the Reprimand Ordered by the foregoing Pre-Charge Consent Order of Reprimand as resolution to this matter. I waive any rights I may have had to contest the Findings of Fact and Conclusions of Law.

I acknowledge the validity and enforceability of this Pre-Charge Consent Order of Reprimand as if it were 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 of Reprimand with my attorney and sign it voluntarily, understanding its terms, meaning and effect.

08/12/2013
Date


C. William Lee

NOTARY


STATE OF MARYLAND

CITY/COUNTY OF Prince George's

I HEREBY CERTIFY that on this 12 day of August, 2013, before me, a Notary Public of the State of Maryland and the City/County aforesaid, personally appeared C. William Lee, and made oath in due form of law that the foregoing Consent was his voluntary act and deed.

AS WITNESSETH my hand and notarial seal.

KATRINA DANECE KAMINSKI
Notary Public-Maryland
Prince George's County
My Commission Expires
February 02, 2015


Notary Public

My Commission Expires: Feb 2, 2015