

IN THE MATTER OF  
GEOFFREY MILLER  
License Number M00421

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BEFORE THE MARYLAND  
STATE BOARD OF  
MORTICIANS AND  
FUNERAL DIRECTORS

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**CONSENT ORDER OF PROBATION**

On or about May 24, 2016, the Maryland State Board of Morticians and Funeral Directors (the "Board") received information regarding cremated remains found in Baltimore City. Based upon that information, the Board initiated an investigation. As a result of that investigation, on September 14, 2016, the Board met with Geoffrey Miller (the "Respondent") in an attempt to settle the matter prior to the issuance of formal charges. Subsequently, the Respondent and the Board agreed to the following Consent Order.

**FINDINGS OF FACT**

The Board finds that:

1. At all times relevant, the Respondent was licensed to practice mortuary science in the State of Maryland, license number M00421.
2. On or about May 24, 2016, the Board received information that a Baltimore-area television station had reported that a construction crew had found cremated remains while working at a site in Baltimore City. A subsequent search of the address revealed that the site was formerly Establishment A, a funeral establishment that has been closed since approximately 2012. The Respondent was the owner and supervising mortician of Establishment A.
3. Board staff contacted the Respondent and the Respondent agreed to retrieve the

cremated remains from the site. In all, the Respondent stated that he recovered 11 separate cremated remains. According to the Respondent, when his funeral establishment closed, he contracted with movers to transfer all property out of the premises, including any cremated remains.

4. The Respondent also agreed to provide to the Board the death certificates and the cremation certificates for the cremated remains. The Respondent provided the Board with the both the death certificates and the cremation certificates, however the cremation certificates did not contain the dates of cremation.

5. It is noted that the Respondent contacted or attempted to contact the next of kin for the retrieved remains, however, according to the Respondent, no one has come forward to claim any of the remains to date. The Respondent currently has care and custody of the 11 unclaimed cremated remains.

6. As the supervising mortician, the Respondent is held responsible for “all activities performed on behalf of the funeral establishment with [his] knowledge.” Md. Code Ann., Health Occ. § 7-310(e)(5)(i). As such, the Board finds that the Respondent should have exercised more care at the time that he closed Establishment A that all cremated remains were properly accounted for, moved, and cared for. Further, by providing the Board with cremation certificates without the dates of cremation, the Respondent failed to comply with Md. Code Ann., Health Occ. § 7-406(a), which requires licensees to maintain a file of a cremation that includes the date and time of cremation.

### **CONCLUSIONS OF LAW**

Based upon the foregoing Findings of Fact, the Board concludes that the Respondent violated Md. Code Ann., Health Occ. § 7-316(a)(26) (“Commits an act of unprofessional conduct in the practice of mortuary science”).

**ORDER**

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

**ORDERED** that the license of the Respondent to practice mortuary science in the State of Maryland is hereby placed on **PROBATION** until such time that the following conditions are met:

1. The Respondent shall purchase a single gravesite within Baltimore City, including opening and closing of the grave and an interment receptacle (a minimum of a concrete grave liner), and inter any and all remaining cremated remains in the Respondent’s possession from Establishment A.
2. The aforementioned purchased gravesite must be able to be opened in the future without obtaining permission from any authority or agency should a person with proper authority over the cremated remains come forward with proper documentation to retrieve the cremated remains.
3. Within **SIXTY (60) DAYS** from the effective date of this Order, the Respondent shall provide the Board with written documentation that he has complied with the aforementioned requirements. Written documentation may include, but not be limited to, purchase orders or receipts **and** a sworn, notarized statement that he has complied with the terms of this Consent Order. Failure to comply with the aforementioned requirements or failure to

submit to the Board written documentation within **SIXTY (60) DAYS** shall be considered a violation of probation and unprofessional conduct.

4. The Respondent 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 unprofessional conduct and a violation of probation; and it is further

**ORDERED** that pursuant to Md. Code Ann., Health Occ. § 7-310(e)(4), the Respondent may not act as a supervising mortician for any establishment during the pendency of this probation; and it is further

**ORDERED** that the Respondent is responsible for any costs associated with the compliance of the terms and conditions set forth in this Order; and it is further

**ORDERED** that if the Respondent violates any of the terms and conditions of this probation and/or this Consent Order, 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

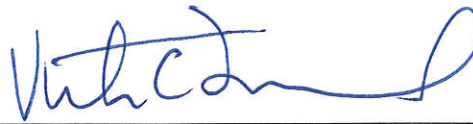
**ORDERED** that the Board may consider a petition for termination of the Respondent's probationary status, provided that the Respondent has been satisfactorily compliant with the

probationary terms of this Consent Order; and it is further

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

12/14/16

Date



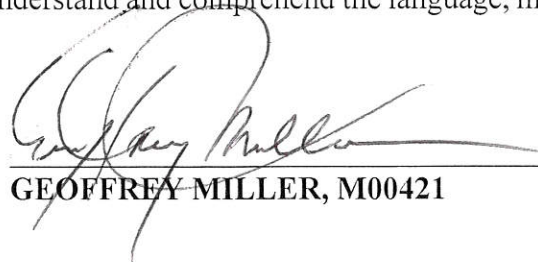
Victor C. March, Sr., President

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.



**GEOFFREY MILLER, M00421**