

IN THE MATTER OF	*	BEFORE THE MARYLAND
JAMES A. MORTON & SONS	*	STATE BOARD OF
FUNERAL HOMES, INC.	*	MORTICIANS AND
Respondent	*	FUNERAL DIRECTORS

License Numbers: E00178 & E00179	*	Case Number: 18-006
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**ORDER FOR SUMMARY SUSPENSION  
OF FUNERAL ESTABLISHMENT LICENSES**

The Maryland State Board of Morticians and Funeral Directors (the "Board"), hereby **SUMMARILY SUSPENDS** the funeral establishment licenses held by James A. Morton & Sons Funeral Homes, Inc. (the "Respondent"), License Numbers E00178 & E00179. The Board takes such action pursuant to its authority under Md. Code Ann., State Gov't II § 10-226(c)(2) (2014), concluding that the public health, safety and welfare imperatively require emergency action.

**INVESTIGATIVE FINDINGS**

The Board bases its action on the following findings:<sup>1</sup>

1. At all times relevant to this Order, the Respondent was and is a corporation operating two licensed funeral establishments in the State of Maryland.

2. The establishments are located at 311 Main Street, Baltimore, Maryland 21222 (license number E00178) and 1701 Laurens Street, Baltimore, Maryland, 21217 (license number E00179). The Respondent's establishment licenses are valid through November 30, 2018.

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<sup>1</sup> The statements describing the Respondent's conduct are intended to provide the Respondent with notice of the basis of the summary suspension. They are not intended as, and do not necessarily represent a complete description of the evidence, either documentary or testimonial, to be offered against the Respondent in connection with this matter.

3. On or about November 28, 2016, the Board received the renewal applications for both of the Respondent's establishment licenses. The supervising mortician listed for both establishments was a licensed mortician ("Supervising Mortician A").

4. On or about May 12, 2017, the Board received a form registering another licensed mortician as the new supervising mortician for both of the Respondent's establishments ("Supervising Mortician B").

5. On or about August 15, 2017, the Board received a letter (the "Letter") from Supervising Mortician B informing the Board that Supervising Mortician B had resigned from both establishments, effective immediately.

6. As of this writing, the Respondent has failed to name a new supervising mortician or an interim supervising mortician for either establishment.

7. Therefore, the Respondent is operating both funeral establishments without a supervising mortician.

#### CONCLUSIONS OF LAW

Based on the foregoing Investigative Findings, and pursuant to its authority under Md. Code Ann., State Gov't II § 10-226(c)(2) (2014), the Board concludes that the public health, safety, and welfare imperatively require this emergency action of summary suspension.

#### ORDER

Based on the foregoing, it is this 4<sup>th</sup> day of October 2017, by the Board hereby:

**ORDERED** that the Respondent's funeral establishment licenses in the State of Maryland, License Numbers E00178 & E00179, are hereby **SUMMARILY SUSPENDED**; and it is further

**ORDERED** that upon the Board's receipt of a written request from the Respondent within ten (10) days of service of this Order, a Show Cause Hearing shall be scheduled, at which the Respondent will be given an opportunity to be heard as to why the Order the Summary Suspension should not continue; and it is further

**ORDERED** that if the Respondent fails to request a Show Cause Hearing within ten (10) days of service of this Order or files a written request for a Show Cause Hearing and fails to appear, the Board shall uphold and continue the Summary Suspension; and it is further

**ORDERED** that upon service of this Order for Summary Suspension, the Respondent shall immediately surrender to the Board all indicia of licensure issued by the Board that are in the Respondent's possession, including but not limited to original licenses; renewal certificates, and/or wallet size license; and it is further...

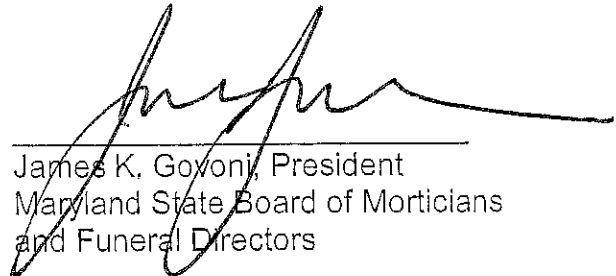
**ORDERED** that this document constitutes an Order of the Board and is therefore a public document for purposes of public disclosure; as required by Md. Code Ann., General Provisions §§ 4-101 through 4-601 (2014).

#### **NOTICE OF OPPORTUNITY FOR A HEARING**

Following the Board's receipt of a written request for hearing filed by the Respondent within ten (10) days of service of this Order, a Show Cause Hearing will be scheduled and promptly held at the offices of the Maryland State Board of

Morticians and Funeral Directors, 4201 Patterson Avenue, Baltimore, Maryland 21215, and the Respondent will be informed of the scheduled time.

At the conclusion of the Show Cause Hearing held before the Board, the Board will issue a decision either continuing or lifting the summary suspension. The Respondent, if dissatisfied with the Board's decision, may, within ten (10) days of receipt of the Board's decision, file a written request for an evidentiary hearing. If the Respondent files a written request for an evidentiary hearing within ten (10) days of receipt of the Board's decision, the Board shall promptly schedule an evidentiary hearing under the contested case provisions of Md. Code Ann., State Gov't §§ 10-210 *et seq.*



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James K. Goyoni, President  
Maryland State Board of Morticians  
and Funeral Directors