

IN THE MATTER OF
JOHN L. WILLIAMS
FUNERAL DIRECTORS, P.A.

License Number E00485

Board Case Number -

* 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 John L. Williams Funeral Directors, P.A., (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 its 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.).

FINDINGS OF FACT

1. At all times relevant, the Respondent was and is a licensed funeral home in the State Maryland under license number E00485 .
2. At all times relevant, the Respondent was and is located at 4517 Park Heights Avenue in Baltimore City and is owned and operated the John L. Williams a Maryland licensed mortician, license number M00952
3. Based upon a complaint regarding unauthorized and unlicensed practice, a Complaint Resolution Conference was held with the Respondent on November 9, 2011, at which time it was revealed that:
 - Larry White, who is known to the Board and to John L. Williams as an unlicensed

individual, referred a family to the Respondent in order to make funeral arrangements for a deceased family member who had died in New Jersey when he was hung from a tree;

- White told the Mr. Williams that the “family wants to use you;”
- White had appeared at the families home holding himself out as a funeral director. In so doing White collected pertinent details regarding the deceased’s name and location;
- White, who had a set of keys to the Respondent’s funeral home, picked up the deceased in New Jersey under questionable circumstances, delivering the remains to the Respondent’s preparation room;
- John L. Williams concluded funeral arrangements with the family;
- It was the families impression that White was a licensed funeral director.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board finds that the Respondent funeral home acted in an unprofessional manner, a violation of H.O. § 7-316(a)(26), by allowing an unlicensed individual to act on its behalf; and by allowing unlicensed individual unfettered access to the funeral home and, in particular, the preparation room.

ORDER

ORDERED that the Respondent’s Establishment license is and shall be **SUSPENDED** for a period of fifteen days (15) beginning form the effective date of the Order¹; and it is further

ORDERED that at the expiration of the fifteen (15) day period of suspension, there being no open complaints against the Respondent funeral home, the Board shall reinstate the Respondent’s

¹ The effective of the Order is the date of Board acceptance.

license; and it is further

ORDERED that should there be open complaints against the Respondent at the expiration of the fifteen (15) day period of suspension, then it will be at the Board's discretion whether to reinstate the Respondent's license; and it is further

ORDERED that the Respondent shall be placed on **PROBATION** for a period of one (1) year to commence on the date its license is reinstated; and it is further

ORDERED that no earlier than one (1) year from the effective date of reinstatement, the Respondent may petition the Board for termination of its probationary status. It shall be within the Board's discretion to grant such a request; and it is further

ORDERED that the Respondent shall return its Maryland Establishment license number E00485 to the Board to be held for the duration of the period of suspension; 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 all statutes and regulations governing the practice of mortuary science and funeral direction 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).

2/28/12
Date _____


Hari Close
President

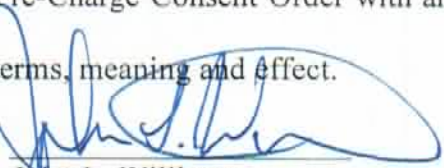
CONSENT

I, John L. Williams, License Number M00952, by signing this Consent agree, on behalf of John L. Williams Funeral Directors, P.A., License number E00485, 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 we 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 we would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on our behalf, and to all other substantive and procedural protections to which we are entitled by law. I also recognize that we are waiving the right to appeal any adverse ruling of the Board that might have followed any such hearing and am also waiving any other legal remedies we 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.

27 Feb 2012
Date



John L. Williams
John L. Williams Funeral Director, P.A.

NOTARY

STATE OF MARYLAND

CITY/COUNTY OF BALTIMORE

I HEREBY CERTIFY that on this 27TH day of FEBRUARY, 2012, before me, a Notary Public of the State of Maryland and the City/County aforesaid, personally appeared John L. Williams, 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.

Steven Jay Klein
Notary Public

My Commission Expires: 8/23/2015