

**BEFORE THE STATE BOARD OF EMBALMERS, FUNERAL DIRECTORS,
CEMETERIES, AND BURIAL SERVICES**

**IN THE MATTER OF
Timeless Funeral Home, L.L.C.
Board ID # 20449,
Michael McKinzie, Board ID #21902, and
Consuela McKinzie, an unlicensed person,
Respondents**

Case No. 20-15

FINDINGS OF FACT, CONCLUSIONS OF LAW, AND ORDER

A hearing on the above-referenced matter was held before the Arkansas State Board of Embalmers, Funeral Directors, Cemeteries, and Burial Services (the “Board”) on June 16, 2020, in the Diamond Mine on the 2nd Floor of the Department of Commerce building, located at 1 Commerce Way, Little Rock, AR 72202. Respondent Michael McKinzie appeared and was represented by counsel, Rufus T. Buie. Respondent Consuela McKinzie did not appear. Amanda Gibson, Associate Counsel at the Arkansas Insurance Department, appeared on behalf of the Board. Finding proper notice was given to the Respondents, the Board, from all the evidence presented, issues the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Respondent Michael McKinzie is the manager of Timeless Funeral Home, L.L.C., (“Timeless”) and he is licensed as a funeral director and an embalmer.
2. Respondent Consuela McKinzie is not licensed by this Board.
3. Respondent Timeless is licensed as a Type A Establishment.

4. The Board opened an investigation into the Respondents after receiving a call from another funeral home that also operates a crematory.
5. That funeral home had questions about the information that was contained on the death certificates of three decedents whose remains were sent to the crematory for cremation.
6. The death certificate of the first decedent, Sammy White, purportedly bore the signature of the Coroner. However, the coroner stated in writing that he did not sign the death certificate. Furthermore, the time of death was inaccurate as listed.
7. The death certificate of the second decedent, Delois Young, inaccurately stated the date, place, and time of death, and that Michael McKinzie had embalmed the remains. It also purportedly bore the signature of the physician who certified the death; however, the physician did not actually sign the death certificate.
8. Much of the information on the death certificate of Delois Young was identical to the information on the death certificate of another decedent, Delmarie Noble. The identical information on these two death certificates is: date of birth, place of birth, address, place of death, mother's name, father's name, and cause of death.
9. The death certificate of the third decedent, Brystal May, inaccurately listed the place of death, and purportedly bore the signature of the physician who certified the death; however, the physician stated in writing that the signature was not his.
10. Timeless' establishment license, and Michael McKinzie's funeral director and embalmer licenses were temporarily suspended on May 13, 2020.
11. The death certificates for Sammy White, Delois Young and Brystal May were fraudulent to the extent that the certifying person actually signed the certificates as the certifier.

CONCLUSION OF LAW

Respondents' actions, as set forth in Findings of Fact 6 through 9 and 11 above, constitute a violation of Ark. Code Ann. § 17-29-311(a)(2) and (a)(14) in that the death certificates contained false or fraudulent information.

ORDER

Based upon the testimony and evidence presented at the hearing, the Board hereby orders:

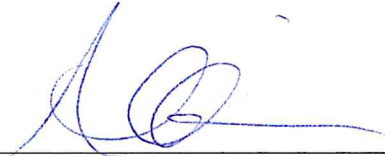
1. That the temporary suspension entered May 13, 2020 is lifted.
2. That the establishment license of Timeless and the funeral director's license of Michael McKinzie be **SUSPENDED** for a period of two years. However, the suspensions will be held in abeyance during the two-year period, during which those two licenses will be on probation. If there are no further violations during the probationary period, then at the end of the two-year period, the suspensions will not be imposed.
3. That the Respondents shall submit a written plan to the Board, within thirty (30) days (no later than July 16, 2020), to address the corrective actions needed to ensure death certificates are filled out and certified accurately in the future.

Pursuant to the Arkansas Administrative Procedure Act, Ark. Code Ann. § 25-15-212, the Respondent may petition for judicial review of this decision by filing a petition in the Circuit Court of the county in which he resides or does business, or in the Circuit Court of Pulaski County, within thirty (30) days after service of this Order.

IT IS SO ORDERED THIS 16th DAY OF JUNE, 2020.

**STATE BOARD OF EMBALMERS,
FUNERAL DIRECTORS,
CEMETERIES, AND BURIAL
SERVICES**

By:



Amanda Gibson
Counsel for the Board