

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

**IN THE MATTER OF
Roland Gosey, a licensed Funeral Director
And Embalmer, Board ID # 21579,
Respondent**

Case No. 20-01

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 August 18, 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 Roland Gosey appeared. Amanda Gibson, Associate Counsel at the Arkansas Insurance Department, appeared on behalf of the Board. Finding proper notice was given to the Respondent, the Board, from all the evidence presented, issues the following Findings of Fact, Conclusions of Law and Order:

FINDINGS OF FACT

1. Respondent Gosey is a licensed funeral director and embalmer. At all times relevant hereto, Respondent has been the owner Williams Funeral Home in Arkadelphia.
2. Respondent timely submitted his renewal for his funeral director and embalmer licenses. However, the form was not signed by Respondent, but rather by another funeral home owner, Tim Welch (“Welch”). Specifically, the form appears to have been signed “Roland Gosey by TW with permission”.
3. Respondent was hospitalized at the time the renewal form was executed by Welch.

4. Welch did not have power of attorney that authorized him to sign the renewal form on behalf of Respondent.

5. The renewal form contains this question: "Have you been disciplined or otherwise sanctioned by any other State Board or applicable Regulatory Agency outside of Arkansas where you hold a(n) license(s)? If so, please explain." The response to this question was "No".

6. In fact, Respondent's funeral director and embalmer licenses had been revoked in Tennessee for misconduct, and the funeral home owned and managed by him in that state was assessed a monetary penalty of \$7,000.00. Respondent was also individually assessed a monetary penalty of \$7,000.00.

7. Welch was unaware of the Tennessee action when he executed the renewal form on behalf of Respondent.

8. Upon receipt of the renewal form, Board staff contacted Respondent about the discrepancy noted on the form.

9. Respondent subsequently submitted another renewal form wherein he was forthcoming about the Tennessee action.

10. It cannot be determined whether Respondent would have disclosed the Tennessee action had he not been prompted to do so.

CONCLUSIONS OF LAW

1. The initial renewal form submitted on December 11, 2019 is ineffective because it was not signed by the Respondent. It is therefore null and void.

2. As Respondent's propensity to disclose the Tennessee action was unable to be determined, the charges in the Notice of Public Hearing are unsubstantiated.

ORDER

Based upon the testimony and evidence presented at the hearing, the Board hereby orders that the charges in the Notice of Public Hearing are hereby **DISMISSED**.

IT IS SO ORDERED THIS 18th DAY OF AUGUST, 2020.

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

By:



Amanda Gibson
Counsel for the Board