

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

**IN THE MATTER OF
Metro Mortuary Transport,
a Type D Establishment, Board ID # 25176,
Respondent**

Case No. 20-29

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 November 17, 2020, in the Diamond Mine on the 2nd Floor of the Department of Commerce building, located at 1 Commerce Way, Little Rock, AR 72202. The Respondent, Metro Mortuary Transport, failed to appear. Amanda Gibson, Associate Counsel, 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 Metro Mortuary Transport is licensed as a Type D Establishment.
2. The owner of the Establishment is Christian Blackmon.
3. The certificate of liability insurance on file with the Board expired on August 28, 2020.
4. Board staff requested that Respondent provide proof of liability insurance by September 4, 2020.
5. That deadline was extended to September 11, 2020.
6. On September 23, 2020, Mr. Blackmon verbally advised Board staff that he had not been operating the transport service since March because of COVID.

7. Mr. Blackmon further stated that he would inform the Board in writing that he had closed the establishment and send the license to the Board.

8. On October 1, 2020, the Board's Counsel sent a letter to Mr. Blackmon demanding that he send to the Board, either: proof of liability insurance, or a written statement that he had closed the establishment, along with the license.

9. Mr. Blackmon has not complied with the requests of Board staff and Counsel.

CONCLUSIONS OF LAW

1. Respondent's actions, as set forth in Findings of Fact 3, 4, 5 and 9 above, constitute a violation of Ark. Code Ann. § 17-29-304(i)(1) in that the establishment failed to maintain proof of liability insurance.

2. Respondent's actions, as set forth in Findings of Fact 6, 7 and 9 above, constitute a violation of Board Rule IV.2.(a)(6) in the establishment closed without notifying the Board in writing, and without sending the license to the Board.

ORDER

Based upon the testimony and evidence presented at the hearing, the Board hereby orders that the Type D Establishment license issued to Respondent Metro Mortuary Transport is **REVOKED**. Pursuant to Ark. Code Ann. § 17-29-307(b), neither Metro Mortuary Transport nor Christian Blackmon may apply for a license issued by the Board for at least one (1) year after the date of the revocation of the Type D Establishment License of Metro Mortuary Transport.

The Respondent is also **ORDERED** to send the Type D Establishment License to the Board.

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 17th DAY OF NOVEMBER, 2020.

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

By:



Amanda Gibson
Counsel for the Board