IN THE MATTER OF

LOUISIANA STATE BOARD

Carmen Marie Baloney, Licensee,

OF EMBALMERS

Individually

AND FUNERAL DIRECTORS

W. Michel

Garyville, Louisiana

FILED: ____ SEP 07 2017

FINDINGS of FACT and DECISION of the BOARD

This matter came before the Louisiana State Board of Embalmers and Funeral Directors for hearing on August 9, 2017.

Present:

MILES G. TRAPOLIN, Attorney, for and on behalf of The Baloney Funeral Home and Carl Baloney, Sr.

DANATUS N. KING, Attorney, for and on behalf of Carmen Baloney

HARRY VORHOFF, Hearing Officer, Special Counsel for and on behalf of the Louisiana Department of Justice.

After considering the law, the evidence, the testimony of the witnesses and the entire record of these proceedings made a part of the record before the Board on August 9, 2017:

FINDINGS of FACT

That CARMEN MARIE BALONEY is a licensed funeral director (U-1145) and, therefore, subject to the jurisdiction of this Board; and the Board, considered, the evidence contained within the record of these proceedings, together with the testimony of the witnesses made within the presentation. The Board has determined it will not revoke the license of CARMEN MARIE BALONEY pursuant to LA R.S. 37:846 (A) (5) for unprofessional, unethical or dishonest conduct.

CONCLUSIONS

As to CARMEN MARIE BALONEY, the Board members found after consideration of the evidence within the record presented for and against the licensee, together with the testimony of the witnesses on August 9, 2017, revocation of the license as requested would not be granted. Carmen Marie Baloney admitted on the record to cashing the checks at issue in the matter, with the knowledge of Mr. Carl Baloney, Sr. used for the day-to-day operations of The Baloney Funeral Home. Geraldine Broussard Baloney testified she was not an active participant in the day-to-day operations of The Baloney Funeral Home prior to the death of Mr. Carl Baloney, Sr. The untimely death of Mr. Carl Baloney, Sr. prior to the hearing for this matter on August 9, 2017, made unavailable the one person who could refute the statements and testimony of the licensee. Therefore, the Board determined it would deny the request for revocation.

DECISION of the BOARD

Accordingly, for the reasons as stated and as noted herein above;

IT IS ORDERED BY THE BOARD THAT the matter of Carmen Marie

Baloney brought by Carl Baloney, Sr. on behalf and for The Baloney Funeral Home be dismissed.

BY ORDER OF THE BOARD

SECRETARY & Mullim

METAIRIE, LOUISIANA September 7, 2017