

IN THE MATTER OF  
CHARLENE BROWN-BALDWIN  
License Number M00856  
Board Case Number 10-014

\* BEFORE THE MARYLAND  
\* STATE BOARD OF MORTICIANS  
\* AND FUNERAL DIRECTORS  
\*

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**PRE-CHARGE CONSENT ORDER**

**PROCEDURAL BACKGROUND**

The Maryland State Board of Morticians and Funeral Directors (the "Board") and Charlene Brown-Baldwin (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 her 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 licensed to practice mortuary science in the State of Maryland under license number M00856.
2. At all times relevant, the Respondent was and is the Supervising Mortician at the Joseph H. Brown, Jr. Funeral Home, P.A. (the "Funeral Home") located at 2140 N. Fulton Avenue in Baltimore City.
3. The Board launched an investigation when it was revealed in a Baltimore Sun article dated November 21, 2009, that the casketed remains of Deceased Person A<sup>1</sup> (the "Deceased") were found in a hallway of the Funeral Home where they had been stored from the time of death, August 17, 2009, until burial on November 27, 2009.
4. Upon investigation, on November 24, 2009, the Board's Investigator (the "Investigator")

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<sup>1</sup> The identity of the deceased is among the Board's records.

reports a terrible odor of decomposition emanating from the casket. She observed a wilted flower on top of the casket along with a note with the phrase, "Please bury me." Without relying on Funeral Home records, the Respondent was unable to identify the Deceased.

5. The deceased's remains were being withheld from burial until the family paid the Funeral Home the remaining \$400.00 balance due on the \$3624.00 funeral bill.

6. The death certificate filed by the Funeral Home with the Division of Vital Records lists date of burial as August 25, 2009.

7. Burial did not take place until November 27, 2009, subsequent to the Investigator's visit.

8. Upon further inspection of the Funeral Home on November 24, 2009, the Investigator noted the following deficiencies:

1. The preparation room's floors, walls, ceiling and prep table were unsanitary;
2. The refrigeration unit was unsanitary;
3. Chemicals were not plainly marked;
4. The waste and sharps receptacle had no cover;
5. Prices of urns and vaults were not displayed;
6. The Funeral Home's Establishment license was not conspicuously displayed; and
7. Signage lacked the required "P.A.".

### CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board finds that the Respondent violated H.O. §§ 7-316(a)(20) and (26).

### ORDER

**ORDERED** that the Respondent's license to practice mortuary science in Maryland shall be

**SUSPENDED** for a period of ten (10) days beginning from the effective date of the Order<sup>2</sup>; 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 her morticians license is reinstated; and it is further

**ORDERED** that the Respondent shall immediately notify the Board of the name of a Maryland licensed mortician who will function as the Supervising Mortician for the Joseph. H. Brown, Jr. Funeral Home, P.A. while her Maryland Morticians license is suspended; and it is further

**ORDERED** that no later than thirty (30) days from the effective date of this Order, the Respondent shall pay a fine to the Board in the amount of one thousand dollars (\$1000.00); and it is further

**ORDERED** that within thirty (30) days from the effective date of this Order the Respondent shall notify the Investigator that that she has corrected the Funeral Home's deficiencies cited in the inspection report of November 17, 2009, which is incorporated by reference herein, and that the Joseph H. Brown, Jr. Funeral Home, P.A. is ready for re-inspection; and it is further

**ORDERED** that the Board will deem it to be a violation of this Order, should the Investigator, upon re-inspection, find that any of the aforementioned deficiencies have not been satisfactorily corrected; and it is further

**ORDERED** that in addition to the initial inspection, aforementioned, the Investigator shall make quarterly unannounced inspection visits to the Funeral Home over the course of the period of probation; and it is further

**ORDERED** that no earlier than one (1) year from the effective date of this Order, the Respondent may petition the Board for termination of her 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 her Maryland Morticians license number

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<sup>2</sup> The effective of the Order is the date of Board acceptance. 3

M00856 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 and practice within 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. (2004).

10/29/10  
Date

R. H. Close  
Hari Close  
President

**CONSENT**

I, Charlene Brown-Baldwin, License Number M0000856, by signing this Consent 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 I 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 I would have had the right to counsel, to confront witnesses, to give testimony, to call witnesses on my own behalf, and to all other substantive and procedural protections to which I am entitled by law. I also recognize that I am waiving my right to appeal any adverse ruling of the Board that might have followed any such hearing and am also

waiving any other legal remedies I 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.

10/29/10  
Date

  
Charlene Brown-Baldwin

**NOTARY**

**STATE OF MARYLAND**

**CITY/COUNTY OF** Baltimore

**I HEREBY CERTIFY** that on this 29 day of October, 2010, before me, a Notary Public of the State of Maryland and the City/County aforesaid, personally appeared Charlene Brown-Baldwin, and made oath in due form of law that the foregoing Consent was her voluntary act and deed.

**AS WITNESSETH** my hand and notarial seal.



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Notary Public

My Commission Expires: April 23 2013

