

IN THE MATTER OF  
CALVIN B. SCRUGGS, JR.

License Number M01249  
Board Case Number 11-03

\* 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 Calvin B. Scruggs, Jr. (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 his 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 M001249
2. At all times relevant, the Respondent operated and is the supervising mortician for the Calvin B. Scruggs Funeral Home, P.C. license number E00212 located in Baltimore City, Maryland.
3. On November 16, 2010, the respondent, without a death certificate nor valid burial transit permit, transported the remains of deceased A<sup>1</sup> to the Greenmount Crematory where she was cremated.

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

## 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 thirty (30) 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 his 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 Calvin B. Scruggs Funeral Home, P.C. while he is suspended from the practice of mortuary science; and it is further

**ORDERED** that no earlier than one (1) year from the effective date of reinstatement, the Respondent may petition the Board for termination of his 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 his Maryland Morticians license number M01249 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

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

**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).

4-20-11  
Date

  
Hari Close  
President

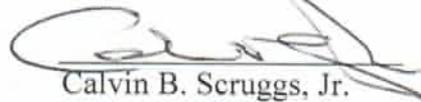
**CONSENT**

I, Calvin B. Scruggs, Jr., License Number M01249, by signing this Consent agree to the findings of fact and conclusions of law and further 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.

4/20/11  
Date

  
Calvin B. Scruggs, Jr.

**NOTARY**

**STATE OF MARYLAND**

**CITY/COUNTY OF** Baltimore

**I HEREBY CERTIFY** that on this 20 day of April, 2011, before me, a Notary Public of the State of Maryland and the City/County aforesaid, personally appeared Calvin B. Scruggs, Jr., and made oath in due form of law that the foregoing Consent was his voluntary act and deed.

AS WITNESSETH my hand and notarial seal.



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Notary Public

My Commission Expires: April 23 2013

