

**IN THE MATTER OF
CALVIN B. SCRUGGS
FUNERAL HOME, P.C.**

License Number E00212

Board Case Number 11-03

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

PRE-CHARGE CONSENT ORDER

PROCEDURAL BACKGROUND

The Maryland State Board of Morticians and Funeral Directors (the "Board") and the Calvin B. Scruggs, Funeral Home, P.C. (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 its 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 a Maryland licensed funeral establishment license number E00212.
2. On November 16, 2010, the respondent's supervising mortician, Calvin B. Scruggs, Jr., without a death certificate nor valid burial transit permit, transported the remains of Deceased A¹ to Greenmount Crematory where she was cremated.

¹ The identity of Deceased A is maintained by the Board.

CONCLUSIONS OF LAW

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

ORDER

ORDERED that the Respondent's establishment license shall be **SUSPENDED** for a period of five (5) days beginning from the effective date of the Order²; 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 the establishment license is reinstated; and it is further

ORDERED that the Respondent shall immediately notify the Board of the name of the Maryland licensed mortician who will function as the Supervising Mortician for the Calvin B. Scruggs Funeral Home, P.C. for the duration of the suspension of Calvin B. Scruggs, Jr. 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 be responsible for all costs incurred under this Order; and it is further

ORDERED that the Respondent shall comply with all statutes and regulations governing funeral establishments in the State of Maryland; and it is further

ORDERED that any violation of the terms and conditions of this Order shall be grounds for

² The effective of the Order is the date of Board acceptance.

violation of the Act; and it is further

ORDERED that this Pre- Charge 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

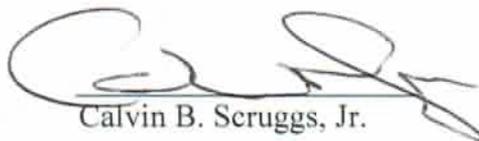
CONSENT

I, Calvin B. Scruggs, Jr., license number M01249, by signing this Consent on behalf of the Calvin Scruggs Funeral Home, P.C. number E00212, 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. We waive any rights we may have had to contest the Findings of Fact and Conclusions of Law.

We 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 our behalf, and to all other substantive and procedural protections to which we are entitled by law. We also recognize that we are waiving our right to appeal any adverse ruling of the Board that might have followed any such hearing and am also waiving any other legal remedies we 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. on behalf of the Calvin B. Scruggs, Funeral Home, P.C. 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.



Notary Public



My Commission Expires: April 23 2013