

1 rights are being voluntarily waived by MEADE in exchange for the BOARD'S acceptance
2 of this Consent Decree.

3 If the Consent Decree is not accepted by the BOARD, no member of the BOARD will
4 be disqualified from further hearing of this matter, by reason of his or his consideration of
5 the Consent Decree. MEADE hereby waives any claim of bias or prejudice based upon said
6 consideration by any member of the BOARD in any subsequent disciplinary hearing
7 conducted by the BOARD.

8 JURISDICTION

9 MEADE acknowledges that the BOARD has jurisdiction over the conduct alleged in
10 the Complaint. MEADE acknowledges that the BOARD has the legal power and authority
11 to take disciplinary action, including, but not limited to, the revocation of her funeral
12 arranger license in Nevada.

13 MEADE acknowledges that the BOARD will retain jurisdiction over this matter
14 until all terms and conditions set forth in this Consent Decree have been met to the
15 satisfaction of the BOARD.

16 PUBLICATION OF CONSENT DECREE

17 MEADE acknowledges that at the time this Consent Decree becomes effective, it also
18 becomes a public document and will be reported to the State of Nevada, Legislative Council
19 Bureau, Disciplinary Action Reporting System; and such other national databases as
20 required by law. It is also understood that any meeting during which the BOARD considers
21 and accepts or rejects this Consent Decree is open to the public and that the minutes of the
22 BOARD meeting are a public document, available for inspection by any person so
23 requesting.

24 IDEMNIFICATION

25 MEADE, for herself, her heirs, executors, administrators, successors and assigns,
26 hereby indemnifies and holds harmless the State of Nevada, the BOARD, the Nevada
27 Attorney General's office and each of its members, agents and employees in their individual
28 and representative capacities against any and all claims, suits, demands, actions, debts,

1 damages, costs, charges, and expenses, including court costs and attorney's fees against
2 any persons and entities as well as all liability, losses, and damages of any nature
3 whatsoever that the persons and entities named in this paragraph shall have or may at
4 any time sustain or suffer by reason of this investigation, this disciplinary action, this
5 settlement or its administration.

6 CONTINGENCY

7 By signing the Consent Decree, Respondent understands and agrees that she may
8 not withdraw her agreement or seek to rescind the Consent Decree.

9 The parties understand and agree that facsimile copies of this Consent Decree,
10 including facsimile signatures thereto, shall have the same force and effect as the originals.

11 This Consent Decree is intended to be an integrated writing representing the
12 complete, final, and exclusive embodiment of their agreement. It supersedes any and all
13 prior or contemporaneous agreements, understandings, discussions, negotiations, and
14 commitments (written or oral).

15 STIPULATED FACTS AND CONCLUSIONS OF LAW

16 MEADE understands the nature of the allegations under consideration by the
17 BOARD. She acknowledges that the conduct alleged in the Complaint, if proven,
18 constitutes violations of the Nevada Board of Funeral and Cemetery Services Practice Act
19 (NRS and NAC 642) and Nevada Revised Statutes Chapter 440. She further recognizes
20 that if this matter were to be taken to a disciplinary hearing before the BOARD, there is a
21 substantial likelihood that the following allegations could be proven as true, and that as a
22 result she would be subject to disciplinary action by the BOARD. As such, MEADE does
23 not contest the following allegations:

24 1. MEADE held a valid funeral arranger license on the date of the alleged
25 violation, and continues to hold a valid funeral arranger license through the present day.

26 2. MEADE was the employed as a funeral arranger at Sunrise Cremation
27 Society (SCS) located at 401 Max Court, Henderson, Nevada 89011.

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1 3. The complaint references the January 23, 2019, passing of David Walters, who
2 was a Nevada licensed funeral director (FD70) with access to the Electronic Death Registry
3 System.

4 a. On November 12, 2018, Mr. Walters' attorney informed the board by
5 letter that Mr. Walters was not a licensed funeral director at any facility.

6 b. The complaint alleges that David Walters signed ninety-two (92) death
7 records since November 12, 2018, and then signed eleven (11) more death records after his
8 reported passing.

9 c. All of the aforementioned death records were assigned to SCS.

10 4. The complaint alleges that Ellen Meade FA134, admitted she and Michael
11 Walters FA97, were logged into David Walters' Electronic Death Registry System account
12 and used this account when entering death information.

13 a. It was represented that Ellen Meade and Michael Walters had their
14 own accounts and passwords to enter such information.

15 b. It is further alleged that Ellen Meade and Michael Walters used David
16 Walters' account not only to enter death information, but to also affix his signature as the
17 representative funeral director to the records.

18 5. NRS 642.5174(1) states that unprofessional conduct includes
19 misrepresentation or fraud in the operation of a funeral establishment, direct cremation
20 facility, cemetery or crematory, or the practice of a funeral director or funeral arranger.

21 6. NRS 642.5174(11) states that unprofessional conduct includes violation of any
22 provision of this chapter, any regulation adopted pursuant thereto or any order of the
23 Board.

24 7. NRS 642.5174(12) states that unprofessional conduct includes violation of any
25 state law or municipal or county ordinance affecting the handling, custody, care or
26 transportation of dead human bodies, including, without limitation, chapters 440, 451 and
27 452 or NRS.

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1 8. NRS 642.5174(13) states that unprofessional conduct includes fraud or
2 misrepresentation in obtaining a permit or license.

3 9. NRS 440.450 states that the funeral director is responsible for obtaining and
4 filing the certificate of death with the local health officer, or his or her deputy, in the
5 registration district in which the death occurred, and for securing a burial or removal
6 permit prior to any disposition of the body.

7 10. That pursuant to Nevada Revised Statute (NRS) 642.5175:

8 The following acts are grounds for which the Board may take
9 disciplinary action against a person who holds a license, permit,
10 or certificate issued by the Board pursuant to this chapter or
chapter 451 or chapter 452 of NRS, or may refuse to issue such a
license, permit, or certificate to an applicant therefor:

- 11 (1) Conviction of a crime involving moral turpitude.
12 (2) Unprofessional conduct.
13 (3) False or misleading advertising.
14 (4) Conviction of a felony relating to the practice of funeral
directors or funeral arrangers.
15 (5) Conviction of a misdemeanor that is related directly to the
business of a funeral establishment, direct cremation facility,
cemetery, or crematory;

16 11. That pursuant to Nevada Revised Statute (NRS) 642.5176:

17 If the board determines that a person who holds a license, permit
18 or certificate issued by the Board pursuant to this chapter or
chapter 451 or 452 of NRS has committed any of the acts set forth
in NRS 642.5175 the Board may:

- 19 (a) Refuse to renew the license or permit;
20 (b) Revoke the license or permit;
21 (c) Suspend the license or permit for a definite period or
until further order of the Board;
22 (d) Impose a fine of not more than \$5,000 for each act that
constitutes a ground for disciplinary action;
23 (e) Place the person on probation for a definite period
subject to any reasonable conditions imposed by the
Board;
24 (f) Administer a public reprimand; or
25 (g) Impose any combination of disciplinary actions set forth
in paragraphs (a) to (f), inclusive.
26 (2) The Board shall not administer a private reprimand.
27 (3) An order that imposes discipline and the findings of fact
and conclusions of law supporting that order are public records.

28 12. That pursuant to Nevada Revised Statute (NRS) 622.400, the Board may
recover from a person reasonable attorney's fees and costs.

1 **VIOLATION OF TERMS OF CONSENT DECREE**

2 MEADE understands that the BOARD may, upon thirty (30) days' notice to
3 respondent, convene a hearing for the limited purpose of establishing that she violated the
4 terms of this Consent Decree. If such a hearing results in a finding of a violation of this
5 Consent Decree, the BOARD may impose any penalty upon MEADE authorized by
6 NRS 642.5176.

7 MEADE agrees to waive her rights to appeal the substantive legal basis of the
8 original disciplinary action, which is the basis for this Consent Decree. In the event an
9 alleged violation of the Consent Decree is taken to hearing and the facts which constitute
10 the violation are determined to be not proven, no disciplinary action shall be taken by the
11 BOARD.

12 **ACCEPTANCE BY THE BOARD**

13 This Consent Decree will be presented and accepted by the BOARD with a
14 recommendation for approval from the Attorney General's Office at its next meeting.

15 **COMPLETE CONSENT DECREE**

16 This Consent Decree embodies the entire agreement between the BOARD and
17 MEADE. It may not be altered, amended, or modified without the express written consent
18 of the parties.

19 DATED this 7th day of October, 2019

20 By: 

21 ELLEN MEADE
22 Funeral Arranger License No. FA134
23 Respondent

24 DATED this 11th day of October, 2019

25 By: 

26 GREGORY M. SCHULMAN, ESQ.
27 Thorndal Armstrong et. al.
28 1100 E. Bridger Avenue
Las Vegas, NV 89101
Attorney for Respondent

1 The foregoing Consent Decree between ELLEN MEADE, and the STATE OF
2 NEVADA FUNERAL AND CEMETERY SERVICES BOARD in Case No. FB19-01 is
3 approved as to form and content.

4 DATED this 14 day of October, 2019.

5 AARON D. FORD
6 Attorney General

7 By: 

8 HENNA RASUL
9 Senior Deputy Attorney General
10 100 North Carson Street
11 Carson City, Nevada 89701
12 (775) 684-1234
13 *Attorneys for State of Nevada, Board of*
14 *Funeral and Cemetery Services*

15 **ORDER**

16 By a majority vote on the 14th day of November, 2019, the State of Nevada Board
17 of Funeral and Cemetery Services approved and adopted the terms and conditions set forth
18 in the attached Consent Decree in the matter of ELLEN MEADE.

19 **IT IS HEREBY ORDERED AND MADE EFFECTIVE.**

20 DATED this 14th day of November, 2019

21 STATE OF NEVADA BOARD OF
22 FUNERAL AND CEMETARY SERVICES

23 By: 

24 DR. RANDY SHARP
25 Chairman