

VIRGINIA:

BEFORE THE BOARD OF FUNERAL DIRECTORS AND EMBALMERS

IN RE: K. L. JORDAN FUNERAL AND CREMATION SERVICES
License No.: 0501-000696

AMENDED ORDER

Pursuant to § 2.2-4020, § 2.2-4021, § 54.1-110 and § 54.1-2400(11) of the Code of Virginia (1950), as amended ("Code"), a formal administrative hearing of the Virginia Board of Funeral Directors and Embalmers ("Board"), composed of a panel of the members of the Board, was held on October 9, 2007, in Henrico County, Virginia. Kiplin L. Jordan, F.S. L., Owner of K. L. Funeral and Cremation Services was not present and was not represented by legal counsel. The case was presented by Wayne T. Halbleib, Assistant Attorney General. Jack E. Kotvas, Assistant Attorney General, was present as legal counsel to the Board. The proceedings were recorded by a certified court reporter. The purpose of the formal hearing was to receive and act upon evidence concerning the allegations set forth in the Board's Notice of Hearing and Statement of Particulars, dated September 4, 2007.

FINDINGS OF FACT

After consideration of the evidence and testimony presented, the Board makes the following findings of fact by clear and convincing evidence:

1. K. L. Jordan Funeral and Cremation Services, Richmond, Virginia, holds license number 0501-000696 issued by the Board to practice funeral services in the Commonwealth of Virginia. Said license was summarily suspended by the Board on September 4, 2007.

2. On or about April 17, 2007, Mr. Jordan conducted funeral services for Decedent D. Mr. Jordan received an overpayment approximately in the amount of \$3,084.55 for Decedent D's funeral expenses from two life insurance policies on Decedent D. Mr. Jordan failed to refund Decedent D's family the overpaid amount, although the family requested a refund in writing and by telephone.

3. On or about December 27, 2006, Mr. Jordan conducted funeral services for Decedent E. Mr. Jordan received overpayments in the amounts of approximately \$15,140.99 and \$52,461.29 for Decedent E's funeral expenses from a life insurance policy on Decedent E. Mr. Jordan failed to refund Decedent E's family the overpaid amount, although the family requested a refund in writing and by telephone.

CONCLUSIONS OF LAW

Based on the foregoing Findings of Fact, the Board concludes that:

1. Finding of Fact #2 constitutes a violation of § 54.1-2806(2) and (3) of the Code.
2. Finding of Fact #3 constitutes a violation of § 54.1-2806(2) and (3) of the Code.
3. The above-mentioned violations by Kiplin L. Jordan, F.S.L., constitute sufficient cause for the revocation of the license of K. L. Jordan Funeral and Cremation Service, Inc., License No.: 0501-000696 to practice funeral services in the Commonwealth pursuant to § 54.1-2810 of the Code.

ORDER

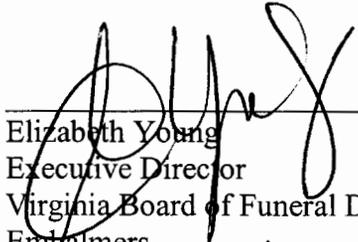
WHEREFORE, on the basis of the foregoing Findings of Fact and Conclusions of Law, it is hereby ORDERED that the license of K. L. Jordan Funeral and Cremation Service, License No.: 0501-000696 be, and hereby is, REVOKED.

Further, under the authority granted to the Board by § 54.1-2401 of the Code, it is hereby ORDERED that a MONETARY PENALTY in the amount of Five thousand dollars (\$5,000.00) be imposed for each of the four violations for a total of Twenty Thousand dollars (\$20,000.00) monetary penalty. Failure to pay said monetary penalty constitutes grounds for further administrative proceedings in this matter.

Pursuant to § § 2.2-4023 and 54.1-2400.2 of the Code, the signed original of the Order shall remain in the custody of the Department of Health Professions as a public record and shall be made available for public release, inspection and copying upon request.

As provided by Rule 2A:2 of the Supreme Court of Virginia, Kiplin Lane Jordan, as Owner of K. L. Jordan Funeral and Cremation Services and K. L. Jordan Casket and Urn Gallery, has thirty (30) days from the date of service (the date he actually received this decision or the date it was mailed to him, whichever occurred first) within which to appeal this decision by filing a Notice of Appeal with Elizabeth Young, Executive Director, Virginia Board of Funeral Directors and Embalmers, at 9960 Mayland Drive, Suite 300, Richmond, Virginia 23233. In the event that this decision is served by mail, three days are added to that period.

FOR THE BOARD:



Elizabeth Young
Executive Director
Virginia Board of Funeral Directors and
Embalmers

ENTERED: 10/30/07