

BEFORE THE IOWA BOARD OF MORTUARY SCIENCE

In the Matter of

LEGACY FUNERAL SERVICES
9800 Mount Pyramid Ct., Suite 400
Denver, Colorado, 80112

Respondent.

Case No. 19-0143

**ORDER IMPOSING CIVIL
PENALTY**

1. The Iowa Board of Mortuary Science (“Board”) has the authority to impose a civil penalty not to exceed one thousand dollars for each violation of Iowa Code chapter 156 by an unlicensed person or establishment. *See* Iowa Code § 156.16; 645 Iowa Admin. Code rs. 104.1; 104.2.

2. After investigation, the Board determined Legacy Funeral Services, often d/b/a Heritage Cremation Provider (“Respondent”) engaged in multiple violations of Iowa Code chapter 156 and engaged in the unlicensed practice of mortuary science. The Board determined that, on numerous occasions, Respondent (1) conducted funeral arrangements, including presenting, discussing, and explaining price lists, which requires an Iowa funeral director’s license; (2) provided cremation services, including obtaining cremation authorization forms, which requires an Iowa funeral director’s license; and (3) sold urns, which constitutes the unlicensed practice of mortuary science. *See* 645 Iowa Admin. Code rs. 100.2(1)“c”; 100.7(2); 100.2(1)“e”; 100.10(4); 100.2(1)“f”; Iowa Code §§ 156.1(7); 156.4(2).

3. In light of the multiple violations, the Board issued a Notice of Intent to Impose Civil Penalty, which notified Respondent of the factual allegations and the Board’s intent to impose a civil penalty in the amount of \$10,000. The Notice provided that Respondent could request a hearing within thirty days of receipt of the Notice, and that failure to timely request a hearing will result in the assessment of the \$10,000 penalty.

4. The Notice of Intent to Impose Civil Penalty was served on Respondent on January 4, 2021 via certified mail. Thirty days have passed and Respondent has not requested a hearing.

5. Accordingly, the Board now issues this **FINAL ORDER** imposing the civil penalty for engaging in the unlicensed practice of mortuary science.

IT IS THEREFORE ORDERED

6. Respondent shall pay a CIVIL PENALTY in the amount of ten-thousand dollars (\$10,000) within ninety (90) days of this Order. The check shall be payable to “Treasurer of Iowa” and shall be deposited in the general fund. The civil penalty shall be mailed to the Iowa Board of Mortuary Science, Lucas State Office Building, 321 East 12th street, Des Moines, Iowa, 50319.

7. Respondent shall not engage in any conduct that requires a funeral director or funeral establishment license pursuant to Iowa Code chapter 156 and 645 Iowa Administrative Code chapters 100–104. Continuing to engage in conduct that requires a funeral director or funeral establishment license may result in additional civil penalties.

Dated this 16th of February, 2021.

A handwritten signature in cursive script, appearing to read "Susan Reynolds".

/s/ Susan Reynolds, Executive Officer
Iowa Board of Mortuary Science