CHRIS CHRISTIE
Governor

KIM GUADAGNO
Lt. Governor

New Jersey Office of the Attorney General

Division of Consumer Affairs
State Board of Mortuary Science of New Jersey
124 Halsey Street, 6th Floor, Newark, NJ 07102

JOHN J. HOFFMAN
Acting Attorney General

ERIC T. KANEFSKY
Director

Mailing Address:
P.O. Box 45009
Newark, NJ 07101
(973) 504-6425

October 7, 2013

By Certified and Regular Mail
Pamela Dabney, Owner
Carl Miller Funeral Home
831 Carl Miller Blvd.
Camden, NJ 08104

Re: Uniform Penalty Letter in Lieu of Formal Disciplinary Complaint
Our File #13-35 /23JB00017100

Dear Ms. Dabney:

The New Jersey State Board of Mortuary Science (the "Board") has had an opportunity to review the inspection report, dated July 25, 2013, regarding failure to provide an on-site pre-need ledger, failure to sign an irrevocable trust acceptance, and failure to sign a trust agreement.

Upon review of all available information, the Board has preliminarily found that you have violated N.J.A.C. 13:36-11.4 and 13:36-11.16, in that you failed to provide an on-site pre-need ledger for the inspector, you failed to have Dorothea Norman sign an irrevocable trust acceptance, and Barbara Glover to sign a trust agreement.

The Board has determined that it will first offer you an opportunity to settle this matter and thereby avoid the initiation of formal disciplinary proceedings. Should you wish to avail yourself of this opportunity, you should sign the acknowledgment below and agree to pay a penalty of **$1500.00** (to be paid immediately upon your signing of the acknowledgment accompanying this letter).

Alternatively, you may waive your right to a hearing and submit a written statement or explanation to the Board. The Board will then consider your submission and render a final decision, which may include any of the terms set forth above. Any disposition by way of a settlement will be a public record, and will have the same effect as an order of the Board. Any failure to comply with the terms to which you agree will be deemed a violation.

If you do not wish to settle this matter, you may request a hearing. In that event, this letter will serve as notice of the charges against you and a hearing will be scheduled before the Board. At the hearing, either personally or with the assistance of an attorney, will have an opportunity to respond to the charges, submit evidence and present testimony as may be necessary in order for the Board to make a final determination concerning the charges of unlawful activity. You should be aware that in making its final decision, the Board may, if unlawful activity has been proven, assess civil penalties in an amount greater than that offered in this letter. Additionally, the Board may, if the facts are found to so warrant, enter an order requiring you to reimburse certain monies, directing you to cease and desist from engaging in unlawful acts and/or requiring you to pay costs incurred in the matter.

Should you have any questions concerning this letter or the settlement offer herein, I suggest that you contact Deputy Attorney General John D. Hugelmeyer, who may be reached at (973) 648-4735.

The enclosed certification should be completed and returned to the Board within fifteen (15) days following your receipt of this letter. In the event that the Board receives no response from you within fifteen (15) days, the Board's settlement offer will be withdrawn, and you will be deemed in default. The allegations against you will be deemed uncontested. The Board will then proceed to schedule the matter for final review and will enter an appropriate order. Once an order has been entered, your failure to pay any penalties may result in further action to suspend or revoke your registration.

NEW JERSEY STATE
BOARD OF MORTUARY SCIENCE

By: _____
William Mandeville
Executive Director

ACKNOWLEDGMENT

Complaint of the Board vs. Pamela Dabney, Owner 23JB00017100 case #13-35

I, Pamela M. Dabney, hereby acknowledge that I have read and reviewed the Board's letter dated 10-7-13 regarding allegations of violations of the Board's enabling act and/or regulations.

Please check one: OCT 24 2013

X I acknowledge the conduct which has been charged and **agree** to: pay a penalty in the amount of **$1500.00** (to be paid upon the signing of this acknowledgment).

I am also aware that the action taken against me by the Board here is a matter of public record, and that the Board's letter and this acknowledgment are public documents.

_____ I hereby waive any rights I may have to a hearing in this matter in order to defend myself against any charges, but ask the Board to **consider my explanation** before rendering its final decision. I understand that the Board may order any of the terms specified in its letter and that if it does so I will be obligated to comply. I am also aware that the action taken against me by the Board herein is a matter of public record, and that the Board's letter and this certification are public documents. Failure to comply may subject me to further disciplinary action and any failure to make a required payment will result in the filing of a certificate of debt.

_____ I **request a formal administrative hearing** to contest the charges specified in the Uniform Penalty Letter (UPL). I understand that I will be advised of the time, date and place for that hearing at another time. I am aware that I may be represented by an attorney at the time of the hearing, and that I may submit to the Board testimony and documentation relevant to the charges. I understand that in making its final decision, the Board may, if unlawful activity has been proven, assess civil penalties in an amount greater than that herein offered in its letter and may order such other remedies as it may deem appropriate. I am also aware that this proceeding is a matter of public record, and that the Board's letter and this certification are public documents.

Pamela M. Dabney
Print Name

Pamela M. Dabney
Signature

OCT 24 2013

PAID
10/25/13