



Ms. Margaret Brooks
Brooks Funeral Home
862 Concordia Ave
St. Paul, MN 55104

CEASE AND DESIST ORDER

I. AUTHORITY

Minnesota Statutes, Chapter 149A.08, subdivision 1(1) authorizes the Minnesota Department of Health (Department) to issue a written Cease-and-Desist order to “...stop a person from violating or threatening to violate any law, rule, order, stipulation agreement, settlement, compliance agreement, license, or permit which the regulatory agency is empowered to regulate, enforce, or issue.” A Cease-and-Desist Order does not preclude the agency from pursuing other enforcement action authorized in Minnesota statutes, chapter 149A.

II. FINDINGS OF FACT

- Mr. George W. Brooks is the owner of Brooks Funeral Home, located at 862 Concordia Ave, Saint Paul, Minnesota 55104. Mr. George Brooks was first licensed as a mortician on July 2, 1959. However, as of February 1, 2024, his licensed status is “lapsed.” According to the Department’s licensing records, Mr. Brooks is the sole owner of the funeral home. Mrs. Margaret Brooks, Mr. Brooks’ wife, is an employee of the funeral home. Ms. Margaret Brooks is unlicensed. Although Department records have identified Mr. Brooks as the sole owner, as recently as December 10, 2024, Ms. Margaret Brooks was listed on the Brooks Funeral Home website as “Owner”. As of date of this Cease-and-Desist Order, Ms. Margaret Brooks is listed as an employee on the website with her name and picture, but role and title are not identified.
- Around March 1, 2024, the Department received an incomplete change of ownership (CHOW) application for the Brooks Funeral Home. As of date of this Cease-and-Desist Order, the application remains incomplete. The application is missing required documents, doesn’t identify the percentage of the funeral home that would be subject to the CHOW, and doesn’t identify the proposed CHOW recipient. The Department received an initial voicemail from Mr. Brooks about the CHOW, but when Department staff attempted to return Mr. Brooks’ call, the call went to Ms.

Margaret Brooks' voicemail. Department staff left a message requesting a call back from Mr. Brooks but have not heard from him. Department staff have made multiple attempts to reach Mr. Brooks about the incomplete application but have not heard a response.

- Brooks Funeral Home was first licensed on August 14, 1969. The funeral home's establishment license expired June 30, 2024 and has since lapsed. Department staff received an application for renewal. However, given the incomplete CHOW application, and the lack of communication with Mr. Brooks about the CHOW application, the Department has not renewed the license. The Department is without clarity as to the identity of the intended funeral home operators and who is currently operating the funeral home. Due to these factors, on October 7, 2024, the Department issued a Notice of Non-Renewal to the Brooks Funeral Home. The Department attempted to provide the non-renewal via certified mail on two separate occasions. On both occasions, the Brooks Funeral Home refused service, so on October 16, 2024, the notice was sent via email.
- Mr. Brooks' mortician license expired December 31, 2023, and he applied for renewal that same month. Mr. Brooks' renewal application was deficient because it did not contain evidence that he had satisfactorily completed the continuing education units (CEU) requirement for renewal. Therefore, the Department has not issued a renewal to Mr. Brooks. Therefore, Mr. Brooks' license lapsed on February 1, 2024. Importantly, Mr. Brooks remains nonresponsive to the Department's requests for information. Since December 2023, the Department has made multiple attempts to reach Mr. Brooks about his lapsed license and CEU deficiency but has not received a response.
- As stated in the Department's Cease-and-Desist Order to Mr. Brooks (referenced below), in 2017, the Department worked with the Brooks Funeral Home and issued a letter which contained the following reminder regarding unlicensed practice: "If families are inquiring about any funeral related question pertaining to arrangements, scheduling services, and of what the law is, please make sure they are dealing with a licensed mortician only."
- Since 2020, the Department has received multiple complaints against the Brooks Funeral Home and specifically Ms. Margaret Brooks alleging unlicensed practice of mortuary science.
- On July 24, 2024, the Department issued a Cease-and-Desist Order to Mr. Brooks. The Cease-and-Desist ordered Mr. Brooks to ensure that Ms. Margaret Brooks immediately cease and desist engaging in the unlicensed practice of mortuary science. Substantiated allegations of unlicensed practice included arranging, directing, or supervising a funeral, or gravesite services as an unlicensed person, signing paperwork that can only be signed by a licensed mortician, engaging in deceptive practice with families by forging a client's signature, and signing Mr. Brooks' name for him. Mr. Brooks did not respond to the order. Since the order was issued, the Department has identified additional instances of unlicensed activity by Ms. Margaret Brooks.
- On August 14, 2024, the Department interviewed a former Brooks Funeral Home employee, "Employee A" about the daily operations at Brooks Funeral Home. Employee "A" was employed from Spring 2020 through November 2023.
- During their employment, Employee "A" stated that on several occasions, they were forcefully directed to sit in on funeral arrangements with Ms. Margaret Brooks while Ms. Margaret Brooks met with families to make funeral arrangements for final disposition. Employee "A" stated that there were occasions when they were present in funeral arrangement meetings with Ms.

Margaret Brooks without a licensed mortician on site or in the room. During the interview, Employee "A" stated they witnessed Ms. Margaret Brooks signing her name or Mr. George Brooks' name on contracts for him, as well as other documents for funeral arrangements.

- During the Department's interview on August 14, 2024, Employee "A" stated that shortly prior to leaving employment at Brooks Funeral Home, Ms. Margaret Brooks hired two unlicensed individuals. According to Employee "A", neither person had a mortuary science license. The new employees helped during funerals and assisted in cosmetizing and dressing human remains. Employee "A" informed the Department that in addition to the two new employees, another employee identified as Employee "B" assisted Ms. Margaret Brooks at funerals and often helped prepare bodies by dressing (clothing, cosmetizing) and casketing (putting a prepared body in a casket). Employee "B" does not have a mortuary science license.
- On August 14, 2024, the Department interviewed "Employee C" about their role at the Brooks Funeral Home. Employee "C" is a licensed mortician and describes their role as a trade service provider. Employee "C" is available "on-call" to Brooks Funeral Home to complete removals, arrangements, and prepare human remains.
- During that interview, Employee "C" explained that Ms. Margaret Brooks has a better rapport with families and does all the communication with families, often taking the lead during the arrangement meetings. At the service, Employee "C" will communicate with the clergy, but Ms. Margaret Brooks does most of the communicating with the family, staff and clergy at the church during the service.
- On May 28, 2025, the Department interviewed Employee "C" again. The Department asked Employee "C" to describe how Brooks Funeral Home handles funeral arrangements. Employee "C" stated they have been physically present during funeral arrangement meetings with families, but Ms. Margaret Brooks does most of the arrangements. Employee "C" explained they are not always physically present in the room where the meeting occurs. Even if Employee "C" is in the room with Ms. Margaret Brooks during the meetings, she leads the communication.
- During the May 28, 2025 interview, Employee "C" shared that Ms. Margaret Brooks has filled out Statements of Funeral Goods and Services, explained the general price list to families, and up-charges or down-charges relating to a funeral service. Additionally, Employee "C" stated Ms. Margaret Brooks has filled out and explained embalming and cremation authorizations. Employee "C" observed Ms. Margaret Brooks to be very familiar with the process of planning funerals and thought she felt very comfortable meeting with families. Employee "C" sometimes filled out required forms while Ms. Margaret Brooks continued to make the arrangements.
- During the May 28, 2025, interview, the Department asked about Employee "C"'s presence at funeral services. Employee "C" stated Ms. Margaret Brooks and Employee "B" routinely set up at the church and met Employee "C" there. During a service, Ms. Margaret Brooks directs family members where to go and what to do, with assistance by Employee "B". Employee "C" is there to observe and make sure the funeral activities are done correctly. Employee "C" confidently agreed that Ms. Margaret Brooks is the "face" of the funeral home during the services and described their role as intentionally staying out of the limelight. Employee "C" is present during services but

doesn't like to take charge. Employee "C" sees their role as an observer, in the background, as a licensed person to ensure everything is done properly. Employee "C" stated they are kind of an "outsider."

- Since the July 24, 2024, Cease-and-Desist order was issued to Mr. George Brooks, the Department viewed videos and photographs of funeral services that were posted to the Brooks Funeral Home website or social media accounts. The videos and photographs capture Ms. Margaret Brooks' actions and authoritative presence and oversight at services, as well as her engagement of Employee "B" as an assistant.
- Video one captures Ms. Margaret Brooks during a service on September 11, 2024, taking control of closing the casket, arranging flowers, and adjusting the floral bouquet on top of the casket prior to the service starting. Employee "B" assists Ms. Margaret Brooks to close the casket. A family member at the podium asks Ms. Margaret Brooks if she is ready for them to begin the service. Given the family member's inquiry to her about the service start time, she is recognized by family as the authority figure of Brooks Funeral Home. Ms. Margaret Brooks' behavior during this video is that of a leader: a person who orchestrates and conducts a funeral service. Employee "C" is not visible during the video and is not directing Ms. Margaret Brooks. This video shows Ms. Margaret Brooks using her own decisions to guide or run the funeral as if she were a funeral director but doing so without a licensee's directives, and as an unlicensed person.
- Video two captures Ms. Margaret Brooks on or around October 7, 2024, during a service at Brooks Funeral Home. Ms. Margaret Brooks can be seen organizing and instructing attendees, circulating service programs, instructing the clergy, and guiding the family near the casket at conclusion of service. Based on Ms. Margaret Brooks' behavior, she is clearly leading the service, serving as an authority figure, and controlling the service flow. As with the first video, Employee "C" is not visible: Ms. Margaret Brooks is acting on her own. Again, she is an unlicensed employee using her own decisions to guide or run the funeral (as if she were a funeral director) but doing so without a licensee's directives and without a license.
- A series of progressive screen shots (photographs) from a third service depicts Ms. Margaret Brooks on or around February 8, 2025, gathering personal belongings of a decedent, instructing funeral home staff and directing the funeral service recessional. She can be seen directing other unlicensed staff to lead the casket out of the church. In these photographs, Employee "B" is assisting Ms. Margaret Brooks with the casket, and Employee "C" is depicted observing from the back of the church.
- During the Department's investigation, multiple Department staff viewed videos and photographs from the Brooks Funeral Home website showing the involvement of unlicensed staff during funeral services. Since obtaining copies of video and photos, Brooks Funeral Home has removed all social media platforms of service videos and photographs of former services from its website.

III. CONCLUSION

Under Minnesota Statutes, section 149A.01, subdivision 2, "[i]n Minnesota, no person shall, without being licensed by the Commissioner of Health...(3) arrange, direct, or supervise a funeral, memorial service, or

graveside service.”

Under Minnesota Statutes, section 149A.02 subdivision 23, “funeral services” are “...any services which may be used to: (1) care for and prepare dead human bodies for burial, alkaline hydrolysis, cremation, or other final disposition; and (2) arrange, supervise, or conduct the funeral ceremony or the final disposition of dead human bodies.”

Based on the above facts, including statements from Employee “A” and Employee “C” during interviews, the Department concludes that Ms. Margaret Brooks has conducted funeral services without a mortuary science license. Additionally, the Department concludes that Ms. Margaret Brooks has also arranged funerals for families without a license in violation of the above statutes. In November 2022, Mr. George Brooks received a verbal caution against unlicensed activity during his interview with the Department and received a follow up email advising him against unlicensed activity. In July 2024, Mr. Brooks also received a Cease and Desist, ordering him to stop permitting Ms. Margaret Brooks to engage in unlicensed activity. As the owner of the funeral home, Mr. Brooks is responsible for ensuring that the funeral establishment operates in accordance with 149A. Ms. Margaret Brooks is responsible for ensuring that her employment at the funeral home does not involve unlicensed activity. She has not fulfilled this responsibility.

Under Minnesota Statutes, section 149A.70, subdivision 6, (in relevant part), “...a licensed funeral establishment may not employ unlicensed personnel to perform the duties of a funeral director or mortician. A licensee may be personally assisted by a nonlicensed employee when removing a dead human body from the place of death and in the lifting of a dead human body at the funeral establishment...The funeral establishment and the individual licensee are responsible for compliance and training of the nonlicensed employee...and shall be fully accountable for all actions of the nonlicensed employee.”

As stated in the above facts, the Department concludes that Ms. Margaret Brooks has directed funeral services. By statute, these are licensed activities which she may not perform because she does not hold a license. While the Brooks Funeral Home has an on-call relationship with a licensed mortician, the mere presence of a licensed mortician sitting in the back of a church at a funeral service or in the building where an arrangement is occurring with a family does not insulate Ms. Margaret Brooks’ conduct from unlicensed activity. In this case, the on-call mortician intentionally takes a backseat: at one point describing themselves as an “outsider” and confidently agreeing that Ms. Margaret Brooks is the ‘face’ of the funeral home. The Minnesota legislature specifically identified activities that require a license. In this case, the presence of the licensed mortician appears to be an attempt at compliance in “name only”. Compliance in “name only” is insufficient as a shield for unlicensed activity. The video and photographs depicting Ms. Margaret Brooks’ behavior at services and the mortician’s passive presence during services further the Department’s conclusions as to Ms. Margaret Brooks’ unlicensed activity.

Concerningly, other than the brief message from Mr. Brooks regarding the CHOW around March 2024, the Department had no direct contact with Mr. George Brooks since November 10, 2022. He has not responded to the Department’s notices of investigation and has not cooperated with requests for an interview regarding complaints against himself and/or the funeral home. Mr. George Brooks also did not respond to a correction order the Department sent in May 2024, nor the July 2024 Cease-and-Desist order. Mr. George Brooks is a licensed mortician and is accountable for the actions of his unlicensed staff, including Margaret Brooks. According to official Department records, he remains the sole owner of the Brooks Funeral Home. The Department still has not received a complete CHOW application, does not know who is running the funeral home, and has not received a completed license renewal application from Mr. George Brooks.

The Department finds that Ms. Margaret Brooks continues to engage in unlicensed activity and Mr. Brooks continues to inadequately supervise funeral home operations to prevent the unlicensed activity. Given the Department's lack of contact with Mr. George Brooks and Ms. Margaret Brooks' representations to the Department during the summer of 2024 that Mr. George Brooks is on hospice, the Department is concerned that George Brooks is unable to supervise the operation of the funeral home over which he is the official owner.

Minnesota Statutes, section 149A.70, subdivision 3 states, in relevant part, "...[a]ny advertising or other printed material that contains the names or pictures of persons affiliated with a funeral establishment, alkaline hydrolysis facility, crematory...shall state the position held by the persons and shall identify each person who is licensed or unlicensed under this chapter."

Minnesota Statutes, section 149A.70, subdivision 3(1) prohibits a licensee from "...publish[ing], or dissemin[ating] false, misleading, or deceptive advertising. False, misleading, or deceptive advertising includes, but is not limited to: (1) identifying, by using the names or pictures of, persons who are not licensed to practice in any way that leads the public to believe that those persons will provide mortuary science services."

As recently as December 10, 2024, the Brooks Funeral Home website identified Ms. Margaret Brooks as owner. Although Ms. Margaret Brooks is no longer misrepresented as the owner, her picture is currently, and clearly displayed on the website but does not identify her role or title as required by statute. Additionally, given the heavy involvement of Ms. Margaret Brooks at funeral services and in funeral arrangements amounting to unlicensed activity, the Department is concerned that the vagueness and lack of clarity of Ms. Margaret Brooks' role on the funeral home website risks misleading the public as to her role, ownership status or credentials.

Given Ms. Margaret Brooks' clear hands-on involvement with funeral home operations and arrangements, being the wife of an identified owner, and having her picture immediately adjacent to the owner on the website risks representations to the public that Ms. Margaret Brooks is an owner of the Brooks Funeral Home, and/or is licensed to provide mortuary science services, including funeral arrangements. Neither representation is accurate.

Minnesota Statutes, section 149A.71, subdivision 2(f) requires a funeral establishment provide an "itemized written statement." "The itemized written statement must be signed by the consumer selecting the goods and services as required in section 149A.80. If the statement is provided by a funeral establishment, the statement must be signed by the licensed funeral director or mortician planning the arrangements."

Minnesota Statutes, section 149A.02 subdivision 20 defines "funeral establishment" as "...any place or premise devoted to or used in the holding, care, or preparation of a dead human body for final disposition or any place used as the office or place of business of any person that provides funeral goods and services to the public."

As stated in the above facts, the Brooks Funeral Home is without question, a funeral establishment. Therefore, the itemized statement of funeral goods and services (a funeral contract) must be signed by a licensed mortician. Based on the Department's interviews with Employee "A", the Department concludes that Ms. Margaret Brooks has signed these contracts. Ms. Margaret Brooks is not a licensed mortician and may not sign these contracts. Likewise, based on Employee "A"'s interview, the Department also concludes that Ms. Margaret Brooks has signed Mr. Brooks' name as the licensee on the funeral contracts. In addition to being contrary to law, the Department is concerned that signing Mr. Brooks' name to a contract is deceptive, and Ms. Margaret Brooks' signature misrepresents to the public that she is a licensed funeral director.

Minnesota Statutes, section 149A.70, subdivision 1 states: "...[o]nly a person holding a valid license to practice

mortuary science issued by the commissioner may use the title of mortician, funeral director or any other title implying that the licensee is engaged in the business or practice of mortuary science.”

As stated in the above facts, based on interviews with Employee “A”, the Department concludes that Ms. Margaret Brooks has signed funeral contracts in violation of state law. Because only a licensed mortician may sign these contracts, by doing so, Ms. Margaret Brooks has implied that she possesses a mortuary science license, which is inaccurate.

IV. ORDER

IT IS HEREBY ORDERED THAT Ms. Margaret Brooks immediately cease and desist from engaging in the unlicensed activity in violation of Minnesota Statutes, Chapter 149A. Ms. Margaret Brooks must immediately cease and desist making funeral arrangements for disposition, meeting with families to discuss funeral arrangements, signing contracts, reviewing general price lists (and any adjustments), and scheduling funeral services for the purpose of disposition. Ms. Margaret Brooks must immediately cease and desist signing documents with her name or signing documents using the name George Brooks. Ms. Margaret Brooks must immediately cease and desist arranging, directing, or supervising a funeral, memorial, or gravesite services as an unlicensed person. Ms. Margaret Brooks must clearly and immediately identify her role and licensed status in all public-facing advertisement materials such as the Brooks Funeral Home website to avoid misleading the public as to her role, ownership status or credentials. Ms. Margaret Brooks may not represent herself, or hold herself out to be, a licensed funeral director or “owner” of the Brooks Funeral Home in any fashion or represent to the public that she can lawfully perform licensed activity. Ms. Margaret Brooks also must cease and desist imposing requirements on employees that would instruct or force any unlicensed employees to perform unlicensed mortuary science services.

IT IS HEREBY ORDERED THAT Mr. George Brooks personally, and immediately, contact the Department via phone to discuss his lack of communication with the Department, and the Department’s concerns about continued unlicensed activity at the funeral home over which he is responsible.

Mr. George Brooks should contact Marguerite Slonine, Minnesota Department of Health Mortician Investigator, using the contact information below:

Marguerite Slonine
Health Regulation Division, Mortuary Science Investigator
marguerite.slonine@state.mn.us
651-201-3847 (office)
651-285-3985 (work mobile)

The issuance of this order does not preclude the commissioner from pursuing any other enforcement action available to MDH authorized under statute or rule.

Under Minnesota statutes, section 149A.08 subdivision 2, an individual who has been issued a Cease-and-Desist order may request a hearing under Minnesota statutes, sections 14.57-14.62. Under Minnesota statutes, section 149A.08 subdivision 3, requests for a hearing must be in writing, specifically state the reasons review of the order is sought and must be delivered to MDH via certified mail within twenty (20) calendar days of receipt of the Cease-and-Desist order.

Requests for a hearing shall be directed to the following:

Minnesota Department of Health
Appeals and Reconsiderations Unit
Health Regulation Division
P.O. Box 64970
85 East Seventh Place
St. Paul, MN 55164-0970

Additional questions may be directed to: health.mortsci@state.mn.us.

SO ORDERED this _____

Maria King

Division Director | Health Regulation Division

