

**BEFORE THE OKLAHOMA FUNERAL BOARD
STATE OF OKLAHOMA**

**IN THE MATTER OF THE COMPLAINT
AGAINST:**

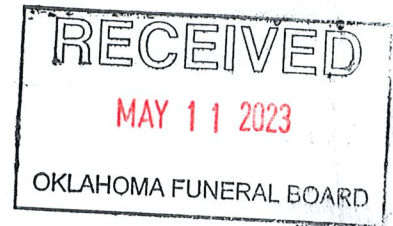
WILLIAMSON-SPRADLIN FUNERAL HOME
A Licensed Funeral Establishment,
Establishment License # 1318ES
221 S Main
Wetumka, OK 74883

owned by:
**WILLIAMSON-SPRADLIN FUNERAL HOME
INC.**
221 S Main
Wetumka, OK 74883

AARON KROIER
Licenses: 3480FD and 3845EM,
Address: 215 S Main St
Wetumka, OK 74883
A Licensed Funeral Director and Embalmer
and the Funeral Director in Charge at

WILLIAMSON-SPRADLIN FUNERAL HOME,

Respondents.



Complaint No. 23-43

CONSENT ORDER

The State of Oklahoma, *ex rel.*, Oklahoma Funeral Board (“Board”), and Respondents, WILLIAMSON-SPRADLIN FUNERAL HOME, WILLIAMSON-SPRADLIN FUNERAL HOME INC, and AARON KROIER, hereby enter into this Consent Order (“Agreement”) pursuant to the Board’s rules, Oklahoma Administrative Code (“O.A.C.”) Section 235:10-1-1 *et seq.* (the “Rules”); the State Funeral Services Licensing Act, 59 O.S. § 395.1 *et seq.* (the “Act”); and the Oklahoma Administrative Procedures Act, 75 O.S. § 250 *et seq.* (the “OAPA”). As a prerequisite

to entering into this Agreement, Respondents acknowledge and affirm the following:

ACKNOWLEDGEMENT AND AFFIRMATION

1. Respondents are of sound mind and are not under the influence of, nor impaired by, any medication, drug, or alcohol.
2. Respondents were informed of their right to independently retain legal counsel to represent them in the above-captioned matter. Respondents had the opportunity to obtain such counsel. Respondents have not received or relied on legal advice from the Board, a representative of the Board, or legal counsel from the Oklahoma Attorney General's Office.
3. Respondents recognize their right to appear in an evidentiary hearing before the Board regarding the allegations made against them. Respondents voluntarily waive their right to a hearing and hereby submit to the Board's jurisdiction and authority under 59 O.S. §§ 396.2a(9) and (11).
4. Respondents have read and understand the terms and conditions of this Agreement.
5. Respondents acknowledge that this Consent Order is a matter of public record and is subject to disclosure under the Oklahoma Open Records Act, 51 O.S. § 24A.1 *et seq.*
6. Respondents admit, stipulate, and agree to the following:

AGREEMENT AND STIPULATIONS

I. Findings of Fact

7. Respondent WILLIAMSON-SPRADLIN FUNERAL HOME ("Funeral Home") is licensed by the Board, establishment license number 1318ES, and is located at 221 S Main, Wetumka, OK 74883.
8. Respondent AARON KROIER ("Funeral Director in Charge" or "FDIC") is licensed by the Board as a funeral director and embalmer, license numbers 3480FD and 3845EM, and at all relevant times was the Funeral Director in Charge at Funeral Home.

9. Respondent WILLIAMSON-SPRADLIN FUNERAL HOME INC (“Owner”) is, and at all relevant times was, the owner of record for Funeral Home. Upon information and belief, Respondent AARON KROIER is the owner and registered agent for Respondent WILLIAMSON-SPRADLIN FUNERAL HOME INC.

10. On or about March 3, 2023, Board staff conducted an inspection of the Funeral Home and determined that the Body Intake Log (the “Log”) was deficient: there were no dates or times reflected under “care given;” the dates and times of embalming were not listed in the Log; the disposition of the bodies was not listed in the Log; the embalmer did not sign the Log under “embalmer signature;” the name, signature, and license number of the embalmer is not in the Log; and the name, signature, and license number of the apprentice is not in the Log.

11. On March 6, 2023, Board staff filed a complaint with the Board, alleging that Respondents had a deficient Log in violation of O.A.C. 235:10-3-2(5)(vii). The Board provided Respondents with the Notice of Complaint via certified letter the same day, March 6, 2023.

12. On March 20, 2023, Respondents filed their response to Complaint 23-43 with the Board. Respondents stated that they had provided additional training and instruction to staff regarding the Body Log. Respondents also included a copy of the updated Body Intake Log.

13. Respondents agree and stipulate that the Log was deficient for the reasons set forth herein.

14. By public vote during the meeting on April 13, 2023, the Board found probable cause to file a formal complaint against Respondents for the violations stipulated to herein.

15. A formal Complaint and Notice of Hearing was issued together with a Subpoena to Produce Documents and served on Respondents. Instead of responding to the Complaint and the Subpoena, Respondents have entered into this Consent Order.

II. Conclusions of Law

16. Respondents violated O.A.C. 235:10-3-2(5)(vii) by failing to have a complete and up-to-date Log.

17. FDIC is “responsible for the legal and ethical operation of the [Funeral Home] and is accountable to the Board.” 59 O.S. § 396.2(12). Therefore, Respondent AARON KROIER, as the Funeral Director in Charge of the Funeral Home is also liable for the above violations.

18. Due to the above violations, Respondents are subject to disciplinary action by the Board. *See* 59 O.S. §§ 396.2a(9) and (11); *id.* at §§ 396.12c(A)(5) and (8); *id.* at § 396.12d; *id.* at § 396.12e.

III. Authorized Penalties

19. The Board is authorized to impose any of the following penalties for violations of the Act or Rules: (1) denial, revocation, suspension, or nonrenewal of license or certificate of apprenticeship; (2) administrative fines up to ten thousand dollars (\$10,000.00) per series of related violations; (3) injunctive proceedings; and (4) other disciplinary action. 59 O.S. §§ 396.12c(5) and (8); *id.* at § 396.12c; *id.* at § 396.12d; *id.* at § 396.12e.

20. Further, the Board is authorized to “impose . . . as a condition of any adverse disciplinary action, the payment of costs expended by the Board in investigating and prosecuting the violation.” 59 O.S. § 396.12e(B). Costs may include, but are not limited to, “staff time, salary and travel expenses, [and] witness fees and attorney fees.” *Id.*

IV. Prior Disciplinary History

21. Respondents do have a prior disciplinary history with the Board.

- a. Complaint No. 15-23: A consent order was entered regarding a CE violation.

There was a fine of \$300, \$100 in costs, and the remaining CE had to be completed in person.

- b. Complaint No. 15-68: A consent order was entered regarding embezzlement of pre-need funds. There was a fine of \$1,000, \$250 in costs, and their pre-need permit was revoked.

ORDER

IT IS THEREFORE ORDERED by the Oklahoma Funeral Board as follows:

22. The Board *en banc* hereby adopts the parties' Agreement.

23. Pursuant to this Consent Order, Respondents **WILLIAMSON-SPRADLIN FUNERAL HOME, WILLIAMSON-SPRADLIN FUNERAL HOME INC, and AARON KROIER**, agree to the following terms and conditions, which are hereby imposed by the Board:

- a. Respondents agree to jointly pay the Oklahoma Funeral Board an **administrative penalty in the amount of two hundred and fifty dollars (\$250.00)** on or before **May 11, 2023**.

24. As authorized by law, Respondents shall jointly pay a total of **two hundred and fifty dollars (\$250.00)** towards the costs of this action, including prosecution and investigation costs pursuant to 59 O.S. § 396.12e(B). Said sum shall be paid in full **on or before May 11, 2023**.

25. Should Respondents violate this Consent Order, the Board shall hold a hearing regarding the alleged violation. The violation of any term(s) of this Consent Order may result in further disciplinary action, including, but not limited to, revocation of Respondents' licenses or certifications. Therefore, the Board retains jurisdiction over this proceeding until all matters are finally resolved as set forth in this Consent Order.

26. Respondents understand and agree that this Consent Order only resolves Respondents' violations arising out of the facts alleged in **Complaint 23-43**. The Board retains the right to prosecute any separate, independent, or future violations. Further, Respondents understand and agree that the Board may consider this Consent Order when determining the penalty for any future disciplinary action.

On **May 11, 2023**, all participating members of the Board voted "Aye" in open session, approving the forgoing Consent Order.


Presiding Board Member
Oklahoma Funeral Board

CONSENT AND APPROVAL BY RESPONDENT

State of Oklahoma)
) ss
County of Oklahoma)

I, **AARON KROIER**, individually and as a representative of **WILLIAMSON-SPRADLIN FUNERAL HOME and WILLIAMSON-SPRADLIN FUNERAL HOME INC**, being first duly sworn upon oath, state that I have read the above Consent Order regarding **Complaint No. 23-43**. I understand that by its terms I waive certain rights accorded me under Oklahoma Law. I have either been represented by my attorney in this matter and have had the advice of my attorney and am satisfied with that advice, or I have knowingly waived my right to be represented by an attorney. I knowingly and voluntarily agree to the above Consent Order and request that it be entered by the Board.

I understand that the Consent Order will not be submitted for Board consideration until it has been agreed to and executed by me. The Consent Order will not become effective until it has been approved by a majority of the Board and endorsed by a representative member of the Board.

This Consent Order shall be presented to the Board with a recommendation by Board staff for approval by the Board at the **May 11, 2023** meeting of the Board. I understand that the Board is free to accept or reject this Consent Order and, if rejected by the Board, a formal disciplinary hearing on the complaint against me will be set for hearing.

If the Consent Order is not accepted by the Board, it shall be regarded as null and void. Admissions by me in the Consent Order will not be regarded as evidence against me at the subsequent disciplinary hearing. I will be free to defend myself and no inferences will be made from my willingness to have entered into this agreement. It is agreed that neither the presentation of the Consent Order nor the Board’s consideration of the Consent Order will be deemed to have unfairly or illegally prejudiced the Board or its individual members, and therefore I hereby agree to waive any rights I might have to challenge the impartiality of the Board to hear the disciplinary complaint, if after review by the Board, this Consent Order is rejected.

I am fully aware of my rights to contest the charges pending against me. These rights include: representation by an attorney at my own expense; the right to a public hearing on any charges or allegations filed; the right to confront and cross-examine witnesses called to testify against me; the right to present evidence on my own behalf; the right to compulsory process to secure attendance of such witnesses; the right to testify on my own behalf; the right to receive written findings of fact and conclusions of law supporting the decision on the merits of the complaint and the right to obtain judicial review of the Board’s decision. In exchange for the Board’s acceptance of this Consent Order, I voluntarily waive all of these rights, with the exception of the right to an attorney, which I understand that I may exercise at any time should I choose to do so.

This Consent Order is contingent upon my fulfillment of the agreed order, and upon my payment of the administrative penalties and legal expenses in the amounts and on the dates scheduled above, or the agreement may at the option of the Board be declared null and void.

Dated this 26 day of APRIL, 2023.

Aaron Kroier
**AARON KROIER, individually and as a representative of
WILLIAMSON-SPRADLIN FUNERAL HOME and
WILLIAMSON-SPRADLIN FUNERAL HOME INC**

Respondents

Subscribed and sworn to by **AARON KROIER, individually and as a representative of
WILLIAMSON-SPRADLIN FUNERAL HOME and WILLIAMSON-SPRADLIN
FUNERAL HOME INC** before me on this 26 day of APRIL, 2023.

Susan Hulsey-Jennings
Notary Public

My Commission Expires: 10-22-26
My License No.: 18010631

