



MINUTES OF A SPECIAL MEETING

OKLAHOMA FUNERAL BOARD

3700 N. Classen, Suite 175
Oklahoma City, Oklahoma 73118

January 30, 2020

BOARD MEMBERS

Tom Coble
Joe Highberger
Cindy Longanacre
Jim Roberts
Chad Vice

STAFF

Chris Ferguson
Martha Kulmacz, AAG
Thomas Schneider, AAG
Karol Shepherd
Tyler Stiles

Meeting Location: **Office of Chief Medical Examiner –OKC
921 N.E. 23rd Street Conference Room – 1st Floor
Oklahoma City, OK 73105.**

A copy of this notice of meeting and agenda has been posted in a prominent location at the office of the Oklahoma Funeral Board, 3700 North Classen Blvd Suite 175, Oklahoma City, Oklahoma, on January 10, 2020 at 1:00PM. A copy of this agenda is available on the Funeral Board website at www.ok.gov/funeral

President Vice called the meeting to order at 10:05AM. Board Members Coble, Highberger, Longanacre, Roberts, and Vice were present. Members Cooper and Martin were absent. A quorum was at all times present.

Regarding Matters for consideration: Consent Orders. Complaint 19-44 Tishomingo Funeral Home, Establishment, Tishomingo; Grove & Hartwell, Inc., Owner; Chad John, FDIC, Sherman, Texas; Justin Hartwell, unlicensed individual. Chad John, Blake Hartwell, and Roger Hartwell were present and were not represented by an attorney. The prosecution was represented by Martha Kulmacz, AAG. Thomas Schneider, AAG, was the Board's legal advisor. Members Coble, Highberger, Longanacre, Roberts, and Vice heard the case. Member Cooper was recused from the case and he did not attend the meeting.

After presentation of the Consent Order by Martha Kulmacz, motion by Highberger second by Roberts to approve the Consent Order. The Consent Order consisted of the following: The agreed violations were: Unlicensed Practice; FTC Violations; Funeral Board Ethics Rules Violations; Aiding and Abetting the Unlicensed Practice of Funeral Directing; Gross malpractice or gross incompetency; violation of the Funeral Service Licensing Act; and violation of Rules of the Board. The terms consisted of the following: Administrative penalty of \$10,000.00; 2 years' probation for Justin Hartwell if he becomes licensed by the Funeral Board; 6 additional hours of Continuing Education for Chad John, 3 hours of which must be in person; 10 hours of Continuing Education for Justin Hartwell 3 hours of which must be in person and related to Ethics; and costs of \$750.00. The motion passed unanimously.

Regarding Matters for consideration: Consent Orders, Complaint 19-53 Stumpff Funeral Home & Crematory, Establishment, Bartlesville; The Stumpff Corp., Owner; Scott Holz, FDIC, Bartlesville. Scott Holtz and David Stumpff were present and were represented by attorney Timothy P. Studebaker. The prosecution was represented by Martha Kulmacz, AAG. Thomas Schneider, AAG, was the Board's legal advisor. Members Coble, Highberger, Longanacre, Roberts, and Vice heard the case. Member Cooper was recused from the case and he did not attend the meeting.

After presentation of the Consent Order by Martha Kulmacz, motion by Highberger second by Roberts to approve the Consent Order. The Consent Order consisted of the following: The agreed violations were: Gross malpractice or gross incompetency; violation of the Funeral Service Licensing Act and Rules of the Board; and Failing to in a timely manner obtain other necessary permits as required by law. The terms consisted of the following: Administrative penalty of \$1,000.00; 6 additional hours of Continuing Education for Scott Holz, 3 hours of which must be in person; and costs of \$500.00. The motion passed unanimously.

Regarding Matters for consideration: Consent Orders, Complaint 19-56 Parks Brothers Funeral Home-Okemah, Establishment, Okemah; Parks Brothers Company, Inc., Owner; Robert Reilly III, FDIC, Okemah. Robert Riley III was present and and the establishment were represented by attorney Libby Scott. The prosecution was represented by Martha Kulmacz, AAG. Thomas Schneider, AAG, was the Board's legal advisor. Members Coble, Highberger, and Longanacre heard the case. Members Roberts and Vice were recused from the case and they left the room.

After presentation of the Consent Order by Martha Kulmacz, motion by Longanacre second by Coble to approve the Consent Order. The Consent Order consisted of the following: The agreed violations were Violation of the Funeral Service Licensing Act and Rules of the Board; and False or misleading advertising. The terms consisted of the following: Administrative penalty of \$1,500.00; 6 additional hours of Continuing Education for Robert Reilly III, 3 hours of which must be in person; and costs of \$850.00. The motion passed unanimously.

Member Roberts returned to the meeting room.

Regarding Matters for consideration: Consent Orders, Complaint 19-59 Walker Funeral Service, Establishment, Shawnee; Roesch Funeral Chapel, Inc, owner; C. Douglas Walker, FDIC Shawnee.; Douglas Walker was present and was not represented by an attorney. The prosecution was represented by Martha Kulmacz, AAG. Thomas Schneider, AAG, was the Board's legal advisor. Members Coble, Longanacre, and Roberts heard the case. Members Highberger and Vice were recused from the case and they left the room.

After presentation of the Consent Order by Martha Kulmacz, motion by Coble second by Longanacre to approve the Consent Order. The Consent Order consisted of the following: The agreed violations were: Violation of the Funeral Service Licensing Act and Rules of the Board; and Body Intake Log violation. The terms consisted of the following: Administrative penalty of \$250.00 and costs of \$250.00. The motion passed unanimously.

Members Highberger and Vice returned to the meeting room.

Regarding Matters for consideration: Consent Orders, Complaint 19-60 Henson-Novak Funeral Directors, Establishment, Guymon; Miller Funeral Homes, LLC, Owner; Kelly Miller, FDIC, Guymon. Kelly Miller was present and was not represented by an attorney. The prosecution was represented by Martha Kulmacz, AAG. Thomas Schneider, AAG, was the Board's legal advisor. Members Coble, Highberger, Longanacre, and Vice heard the case. Member Roberts was recused from the case and he left the room.

After presentation of the Consent Order by Martha Kulmacz, motion by Longanacre second by Highberger to approve the Consent Order. The Consent Order consisted of the following: The agreed violations were: Gross malpractice or gross incompetency; violation of the Funeral Service Licensing Act and Rules of the Board; and Failing to in a timely manner obtain other necessary permits as required by law. The terms consisted of the following: Administrative penalty of \$1,000.00; 6 additional hours of Continuing Education for Kelly Miller, 3 hours of which must be in person; and costs of \$500.00. The motion passed unanimously.

Member Roberts returned to the room.

After Board discussion and questioning of proposed FDIC, Motion by Highberger second by Roberts to deny the following: Establishments Fatheree-Albert FH, Erick, request to change FDIC from Chris Whinery to Robert Simons or to another FDIC to be named in an amended application submitted to the Board prior to January 30, 2020 Special Board Meeting. The motion passed unanimously.

Motion by Highberger second by Longanacre to adjourn the meeting at 11:00AM. The motion passed unanimously.

Chad Vice
President- Oklahoma Funeral Board