

OKLAHOMA FUNERAL BOARD
3700 North Classen Blvd, Suite 175
Oklahoma City, Oklahoma 73118

NOTES OF REGULAR MEETING

MEETING PLACE:

**Videoconference on Go to Meeting <https://global.gotomeeting/join/731864109>
We ask that only Board Members, Staff, and Respondents use the video camera function. No physical location will be provided. An alternative dial in number is 1-786-535-3211; Access Code 731-864-109#**

DATE & TIME: June 11, 2020 10:00AM

A virtual videoconference Board meeting of the Oklahoma Funeral Board was held on June 11, 2020 at 10:00 a.m. in accordance with the Administrative Procedures Act, and the Open Meeting Act as amended by HB 661 signed into law by Governor Stitt on March 18, 2020. Members of the public may attend the meeting via Videoconference on Go to Meeting <https://global.gotomeeting/join/731864109>

We ask that only Board Members, Staff, and Respondents use the video camera function. No physical location will be provided. An alternative dial in number is 1-786-535-3211; Access Code 731-864-109#.

Appearing remotely via videoconference for the meeting will be Board members; Tom Coble, J. Cooper, Joe Highberger, Cindy Longanacre, Todd Martin, Jim Roberts, and Chad Vice. Board staff Chris Ferguson, AAG Martha Kulmacz, AAG Thomas Schneider, Karol Shepherd, and Tyler Stiles, will also appear remotely via videoconference.

This virtual Board meeting notice and agenda was posted on our web site (www.ok.gov/funeral) on June 5, 2020 at 4:35PM

Continuing Education credit will not be provided for this meeting.

If the connection is lost during the special meeting on June 11, 2020, and if there is an inability to restore the connection 30 minutes thereafter, the meeting will automatically be stopped and reconvened on Friday, June 12, 2020 at 10:00am using the same go to meeting conference web site listed above. Please direct all questions to info@funeral.ok.gov

ORDER OF BUSINESS: The Board may discuss, vote to approve, vote to disapprove, vote to table, change the sequence of any agenda item, or decide not to discuss any item on the agenda.

1. **Roll Call**-Coble, Cooper, Highberger, Martin, Roberts, and Vice were present. Longanacre was absent.

2. Message from Board President Vice regarding COVID-19 in Oklahoma- Mr. Vice spoke about the reopening of the State. Gov. Stitt re-opened phase 3 on June 1, 2020 that allow business to resume normal functions with social distancing. Please contact outside venues that funeral home use to check what their guidelines are and please follow the CDC guidelines. If you need clarification from the Board staff please contact us via email. Also, the continuing education is being discussed and the Board staff is researching options for the CE requirements for the 2021 renewal year.

3. Reading of the Oklahoma Funeral Board mission statement

The mission of the Oklahoma Funeral Board is to act in the public interest and for the protection of the public within the powers vested in the Board by the State of Oklahoma for the regulation and education of the funeral service profession.

4. Approval of the May 14, 2020 Special Board meeting minutes-Approved

5. Review complaints with possible vote for probable cause or other action

19-36-FTC Issues-**No Action**

20-05-Death Certificate Filing Issues-**Dismissed**

20-14-Misleading Advertising-**No Action**

20-16-Misleading Advertising-**No Action**

20-35-Unlicensed Practice/Overcharging-**Found Probable Cause**

20-41-Next of Kin Issues-**No Action**

6. Matters for consideration: Continuance

At the conclusion of the parties' presentation and any questions or public discussion by the Board, the Board may in each complaint case:

- i. consider and vote on motion(s) to conduct executive session(s) pursuant to 25 O.S.2011, Section 307(B)(8) to engage in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act;
- ii. if an executive session is held, designate a person to keep written minutes of the executive session;

- iii. consider and vote on motion(s) to exit executive session and return to open meeting; and
- iv. consider and vote on motion(s) regarding possible action to be taken regarding matter discussed in executive session.

6A. Complaint 20-07 Heritage Funeral Home & Cremation Service, LLC, Establishment, OKC; Heritage Funeral Home & Cremation Service, LLC, Owner, OKC; Christopher Harrison, FDIC, OKC. Member Highberger needs to be recused. This case was continued until the Aug 13, 2020 Board meeting

7. Matters for consideration: Consent Order

At the conclusion of the parties' presentation and any questions or public discussion by the Board, the Board may in each complaint case:

- i. consider and vote on motion(s) to conduct executive session(s) pursuant to 25 O.S.2011, Section 307(B)(8) to engage in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act;
- ii. if an executive session is held, designate a person to keep written minutes of the executive session;
- iii. consider and vote on motion(s) to exit executive session and return to open meeting; and
- iv. consider and vote on motion(s) regarding possible action to be taken regarding matter discussed in executive session.

7A. Complaint 19-64 Roberts Funeral Home & Chapel, Establishment, Healdton; Dudley-Roberts Funeral Home, Inc., Owner; Shannon Roberts, FDIC, Healdton. Member Highberger needs to be recused. This case was continued for a consent order until the July 9, 2020 Board meeting and an evidentiary hearing until the Aug 13, 2020 Board meeting

7B. Complaint 20-38 Whinery Funeral Service, Establishment, Elk City; Premier Funeral Management Group IV, LLC, Owner, OKC; Robert Simons, FDIC, Sayre. Member

Roberts needs to be recused. The Board accepted a consent order on complaint 20-38. The agreed violations were: Violation of the Funeral Service Licensing Act; and Rules of the Board, Gross malpractice, Disposal within 24 hours, Violation of any of the ethics Rules, Integrity and Specific Rules of conduct. The terms consisted of the following; Administrative penalty of \$750.00, restitution of \$600.00; six months reporting probation and court cost of \$750.00

7C. Complaint 20-39 Amy Stittsworth Funeral Service and Cremation Directors, Establishment, Enid; Amy Stittsworth Funeral Service and Cremation Directors, Inc., Owner, Enid; William Stittsworth Jr., FDIC, Enid. Member Vice needs to be recused. This case was continued for a consent order until the July 9, 2020 Board meeting and an evidentiary hearing until the Aug 13, 2020 Board meeting

8. Vote to affirm or disaffirm the issuance of the following licenses, registrations, certificates, dissolution or other action

A. Apprenticeship (Original) Approved

1. Jonathan Riley, Enid, Ladusau-Evans FH, Enid

B. Apprenticeship (1st extension) All Approved

1. Matthew Witten, Purcell, Wilson-Little FH, Purcell (not enrolled in mortuary college)
2. Archie Kisner, Muskogee, Clifford Garrett FH, Fort Gibson (not enrolled in mortuary college)

C. Apprenticeship (3rd extension) Approved

1. Melvin Blagg, Durant, Brown's FS, Durant, (enrolled at Northeast Texas)

D. Apprenticeship (FD only) Approved

1. Misty D. Jennings, Edmond, Affordable CS, OKC

E. Funeral Director and/or Embalmer (Reciprocal) **Number 1 was denied and numbers 2 and 3 were tabled.**

1. Christian Corl, Texas (FD only)
2. Clifford Fitch, Texas (FD only)
3. Billy Robison, Texas

F. Funeral Director and/or Embalmer (Original) **Numbers 1, 5 and 6 were tabled and numbers 2, 3, and 4 were approved.**

1. Gary White, Broken Arrow (FD only)
2. Joshua Linn, Muskogee
3. Debra Provaznik, Prague, (EM only)
4. Delaney Graber, Yukon,
5. Callie YoungBird, North Dakota
6. Alexis Eck, Ponca City

G. Establishments-**Number 1 was granted a thirty-day temporary license and number 2 was approved**

1. Miller-Stahl FS, Newkirk, renewal of temporary license; John Miller, FDIC; John Miller, sole owner
2. Palmer Marler FH, Perkins, New Establishment, Ironwood Funeral Group, LLC, Owner; Dustin Nugent, FDIC

9. Oklahoma Funeral Director Association Update by a representative of OKFDA-Gordon Welch reported that they are still awaiting to hear a final decision from the convention hotel if they will be open for the July convention but as of now the hotel convention center will not open until August 1, 2020.

10. Executive Director's Report

- A. Agency Financial update **Mr. Ferguson reported gross receipts for May 2020 to be \$14,311.25 with \$229.00 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$39,600.39 and net income after expenses totaled -\$25,518.14**

- B. **2020 Legislative Report-HB1254-Funeral Board reform act of 2019 is dead pursuant to House Rules; HB2830-Sunset of the Funeral Board extending it for 1 year is dead pursuant to House Rules; HB4041-Requires funeral directors to notify employees of certain exposure to communicable diseases and directs related agencies to provide relevant information to funeral directors-Signed by the Gov, effective November 1, 2020; HB3544-Allows advanced practice registered nurses to complete and sign death certificates is dead pursuant to House Rules; HB3743-The State Commissioner of Health is to contract with the Tax Commission to make certified copies of death certificates available at local tag agencies and directs tag agencies to charge and collect a fee no more than \$8.00 is dead pursuant to House Rule ; HB3888-permits certain public bodies to meet via videoconference provided proper notice and public access is provided is dead pursuant to House Rules; and SB1891-Creates the Universal Licensing Recognition Act which provides for expanded issuance of certain occupational licenses through reciprocity is dead pursuant to House Rules; HB2823 Sunset of the Funeral Board extending it for 3, signed by the Gov effective July 1, 2020.**

11. Adjournment-10:40AM

Chris Ferguson
Executive Director