

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

NOTES OF REGULAR MEETING

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

DATE & TIME: March 12, 2020 10:00AM

*** This symbol denotes the application and/or applicant is not in compliance with
235:1-1-2 (c) (14 day Rule)

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 March 6, 2020 at 2:30PM. A copy of this agenda is available on the Funeral Board website at www.ok.gov/funeral

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, Roberts, and Vice were present. Cooper, Highberger, Longanacre, and Martin were absent.
 2. **Introductions of attendees-**Approximately 13 people attended.
 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 December 12, 2019 Regular Board meeting minutes-**Approved
 5. **Approval of the January 9, 2020 Regular Board meeting minutes-**Tabled
 6. **Approval of the January 30, 2020 Special Board meeting minutes-**Approved
 7. **Approval of the February 13, 2020 Regular Board meeting minutes-**Tabled
 8. **Review complaints with possible vote for probable cause or other action**

20-17-Overcharging-**Dismiss with a letter of concern**

20-26-Unlicensed Practice-**Found Probable Cause**

20-29- Misleading Advertising-**Dismiss with a letter of concern**

20-31-Missing Jewelry-**Dismiss**

20-32- Misleading Advertising **Found Probable Cause**

20-33-Body Intake Log Issues **Found Probable Cause**

20-37- Body Intake Log Issues **Found Probable Cause**

9. Matters for consideration: Continuance -No action

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.

9A. Complaint 20-27 Bradley Family Funeral Home & Cremation Service, Establishment, Muskogee; A.Z.E. Enterprises, LLC, Owner; Curtis Mike Brown, FDIC, Sallisaw, Michael Hart, Licensee, Muskogee. Member Roberts needs to be recused. –No Action

9B. Complaint 20-30 Kyle Humphries, Licensee, Moore. Member Roberts needs to be recused. –No Action

10. Matters for consideration: Consent Order –No Action

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.

10A. Complaint 20-23 Palmer Marler Funeral Home, Establishment, Cushing; Ironwood Funeral Group, LLC., Owner; Riley Castor, FDIC, Agra. Member Roberts needs to be recused. –No Action

10B. Complaint 20-27 Bradley Family Funeral Home & Cremation Service, Establishment, Muskogee; A.Z.E. Enterprises, LLC, Owner; Curtis Mike Brown, FDIC, Sallisaw, Michael Hart, Licensee, Muskogee. Member Roberts needs to be recused. –No Action

10C. Complaint 20-30 Kyle Humphries, Licensee, Moore. Member Roberts needs to be recused. –No Action

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

A. Apprenticeship (Original) All Approved

1. Shanna Wilkie, Coweta, Rice FS, Claremore
2. Benjamin Pollock, Broken Bow, Brumley FH, Broken Bow

B. Apprenticeship (1st extension) **Number 1 was denied, number 3 was tabled, and numbers 2, 4, and 5 were approved.**

1. Ashley Oliver, Hugo, Prater-Lampton-Mills & Coffey FH, Hugo (not enrolled in Mortuary College)
2. Staci Hartwell-Helm, Tishomingo, Tishomingo FH, Tishomingo (Grad of Dallas)
3. Jennifer Ragland, Luther, Lehman FH, Wellston (not enrolled in Mort College)
4. Josh Linn, Muskogee, Cornerstone, Muskogee (enrolled at Dallas)
5. Domonique Bruner, OKC, Chapel Hill, OKC (enrolled at UCO)

C. Apprenticeship (2nd extension) **Number 1 was denied and numbers 2 and 3 were approved**

1. Rachel Fast, Mannford, Mannford FH, (not enrolled in Mortuary College)
2. Brandon Watters, Nowata, Benjamin FH, Nowata (enrolled at Dallas)
3. Daniel Collier, Broken Arrow, Broken Arrow FH, Broken Arrow (enrolled at Northeast Texas)

D. Apprenticeship (3rd extension) **Approved**

1. Jackie Burch, Antlers, Serenity FS, Antlers (enrolled at Northeast Texas)

E. Funeral Director and/or Embalmer (Reciprocal) **Numbers 1 and 3 were tabled; number 2 was denied**

1. Ronald Spencer, Texas
2. Lisa Roberts, Arkansas (FD Only)
3. Christian Corl, Texas (FD only)

F. Funeral Director and/or Embalmer (Original) Numbers 1, 4, 5, 6, and 7 were approved; numbers 2, 3, and 8 were tabled

1. Sarah Bell, OKC (EM only)
2. Deidre Williamson, OKC
3. Rubith Lujan, Edmond
4. Candice Smith, Atoka
5. Alec Dyer, OKC (FD only)
6. Catherine Hart, Edmond
7. Randi Trease, Wann
8. Kristi Hamilton, Spencer

G. Establishments; Numbers 1,6, and 7 were denied; numbers 2,3,4,5,8,9, and 10 were approved

1. Simplicity Natural Burial & Cremation Co., Tulsa, New Establishment, Schaudt's Glenpool Funeral Service, Inc. Owner; Jason Mayes, FDIC
2. Wilson FH, El Reno, request to change FDIC from Glen Kortemeier to Kennedy McKeaigg
3. Chapel Hill FH, OKC, request to change FDIC from Kaylee Wilson to Christina Chao
4. Prater-Lampton-Mills & Coffey FH, Hugo, request to change FDIC from Candice Young to Brent Shain
5. Bradley-Foster-Petering Funeral & Cremation Service, Muskogee, request to change FDIC from Curtis Brown to Billy Cotton
6. Checotah Funeral & Cremation Service, Checotah, request to change FDIC from Curtis Brown to Billy Cotton
7. Beside Stillwaters FH & Cremation, OKC request to change name from Beside Stillwaters FH & Cremation to McKay-Davis-Tate Funeral Directors.

8. Bill Eisenhour FH, Del City, request to change FIDC from Elizabeth Howell to Tina Perez
9. Bill Eisenhour FH, OKC, request to change FDIC from Autry Edwards to Tena Perez
10. Sunnyslane FH, Del City, request to change FDIC from Tena Perez to Jeremy Sparks

12. New Business. Any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda or any revised agenda. 25 O.S. Section 311.9. **No New Business**

13. Legal Update –No Action

- A. Possible vote to enter into executive session pursuant to 25 O.S. Section 307(B)(4) for confidential communication between the Funeral Board and its attorney concerning pending litigation in the case of Wagoner County Amended Petition For Enforcement of Administrative Order Case Number CV-2019-122 Oklahoma Funeral Board vs. Michael Hopkins, when with the advice of its attorney, the Funeral Board determines that disclosure would seriously impair the ability of the Funeral Board to process or conduct or defend its claim in the pending litigation.
- B. Vote to enter open session.
- C. Possible vote on matters discussed in executive session.

14. Oklahoma Funeral Director Association Update by a representative of OKFDA –No Action

15. Investigator's Report

- A. Funeral Board Complaint data regarding FY18 & FY19. **Mr. Ferguson reported complaint statistics for FY18 a total of 69 complaints; 31 of those coming from consumers, 2 from other state agencies, 30 from Board Staff, 4 from other funeral homes, and 2 vendor complaints. 30 of these complaints were dismissed, 17 were given a letter of concern, and 22 disciplinary action taken. FY18 complaints resulted in restitution in the amount \$31,877.48. FY19 complaint statistics include a total of 64 complaints that are: 32 consumers complaints, 6 from other state agencies, 21 from Board staff, 2 from other funeral homes, and 3 from vendors. 27 of the total complaints were dismissed, 6 were given a letter of concern, 22 resulted in disciplinary action**

taken, and 9 are still active complaints. FY19 resulted in restitution in the amount of \$3,177.50.

16. Executive Director's Report

- A. Agency Financial update **Mr. Ferguson reported gross receipts for February 2020 to be \$13,802.63 with \$928.60 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$35,353.52 and net income after expenses totaled -\$22,479.49**
- B. OMES Computer project update **–No Action**
- C. 2020 Legislative Report-HB1254; HB2830; HB4041; HB3544; and HB3743; SB1891

HB1254 Rep. McBride

Funeral Board Reform Act. This Bill would supersede HB2830 and would end the Funeral Board
Dead pursuant to Rules

HB 2830 Rep. Gann

Sunset; Oklahoma Funeral Board; re-creating the Board; modifying termination date.

Do Pass Amended to 1 Year; Passed House; Headed to Senate

HB4041 Rep. McCall

Public health; requiring release of certain records and information to funeral directors and embalmers. This Bill will require nursing homes, VA, Hospitals and all other entities to inform the Funeral Home before pick-up if the decedent has any communicable disease.

Do Pass out of committee; Passed House; Headed to Senate

HB3544 Rep. Townley

Authorizing an advanced practice registered nurse to sign a death certificate.

Passed out of Committee; Passed House; Headed to Senate

HB3743 Rep.Sims

An Act relating to vital records; amending 63 O.S. 2011, Section 1-324, which relates to certified copies of records; directing the State Commissioner of Health to contract with the Oklahoma Tax Commission; providing for issuance of certified death certificates at local tag agencies. Thus, allowing you to pick up Death Certificates at the Tag Agency.

Passed out of Committee AMENDED – to include an \$8 fee to Tag Agency; Passed House, headed to Senate

SB1891 Sen. Pugh, Bergstrom, and Allen

Occupations and professions; creating the Universal Occupational Licensing Recognition Act; authorizing state-to-state agreements. Agency.

Passed out of Senate Committee and full Senate; Headed to the House

17. Adjournment –Adjourned at 10:23AM

Chris Ferguson
Executive Director

The next regular meeting of the Oklahoma Funeral Board will be held: **April 9, 2020
Office of Chief Medical Examiner – OKC 921 N.E. 23rd Street Conference Room –
1st Floor Oklahoma City, OK 73105.**