



MINUTES OF A REGULAR MEETING

OKLAHOMA FUNERAL BOARD

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

August 13, 2020

BOARD MEMBERS

J. Cooper
Joe Highberger
Todd Martin
Jim Roberts
Chad Vice

STAFF

Chris Ferguson
Martha Kulmacz, AAG
John Settle, AAG
Karol Shepherd
Tyler Stiles

MEETING PLACE: **Videoconference at**

<https://oklahomafuneralboard.my.webex.com/meet/Funeralboard>

An alternative dial in number was 1-408-418-9388; Access Code 1260612143

A virtual Board meeting of the Oklahoma Funeral Board was held on August 13, 2020 at 10:00 a.m. via videoconference 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 attended the meeting via Videoconference on

<https://oklahomafuneralboard.my.webex.com/meet/Funeralboard>

An alternative dial in number was 1-408-418-9388; Access Code 1260612143.

Appearing remotely via videoconference for the meeting were Board members; J. Cooper, Joe Highberger, Todd Martin, Jim Roberts, and Chad Vice. Board staff Chris Ferguson, AAG Martha Kulmacz, AAG John Settle, AAG, and Tyler Stiles also appeared remotely via videoconference. Karol Shepherd, attended via telephone.

This virtual Board meeting notice and agenda was posted on our web site (www.ok.gov/funeral) on August 7, 2020 at 1:45pm

Continuing Education credit was not provided for this meeting.

President Vice called the meeting to order at 10:00AM. Board Members Cooper, Highberger, Martin, Roberts and Vice were present. Members Cobble and Longanacre were absent. A quorum was at all times present.

The Board took no action regarding swearing in and oath of office for newly appointed Board members, none having been appointed.

The Board took no action on election of Officers for FY21 Oklahoma Funeral Board.

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.

After discussion by the Board members regarding emergency Funeral Board Rules, motion by Martin second by Vice to submit the following emergency rule to Governor Stitt for his consideration:

OAC 235:10-13-12 (e). Because of the COVID-19 pandemic, licensees shall be exempt from the continuing education requirements for the 2021 renewal of their Funeral Director and Embalmer licenses.

Members Cooper, Martin and Vice voted in favor of the motion, and Members Highberger and Roberts voted against the motion. The motion passed.

Motion by Roberts second by Martin to approve the June 11, 2020 Regular Board meeting minutes. Motion passed unanimously.

Motion by Roberts second by Martin to approve the July 9, 2020 Regular Board meeting minutes. Motion passed unanimously.

Motion by Cooper second by Roberts to approve the July 24, 2020 Special Board meeting minutes. Martin abstained, all other Board members voted yes. The motion passed.

Oklahoma Funeral Director Association Update by a representative of OKFDA. Gordon Welch, the Director of the OKFDA presented his report on the Association. The Association has been busy working on the 2021 Legislative agenda with three Bills moving forward at this time and more to be expected. Welch has been working with Associations from other States to be able to provide live, online education for the license holders of Oklahoma. He also stated that the 2021 OKFDA Convention was moving forward as planned. The convention is in April of 2021.

Motion by Highberger second by Martin to dismiss complaint 19-07 regarding advertising issues/unlicensed establishment. Motion passed unanimously.

Motion by Roberts second by Highberger to dismiss complaint 20-41 with a Letter of Concern regarding next of kin issues. Motion passed unanimously.

Regarding Matters for consideration: Consent Order; Complaint 19-64 Roberts Funeral Home & Chapel, Establishment, Healdton; Dudley-Roberts Funeral Home, Inc., Owner; Shannon Roberts, FDIC, Healdton. Shannon Roberts was present by telephone and was not represented by an attorney. The prosecution was represented by Martha Kulmacz, AAG. John Settle, AAG, was the Board's legal advisor. Members Cooper, Martin, Roberts and Vice heard the case. Member Highberger was recused from the case and he disconnected his camera and microphone.

After the presentation of the proposed consent order motion by Vice second by Martin to enter into executive session. Motion passed unanimously.

Motion by Cooper second by Roberts to exit executive session. Only this case was discussed and no votes were taken. Motion passed unanimously.

After further discussion regarding the consent order motion by Vice second by Martin to enter into executive session. Motion passed unanimously.

During this executive session Member Roberts left the meeting and did not return.

Motion by Martin second by Cooper to exit executive session. Only this case was discussed and no votes were taken. Motion passed unanimously.

After further discussion motion by Cooper second by Vice to deny the consent order. Motion passed unanimously.

No Consent Order was presented regarding Consent Order 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.

Regarding Matters for consideration:

Complaint 20-07 Heritage Funeral Home & Cremation Service, LLC, Establishment, OKC; Heritage Funeral Home & Cremation Service, LLC, Owner, OKC; Christopher Harrison, FDIC, OKC. Although both Respondents are represented by attorney Ronald "Skip" Kelly who was duly noticed for the meeting, neither Mr. Kelly nor Christopher Harrison appeared. The prosecution was represented by Martha Kulmacz, AAG. John Settle, AAG, was the Board's legal advisor. Members Cooper, Martin, Roberts and Vice heard the case. Member Highberger was recused from the case and he was still disconnected from his camera and microphone.

Motion by Cooper second by Martin to approve the proposed Order Regarding Objection to Subpoena Duces Tecum and Motion to Declare the Respondents in Default, in which Order the Objection to the Subpoena Duces Tecum is sustained, the Motion to Declare the Respondents in Default is found moot, and this case is set for an

administrative hearing at the September 10, 2020 Board meeting. The motion passed unanimously.

Mr. Highberger reconnected his camera and microphone.

Complaint 20-11 Kenneth Anglin Jr., Funeral Director and Embalmer, Watonga. Kenneth Anglin although duly notified of the hearing was not present and was not represented by an attorney. The prosecution was represented by Martha Kulmacz, AAG. John Settle, AAG, was the Board's legal advisor. Members Highberger, Martin, Roberts and Vice heard the case. Member Cooper was recused from the case and he disconnected from his camera and microphone.

Motion by Vice second by Highberger to grant the Motion for Continuance and approve the submitted Order of Continuance setting this case for merits hearing at the November 12, 2020 Board meeting. The motion passed unanimously.

Mr. Cooper reconnected his camera and microphone.

There being a lack of a quorum for this case, no action was taken regarding the Motion to Strike Scheduling Order in 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. The motion will be placed on the September 10, 2020 Board Agenda.

Motion by Highberger second by Vice to approve the following: Apprenticeship (Original) Amanda Flatt, Sand Springs, Dillon FH, Sand Springs and Raylee Tarrant, Sayre, Barnes Friederich FH, Midwest City. The motion passed unanimously.

Motion by Cooper second by Vice to table the following: Apprenticeship (Original) Lorna Schofield, Stillwater, Not employed at a FH. The motion passed unanimously.

Motion by Highberger second by Martin to approve the following: Apprenticeship (1st extension) Wanda Douglas, Ardmore, Alexander Gray FH, Wilson (enrolled at Dallas); Apprenticeship (2nd extension) Jennifer Ragland, Luther, Lehman FH, Wellston, (enrolled at Dallas); Apprenticeship (FD only) Courtney Cross, Collinsville, Rice FS, Claremore. The motion passed unanimously.

Motion by Highberger second by Martin to deny the following: Funeral Director and/or Embalmer (Reciprocal) Ronald Spencer, Texas. The motion passed unanimously.

Motion by Highberger second by Vice to approve the following: Funeral Director and/or Embalmer (Reciprocal) James Chance, Arizona. The motion passed unanimously.

Motion by Highberger second by Martin to table the following: Funeral Director and/or Embalmer (Reciprocal) Kendra Soley, Mississippi. The motion passed unanimously.

Motion by Highberger second by Martin to approve the following: Funeral Director and/or Embalmer (Original) Rachel Fast, Mannford (FD only); Zachary Colson, Moore; Amber Woommavovah, Norman; Justin Kinman, Fort Gibson; and Kirsten Johnson, Hydro. The motion passed unanimously.

Motion by Martin second by Cooper to table the following: Funeral Director and/or Embalmer (Original) Kassidi Patterson, (FD only) Woodward; Karie Schaudt, Jenks (FD only); Jonathan Carter, Sand Springs (FD only); Katie Clanton, Edmond; and Kyra Geil, OKC. The motion passed unanimously.

Motion by Highberger second by Copper to approve the following: Establishments Flanagan-Watts FH, Marietta request to change FDIC from Daren Flanagan to David Brown. The motion passed unanimously.

Motion by Highberger second by Martin to table the following: Establishments Neptune Cremation Service, Edmond, New Establishment, Neptune Management Corp. Owner; Tena Perez FDIC and Neptune Cremation Service, Edmond, New Establishment, Neptune Management Corp. Owner; Angela Bynum FDIC. The motion passed unanimously.

After discussion regarding exigent circumstances presented by Ronnie Dighton a motion by Martin second by Cooper to grant a temporary 90 day FDIC replacement from Louis Jay Crabaugh to Ronnie Dighton. The motion passed unanimously.

Motion by Highberger second by Cooper to table the following: Mortuary Schools, Northeast Texas Community College, Mt. Pleasant, Texas. The motion passed unanimously.

No new business was discussed.

Executive Director's Report- Agency Financial update-Mr. Ferguson reported gross receipts for July 2020 to be \$5,674.00 with \$338.90 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$30,705.82 and net income after expenses totaled -\$25,370.72.

Motion by Highberger second by Martin to adjourn the meeting at 1:15pm. The motion passed unanimously.

Chad Vice
Funeral Board President

