

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

NOTES OF SPECIAL MEETING

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

DATE & TIME: **January 30, 2020 10:00 A.M.**

*** 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 January 10, 2020 at 1:00PM

A copy of this agenda is available on the Funeral Board website at
www.ok.gov/funeral

If you plan to attend a Board meeting for Continuing Education credit and would like a rough estimate of the length of time Board staff estimates the meeting might last, please email your request 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-Members Coble, Highberger, Longanacre, Roberts, and Vice were present. Members Cooper and Martin were absent.

2. Matters for consideration: Consent Orders

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.

2A. Complaint 19-44 Tishomingo Funeral Home, Establishment, Tishomingo; Grove & Hartwell, Inc., Owner; Chad John, FDIC, Sherman, Texas; Justin Hartwell, unlicensed individual. Member Cooper needs to be recused. The Board accepted a consent order on complaint 19-44. 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 Rules of the Board. The terms consisted of the following: Administrative penalty of \$10,000.00; 2 years' probation if Justin Hartwell becomes licensed by the Funeral Board; 6 additional hours of Continuing Education for Chad John, 3 hours must be in person; 10 hours of Continuing Education if Justin Hartwell becomes licensed by the Funeral Board, 3 hours must be in person and court cost of \$750.00.

2B. Complaint 19-53 Stumpff Funeral Home & Crematory, Establishment, Bartlesville; The Stumpff Corp., Owner; Scott Holz, FDIC, Bartlesville. Member Cooper needs to be recused. The Board accepted a consent order on complaint 19-53. The agreed violations were: Gross malpractice or gross incompetency; violation of the Funeral Service Licensing Act and Rules of the Board; and Failing to obtain other necessary permits as required by law in a timely manner. The terms consisted of the following: Administrative penalty of \$1,000.00; 6 additional hours of Continuing Education for Scott Holz, 3 hours must be in person; and court cost of \$500.00.

- 2C. Complaint 19-56 Parks Brothers Funeral Home-Okemah, Establishment, Okemah; Parks Brothers Company, Inc., Owner; Robert Reilly III, FDIC, Okemah, Member Roberts needs to be recused.** The Board accepted a consent order on complaint 19-56. 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 must be in person; and court cost of \$850.00.
- 2D. Complaint 19-59 Walker Funeral Service, Establishment, Shawnee; Roesch Funeral Chapel, Inc, owner; C. Douglas Walker, FDIC Shawnee. Member Highberger needs to be recused.** The Board accepted a consent order on complaint 19-59. 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 court cost of \$250.00.
- 2E. Complaint 19-60 Henson-Novak Funeral Directors, Establishment, Guymon; Miller Funeral Homes, LLC, Owner; Kelly Miller, FDIC, Guymon. Member Roberts needs to be recused.** The Board accepted a consent order on complaint 19-60. The agreed violations were: Gross malpractice or gross incompetency; violation of the Funeral Service Licensing Act and Rules of the Board; and Failing to obtain other necessary permits as required by law in a timely manner. The terms consisted of the following: Administrative penalty of \$1,000.00; 6 additional hours of Continuing Education for Kelly Miller, 3 hours must be in person; and court cost of \$500.00.

3. Establishments

1. 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. **Application denied.**

4. Adjournment- 11:00AM

Chris Ferguson
Executive Director