



## MINUTES OF A SPECIAL MEETING

### OKLAHOMA FUNERAL BOARD

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

July 9, 2020

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#### BOARD MEMBERS

Tom Coble  
J. Cooper  
Joe Highberger  
Todd Martin  
Jim Roberts  
Chad Vice

#### STAFF

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

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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 July 9, 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; Tom Coble, J. Cooper, Joe Highberger, Todd Martin, Jim Roberts, and Chad Vice. Board staff Chris Ferguson, AAG Martha Kulmacz, AAG Thomas Schneider, 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](http://www.ok.gov/funeral)) on July 3, 2020 at 9:20AM

Continuing Education credit was not provided for this meeting.

Vice President Highberger called the meeting to order at 10:00AM. Board Members Coble, Cooper, Highberger, and Martin were present. Members Longanacre and Vice 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 regarding the message from Board President Vice regarding COVID-19 in Oklahoma.

The Board remembered and took a moment of silence in remembrance of Daren Flanagan, of Marietta, Oklahoma, who had been the President of the Oklahoma Funeral Directors Association at the time of his passing.

Oklahoma Funeral Director Association Update by Gordon Welch. Mr. Welch reported that OKFDA President Daren Flanagan was laid to rest last Friday. Kacey Ferguson will step up into the Presidency fulfilling Daren's term and she will remain President through her original term. Likewise, the other executive board members will move up for the remainder of the year and will fulfil their terms according to OKFDA by-laws. OKFDA remains busy: Welch has been working with the Oklahoma Insurance Department to assure the Limited Lines License for Pre-need will be in their legislative package for 2021. As well, Welch has been working with Senator Pedersons office to move forward with SB1311 – An Act relating to cemeteries; providing for method of burial space reversion; providing certain guidelines for notification process; providing certain remedy for certain claims. This Bill will allow cemetery owners to retain a cemetery plot if not used within 75 years. If a family member (in the 76<sup>th</sup> year of ownership) comes to use the property they will be given a plot near the same area if possible. There are a few other Bills the OKFDA are looking to revise for next year as well. Finally, the 2020 Convention has been cancelled. The OKFDA is looking for opportunities to provide CE within the proper protocols required. With that being said, the Pierce / Wilbert summer programs have been cancelled. NFDA has cancelled all remaining in-person conferences for the year as well. Oklahoma has seen an increase of 10,000 cases of Covid-19 in the month of June alone. The OKFDA and its staff are here to serve and will continue to reach out to the industry with any breaking news.

President Vice joined the meeting at 10:02a.m.

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.

The Board took no action regarding the discussion and possible action regarding election of Officers for FY21 Oklahoma Funeral Board.

Discussion and possible action regarding emergency rules granting a continuing education exemption for the 2021 license renewal period due to the COVID-19 pandemic. Motion by Highberger second by Coble to approve the following subsection and language to be added to OAC 235:10-13-12 and sent to Governor Stitt for signature

as a proposed emergency rule: (e) Because of the COVID-19 epidemic, Licensees shall be exempt from the requirement that they be physically present for one (1) hour of continuing education hours required for the 2021 renewal of their funeral director and embalmer licenses, which reduces the total hours to five (5). Members Coble, Cooper, Highberger, and Roberts voted yes. Members Martin and Vice voted no. The motion passed. Whether approved or vetoed by the Governor, the funeral industry will be notified via email regarding the result.

Motion by Roberts second by Martin to delegate authority to the Executive Director to if he deems it appropriate under the facts and circumstances of the COVID-19 pandemic extend by not more than six months the completion due date for in-person continuing education requirements mandated in previously executed Consent Orders. The motion passed unanimously.

The Board took no action regarding the approval of the June 11, 2020 Regular Board meeting minutes.

Motion by Roberts second by Coble to find probable cause regarding complaint 19-36 concerning FTC, GPL, and contract issues The motion passed unanimously with Highberger recusing.

Motion by Highberger second by Cooper to find probable cause regarding complaint 20-42 concerning unlicensed practice and FTC issues. Members Coble, Cooper, Highberger, Roberts, and Vice voted yes, Martin voted no. Motion passed.

Motion by Roberts second by Highberger to find probable cause regarding complaint 20-44 concerning death certificate issues. Members Coble, Cooper, Highberger, Roberts, and Vice voted yes, Martin voted no. Motion passed.

Regarding Matters for consideration: Extension of time on a Consent Order Deadline ; Complaint 20-13 Craig Owens, Ardmore, Licensed Funeral Director & Embalmer. Craig Owens 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, Cooper, Highberger, Martin and Vice heard the case. Member Roberts was recused from the case and he disconnected his camera and microphone.

Motion by Highberger second by Coble to extend to October 8, 2020 the prior August 13, 2020 deadline contained in the Complaint 20-13 Consent Order for Respondent Craig Owens to provide to the Oklahoma Funeral Board staff the agreed restitution to consumers. The motion passed unanimously.

Mr. Roberts reconnected his camera and microphone.

Regarding matters for consideration: Consent Order or Scheduling Order; Complaint 19-64 Roberts Funeral Home & Chapel, Establishment, Healdton; Dudley-Roberts

Funeral Home, Inc., Owner; Shannon Roberts, FDIC, Healdton. Although properly notified of the hearing, Shannon Roberts was not present and he 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, Cooper, Martin, Roberts and Vice heard the case. Member Highberger was recused from the case and he disconnected his camera and microphone.

Motion by Roberts second by Cooper to continue the evidentiary hearing in this case to the August 13, 2020 Board meeting. The motion passed unanimously.

Mr. Highberger reconnected his camera and microphone.

Regarding matters for consideration: Consent Order or Scheduling Order: No action was taken regarding Complaint 20-07 Heritage Funeral Home & Cremation Service, LLC, Establishment, OKC; Heritage Funeral Home & Cremation Service, LLC, Owner, OKC; Christopher Harrison, FDIC, OKC.

Matters for consideration: Consent Order or Scheduling Order; 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. Williams Stittsworth Jr. was not present. The Respondents are represented by attorneys Drew Edmondson and Robert Nance, who had previously signed the proposed Scheduling Order. The prosecution was represented by Martha Kulmacz, AAG. Thomas Schneider, AAG, was the Board's legal advisor. Members Coble, Cooper, Martin and Roberts heard the case. Member Highberger and Vice were recused from the case and they disconnected their cameras and microphones.

Motion by Coble second by Cooper to approve the proposed Scheduling Order continuing setting the case for hearing at the October 8, 2020 Board meeting and setting other deadlines. The motion passed unanimously.

Mr. Highberger and Mr. Vice reconnected their cameras and microphones.

Motion by Roberts second by Martin to approve the following: Apprenticeship (Original) Mary Taylor, Edmond, OMS, OKC (EM only), Mylei Saysana, Edmond, Smith & Kernke FH, OKC, and Isaac Brown, Wellston, Brown Family FH, McLoud. The motion passed unanimously.

Motion by Martin second by Coble to approve the following: Apprenticeship (1st extension) Brianna Chiles, Antlers, Serenity FS, Antlers (enrolled at Northeast Texas), Angel Ridge, Edmond, Bill Eisenhour FH, OKC (enrolled at UCO), and Dainie Fisher, Chouteau, Locust Grove FH, Locust Grove (enrolled at UCO) The motion passed unanimously.

Motion by Roberts second by Cooper to table the following: Apprenticeship (2nd extension) Aaron Engle, Tulsa, Stanley FH, Tulsa (Grad Cincinnati College of MS). The motion passed unanimously.

Motion by Coble second by Roberts to approve the following: Apprenticeship (3rd extension) Rachel Fast, Mannford Mannford FH, Mannford (EM only) (Grad of UCO) The motion passed unanimously.

Motion by Cooper second by Coble to approve the following: Funeral Director and/or Embalmer (Reciprocal) Billy Robison, Texas. The motion passed unanimously.

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

Motion by Martin second by Cooper to approve the following: Funeral Director and/or Embalmer (Original) Callie YoungBird, North Dakota, Alexis Eck, Ponca City, and Kristen Hutchison, Guthrie, (FD only) The motion passed unanimously.

Motion by Martin second by Cooper to table the following: Funeral Director and/or Embalmer (Original) Rachel Fast, Mannford (FD only) The motion passed unanimously.

Motion by Coble second by Roberts to approve the following: Establishments, Parks Brothers FS, Chandler, request to change FDIC from Michael McElyea to Erin Bradley; Parks Brothers FS, Meeker, request to change FDIC from Donald Tramel to Jerel Johnson; Rolfe FH, OKC request to change FDIC from John Adams to Jimmie Boldien Jr.; Beside Stillwaters FH & Cremation, OKC request a name from Beside Stillwaters Funeral Home and Cremation change to McKay-Davis & Tate Funeral Home and Cremation; Cunningham FH, Caddo request to close establishment. Wilson Funeral & Cremation Service, Kingfisher, New Establishment, Crawford Family Funeral El Reno, LLC. Owner; Kennedy Winter FDIC. The motion passed unanimously.

Motion by Roberts second by Cooper to table the following: Establishment: Neptune Cremation Service, Edmond, New Establishment, Neptune Management Corp. Owner; Tena Perez FDIC. The motion passed unanimously.

Motion by Coble second by Vice 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 June 2020 to be \$13,938.60 with \$765.36 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$33,275.99 and net income after expenses totaled -\$20,102.75

Motion by Roberts second by Vice to adjourn the meeting at 10:42AM. The motion passed unanimously.

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Chad Vice  
Oklahoma Funeral Board President