

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

NOTES OF REGULAR MEETING

MEETING PLACE: **Videoconference at**

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

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 1-408-418-9388; Access Code 1260612143

DATE & TIME: July 9, 2020 10:00AM

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 may attend the meeting via Videoconference on

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

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

1-408-418-9388; 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.

This virtual Board meeting notice and agenda was posted on our web site (www.ok.gov/funeral) on July 3, 2020 at 9:20AM

Continuing Education credit was not provided for this meeting.

If the connection is lost during the meeting on July 9, 2020, and if there is an inability to restore the connection 30 minutes thereafter, the meeting will automatically be stopped and reconvened on Friday, July 10, 2020 at 10:00am using the same web ex 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 attended the meeting. Longanacre was absent
2. **Swearing in and oath of office for newly appointed Board members, if any**-No action was taken

3. **Message from Board President Vice regarding COVID-19 in Oklahoma**-No action was taken
4. **Commemoration of and moment of silence in remembrance of Daren Flanagan, Marietta, President of the Oklahoma Funeral Directors Association**
5. **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.

6. **Discussion and possible action regarding election of Officers for FY21 Oklahoma Funeral Board.** -No action was taken
7. **Discussion and possible action regarding emergency rules granting a continuing education exemption for the 2021 license renewal period due to the COVID-19 pandemic.** The Board approved the following language to be sent to Gov Stitt for signature. The funeral industry will be notified via email as to if the Emergency rules are signed or vetoed. (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) hours.
8. **Discussion and possible action regarding delegating authority to the Executive Director to extend the timeframe for any in-person continuing education requirement regarding previously executed Consent Orders.** The Board granted Mr. Ferguson the authority to extend any physical presence continuing education requirements that might have been due by December 31, 2020 to July 31, 2021. Licensees that are required to gain physical presence hours must request an extension in writing of time if the hours cannot be gained by December 31, 2020
9. **Approval of the June 11, 2020 Regular Board meeting minutes**-No action was taken
10. **Review complaints with possible vote for probable cause or other action**

19-36- FTC, GPL, Contract Issues-**Found Probable Cause**

20-42- Unlicensed Practice; FTC issues-**Found Probable Cause**

20-44- Death Certificate Issues- **Found Probable Cause**

11. Matters for consideration: Extension of time on a Consent Order Deadline

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.

11A. Complaint 20-13 Craig Owens, Ardmore, Licensed Funeral Director & Embalmer. Member Roberts needs to be recused. –Mr. Owens time to produce restitution to consumers was extended from August 13, to October 8, 2020

12. Matters for consideration: Consent Order or Scheduling 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.

12A. 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 until the August 13, 2020 Board meeting.

12B. 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 No action was taken

12C. 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 until the October 8, 2020 Board meeting.

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

A. Apprenticeship (Original) All Approved

1. Mary Taylor, Edmond, OMS, OKC (EM only)
2. Mylei Saysana, Edmond, Smith & Kernke FH, OKC
3. Isaac Brown, Wellston, Brown Family FH, McLoud

B. Apprenticeship (1st extension) All Approved

1. Brianna Chiles, Antlers, Serenity FS, Antlers (enrolled at Northeast Texas)
2. Angel Ridge, Edmond, Bill Eisenhower FH, OKC (enrolled at UCO)
3. Dainie Fisher, Chouteau, Locust Grove FH, Locust Grove (enrolled at UCO)

C. Apprenticeship (2nd extension) Tabled

1. Aaron Engle, Tulsa, Stanley FH, Tulsa (Grad Cincinnati College of MS)

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

1. Rachel Fast, Mannford Mannford FH, Mannford (EM only)
(Grad of UCO)

E. Funeral Director and/or Embalmer (Reciprocal) **Number 1 was approved and number 2 was tabled.**

1. Billy Robison, Texas
2. Ronald Spencer, Texas

F. Funeral Director and/or Embalmer (Original) **Number 1, 2 and 4 were approved. Number 3 was tabled.**

1. Callie YoungBird, North Dakota
2. Alexis Eck, Ponca City
3. Rachel Fast, Mannford (FD only)
4. Kristen Hutchison, Guthrie, (FD only)

G. Establishments-**All were approved except number 6 was tabled.**

1. Parks Brothers FS, Chandler, request to change FDIC from Michael McElyea to Erin Bradley
2. Parks Brothers FS, Meeker, request to change FDIC from Donald Tramel to Jerel Johnson
3. Rolfe FH, OKC request to change FDIC from John Adams to Jimmie Boldien Jr.
4. Beside Stillwaters FH & Cremation, OKC request a name from Beside Stillwaters Funeral Home and Cremation change to McKay-Davis & Tate Funeral Home and Cremation
5. Cunningham FH, Caddo request to close establishment
6. Neptune Cremation Service, Edmond, New Establishment, Neptune Management Corp. Owner; Tena Perez FDIC

7. Wilson Funeral & Cremation Service, Kingfisher, New Establishment, Crawford Family Funeral El Reno, LLC. Owner; Kennedy Winter FDIC

H. Mortuary Schools-**Tabled**

1. Northeast Texas Community College, Mt. Pleasant, Texas

14. **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**

15. **Oklahoma Funeral Director Association Update by a representative of OKFDA** 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 our by-laws.OKFDA remains busy: I have 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, I have 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 76th 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 we are looking to revise for next year as well. Finally, the 2020 Convention has been cancelled. We are 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 from of 10,000 cases of Covid-19 in the month of June alone. We are here to serve and continue to reach out to the industry with any breaking news.

16. **Executive Director's Report**

- A. 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**

17. Adjournment-10:42AM

Chris Ferguson
Executive Director

The next regular meeting of the Oklahoma Funeral Board will be held: **August 13, 2020**
During the COVID-19 pandemic, whether a Board meeting will be held virtually or in person is being decided on a monthly basis.