

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

NOTES OF SPECIAL MEETING

MEETING PLACE: **Videoconference on Go to Meeting**  
<https://www.gotomeeting.com/meeting/join-meeting>  
**Meeting ID number: 731864109**

**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 1-786-535-3211; Access Code 731-864-109#**

DATE & TIME: May 14, 2020 10:00AM

A special virtual Board meeting of the Oklahoma Funeral Board will be held on May 14, 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 Go to Meeting** <https://www.gotomeeting.com/meeting/join-meeting> **Meeting ID number: 731864109** 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 1-786-535-3211; Access Code 731-864-109#. Appearing remotely via videoconference for the meeting will be Board members; Tom Coble, J. Cooper, Joe Highberger, Cindy Longanacre, Todd Martin, Jim Roberts, and Chad Vice. Board staff Chris Ferguson, , Karol Shepherd, and Tyler Stiles, and AAG Martha Kulmacz and AAG Thomas Schneider will also appear remotely via videoconference.

This virtual Board meeting notice and agenda was posted on our web site ([www.ok.gov/funeral](http://www.ok.gov/funeral)) on May 9, 2020 at 9:45AM

Continuing Education credit will not be provided for this meeting.

If the connection is lost during the special meeting on May 14, 2020, and if there is an inability to restore the connection 30 minutes thereafter, the meeting will automatically be stopped and reconvened on Friday, May 15, 2020 at 10:00am using the same Go to Meeting conference web site listed above. Please direct all questions to [info@funeral.ok.gov](mailto: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. Longanacre did not attend.

## **2. Message from Board President Vice regarding COVID-19 in Oklahoma-**

Vice explained the following: Tomorrow, May 15, 2020 begins “Phase 2” of Governor Stitt’s plan to reopen Oklahoma.

What does this mean? The Department of Commerce’s website states, “Larger funerals may resume on May 15 with appropriate social distancing guidelines in place. Individuals should consult with the venues to ensure appropriate social distancing and the maximum number of guests. They could offer seating with six feet distance between family groups and/or alternating rows and pews. Funeral service venues should follow guidance for places of worship. Funeral receptions venues should follow guidance for restaurants.” Here is the link for additional information: <https://www.okcommerce.gov/covid19/open-up-recover-safely-ours-plan-faqs/>

I recommend following three simple steps of approval before scheduling funerals with participation larger than 10:

1. Obtain approval from your respective city government. Many municipalities have their own “orders” to follow. Make sure you are informed of what these are.
2. Obtain approval from all places of worship or other hosting venues before obligating a day and time of a funeral or memorial service to a family.
3. Obtain approval from restaurants, receptions centers or other hosting venues before obligating a day and time of a celebration reception or anything related to this.

Vice read the following from the Oklahoma Department of Health: The State Registrar is pleased to announce that Vital Records will be re-opening it’s lobbies on June 1. Due to social distancing requirements, the lobby will be limited to 25 customers only, including funeral directors. Funeral directors will only be able to drop off applications and/or pick up records as staff will be working to get as many of the public through each day as possible. Visitors and funeral directors at the OKC office will be checked in near the parking area upon arrival, public applications will pre-screened, and then everyone will be placed on a waiting list. If you choose to utilize the lobby services, you are encouraged to arrive early. Lobbies in the Tulsa and McAlester offices will also be limited. Vital Records hopes funeral directors found the on-line portal a cost-effective and easy to use alternative while the lobbies were closed. During this unprecedented time, Vital Records was very fortunate to have the portal available, so staff could be sent home. Every single order for a death record that was on file was issued the next day. During this time, VitalChek generously waived the \$6 portal fee for 30 days for any funeral director who had not used the portal in the past 6 months. With summer approaching, the demand for birth certificates will increase significantly as families prepare for back-to-school and residents seek to obtain RealID compliant driver licenses. Social distancing will remain in place so Vital Records wants to offer an alternative solution to their lobbies for both the public and funeral directors. They have worked diligently with VitalChek to come up with a less expensive solution that you will hopefully find value in. Effective Monday May 18, any funeral director who wants to order records using a bank transfer instead of a credit card will be able to use the portal for only \$3. Credit card orders will remain \$6. Discounts for online orders have

also been developed for the public to help reduce the number of people seeking service in the lobby. More information on this will be forthcoming from Vital Records by the end of the week. Vital Records wants to thank the funeral directors and their staff for their patience these past several weeks. It has been a trying time for everyone and they want to pass along their appreciation for complexities you have worked through to serve the families and keep them safe.

### **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 April 9, 2020 Special Board meeting minutes-Approved**

### **5. Review complaints with possible vote for probable cause or other action**

19-36- FTC Issues-**Tabled**

19-63- Next of Kin Issues-**Dismissed**

### **6. Matters for consideration: Consent 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.

**6A. Complaint 20-08 Kenneth Anglin Jr., Funeral Director and Embalmer, Watonga. Member Cooper needs to be recused.** The Board accepted a consent order on complaint 20-08. The agreed violations were: Violation of the Funeral Service Licensing Act; and Rules

of the Board; Material Misrepresentation; Ethics violations including Integrity, and Specific Rules of Conduct. The terms consisted of the following; Administrative penalty of \$2,000.00; Funeral Directors and Embalmers licenses suspended for thirty days, and court cost of \$1,250.00.

- 6B. Complaint 20-11 Kenneth Anglin Jr., Funeral Director and Embalmer, Watonga. Member Cooper needs to be recused.** This complaint was tabled for a hearing at a later date.
- 6C. Complaint 20-23 Palmer Marler Funeral Home, Establishment, Cushing; Ironwood Funeral Group, LLC., Owner; Riley Castor, FDIC, Agra. Member Roberts needs to be recused.** The Board accepted a consent order on complaint 20-23. The agreed violations were: Violations of the Funeral Service Licensing Act; and Rules of the Board; and Failure to maintain five caskets in the selection room. The terms consisted of the following; Administrative penalty of \$2,000.00; and court cost of \$550.00.
- 6D. 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.** The Board accepted a consent order on complaint 20-27. The agreed violations were: Violation of the Funeral Service Licensing Act; and Rules of the Board; FTC violations; Ethics violations including Integrity, and Specific Rules of Conduct. The terms consisted of the following; Removing the \$955.00 casket cost, Administrative penalty for Bradley FH of \$1,500.00; Curtis Mike Brown of \$1,500; Michael Hart of \$1,500.00; each funeral director must get 3 additional hours of Continuing Education; and court cost of \$1,250.00.

- 6E. Complaint 20-30 Kyle Humphries, Licensee, Moore. Member Roberts needs to be recused.** The Board accepted a consent order on complaint 20-30. The agreed violations were: Violations of the Funeral Service Licensing Act; and Rules of the Board; and Continuing Education violations. The terms consisted of the following; Administrative penalty of \$300.00; one hour of additional Continuing Education; and court cost of \$200.00.
- 6F. Complaint 20-33 Smith-Gallo Funeral Home, LLC, Establishment, Guthrie; Smith-Gallo Funeral Home, LLC, Owner; John B. Gallo, FDIC, Guthrie. Member Vice needs to be recused.** The Board accepted a consent order on complaint 20-33. The agreed violations were: Body intake violation, violations of the Funeral Service Licensing Act; and Rules of the Board. The terms consisted of the following; Administrative penalty of \$250.00 and court cost of \$250.00.
- 6G. Complaint 20-37 Dudley Funeral Home-Waurika, Establishment, Waurika; Dudley Funeral Home, Inc. Owner; America Dudley, FDIC, Waurika. Member Vice needs to be recused.** The Board accepted a consent order on complaint 20-37. The agreed violations were: Body intake violation, violations of the Funeral Service Licensing Act; and Rules of the Board. The terms consisted of the following; Administrative penalty of \$250.00 and court cost of \$250.00.

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

**A. Apprenticeship (Original)- All Approved**

1. Breanne Strawn, Yukon, Ingram, Smith & Turner Mortuary, Yukon
2. Naomi Kemper, Mustang, Corbett FH, OKC

B. Apprenticeship (1st extension) **Number 1 denied, 2 approved**

1. Jennifer Ragland, Luther, Lehman FH, Wellston (not enrolled in Mort College)
2. Melanie Holcomb, Edmond, Bill Eisenhower FH, OKC (enrolled at UCO)

C. Apprenticeship (FD only) **–Approved**

1. Kimberly Clark, Tishomingo, DeArman-Clark FH, Tishomingo

D. Apprenticeship (FD only) (1st extension)-**Approved**

1. Kristen Hutchison, Guthrie, Hays FH, Guthrie, (enrolled at UCO)

E. Apprenticeship (FD only) (2nd extension)- **Approved**

1. Robert Stevens, Wheatland, Temple & Son FH, OKC (enrolled at UCO)

F. Funeral Director and/or Embalmer (Reciprocal)-**Tabled**

1. Clifford Fitch, Texas

G. Funeral Director and/or Embalmer (Original) **Number 1 and 2 approved, Numbers 3, 4, and 5 tabled.**

1. Josie Albright, Edmond (FD only)
2. Rubith Lujan, Edmond
3. Gary White, Broken Arrow (FD only)
4. Joshua Linn, Muskogee
5. Debra Provaznik, Prague, (EM only)

H. Establishments-**All Approved**

1. Checotah Funeral & CS, Checotah, request to change FDIC from Curtis Brown to Darell Buck
2. Don Grantham FH, Duncan, request to change FDIC from Billy Jackson Jr. to Linda Newsom
3. Cornerstone FH, Muskogee, request to change FDIC from Gary Cooper Jr. to Stacy Donelson

4. Vondel Smith & Son Mortuary South Lakes, OKC, request to change FDIC from Stephen Hopkins to Margie Bone.
5. Vondel Smith & Son Mortuary, OKC, request to change FDIC from Stephen Hopkins to Derek Czajkoski

**8. Oklahoma Funeral Director Association Update by a representative of**

**OKFDA-** Gordon Welch reported that OKFDA has been in constant contact with the Governor's Office, and the Oklahoma City and Tulsa Mayors Offices.

At this time the Governor's Office states that funerals, weddings and other large gatherings will be limited to 50 or fewer. The OKC and Tulsa Mayors office General Council have not committed to anything as of yesterday.

We are working on the Convention – July 26 – 28 at the WinStar World Resort

Right now our main function is answering questions from funeral homes and individuals from the State.

Legislation is a bit tricky right now – most of the focus is on budgetary items. A Senator was told to pick the one Bill he thought would pass and move it forward.

***HB4041*** by Speaker McCall (OKFDA BILL)

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.

**THIS BILL HAS BEEN SIGNED BY THE GOVERNOR**

***HB3743*** 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. HEALTH DEPT DOES NOT SUPPORT THIS

**Passed out of House to Senate – to include an \$8 fee to Tag Agency – Second reading in HHS**

***HB3544*** Ms. Townley

Authorizing an advanced practice registered nurse to sign a death certificate. I will ask the committee to include a Nurse Practitioner as many people are seeing them as family Doctors.

**Passed House in Senate HHS**

***SB1893*** Ms Bice & Miller

An Act relating to infant mortality (sudden unexplained infant death investigation; requiring ME's office to examine within 48 hours

**Passed out of Senate to House – Second reading direct to calendar.**

***SB447*** by Mr. Newhouse

The State of Oklahoma shall establish a program to provide assistance for the funeral expenses of all members of the National Guard, police, state troopers, firefighters and

first responders who have died in the line of duty while under state orders. The program shall provide a grant for funeral expenses for any person who qualifies as determined by the Oklahoma Homeland Security Director. Maximum reimbursement shall not exceed Ten Thousand Dollars (\$10,000.00)

**Referred to Appropriations (House Author) Will probably Die**

**SB 1311** Pederson

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.

**Sent to Judiciary**

**SBI839** Ms. Hicks

Department of Human Services is authorized to make the necessary funeral arrangements and pay any reasonable burial expenses incurred upon the death of a child or a ~~retarded person~~ an individual with intellectual disability who is either in the custody of the Department or is a resident of an institution under the jurisdiction of the Department.

This is a verbiage change only

**Second Reading Do Pass Sent to HHS and Appropriations**

**HB 2830** by Mr Gann

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

You may not know, but they Funeral Board is “sunset” every 6 years and this is the 6<sup>th</sup> year. This Bill is required to keep the Funeral Board Operating.

**Do Pass Amended to 1 Year Engrossed to Senate – referred to General Government**

**HB1710 This Bill** will change the waiting period of a death without a body present from 7 years to 2 years with required information entered into the National Database. This has been difficult as it needed special handling.

Speaker of the House Charles McCall has been a huge help on this.

**Died in Committee**

**9. Executive Director’s Report**

- A. Agency Financial update **Mr. Ferguson reported gross receipts for April 2020 to be \$8,885.00 with \$650.00 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$34,350.06 and net income after expenses totaled -\$26,115.06**

**10. Adjournment -11:25AM**



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Chris Ferguson  
Executive Director