

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

NOTICE 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. If calling in by telephone please call 1-408-418-9388; Access Code 1260612143. If attending in person at the physical location: Office of Chief Medical Examiner OKC, 921 N.E. 23rd Street Conference Room 1st Floor Oklahoma City, OK 73105. Face masks are required to be worn if attending in person.

DATE & TIME: October 8, 2020 10:00AM

A Board meeting of the Oklahoma Funeral Board was held on October 8, 2020 at 10:00 a.m. which was attended 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. If attending in person the physical location is: Office of Chief Medical Examiner OKC 921 N.E. 23rd Street Conference Room 1st Floor Oklahoma City, OK 73105.

The following Board members will appear in person: J. Cooper, Joe Highberger, Brent Matherly, Jim Roberts, and Chad Vice. Board staff: Amanda Everett, AAG, Chris Ferguson, Thomas Grossnicklaus, AAG, Thomas Schneider, AAG, Karol Shepherd, and Tyler Stiles, will also appear in person; Board member Tom Coble and Martha Kulmacz, AAG, will be appearing remotely via videoconference and/or telephone.

This Board meeting notice and agenda was posted on our web site (www.ok.gov/funeral) on October 2, 2020 at 3:20pm

If attending via videoconference or via telephone Continuing Education credit will not be provided for this meeting.

If any video and/or telephone connection is lost during the meeting on October 8, 2020, and if there is an inability to restore that connection during the 30 minutes thereafter, and which loss of connection results in the loss of a quorum, the meeting will automatically be stopped and reconvened on Friday, October 9, 2020 at 10:00am at the same physical location and using the same web ex conference web site and telephone number 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, Highberger, Matherly, and Roberts were absent; Cooper and Vice were absent.

2. 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.

3. Approval of the September 10, 2020 Regular Board meeting minutes-Approved

4. Oklahoma Funeral Director Association Update by a representative of

The OKFDA Board of Directors met and discussed the needs of funeral directors if the Governor did not sign the request to eliminate the CE requirement for license renewal.

We have tried to balance the need versus the care of social distancing. We have decided to hold three fall meetings. Each meeting will have one hour of CE (same CE at each). They will be held October 22 in , October 27th at and October 29th at. Cost of the meetings will be \$15 and will include light snacks and beverages.

In addition, the association will host a two-day event at Barnes Friederich Funeral Home in Midwest City. The event will be December 6 & 7. Each event will include five hours (repeated) on Sunday afternoon and Monday morning. Details of the education are still being worked out. This should meet the needed CE requirement.

We continue to move forward with the 2021 Convention on April 25 – 27 and will be held at the Marriott Renaissance located at 71st Street and Highway 169 in South Tulsa.

It is our membership renewal time and I will be sending out renewals soon. You can go on-line and join or renew or send in the application when you receive it. We would love to be able to say the entire funeral board were members and supported the states association.

In addition, the vital records division of the Okla Health Dept has announced the temporary closure of the McAlester Location. The location will be closed until the 20th. Vital Records has suggested that there are no funeral directors using the location as a walk-in facility. Oklahoma City will service the needs until the 20th.

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

20-09- Solicitation of Business-**Dismissed**

21-04- Body Intake Log, No Casket Prices, Cooler Temperature Issues-
Found probable Cause

21-08- Overcharging-**Dismissed**

21-15- Cemetery Issues-**Dismissed**

21-17- Stealing Pre-need Funds-**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 20-35 Burkhart Funeral Service, Establishment, Antlers; Burkhart Funeral Service, LLC, Owner, Antlers; Thomas Burkhart, FDIC, Antlers. Member Cooper needs to be recused. –No Action

6B. Complaint 20-44 Burkhart Funeral Service, Establishment, Antlers; Burkhart Funeral Service, LLC, Owner, Antlers; Thomas Burkhart, FDIC, Antlers. Member Cooper needs to be recused. –No Action

6C. Complaint 20-42 Dowdy-Marker Funeral Home, Establishment, Haskell; Marker Funeral Home, Inc., Owner; Michael Marker, FDIC, Bixby; Cynthia Foster, Apprentice, Bixby. Member Cooper needs to be recused.- No Acton

7. Matters for consideration: Respondents' Motion to Disqualify Board Members

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.

7A. 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. Board denied the motion.

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

A. Apprenticeship (Original) Number one was tabled, two through four was approved.

1. Williams Swanson, Choctaw, Chapel Hill HF, OKC
2. Haley Buller, Yukon, Ingram Smith & Turner FH, Yukon
3. Cadyn Brice, OKC, Baggerley FH, Edmond
- ***4. Addison Ray, Clinton, Corbett FH, OKC

B. Apprenticeship (1st extension) All Approved

1. Brian Saunders, Guthrie, Oklahoma Mortuary Service, OKC (EM only) (enrolled at UCO)
2. Kristen Kennedy, Calumet, Ingram Smith & Turner FH, Yukon (enrolled at UCO)
3. Cade Harkins, OKC, Matthews FH, Edmond (enrolled at UCO)
4. Daysha Ross, Stilwell, Reed-Culver, Tahlequah (enrolled at UCO)

C. Apprenticeship (2nd extension) Number one through three approved, number four tabled.

1. Alaina Webster, Noble, Mercer-Adams, Bethany (enrolled at UCO)
2. Jennice Jeter, Stillwater, Strode FH, Stillwater (enrolled at UCO)
3. Carissa Eads, Mustang, Corbett FH, OKC (enrolled at UCO)
4. Paul Bruns, Edmond, OKC Cremation, OKC

D. Apprenticeship (3rd extension) All Approved

1. Kayla Houlton, Muskogee, Bill Eisenhower FH, OKC, (enrolled at UCO)
2. Patricia Gonzalez-Carter, MaComb, Parks Bro FH, Prague (enrolled at Dallas)
- ***3. Kelton Nance, Vici, Shaw FH, Vici, (enrolled at Dallas)

E. Funeral Director and/or Embalmer (Original) **Number one tabled, number two and three approved.**

1. Gary White Tulsa (FD only)
2. Geena Powell, Henryetta, (FD only)
3. Kenneth Hargrove Jr., Jenks (FD only)

F. Establishments-**Number one was denied, number two was tabled, number three through six were approved.**

1. Neptune Cremation Service, Edmond, New Establishment, Neptune Management Corp. Owner; Angela Bynum FDIC
2. Miller-Stahl Funeral Service, Newkirk, New Establishment, Legacy Funeral Holding Of Oklahoma, LLC. Owner; Craig Schatz, FDIC
3. Trout FH, Ponca City, request to change FDIC from Mark Riley to Preston Childress
4. Trout FH, Blackwell, request to change FDIC from Mark Riley to Preston Childress
5. Trout FH, Tonkawa, request to change FDIC from Mark Riley to Preston Childress
6. DeArman FH, Ada, request to close location.

G. Crematory-**Approved**

1. Trout FH & Crematory, Ponca City, request to change FDIC from Mark Riley to Preston Childress

H. Mortuary Schools-**Tabled**

1. Amarillo Mortuary College, Amarillo, Texas

9. 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**

10. **Discussion and possible action regarding the Board entering into a contract with Thentia to handle the Board's computer software needs.-**
Approved

11. **Discussion and possible action regarding emergency rules proposed due to the COVID-19 pandemic granting a continuing education exemption, modification, and allowing carry-over continuing education hours from the 2020 calendar year to any future license renewal periods.** The Board adopted the following language to be sent to the Gov. office for his signature. 235:10-13-10. Continuing education requirements (a) Applicants for renewal of a funeral director or embalmer license in Oklahoma, shall submit the renewal fee and documentation as prescribed by the Board of each continuing education course the licensee attended during the year. Every licensed funeral director, and/or licensed embalmer, shall obtain a minimum of six (6) contact hours during each calendar year before their annual license renewal. One (1) contact hour shall be construed as 50 minutes of learning activity. Except during the 2020 calendar year for the 2021 license renewal, during which 2020 calendar year the COVID-19 pandemic has occurred, in at least one (1) hour of this continuing education, the Licensee shall be physically present at the location of the Presentation. One (1) hour of the required continuing education shall cover Ethics.

12. **Executive Director's Report**
 - A. Agency Financial update **Mr. Ferguson reported gross receipts for September 2020 to be \$8,385.00 with \$671.00 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$33,882.60 and net income after expenses totaled -\$26,168.60**

 - B. Regulatory Essentials: Board Training Event-**Board Member and Staff training set for October 20 and 21.**

13. **Adjournment -1:04PM**

Chris Ferguson
Executive Director

The next regular meeting of the Oklahoma Funeral Board will be held: **November 12, 2020. During the COVID-19 pandemic, whether a Board meeting will be held virtually or in person is being decided on a monthly basis.**

