

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. 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: September 10, 2020 10:00AM

A Board meeting of the Oklahoma Funeral Board was held on September 10, 2020 at 10:00 a.m. which may be 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: Tom Coble, J. Cooper, Joe Highberger, Cindy Longanacre, New Member Brent Matherly, Jim Roberts, and Chad Vice. Board staff Chris Ferguson, AAG Thomas Schneider, Karol Shepherd, and Tyler Stiles, will also appear in person; AAG Martha Kulmacz 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 September 4, 2020 at 3:30pm

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 September 10, 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, September 11, 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**-Cooper, Highberger, Longanacre, Matherly, Roberts and Vice were present. Coble was absent.
2. **Swearing in and oath of office for newly appointed and reappointed Board members, Brent Matherly and Jim Roberts**
3. **Discussion and possible action regarding election of Officers for FY21 Oklahoma Funeral Board.** Highberger was elected President and Roberts was elected Vice-President

4. **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.

5. **Discussion and possible action regarding emergency rules proposed due to the COVID-19 pandemic granting a continuing education exemption 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. OAC 235:10-13-10(e). Because of the COVID-19 pandemic, if any continuing education hours were earned during 2020, a maximum of six (6) of those hours may be carried over and applied to the required hours for the 2022 renewal year.
6. **Approval of the August 13, 2020 Regular Board meeting minutes**-Approved
7. **Oklahoma Funeral Director Association Update by a representative of OKFDA** Gordon Welch reported that the OKFDA Board is planning a meeting at the end of the month. The association stands ready to offer continuing education should the Governor not sign the request to eliminate the continuing education requirement for the 2021 renewal, he also noted that he is working with legislators on the 2021 legislative session.
8. **Review complaints with possible vote for probable cause or other action**

20-40 False advertising, FTC issues, Ethics issues-Found Probable Cause

20-43 FDIC with poor health-Dismissed

20-46 Statement of Goods & Services & Insurance issues-Dismissed

21-03 Next of Kin issues-Dismissed

21-05 Ethics issues-Dismissed

21-07 Next of Kin issues-Dismissed

9. 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.

9A. 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. -The Board accepted a consent order on complaint 20-07. The agreed violations were: Violation of the Funeral Service Licensing Act; and Rules of the Board, Lack of Response and Obstruction of Investigation. The terms consisted of the following; Administrative penalty of \$250.00, six additional hours of continuing education; and court cost of \$1,230.00

10. Matters for consideration: Motion to Strike 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.

10A. 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. The Board approved the motion to Strike the Scheduling Order.

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

- A. Apprenticeship (Original)-**Number 1 was denied, 2 through 9 were approved.**
 1. Lorna Schofield, Stillwater, Not employed at a FH
 2. Mercedes Castro, Tuttle, OMS, OKC (EM only)
 3. Javon Binder, Lawton, Howard-Harris, Lawton
 4. Disney Cain, OKC, Matthews FH, Edmond
 5. Raylynn Blanton, Ponca City, Trout FH, Ponca City
 6. Madison Maxwell, Muskogee, Keith Biglow FH, Muskogee
 7. Brighton Potter, Tulsa, Add'Vantage Funerals & Cremation, Tulsa

8. Lada Feldman, OKC, Crawford Family FS, Edmond

***9. Kendra Soley, Skiatook, Stanley's FH, Tulsa

B. Apprenticeship (1st extension)-All Approved

1. Becky Shupe, Tonkawa, Trout FH, Ponca City (enrolled at UCO)

2. Hannah Marlow, OKC, Smith & Kernke FH, OKC
(enrolled at UCO)

3. Cheyenne Morris, Lone Wolf, Lowell-Tims FH, Altus (enrolled at UCO)

4. Cassidy Ucherek, Edmond, Mercer-Adams FH, Bethany
(enrolled at UCO)

5. Stephen Smith, OKC, Ford FS, MWC (enrolled at UCO)

C. Apprenticeship (2nd extension)-All Approved

1. Ashley Oliver, Hugo, Prater-Lampton-Mills & Coffey FH, Hugo (enrolled
at Northeast Texas)

2. Hillary Hatchett, OKC, Resthaven FH, OKC (enrolled at UCO)

3. Paige Goodman, Moore, Mercer-Adams FH, Bethany
(enrolled at UCO)

D. Apprenticeship (FD only)-All Approved

1. Trysta Kershner, Marietta, Flangan-Watts FH, Marietta

2. Jacob Paxson, Grove, Brown-Winters FH, Miami

E. Funeral Director and/or Embalmer (Reciprocal)-Denied

1. Kendra Soley, Mississippi

F. Funeral Director and/or Embalmer (Original)-All Approved

1. Kassidi Patterson, (FD only) Woodward

2. Karie Schaudt, Jenks (FD only)

3. Katie Clanton, Edmond

4. Kyra Geil, OKC
5. Melissa Gregg, Del City
6. William Leonard, Chelsea
7. Christy Ingram, Yukon
8. Ashley Armstrong, Sallisaw
9. Jonathan Carter, Sand Springs (FD only)

G. Establishments-Number 1 was denied, number 2 and 3 were tabled, and numbers 4 through 7 were approved.

1. Neptune Cremation Service, Edmond, New Establishment, Neptune Management Corp. Owner; Tena Perez FDIC
2. Neptune Cremation Service, Edmond, New Establishment, Neptune Management Corp. Owner; Angela Bynum FDIC
3. Miller-Stahl Funeral Service, Newkirk, New Establishment, Legacy Funeral Holding Of Oklahoma, LLC. Owner; Craig Schatz, FDIC
4. Primrose FS, Norman, request to change FDIC from Jeremy Sparks to Billy Robison
5. Bradley-Foster-Petering FH, Muskogee, request to close location
6. Checotah Funeral and Cremation Service, Checotah, request to close location
7. Checotah Funeral & Cremation Service, Checotah, New Establishment, Shain Family Funeral Service, Inc; Owner; Darell Buck, FDIC

H. Mortuary Schools-Approved

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

- 12. 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**
- 13.** Discussion and possible action regarding the Board entering into a contract with Thentia to handle the Board's computer software needs.-**Tabled**

14. Executive Director's Report

- A. Agency Financial update Agency Financial update- Agency Financial update **Mr. Ferguson reported gross receipts for Aug 2020 to be \$ 7,535.00 with \$591.00 going to the State of Oklahoma general fund.**

The expenses for the same timeframe totaled \$30,705.82 and net income after expenses totaled -\$23,761.82

- B. Update on Continuing Education rules sent to Gov. Stitt- **The Continuing Education Emergency Rules were filled with the Gov. office and Board staff has not received and notification regarding the status.**

15. Adjournment -11:00AM

Chris Ferguson
Executive Director

The next regular meeting of the Oklahoma Funeral Board will be held: **October 8, 2020 During the COVID-19 pandemic, whether a Board meeting will be held virtually or in person is being decided on a monthly basis.**