

**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 the Respondents in a complaint 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. 23<sup>rd</sup> Street Conference Room 1<sup>st</sup> Floor Oklahoma City, OK 73105.

All Funeral Board Members, Funeral Board Staff, and visitors who wish to attend the Funeral Board's monthly Board meetings are encouraged to wear a facial covering or mask over the mouth and nose at all times.

DATE & TIME: April 8, 2021 10:00AM

A copy of this notice of meeting and agenda has been posted in a prominent location at the office of the Oklahoma Funeral Board, 3700 North Classen Blvd Suite 175, Oklahoma City, Oklahoma, on April 2, 2021 at 4:00PM. A copy of this agenda is available on the Funeral Board website at [www.ok.gov/funeral](http://www.ok.gov/funeral)

A virtual videoconference Board meeting of the Oklahoma Funeral Board was held on April 8, 2021 at 10:00 a.m. in accordance with the Administrative Procedures Act, and the Open Meeting Act as amended by SB1031. Appearing remotely via videoconference for the meeting will be Board members; Tom Coble, Appearing in person for the meeting will be Board members, J. Cooper, Joe Highberger, Brent Matherly, Jim Roberts, Chad Vice and Board staff of AAG Amanda Everett, Chris Ferguson, AAG Thomas Schneider, Karol Shepherd, and Tyler Stiles.

If attending via videoconference or via telephone Continuing Education credit will not be provided for this meeting. If you plan to attend a Board meeting for Continuing Education credit and would like a rough estimate of the length of time Board staff estimates the meeting might last, please email your request to [info@funeral.ok.gov](mailto:info@funeral.ok.gov).

\*\*\* This symbol denotes the application and/or applicant is not in compliance with 235:1-1-2 (c) (14 day Rule)

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**-Cobble, Highberger, Matherly, Roberts, and Vice attend. Cooper was 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 February 18, 2021 Special Board meeting minutes –**  
Approved

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

21-31- Overcharging-Dismiss

21-36- Next of Kin Issues-Dismiss

21-38- Death Certificate Issues-Dismiss

5. **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.

- 5A. Complaint 20-25 Forever Memories Funeral Service, Inc.; Establishment, Sallisaw; Forever Memories Funeral Service, Inc. Owner; David Hampton, FDIC, Sallisaw. Member Vice needs to be recused-No Action
- 5B. Complaint 21-14 Forever Memories Funeral Service, Inc.; Establishment, Sallisaw; Forever Memories Funeral Service, Inc. Owner; David Hampton, FDIC, Sallisaw. Member Vice needs to be recused-No Action
- 5C. Complaint 21-23 Alternatives Cremation & Funeral Service, Establishment, Cordell; Alternatives Cremation & Funeral Service, Owner; Richard Varner, FDIC, Cordell. Member Matherly needs to be recused. The Board accepted a consent order on this case. The consent order consisted of the following: The agreed violations were: failure to discharge financial obligation, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$1,000, 6 hours of additional Continuing Education, Costs of \$500.
- 5D. Complaint 21-33 Alternatives Cremation & Funeral Service, Establishment, Cordell; Alternatives Cremation & Funeral Service, Owner; Richard Varner, FDIC, Cordell. Member Matherly needs to be recused. The Board accepted a consent order on this case. The consent order consisted of the following: The agreed violations were: gross malpractice or gross incompetence, failure to comply with the Funeral Rules

of the Federal Trade Commission, material misrepresentation, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$5,000, Richard Varner is placed on Probation for 2 years and shall report monthly for 6 months with copies of each Statement of Goods and Services for all deaths which Richard Varner participates in commencing May 13, 2021, 12 hours of additional Continuing Education with 6 of those hours related to Statements of Goods and Services and Price Lists, Costs of \$1,000. The penalty and costs shall be paid on or before May 13, 2021.

5E. Complaint 21-39 Alternatives Cremation & Funeral Service, Establishment, Cordell; Alternatives Cremation & Funeral Service, Owner; Richard Varner, FDIC, Cordell. Member Matherly needs to be recused. The Board accepted a consent order on this case. The consent order consisted of the following: The agreed violations were: gross malpractice or gross incompetence, failure to timely file death certificate, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$500, 6 hours of additional Continuing Education, Costs of \$500.

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

A. Apprenticeship (Original) Numbers 1 through 4 and number 6 approved. Number 5 was tabled.

1. Sarah Miller, OKC, Bill Eisenhower FS, OKC
2. Andrea Landrum, Denison, TX, Brown's FS, Durant
3. Katlynn Chism, OKC, OMS, OKC (EM only)
4. Samantha Jasper, OKC, Fallon, OKC and Hibbs, Choctaw
5. Taigen White, Sulphur, Dearman FH, Tishomingo
6. Chantal Hernandez, Hinton, Matthews FH, Edmond

B. Apprenticeship (2nd extension)-**Approved**

1. Wanda Douglas, Ardmore, Alexander Gray FH, Wilson

C. Apprenticeship (FD only) (Original)-**Approved**

1. Amy Tolle, Purcell, Wilson-Little FH, Purcell

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

1. Alan Hedden, Tulsa, Cremation Society of Oklahoma, Tulsa (Grad of Dallas)

E. Funeral Director and/or Embalmer (Reciprocal) **Both tabled**

1. Chester Beavers, Texas ( FD only)
2. Joseph Campbell, Missouri

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

1. Nicole Winters, Okmulgee (FD only)
2. Brent Patterson, Tuttle (FD only)
3. Staci Hartwell-Helm, Ardmore
4. Christopher Gann, Broken Bow (FD Only)

G. Establishments-**All Approved**

1. Tishomingo FH, request to change FDIC from Chad John to Tasha Kemp
2. The Funeral Home, LLC, Watonga, New Establishment, The Funeral Home, LLC, Owner; Kenneth Anglin Jr. FDIC.
3. Rice FS, Catoosa request to close establishment
4. Rice FS & CremationCare+, Catoosa, New Establishment, Kennedy FH a Separate Series of the Odell Group LLC a OK Series LLC, Owner; Rondall Gammon, FDIC.
5. Cremation +, Tulsa request to close establishment
6. CremationCare+, Tulsa, New Establishment, Kennedy FH a Separate Series of the Odell Group LLC a OK Series LLC, Owner; Rondall Gammon, FDIC.
7. Tribute Memorial Care Southwest, Tuttle, New Establishment, Tribute Memorial Care Southwest LLC, Owner; John Davenport, FDIC
8. Brown's Family Funeral Home, McLoud, request to change FDIC from Venita Elmore to Timothy Alonzo
9. Brown's Family Funeral Home, Chandler, request to close establishment
10. McKay-Davis & Tate FH & C, OKC request to change FDIC from Johnnie Swanson Jr. to Venita Elmore

7. **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**

## 8. Legal Update

- A. Possible vote to enter into executive session pursuant to 25 O.S. Section 307(B)(4) for confidential communication between the

Funeral Board and its attorney concerning pending litigation in Garfield County District Court, Case Number CJ-2020-284, *Amy Stittsworth Funeral Svc. & Cremation Directors, Inc., et al. v. State of Okla., ex rel. Oklahoma Funeral Board, et al.*, when with the advice of its attorney, the Funeral Board determines that disclosure would seriously impair the ability of the Funeral Board to process or conduct or defend its claim in the pending litigation

- B. Vote to exit executive session.
- C. Possible vote on matters discussed in executive session.-**No action after executive session**
- D. Possible vote to enter into executive session pursuant to 25 O.S. Section 307(B)(4) for confidential communication between the Funeral Board and its attorney concerning pending litigation in Oklahoma County District Court, Case Number CV-2020-2297, *Neptune Management Corp. v. State of Okla., ex rel. Oklahoma Funeral Board, et al.*, when with the advice of its attorney, the Funeral Board determines that disclosure would seriously impair the ability of the Funeral Board to process or conduct or defend its claim in the pending litigation. **No executive session**
- E. Vote to exit executive session.
- F. Possible vote on matters discussed in executive session.

## 9. Administrative Assistant Report

- A. Thentia Computer Software Project Update-Karol Shepherd updated the Board regarding the computer project and that a contractor has captured the agency data for implantation to Thentia. Office staff also held a meeting recently that involved the payable side of the platform.

## 10. Deputy Director's Report

- A. 2021 Legislative Update; HB1638; HB1742; HB2009; HB2072; and SB354 **Mr. Stiles updated the Board that board staff are currently tracking the following Bills: Here is a brief summary of legislation that we are tracking at this time that could impact the funeral industry.**

**HB1638 Rep. Lepak- Related to Death Certificates. Felony to knowingly provide false data or misrepresent any person's relationship to the decedent. This Bill passed through Senate committee and it is on its way to the full Senate.**

**HB1742 Rep. Dills- Funeral Board Bill-Related to Alkaline Hydrolysis. This Bill passed through Senate committee and it is on its way to the full Senate.**

**HB2009 Rep. Townley- Related to advance practice registered nurses signing DC's. This Bill passed through Senate committee and it is on its way to the full Senate.**

**HB2072 Rep. McCall- Related to a temporary funeral director and embalm license. This Bill passed through Senate committee and it is on its way to the full Senate.**

**SB354 Sen. Bergstrom- Related to the elimination of the out of state permit from the Medical Examiner's Office for boarding counties to other states. This Bill is in front of a House Committee at the time of the Funeral Board meeting and will provide an update on the outcome soon.**

11. Executive Director's Report

- A. Agency Financial update Mr. Ferguson reported gross receipts for March 2021 to be \$12,970.00 with \$790.00 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$42,983.58 and net income after expenses totaled -\$30,805.58
- B. COVID-19-related funeral expenses- Mr. Ferguson updated the Board of recently new Federal money available for funeral reimbursements.

12. Adjournment-10:50AM

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Chris Ferguson  
Executive Director



The next regular meeting of the Oklahoma Funeral Board will be held: **May 13, 2021. Office of Chief Medical Examiner –OKC 921 N.E. 23<sup>rd</sup> Street Conference Room – 1<sup>st</sup> Floor Oklahoma City, OK 73105.**