

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 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. 23rd Street Conference Room 1st Floor Oklahoma City, OK 73105.

DATE & TIME: December 9, 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 December 7, 2021 at 9:30AM. A copy of this agenda is available on the Funeral Board website at www.ok.gov/funeral

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.

*** 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-** Members Coble, Cooper, Highberger, Matherly, Roberts, Sanders, and Vice were all present.
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 November 10, 2021 Regular Board meeting minutes - Approved

4. Oklahoma Funeral Director Association Update from a Representative of OKFDA- Dustin Pierce with OKFDA updated the Board regarding the OKFDA procrastinators meeting held on December 5th and 6th in Midwest City and that they had 170 licensees come to those meetings and thanked Mr. Stiles for directing licensees to the OKFDA classes.

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

21-34 Not Providing GPL and Statement of Goods-Dismissed

22-15 Ethics Issues-Found Probable Cause

6. 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.

6A. Complaint 22-01 Carter-Smart Funeral Home-Duncan, Duncan; Ronald L. Smart, Duncan; Ronald Smart, FDIC, Ronald Smart. Member Highberger 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 maintain an up-to-date body intake log, not having the FDIC reflected on the Body Intake Log, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$500 and Costs of \$250

6B. Complaint 22-05 Adamscrest Funeral Service, Tulsa; Adams-Crest Funeral Home and Cremation Center, LLC, Tulsa; Nick Reynolds, FDIC, Tulsa. Member Matherly needs to be recused. The Board denied the Consent Order for the addition of probation.

6C. Complaint 22-11 Lockstone Funeral Home of Thomas, Inc, Thomas; Lockstone Funeral Home of Thomas, Inc, Owner, Thomas; Martin Lockstone, FDIC, Weatherford. 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 maintain an up-to-date body intake log, not having the FDIC reflected on the Body Intake Log, failure to display licenses, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$250 and Costs of \$250.

7. Vote to affirm or disaffirm the issuance of the following licenses,

registrations, certificates, dissolution or other action

A. Apprenticeship (Original)- All Approved

1. Jonathan Bland, Yukon, McNeils, Mustang
2. Loran Taff, OKC, OMS, OKC (EM Only)
3. Yobana Cordoba, Edmond, Advantage FH-South, OKC
4. Mackenzie Parks, OKC, OMS, OKC (EM Only)
5. Devin Stark, The Village, Vondel L. Smith, OKC
6. Maleha Tatum, Ada, Criswell FH, Ada
7. Katlynn Chism, MWC, Bill Eisenhour, OKC
8. Landis Thompson, Broken Arrow, Palmer Marler, Cushing

B. Apprenticeship (FD only) (Original)- All Approved

1. Amber Bright, Moore, John Ireland, Moore
2. Jessica Ramirez, Purcell, Wadleys FS, Purcell
3. David Ragsdale, Jr, Muskogee, Biglow Funeral Directors, Muskogee
4. Jimmie Binford, Tulsa, Butler-Stumpff & Dyer, Tulsa

C. Apprenticeship (3rd Extension)-Approved

1. Randy Brice, Muskogee, Lescher-Millsap, Muskogee

D. Funeral Director and/or Embalmer (Reciprocal)-All Tabled

1. Aaron Brown, Texas
2. Sheila Brisendine, Texas
3. Danilo Gatón, California

E. Funeral Director and/or Embalmer (Original)-1 and 2 were tabled, 3 was approved

1. Leslie Sheppard, OKC
2. James Groesbeck, Sand Springs (FD Only)
3. Randy Brice, Muskogee (FD Only)

F. Establishments- **All Approved**

1. Hartwell FH, Tishomingo, request change of FDIC from Tasha Kemp to Staci Hartwell-Helm
2. Evans & Miller FH, Poteau, request change of FDIC Jimmy Cook to Justin Tucker
3. Evans & Miller FH, Pocola, request change of FDIC Jimmy Cook to Justin Tucker
4. Mallory FH-Porum, Porum, request change of FDIC from Doug Martin to Brian Ford
5. Mallory FH of Quinton, Quinton, request change of FDIC from Doug Martin to Brian Ford
6. Mallory-Martin FH of Stigler, Stigler, request change of FDIC from Doug Martin to Blake Martin

G. Crematory- **Approved**

1. Mallory-Martin Funeral Home and Crematory, Stigler, request change of FDIC from Doug Martin to Blake Martin

8. **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**

9. **Executive Director's Report**

A. Agency Financial update- **Mr. Stiles reported gross receipts for November 2021 to be \$60,742.00 with \$5,469.20 going to the State of**

Oklahoma general fund. The expenses for the same timeframe totaled \$35,676.51 and net income after expenses totaled \$19,596.29

10. Review, discussion by the Board members, and possible action regarding proposed changes to the Oklahoma Funeral Board Statutes or Rules:
 - A. Quorum Amount Change-The Board approved language to change the quorum amount from 3 to 4 and to move forward with changing the statute.
 - B. Licensing education requirements -Motion to move forward with this statute change failed.
 - C. FD Only additional hours requirement- Motion to move forward with this statute change failed.
 - D. Rule Change to add language regarding requests for rule changes- Motion approved language to update Board rules regarding procedures for rule promulgation following the update from the Administrative Procedures Act.
11. 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, CJ-2020-284, SD-119407, 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.- Board Advisor Thomas Schneider provided an update to the Board regarding Case CJ-2020-284 that the case is still at the Appellate Court.
 - B. Vote to exit executive session.
 - C. Possible vote on matters discussed in 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 Pontotoc County District Court, Case Number CV-2021-103, Criswell Funeral Home, Inc., et al. v. State of Okla., ex rel. Oklahoma Funeral Board, 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.-**Board Advisor Thomas Schneider provided an update to the Board for Case number CV-2021-103 that the judge denied the Motion to Dismiss and would like to hear oral arguments.**

- E. Vote to exit executive session
- F. Possible vote on matters discussed in executive session.

12. Adjournment -12:00

Tyler Stiles, MBA
Executive Director

The next regular meeting of the Oklahoma Funeral Board will be held:
**January 13, 2022. Office of Chief Medical Examiner –OKC 921 N.E. 23rd Street
Conference Room – 1st Floor Oklahoma City, OK 73105.**