

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

NOTES OF SPECIAL MEETING

DATE & TIME: February 18, 2021 10:00AM

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.**

A virtual videoconference special Board meeting of the Oklahoma Funeral Board will be held on February 18, 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 at 1908 12th Ave. NW Suite E Ardmore, Oklahoma; J. Cooper at 210 W. Walnut Street, Tecumseh, Oklahoma, Joe Highberger at 2800 N Van Buren Street, Enid, Oklahoma; Brent Matherly at 119 N. Chestnut Street, Bristow, Oklahoma; and Chad Vice at 1126 Rambling Oaks Drive, Norman, Oklahoma. Board Member Jim Roberts will be appearing in person, Board staff AAG Amanda Everett, Chris Ferguson, AAG Thomas Grossnicklaus, AAG Thomas Schneider, Karol Shepherd, and Tyler Stiles, will also appear remotely via videoconference.

**Pursuant to Executive Order 2020-20 7<sup>th</sup> Amended version, commencing November 17, 2020, all Funeral Board Members, Funeral Board Staff, and visitors who wish to attend the Funeral Board's monthly Board meetings in person must wear a facial covering or mask over the mouth and nose at all times.**

A copy of this agenda is available on the Funeral Board website at [www.ok.gov/funeral](http://www.ok.gov/funeral) and was posted at on February 16, 2021 at 10:30AM

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**-Coble attend via video conference, Highberger, Matherly, and Roberts attended in person. Cooper and Vice did not attend.

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 4, 2020 Special Board meeting minutes**-Approved

4. **Approval of the January 14, 2021 Regular Board meeting minutes**-Approved

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

20-34- Preneed Issues-**Dismissed**

21-27- Felony Conviction-**Found Probable Cause**

21-28 - Unauthorized Cremation-**Dismissed**

21-32- Out of State Transport Permit 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 20-45 Huber Benson Funeral Home, Establishment, El Reno; Huber-Benson Funeral Home, Inc., Owner; Craig Huber, FDIC, El Reno. Member Vice 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 file a death certificate in a timely manner, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$2,500, Craig Huber shall obtain 6 hours of additional continuing education, Costs of \$750.
- 6B. Complaint 20-47 Brown's Family Funeral Home, Establishment, Mcloud; Brown's Family Funeral Home, LLC, Owner; Venita Elmore, FDIC, OKC. Member Roberts 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, violation of any of the ethics rules, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Restitution of \$1,540, Administrative Penalty of \$1,500 which shall be due at the time of meeting, Administrative Penalty of \$2,500 which shall be due in monthly payments of \$125 per month, Costs of \$500, Isaac Brown and Venita Elmore shall obtain 6 hours of continuing education.
- 6C. Complaint 21-11 Traditions Funeral & Cremation Services, Inc.**

**Establishment, Kellyville; Traditions Funeral & Cremation Services, Inc. Owner, Kellyville; Tim Tyler, FDIC, Sapulpa. Member Roberts 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 comply with the requirements of the State Insurance Commission, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$250, 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. Todd Jones, Duncan, Whitt FH, Duncan
2. Wacee Kerr, El Reno, Ingram, Smith & Turner Mortuary, Yukon
3. Michaela Galle, Antlers, Serenity FS, Antlers

**B. Apprenticeship (1st extension)-All Approved**

1. Gracie Goodwin, Morris, Integrity FS, Henryetta (enrolled at UCO)

**C. Apprenticeship (2nd extension)- All Approved**

1. Che'Lynn Jackson, Tulsa, Floral Haven FH, Broken Arrow (enrolled at UCO)
2. Abigail Tarlton, OKC, Ford FS, Midwest City (enrolled at UCO)

**D. Apprenticeship (3rd extension)- All Approved**

1. Austin Kile, Chickasha, Sevier FH, Chickasha (enrolled at UCO)
2. Brandon Watter, Nowata, Benjamin FH, Nowata (enrolled at Dallas)

**E. Apprenticeship (FD only) (Original)-Tabled**

1. Alan Hedden, Tulsa, Butler-Stumpff & Dyer FH, Tulsa (Grad of Dallas)

F. Apprenticeship (FD only) (1<sup>st</sup> extension)-**Approved**

1. James Groesbeck, OKC, Mobley-Groesbeck FH, Sand Springs (enrolled at UCO)

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

1. Chester Beavers, Texas ( FD only)

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

1. Courtney Cross, Collinsville, (FD only)
2. Patricia Gonzalez-Carter, Macomb
3. Mikala Lea, Shawnee

I. Establishments-**Numbers 1 through 4 and 6 and 7 were approved. Number 5 was tabled.**

1. Bill Eisenhower FH, Del City, request to change the FDIC from Tina Tipps to Jeremy Sparks
2. Bill Eisenhower FH, OKC, request to change the FDIC from Tina Tipps to Jeremy Sparks
3. Ray & Martha's FH, Anadarko, request to change the FDIC from Dee Robertson to Kirsten Johnson
4. Signature Cremation & Funeral Care, OKC, request to change the FDIC from Samuel Flores to Cassie Alvarez
5. Neptune Society, Edmond, New Establishment, Neptune Management Corp., Owner; Angela Bynum, FDIC
6. Advantage Funeral & CS, OKC, request to change FDIC from Jeremy Sparks to Samuel Flores
7. Resthaven FH, Shawnee, request to change FDIC from Scotti Nease to Billy Robison

## J. Crematory-Approved

1. Cornerstone FH & Crematory, Muskogee, request to change the FDIC from Gary Cooper Jr. to Stacy Donelson

## 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-**No Action**
- 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 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 Action**
- 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-**Mrs. Shepherd updated the Board that she has currently started the process with Thentia regarding the development and implementation of a regulatory database. Currently, she is in the questionnaire process. This process is very time consuming due to analyzing all the data. The timeline for the development and implementation is tentatively set for August 2021.**

## 10. Deputy Director's Report

A. 2021 Legislative Update; HB1638; HB1742; HB2009; HB2038; HB2072; HB2528; SB301 and SB354. **Mr. Stiles updated the Board that board staff are currently tracking the following Bills:**  
**HB1638 Rep. Lepak- Related to Death Certificates. Felony to knowingly provide false data or misrepresent any person's relationship to the decedent. This Bill was rescheduled for committee due to weather.**

**HB1742 Rep. Dills- This is the Funeral Board Bill-Related to the change in cremation definition to include Alkaline Hydrolysis. This Bill was rescheduled for committee due to weather.**

**HB2009 Rep. Townley- Related to advance practice registered nurses signing DC's. This Bill was rescheduled for committee due to weather.**

**HB 2038 Rep. McCall- Related to public bodies conducting virtual meetings. Board staff was initially following this Bill but SB 1031 was passed through both chambers and signed by the Governor and allows for public bodies to hold meetings online. The Funeral Board anticipates to utilize both virtual as well as in person meetings to allow those who wish to attend but are unable to do so in person.**

**HB2072 Rep. McCall- Related to a temporary funeral director and embalm license. This is a duplicative Bill similar to what is already in Statute but allows the Board to provide temporary licenses when the Governor declares an emergency instead of the Funeral Board's Executive Director.**

**HB2528 Rep. Kannady- Funeral Service Licensing Act shell bill. This has not been scheduled for committee at this time.**

**SB301 Sen. Bergstrom- Related to recommendations to the legislature for the need for out of state permits from the Medical Examiner's Office. This has not been scheduled for committee at this time.**

**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. Do Pass from committee after amending the Bill to include all 77 counties would not need an out of state permit instead of the bordering counties.**

## **11. Executive Director's Report**

- A. Agency Financial update **Mr. Ferguson reported gross receipts for January 2021 to be \$80,743.00 with \$7,931.80 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$40,394.18 and net income after expenses totaled \$32,417.02**
  
- B. 2021 License Renewal open renewal period update **Mr. Ferguson updated the Board that as of February 1, 2021 26 individual funeral directors and embalmers did not renew their 2021 licenses.**

**12. Adjournment -12:10pm**

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Chris Ferguson  
Executive Director

The next regular meeting of the Oklahoma Funeral Board will be held: **March 11, 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.**