

**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.**

**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 must wear a facial covering or mask over the mouth and nose at all times.**

DATE & TIME: January 14, 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 January 8, 2021 at 3:00PM

A copy of this agenda is available on the Funeral Board website at [www.ok.gov/funeral](http://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](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**-Highberger, Matherly, Roberts, and Vice were present. Coble and Cooper 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 November 4, 2020 Special Board meeting minutes**-No Action

4. **Approval of the December 10, 2020 Regular Board meeting minutes**-Approved

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

20-20- Stealing Customers-**Dismiss with a letter of concern**

20-25- Overcharging-**Found Probable Cause**

20-45- Not Filing Death Certificate- **Found Probable Cause**

20-48- Not Filing Death Certificate-**Dismissed**

21-06- Not Filing Death Certificate-**Dismissed**

21-10- Next of Kin Issues-**Dismissed**

21-13- Rude Funeral Home-**Dismissed**

21-14- FTC Issues/Overcharging-**Found Probable Cause**

21-18- Unauthorized Embalming-**Dismissed**

21-23- Vendor Issues-**Found Probable Cause**

21-26- Insurance Paperwork 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 19-64 Roberts Funeral Home & Chapel, Establishment, Healdton; Dudley-Roberts Funeral Home, Inc., Owner; Shannon Roberts, FDIC, Healdton. 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: gross malpractice or gross incompetence, Unlicensed practice, aiding and abetting unlicensed practice, charging for services not provided, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$1,200 payable at \$250 per month commencing August 10, 2023, Respondents are placed on Probation for 1 year commencing February 11, 2021, Respondents shall make restitution totaling in the amount of \$5,500, payable at \$250 per month commencing February 11, 2021, where 11 families receive \$500 each, Costs of \$1,520, payable at \$250 per month commencing February 10, 2023.

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

A. Apprenticeship (Original)-**Approved**

1. Robert Murray, Midwest City, Parks Brothers FS, Stroud

**B. Funeral Director and/or Embalmer (Original)-Number 1 and 2 approved.  
Number 3 was tabled**

1. Justin Lockwood II, Clinton
2. Alec Dyer, OKC (EM Only)
3. Courtney Cross, Collinsville, (FD only)

**C. Establishments-All Approved except number 20 was tabled.**

1. Brown Winters Crematory, Miami, request to change FDIC from Brian Buchanan to Michael Doner.
2. Ingram Smith & Turner Mortuary, Yukon request to change FDIC from Calvin Chaffin to Tim Ingram
3. Davis FH, Cushing, request to close establishment
4. Matherly-Davis FH, Cushing, New Establishment, Matherly & Tank Funerals, Inc., Owner; Brent Matherly, FDIC
5. Knight-Swearingen FH, Maud, request to change FDIC from Hugh Megee to Robert Swearingen
6. Evans and Miller FH, Poteau, request to close establishment
7. Evans and Miller FH, Poteau, New Establishment, Evans and Miller FH, LLC, Owner; Jim Cook, FDIC
8. Evans and Miller FH, Pocola, request to close establishment
9. Evans and Miller FH, Pocola, New Establishment, Evans and Miller FH, LLC, Owner; Jim Cook, FDIC
10. Shaw FH, Shattuck, request to change FDIC from Willis Shoaf to Lucas Faires
11. Shaw FH, Arnett, request to change FDIC from Willis Shoaf to Scott Ferrell
12. Smith FH, Sapulpa, request to change FDIC from Douglas Rutledge to Billy Cotton

13. Broken Arrow FH, Broken Arrow, request to close location.
14. Brown FH & Cremations, Broken Arrow, New Establishment, Coweta Funeral Service, Inc. Owner; Logan Brown, FDIC
15. Checotah FH, Checotah, request to close location.
16. Hunn FH & CS, Checotah, New Establishment, Hunn, Inc. Owner; Jacob Hunn, FDIC
17. Brown Family FH & CS, Coweta, request to change name from Brown Family Funeral Home & Cremation Service to Brown Funeral Home & Cremations
18. Lowell-Tims FH, Eldorado, request to close location
19. Boydston-Wilbourn FH, Inc., Lindsey, request to change name from Boydston-Wilbourn Funeral Home, Inc. to Wilbourn Family Funeral Home Inc.
20. Bixby FS, Bixby, request to change name from Bixby FS to Bixby-South Tulsa Funeral Service and Crematory

#### D. Crematory-**Approved**

1. Green Country Cremation Center, Sapulpa, request to change FDIC from Douglas Rutledge to Billy Cotton

#### E. Continuing Education-**All Approved**

1. The International Conference of Funeral Service Examining Board's virtual annual meeting continuing education credit
2. 2021 Funeral Board monthly Meetings

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. Ferguson reported gross receipts for December 2020 to be \$280,277.40 with \$30,983.60 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$40,489.81 and net income after expenses totaled \$239,787.59**

- B. 2021 License Renewal open renewal period update-**Mr. Ferguson updated the Board that as of January 14, 2021 42 individual funeral directors and embalmers did not renew their licenses.**
- C. 2021 Legislative Update-**The Bill filing deadline is January 21, 2021. Staff will be watching the filings and report back during the February meeting.**

**10. Adjournment-11:40AM**

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Chris Ferguson  
Executive Director

The next regular meeting of the Oklahoma Funeral Board will be held: **February 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.**