



## MINUTES OF A REGULAR MEETING

OKLAHOMA FUNERAL BOARD  
3700 N. Classen, Suite 175  
Oklahoma City, Oklahoma 73118

March 11, 2021

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### BOARD MEMBERS

J. Cooper  
Joe Highberger  
Brent Matherly  
Jim Roberts  
Chad Vice

### STAFF

Chris Ferguson  
Thomas Grossnicklaus, AAG  
Karol Shepherd  
Tyler Stiles

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MEETING PLACE: 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. 23<sup>rd</sup> Street Conference Room 1<sup>st</sup> Floor Oklahoma City, OK 73105. Face masks are required to be worn if attending in person.

This Board meeting notice and agenda was posted on our web site ([www.ok.gov/funeral](http://www.ok.gov/funeral)) on March 5, 2021 at 11:30am

Continuing Education credit was not provided for this meeting if attended via videoconference or telephone.

President Highberger called the meeting to order at 10:00AM. Board Members, Highberger, Matherly, Roberts and Vice were present. Member Coble was absent. Member Cooper arrived after the meeting started. A quorum was at all times present

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.

Motion by Roberts second by Matherly to approve the February 18, 2021 Special Board meeting minutes. The motion passed unanimously.

Motion by Vice, second by Highberger to dismiss complaint 21-29 regarding not paying vendor issues with a letter of concern. The motion passed unanimously.

Mr. Cooper entered the meeting room.

Motion by Vice, second by Highberger to find probable cause on complaint 21-39 regarding death certificate issues. The motion passed unanimously.

Regarding 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; Vote to exit executive session; and possible vote on matters discussed in executive session. Motion by Vice, second by Cooper to enter into executive session. The motion passed unanimously.

Motion by Cooper second by Highberger to exit executive session. The motion passed unanimously. While in executive session no votes were taken and only this case was discussed.

No action was taken as a result of the executive session.

Motion by Roberts second by Highberger to approve the following: Apprenticeship (Original) Troy D. Wells, Sand Springs, Dillon FS, Sand Springs; Leah Calaway, Ada, Estes-Phillips FH, Ada; Peri Moore, Norman, Tribute Memorial Care, Norman; Lewis Robinson III, Guthrie, Pollard FH, Guthrie and Michael Turner, Blair, Kincannon FH, Altus. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following:  
Apprenticeship (2nd extension) Tammy Marshall, Cordell, Ray and Martha's  
FH, Cordell (enrolled at Dallas) The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following:  
Apprenticeship (2nd extension) Nathan Rice, Pryor, Rice FS, Claremore  
(enrolled at UCO) The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following:  
Apprenticeship (3rd extension) Daniel Collier, Claremore, Rice FS, Claremore  
(enrolled at North Texas) The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following:  
Apprenticeship (FD only) (Original) Kari Harrell, Sallisaw, Forever Memories FS,  
Sallisaw. The motion passed unanimously.

Motion by Roberts second by Highberger to table the following: Alan Hedden,  
Tulsa, Butler-Stumpff & Dyer FH, Tulsa (Grad of Dallas). The motion passed  
unanimously.

Motion by Roberts second by Highberger to approve the following:  
Apprenticeship (FD only) (1<sup>st</sup> extension) Kimberly Clark, Tishomingo,  
DeArman-Clark FH, Tishomingo (enrolled at Dallas). The motion passed  
unanimously.

Motion by Roberts second by Highberger to table the following: Funeral  
Director and/or Embalmer (Reciprocal) Chester Beavers, Texas ( FD only) and  
Joseph Campbell, Missouri. The motion passed unanimously.

Motion by Roberts second by Cooper to approve the following: Funeral  
Director and/or Embalmer (Original) Robert L. Stevens, Wheatland (FD only),  
Patricia Gonzalez-Carter, Macomb, and Lea Mikala, Shawnee. The motion  
passed unanimously.

Motion by Roberts second by Highberger to table the following: Staci  
Hartwell-Helm, Ardmore. The motion passed unanimously.

Motion by Vice second by Matherly to approve the following: Establishment;  
Neptune Society, Edmond, New Establishment, Neptune Management Corp.,  
Owner; Angela Bynum, FDIC. Members Cooper, Matherly, and Vice voted yes;  
Members Highberger and Roberts voted no. The motion passed.

Motion by Vice second by Matherly to approve the following: Establishment;  
Bixby FS, Bixby, request to change name from Bixby FS to Bixby-South Tulsa

Funeral Service and Crematory. Members Cooper, Matherly, Roberts, and Vice voted yes; Member Highberger voted no. The motion passed.

No new business was discussed.

No action was taken regarding 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

Motion by Highberger second by Matherly to approve the proposed permanent Oklahoma Funeral Board Rules. The motion passed unanimously.

Administrative Assistant Report-Thentia Computer Software Project Update  
Mrs. Shepherd updated the Board that she is currently in the process of development and implementation of a regulatory database with Thentia and that she is in the questionnaire and analysis process. In addition, she is researching payment processor companies to choose which will be the best fit for the Board.

Deputy Director's Report-2021 Legislative Update; HB1638; HB1742; HB2009; HB2072; HB2528; SB301, SB354, and SB970  
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 the House 91-0 and has been sent to the Senate.

HB1742 Rep. Dills- Funeral Board Bill-Related to Alkaline Hydrolysis. This Bill has been passed the House 93-1 and is on its way to the Senate.

HB2009 Rep. Townley- Related to advance practice registered nurses signing DC's. This Bill passed the House 93-0 and was sent to the Senate.

- HB2072 Rep. McCall- Related to a temporary funeral director and embalm license. Passed with Emergency
- HB2528 Rep. Kannady- Funeral Service Licensing Act shell bill. This Bill is dormant due to rules.
- SB301 Sen. Bergstrom- Related to recommendations to the legislature for the need for out of state permits from the Medical Examiner's Office. This Bill is dormant due to rules.
- SB354 permit Sen. Bergstrom- Related to the elimination of the out of state from the Medical Examiner's Office for boarding counties to other states. This Bill was amended to include all counties and not the outlying counties in Oklahoma. This Bill was received in the House.
- SB970 Sen. Floyd- Related to Open Records Act- redacting personal identifiers on licensing applications. This Bill requires redaction of email addresses, physical address, phone numbers and other identifiers on license applications that are requested from an Open Records Request. This Bill was received in the House.

Executive Director's Report-Agency Financial update- Mr. Ferguson reported gross receipts for February 2021 to be \$8,267.75 with \$336.27 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$30,624.53 and net income after expenses totaled -\$22,693.05

Motion by Vice second by Roberts to adjourn the meeting at 11:27AM. The motion passed unanimously.

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Joe Highberger  
Funeral Board President