



MINUTES OF A REGULAR MEETING

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

November 10, 2021

BOARD MEMBERS

Tom Coble
J. Cooper
Joe Highberger
Brent Matherly
Jim Roberts
Mike Sanders
Chad Vice

STAFF

Shayne Melton
Ashton Poarch, AAG
Rochelle Robinson
Tyler Stiles

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

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 November 5, 2021 at 11:30AM. A copy of this agenda is available on the Funeral Board website at www.ok.gov/funeral

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, Roberts, Sanders, and Vice were present. Members

Coble, Cooper, and Matherly were not present for roll call. A quorum was always 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 Vice second by Sanders to approve the October 14, 2021 Regular Board meeting minutes. The motion passed unanimously.

Dustin Pierce with OKFDA informed the Board that OKFDA will be having CE opportunities December 5th or December 6th at Barnes Friederich Funeral Home in Midwest City. Contact them to RSVP.

Motion by Highberger second by Roberts to find probable cause on complaint 22-05 regarding overcharging. The motion passed unanimously.

Member Cooper entered the meeting.

Motion by Highberger second by Roberts to table complaint 22-09 regarding Cremation Issues/ Overcharging/Death Certificate Issues. The motion passed unanimously.

Motion by Vice second by Highberger to dismiss complaint 22-10 regarding Embalming Issues. The motion passed unanimously.

Motion by Highberger second by Roberts to find probable cause on complaint 22-11 regarding Body Intake Log Issues/No Licenses Displayed. The motion passed unanimously.

Motion by Vice second by Sanders to dismiss complaint 22-13 regarding Ethics Issues. The motion passed with Highberger, Roberts, Sanders, and Vice voting Aye and Cooper voting NO.

Motion by Vice second by Highberger to find probable cause on complaint 22-14 regarding Material Misrepresentation. The motion passed unanimously.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 21-49 Buchanan Funeral Service, Oklahoma City; Tak-N-Kar, LLC, Oklahoma City; Kenneth Buchanan II, FDIC, Oklahoma City. Respondent's attorney, Eric Kroier was present. The prosecution was represented by Ashton

Poarch, AAG. Thomas Schneider, AAG, was the Board's legal advisor. Members Highberger, Roberts, Sanders, and Vice heard the case. Member Cooper was recused from the case and he left the room.

After the presentation of the agreed upon Consent Order, motion by Roberts second by Highberger to accept the Consent Order. The consent order consisted of the following: The agreed violations were: failure to submit application of establishment license, false or misleading advertising, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$1,000, Mr. Buchanan shall complete an additional 6 hours of CE, and Costs of \$500. Motion passed unanimously.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 21-54 Delozier Funeral Service, LLC, Chelsea; Delozier Funeral Service, LLC, Owner, Chelsea; Kenneth Delozier, FDIC, Chelsea. The respondents and their attorney, Kassie McCoy, appeared on Webex. The prosecution was represented by Ashton Poarch, AAG. Thomas Schneider, AAG, was the Board's legal advisor. Members Highberger, Roberts, Sanders, and Vice heard the case. Member Cooper was recused from the case and he left the room.

After the presentation of the agreed upon Consent Order, motion by Highberger second by Vice to approve the Consent Order. 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 comply with requirements of Statutes and Rules of State Insurance Commission, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$2,000 and Costs of \$500. The motion passed unanimously.

Member Cooper reentered the room.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 22-08 Dillon Funeral Service, LLC, Sand Springs; Dillon Funeral Service, LLC, Owner, Sand Springs; Preston McCurtain, FDIC, Sand Springs. The respondents appeared via Webex. The prosecution was represented by Ashton Poarch, AAG. Thomas Schneider, AAG, was the Board's legal advisor. Members Cooper, Highberger, Sanders, and Vice heard the case. Member Roberts was recused from the case and he left the room.

After the presentation of the agreed upon Consent Order, motion by Highberger second by Sanders to approve the Consent Order. 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 \$250 and Costs of \$250. The motion passed unanimously.

Member Roberts reentered the room.

Motion by Roberts second by Highberger to approve the following: Apprenticeship (Original) Aiden Richey, Edmond, Hahn-Cook, OKC; Chad Kaminski, Ada, Criswell FH, Ada; Allexia Ernest, Bartlesville, Stumpff FH, Bartlesville; Joseph Campbell, Talihina, McCarn FS, Talihina; Sarah Blank, Edmond, Corbett FH, OKC; Monty Danderson, Collinsville, Adamscrest, Tulsa; Whitney Phillips, Durant, Brown's FS, Durant; Steven Hodge, Chandler, Parks Brothers, Prague; Kristen Wajda, Moore, Ingram, Smith & Turner, Yukon; Jayden Anderson, Edmond, Ingram, Smith & Turner, Yukon; Macie Herndon, Edmond, Ingram, Smith & Turner, Yukon. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following: Apprenticeship (1st extension) Cadyn Brice, Edmond, Memorial Park, OKC; Akeah Aschmeller, Edmond, Ford FS, Midwest City; Amber Shelley, OKC, John Ireland, Moore. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following: Apprenticeship (2nd extension) Daysha Ross, Stilwell, Reed-Culver, Tahlequah; Paul Bruns, Edmond, OK Cremation, OKC; Jennifer Pointer, Durant, Holmes-Coffey-Murray, Durant. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following: Apprenticeship (FD Only) Gatlin Scott, Bartlesville, Cremation Society, Tulsa. The motion passed unanimously.

Motion by Roberts second by Highberger to deny the following: Funeral Director and/or Embalmer (Reciprocal) Kendra Soley, Mississippi. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following: Establishments, Ray and Martha's FH, Anadarko, request to change FDIC from Kirsten Johnson to Jennice Jeter; Tishomingo Funeral Home, Tishomingo, request to change name to Hartwell Funeral Home, Tishomingo; Forever Memories FS, Roland, request to change FDIC from David Hampton to Curtis Brown; Forever Memories FS, Sallisaw, request to change FDIC from David Hampton to Curtis Brown. The motion passed unanimously.

No New Business was discussed

Executive Director's Report- Agency Financial update- Mr. Stiles reported gross receipts for October 2021 to be \$7,420.00 with \$537.00 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$34,072.03 and net income after expenses totaled -\$27,189.03.

Executive Director's Report- 2022 License Renewals-Mr. Stiles reported that all renewals have been sent out and if you have not received your renewal by late November, contact the Board office. Board staff is still working with Thentia and hopefully will be able to finalize the online renewals shortly and is hoping that licensees will have the option to renew online or on paper.

Review, discussion by the Board members, and possible action regarding proposed changes to the Oklahoma Funeral Board Statutes: Motion by Highberger second by Roberts to table all three. The motion passed unanimously. Mr. Highberger requested to have a committee meet and determine the best course of action to move forward and entertain creating a survey to distribute to industry members for their input regarding the statute changes.

Quorum Amount Change-§59-396.22. Meetings of Board. Meetings of the Board shall be held at least twice a year at such places as may be designated by the Board. Four ~~Three~~ members of the Board shall constitute a quorum.

FD/EM Licensing education requirements -§59-396.3. Qualifications and examination of funeral directors and embalmers - Approved schools
B. 1. Except as provided in subsection C of this section, the minimum requirements for a license to practice funeral directing or embalming, or both, are as follows: The minimum requirements for a license to practice funeral directing or embalming, or both, are as follows:

An applicant for a license to practice funeral directing or embalming shall be at least twenty (20) years of age, a legal resident of this state, a citizen or permanent resident of the United States. In addition, an applicant ~~shall have at least sixty (60) semester hours of study earned, measured in quarter or clock hours, from a regionally accredited college or university,~~ shall be a graduate of a program of mortuary science accredited by the American Board of Funeral Service Education, and have served one (1) year as a registered apprentice. The applicant may serve as a registered apprentice prior to enrollment in an approved school of mortuary science, or subsequent to graduation from the school and pass the International Conference of Funeral Service Examining Board National Board Science Examination and/or Arts Examination with a 75 or higher on each exam.

FD Only additional hours requirement- -§59-396.3. C. 1. If a person chooses not to meet the qualifications in subsection B of this section for a funeral director, the person may alternatively qualify for a license to practice funeral directing, but not embalming, upon meeting the eligibility requirements of this subsection as follows: An applicant for a license to practice funeral directing shall be at least twenty (20) years of age, a legal resident of this state, a citizen or permanent resident of the United States. An applicant is required to complete a funeral director course of study approved by the Oklahoma Funeral Board and that is administered by program of mortuary science accredited by the American Board of Funeral Service Education (ABFSE). The funeral director course of Study shall include at least thirty (30) semester hours or Equivalent closely following the ABFSE curriculum standard, limited to only: Business Management, Cremation, Social Sciences/Humanities, Legal, Ethical, Regulatory, plus essential elements of embalming, restorative art, general concerns when dealing with human remains, a practicum experience and preparation for the required board exams. In addition to the funeral director course of study the applicant is required to complete ~~at least sixty (60) additional semester hours of study earned, measured in quarter or clock hours, from a regionally accredited college or university and must complete a~~ twelve-month minimum term as a registered apprentice with employment at a licensed establishment and must have assisted with twenty-five arrangement conferences and assisted with twenty five separate funeral or memorial services under the supervision of a licensed funeral director in this state. The applicant may serve as a registered apprentice prior to enrollment in an approved school of mortuary science, concurrently while in mortuary school, or subsequent to completion of the funeral director course of study.

Motion by Highberger second by Cooper to adjourn the meeting at 11:45AM. The motion passed unanimously.

Joe Highberger
Oklahoma Funeral Board President