



MINUTES OF A REGULAR MEETING

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

August 11, 2022

BOARD MEMBERS

Tom Coble
Darin Corbett
Joe Highberger
Brent Matherly
Jim Roberts
Mike Sanders
Chad Vice

STAFF

Rochelle Covington
Tyler Stiles
Niki Batt, AAG

MEETING PLACE: MEETING PLACE: Videoconference at <https://oklahomafuneralboard.my.webex.com/meet/Funeralboard>
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 August 8, 2022 at 1:30PM. 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. Members Corbett, Highberger, Matherly, Roberts, Sanders, and Vice were present. Member Coble was not present. A quorum was always present

Motion by Highberger second by Sanders to approve the July 14, 2022 Regular Board meeting minutes. The motion passed unanimously with Vice abstaining.

Dustin Pierce with OKFDA provided the following update: OKFDA is working on a new website. Fall district meetings have been scheduled District I- September 20th: Iron Star BBQ Oklahoma City
District II: September 22nd: El Patron Cocina Mexicana 41st and Yale Tulsa, OK
District III & IV: September 27th: White Dog Hill Clinton, OK
District V & VI: September 29th: Fish Tales Tishomingo, OK
We will provide 1 hour of CE cost will be \$30/person
RSVP by emailing info@okfda.com, text 405-843-0730, or call 405-843-0730.

OID provided no update.

Motion by Roberts second by Highberger to find probable cause on complaint 21-55 regarding misleading advertising. The motion passed unanimously.

Motion by Roberts second by Vice to find probable cause on complaint 22-40 regarding non-payment of vendor. The motion passed unanimously.

Motion by Corbett second by Vice to find probable cause on complaint 22-41 regarding no prices on caskets. The motion passed unanimously.

Motion by Corbett second by Vice to find probable cause on complaint 22-42 regarding Body Intake log issues. The motion passed unanimously.

Motion by Roberts second by Highberger to find probable cause on complaint 22-43 regarding Death Certificate issues. The motion passed unanimously.

Motion by Roberts second by Vice to find probable cause on complaint 22-47 regarding Body Intake log issues. The motion passed unanimously.

Motion by Roberts second by Vice to dismiss complaint 22-49 regarding rude employee. The motion passed unanimously.

Motion by Roberts second by Vice to find probable cause on complaint 23-01 regarding no prices on caskets. The motion passed unanimously.

Motion by Matherly second by Highberger to approve the following: Apprenticeship (Original) Zachary Pruett, Lawton, Whinery-Huddleston, Lawton (FD Only); Kammi Robinson-Snodgrass, Lone Grove, Craddock FH, Ardmore; Jonathan Broce, Bethany, Memorial Park, OKC; Brennon Goforth, Edmond, Crawford Family, Edmond; Stephanie White, Fletcher, Fletcher FH, Fletcher; Kylee Vaughan, OKC, Roberts, Reed and Culver, Stillwell; Ashli Sweeney, OKC, John Ireland FH, Moore. The motion passed unanimously.

Motion by Matherly second by Highberger to approve the following: Apprenticeship (2nd Extension) Chad Austin, Boswell, Miller & Miller FH, Hugo; Raylee Tarrant, OKC, Oklahoma Mortuary Service, OKC. The motion passed unanimously.

Motion by Matherly second by Highberger to approve the following: Apprenticeship (3rd Extension) Stephen Smith, OKC, Ford, Midwest City. The motion passed unanimously.

Motion by Matherly second by Highberger to deny the following: Funeral Director and/or Embalmer (Reciprocal), Ronnie Dunn, Texas. The motion passed unanimously.

Motion by Matherly second by Highberger to table the following: Funeral Director and/or Embalmer (Original), Carrie Davis, Owasso (FD Only). The motion passed unanimously.

Motion by Matherly second by Highberger to approve the following: Funeral Director and/or Embalmer (Original) Shayna Nicely, Newkirk; Brian Saunders, Grove (EM Only). The motion passed unanimously.

Motion by Matherly second by Highberger to table the following: Funeral Director and/or Embalmer (Original), Domonique Bruner, OKC (FD Only). The motion passed unanimously.

Motion by Matherly second by Highberger to approve the following: Establishments, Advantage Funeral & Cremation Serv.-South, request to change FDIC from Samuel Flores to Jeremy Sparks; Baggerley FH, Edmond, request to change FDIC from Matthew Boydston to Samuel Flores; Smith FH, Sapulpa, request to change FDIC from Deena Nickerson to Cynthia Ross; Green Country Cremation Center, Sapulpa, request to change FDIC from Deena Nickerson to Cynthia Ross; Parks Brothers Funeral Service Prague, request to close establishment; Parks Brothers Funeral Service Prague, Prague, New Establishment, Prague SGO LLC, Owner, Jerel Johnson, FDIC; Dighton-Moore FS, Owasso, request for temporary change of FDIC, with

exemption of FDIC requirements, from John Irby to Preston McCurtain. The motion passed unanimously.

New Business-Mr. Stiles reported that the Board's Investigator abruptly resigned, and Mr. Stiles recruited and interviewed multiple individuals for the open position and extended the offer to someone that is expected to start August 22, 2022.

Executive Director's Report- Agency Financial update- Mr. Stiles reported gross receipts for July 2022 to be \$6,830.30 with \$528.03 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$38,901.29 and net income after expenses totaled -\$32,599.02

Executive Director's Report - Outside legal counsel update- Mr. Stiles reported that he visited with multiple attorneys and one attorney appeared to be a good match to help prosecute complaints at the current rate of 20 average hours per month at \$200 per hour. AAG Niki Batt reported that the Attorney General's office anticipates that numerous new attorneys will begin employment at the AG's office by August 29, 2022 and one will be assigned to the Funeral Board.

Mr. Stiles reported that the interim study HSP 2077 was withdrawn.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 21-27 Kentrell Brown, licensed funeral director and embalmer, OKC. Respondent Kentrell Brown was present via webex. The prosecution was represented by Niki Batt, AAG. Members Corbett, Highberger, Matherly, 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 Vice to enter executive session 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. The motion passed unanimously.

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

Motion by Matherly second by Sanders to accept the Consent Order. The consent order consisted of the following: The agreed violations were: gross malpractice or gross incompetency, criminal actions, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the

following: Embalmer license is suspended for 1 year, Administrative Penalty of \$3,000 payable at \$500 per month, show proof of cognitive behavior therapy for 1 year, prohibited from performing removals for 1 year, prohibited from performing cremations for 1 year, after EM license is reinstated, both FD and EM license is on probation for 5 years, and Costs of \$500. Motion passed 3-2, with Highberger, Matherly, and Sanders voting Aye, Corbett and Vice voting Nay.

Member Roberts reentered the room.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 22-26 Brown-Thomas Funeral Home, Establishment, Chickasha; Ricky A. Brown, Owner, Chickasha; Ricky A. Brown, FDIC, Chickasha. Respondent Ricky Brown was present. The prosecution was represented by Niki Batt, AAG. Members Corbett, Highberger, Roberts and Sanders, and Vice heard the case. Member Matherly was recused from the case and he left the room.

After the presentation of the agreed upon Consent Order, motion by Highberger second by Roberts to accept 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 attach a non-detachable bracelet on human remains, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$750 and Costs of \$250. Motion passed unanimously.

Member Matherly reentered the room.

No action was taken on change of the age requirement for licensure in statute and change of the age and education requirement for apprenticeship in statute. Mr. Roberts asked for statute and rule changes to be on the September agenda for discussion. Roberts asked that any changes be sent to Mr. Stiles by August 29, 2022 to compile for the September 2022 meeting. Open public comment to also be on the agenda limited to 2 minutes per person.

Motion by Highberger second by Sanders to approve Removal of the additional education requirement in Board Rule language as follows: 235:10-3-1. Qualifications for licensing individuals To be licensed in Oklahoma as a funeral director, embalmer, or both, an individual must meet the following minimum requirements:

(5) The individual shall have completed the following educational requirements:

~~(A) The individual is a graduate of a program of mortuary science accredited by the American Board of Funeral Service Education.~~

~~(B) The individual shall have completed a total of sixty (60) college semester hours of credit at an accredited institution of higher education. (i) Such institution must be accredited by a regional accrediting agency and recognized by the U.S. Department of Education as a valid and legal accrediting agency. (ii) When the institution so accredited extends credit in quarter hours, each quarter hour shall equal 2/3rds of one semester hour. (iii) Courses applied to completing the accredited mortuary science program in excess of the minimum requirements for an accredited program by the American Board of Funeral Service Education may be applied to the (60) total semester hours of college, provided such credits are earned at a regionally accredited institution.~~

~~(6) Individuals who have earned a bachelor degree in funeral service from a regionally accredited institution and American Board of Funeral Service Education accredited mortuary program shall be deemed to have met the educational requirements set for in sections (A) and (B).~~

~~(5) The individual shall have completed a program of mortuary science accredited by the American Board of Funeral Service Education.~~

Motion by Highberger second by Matherly to adjourn the meeting at 11:15AM.
The motion passed unanimously.

Jim Roberts
Oklahoma Funeral Board President