



## MINUTES OF A REGULAR MEETING

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

February 10, 2022

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### 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

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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. 23<sup>rd</sup> Street Conference Room 1<sup>st</sup> 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 December 7, 2021 at 9:30AM. A copy of this agenda is available on the Funeral Board website at [www.ok.gov/funeral](http://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 Cooper, Highberger, Matherly, Roberts, and Sanders were present.

Members Coble and Vice 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 Cooper second by Sanders to approve the January 13, 2022 Regular Board meeting minutes. The motion passed unanimously with Member Roberts abstaining.

Dustin Pierce provided the following update for OKFDA. Mr. Pierce was selected as the Executive Director of OKFDA. We have set the dates for our Spring District Meetings.

District I-February 15, 2022-Ted's Oklahoma City, OK

District V & VI-February 17, 2022-Roots Café-Durant, OK

Districts III & IV-February 22, 2022-Wagg's BBQ Woodward, OK

District II-February 24, 2022-Rachel's Kitchen Choteau, OK. There will be 1 hour of CE presented with each meeting. The meetings are a few weeks early this year because Convention will be the first week of April.

Convention-Embassy Suites Hotel & Conference Center-Norman, OK. April 3-5, 2022. We will have 11 hours of CE presented.

The Oklahoma Insurance Department is discussing possibly changing the option for pre-needs to be placed in a Trust and mandating new pre-needs be placed in an insurance product. Current Trust pre-needs may still be used or rolled into an insurance pre-need.

Motion by Cooper second by Roberts to dismiss complaint 20-42 regarding Unlicensed Practice/Embalming Issues/No GPL. The motion passed unanimously.

Motion by Roberts second by Sanders to dismiss complaint 21-25 regarding Misleading Advertisement. The motion passed unanimously.

Motion by Highberger second by Sanders to find probable cause on complaint 21-35 regarding Release of Cremated Remains to Unauthorized Person. The motion passed unanimously.

Motion by Roberts second by Highberger to find probable cause on complaint 21-53 regarding Body Intake Log. The motion passed unanimously.

Motion by Roberts second by Sanders to dismiss with a letter of concern on complaint 22-19 regarding Nonpayment Over 90 Days . The motion passed unanimously.

Motion by Roberts second by Sanders to dismiss complaint 22-20 regarding Cremation Issue. The motion passed unanimously.

Motion by Roberts second by Sanders to dismiss complaint 22-21 regarding Fraud/Forgery/Ethics. The motion passed 4 to 1 with member Cooper voting Nay.

Motion by Highberger second by Roberts to find probable cause on complaint 22-22 regarding Body Intake Log. The motion passed unanimously.

Motion by Roberts second by Sanders to find probable cause on complaint 22-24 regarding Body Intake Log. The motion passed unanimously.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 22-12 Caskets of Honor By Collard Designs, Calvin; Collard Designs, Ada; Todd Collard, Candice Mentink-Collard. Respondents did not appear. The prosecution was represented by Ashton Poarch, AAG. Thomas Schneider, AAG, was the Board's legal advisor. Members Highberger, Matherly, Roberts, and Sanders heard the case. Member Cooper was recused from the case and he left the room.

Motion by Highberger and second by Sanders to continue the Consent Order to the March 10, 2022 meeting. Motion passed unanimously.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 22-18 Michael Kelly, FDIC, Norman, Jennifer Batres, Apprentice, OKC. The respondents' attorney, Sam Mazzu, appeared on Videoconference. The prosecution was represented by Ashton Poarch, AAG. Thomas Schneider, AAG, was the Board's legal advisor. Members Highberger, Matherly, Roberts, and Sanders heard the case. Member Cooper was recused from the case and he was already out of 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: Unlicensed practice, aiding and abetting unlicensed practice, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the

following: Jointly pay Administrative Penalty of \$7,500, Kelly shall complete an addition 6 hours of Continuing Education, Batres will be on probation for 1 year after becoming licensed, and Jointly pay Costs of \$500. The motion passed unanimously.

Member Cooper reentered the room.

Motion by Roberts second by Highberger to approve the following: Apprenticeship (Original) Tara Cook, Tulsa, Dillon FS, Sand Springs; Skyler Watters, Nowata, Benjamin FS, Nowata; Kristen Crofford, Stillwater, Smith-Gallo, Guthrie; Zoe Nichols, OKC, Alpha and Omega, OKC; Miranda Bottoms, Lawton, Lawton Ritter Gray, Lawton; Micah Nathan, Marlow, Callaway-Smith-Cobb, Marlow; Landon Beavers, Duncan, Callaway-Smith-Cobb, Marlow; Samantha Davis, Swink, Miller & Miller FH, Hugo. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following: Apprenticeship (1<sup>st</sup> Extension) Peri Moore, Norman, Tribute, Norman. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following: Apprenticeship (2nd extension) Addison Ray, Clinton, Corbett, OKC. The motion passed unanimously.

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

Motion by Roberts second by Highberger to approve the following: Funeral Director and/or Embalmer (Reciprocal), Danilo Gatton, California. The motion passed unanimously.

Motion by Roberts second by Highberger to table the following: Funeral Director and/or Embalmer (Reciprocal) Marie Thompson, Virginia; Ronnie Dunn, Texas; Tristan McAuliff, Arkansas; Christopher Mayberry, Tennessee. The motion passed unanimously.

Motion by Roberts second by Highberger to deny the following: Funeral Director and/or Embalmer (Original), Leslie Sheppard, OKC. The motion passed unanimously.

Motion by Roberts second by Highberger to table the following: Funeral Director and/or Embalmer (Original), Tammy Marshall, Cordell (FD Only);

Brittany Stallings, OKC; Che'Lynn Jackson, Tulsa. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following: Funeral Director and/or Embalmer (Original) Autumn Spurgin, Blanchard. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following: Establishments, Goodwin Funeral Chapel, Cherokee, request to close establishment; Arnold Moore & Neekamp Funeral Home & Cremation, Bartlesville, request to change name to Arnold Moore & Neekamp Funeral Home; Ray Fransisco Embalming Service request to close establishment; Ray Fransisco Embalming Service, Tulsa, New Commercial Embalming Establishment, Ray Fransisco, FDIC, Southern Heritage Mortuary and Cremation Services, LLC, Owner; Hahn-Cook/Street & Draper request to change name to Hahn-Cook/Street & Draper Funeral Directors; Fletcher Funeral Home request to change name to Fletcher-Elgin Funeral Homes LLC. The motion passed unanimously.

Motion by Roberts second by Highberger to approve the following: Crematory, Funeral Director's Cremation Service request to close establishment; Funeral Director's Cremation Service, Tulsa, New Crematory, Ray Fransisco, FDIC, Southern Heritage Mortuary and Cremation Services, LLC, Owner. The motion passed unanimously.

No New Business was discussed

Executive Director's Report- Agency Financial update- Mr. Stiles reported gross receipts for January 2022 to be \$153,639.00 with \$14,664.20 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$39,541.60 and net income after expenses totaled \$99,433.20.

2022 Legislative Update: HB 3361 -Mr. Stiles reported that HB3361 is the Funeral Board's bill authored by Speaker McCall and has passed out of committee already.

Free PPE from Health Dept. - Mr. Stiles reported that Board staff has ordered 20,000 gloves and 14,000 masks from the Health Department and has already provided most of that PPE to the industry but will continue to try to order more for those funeral home's in need of PPE.

Review, discussion by the Board members, and possible action regarding proposed changes to the Oklahoma Funeral Board Statutes: Mr. Highberger

reported that the education committee has been meeting and moving closer together on agreeing on statute changes and will continue to meet.

Review, discussion by the Board members, and possible action regarding compliance with HB1373, defining criminal records list for disqualifying applicant from licensure. -Approved the list of various crimes that could potentially disqualify an applicant from licensure. The complete list is uploaded with the Board packet and will be uploaded to the Board website.

Motion by Roberts second by Highberger to adjourn the meeting at 10:45AM. The motion passed unanimously.

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Joe Highberger  
Oklahoma Funeral Board President