

OKLAHOMA FUNERAL BOARD
3700 North Classen Blvd, Suite 175
Oklahoma City, Oklahoma 73118

NOTICE OF REGULAR MEETING

MEETING PLACE: **Office of Chief Medical Examiner OKC, 921 N.E. 23rd Street Conference Room 1st Floor Oklahoma City, OK 73105.**

DATE & TIME: March 9, 2023 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 March 6, 2023 at 10:30AM. A copy of this agenda is available on the Funeral Board website at www.ok.gov/funeral

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.

*** 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**-Members Coble, Corbett, Highberger, and Sanders were present.
2. **Approval of the February 9, 2023 Regular Board meeting minutes** -
Approved
3. **Oklahoma Funeral Director Association Update from a Representative of OKFDA**- OKFDA Convention mailers were mailed out. Convention is April 23- April 25, 2023
4. **Oklahoma Insurance Department Update from a Representative of OID**-
No Update
5. **Review complaints with possible vote for probable cause or other action**

23-30 Non-Payment Vendor-Tabled

23-31 Non-Payment Vendor-**Tabled**

23-40 Misleading Advertising-**Found PC**

6. Matters for consideration: Consent Order or Scheduling 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 22-43 Keith D. Biglow Funeral Directors, Inc., Establishment, Muskogee, Keith D. Biglow Funeral Directors, Inc, Owner, Tristan Wilson, FDIC, Muskogee. Member Roberts needs to be recused. The Board accepted a consent order on this case. The consent order consisted of the following: The agreed violations were: failure to failure to file a death certificate in a timely manner, Failure to comply with FTC Funeral Rules, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$5,000, restitution in the

amount of \$1,595, 6 additional hours of CE, Costs of \$500.

- 6B. **Complaint 23-07 Whinery-Huddleston Funeral Service, Establishment, Lawton, Beacon Funeral Partners (Oklahoma) LLC, Owner, Christian Corl, Funeral Director, Lawton. Member Roberts needs to be recused.** The Board accepted a consent order on this case. The consent order consisted of the following: The agreed violations were: violation of the ethics rules, Fraud in obtaining a license, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$750, 6 additional hours of CE, Costs of \$500.
- 6C. **Complaint 23-24 Michael's Funeral Home, Inc, Establishment, Drumright, Michael's Funeral Home, Inc, Owner, Michael Davis, FDIC, Drumright. Member Roberts needs to be recused.** The Board accepted a consent order on this case. The consent order consisted of the following: The agreed violations were: failure to have a completed Body Intake Log, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$500, Costs of \$250.
- 6D. **Complaint 23-25 Jack's Chapel Inc., Establishment, Tulsa, Jack's Chapel**

Inc, Owner, George Riley, FDIC Tulsa. Member Corbett needs to be **recused**. The Board accepted a consent order on this case. The consent order consisted of the following: The agreed violations were: failure to have a clean and sanitary preparation room, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$750, Costs of \$250.

7. Matters for consideration: Administrative Hearings

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.

7A. Complaint 19-35, Oscar Ron Savage, Funeral Director and Embalmer. Member Roberts will need to be recused.- After testimony from Board staff and introduction of exhibits, Funeral Director and Embalmer licenses for Oscar Savage were Revoked.

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

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

1. Ty Astle, OKC, Oklahoma Mortuary Service, OKC (EM Only)
2. Samuel Hild, OKC, OK Cremation, OKC
3. William Watkins, Lawton, Whitt FH, Duncan
4. Shealyn Wilds, Stillwell, Roberts-Reed-Culver FH, Stillwell
5. Taylor Reich, OKC, Sunny Lane FH, Del City
6. Zachary Graves, Stillwell, Roberts-Reed-Culver FH, Stillwell
7. Quade Varner, OKC, Alternatives C&FS, OKC
8. Amy Borazjani, Mustang, Tribute Memorial Care SW, Tuttle
9. Lauren Sloan, Sapulpa, Smith FH, Sapulpa
10. Sonya Hamilton, OKC, Vondel Smith Mortuary, OKC
11. Shawn Duke, Tulsa, Keith Biglow FD, Tulsa
12. Shayla King, Okmulgee, Integrity FS, Henryetta

B. Apprenticeship (1st extension)-**Numbers 1,2,4, and 5 were approved. Number 6 should specify FD Only. Number 3 was tabled.**

1. Zoe Nichols, OKC, OK Cremation FH, OKC
2. Darin Haddox, Claremore, MMS Payne FH, Claremore
3. Lorna Schofield, Stillwater, Green Country FH, Tahlequah
4. DaiDrian Brown, Tulsa, Butler-Stumpff & Dyer, Tulsa
5. Madelyn Holuby, Henryetta, Integrity FS, Henryetta

6. Erin Riley, Shawnee, Walker FS&C, Shawnee

C. Apprenticeship (2nd extension) -**Denied**

1. Jared Johnson II, Wagoner, Shipman FH, Wagoner

D. Funeral Director and/or Embalmer (Reciprocal)-**Numbers 1 and 4 were approved. Number 2 was tabled. Number 3 was denied**

1. Kyle Dungan, Texas

2. Stuart Thompson, Texas

3. Desirae Davis, Iowa (EM Only)

4. April Bellotte, Texas

E. Funeral Director and/or Embalmer (Original)- **Numbers 1,2, 4, and 5 were approved. Number 3 was tabled.**

1. Paige Goodman, OKC

2. Jonathan Bland, Yukon

3. Chad Austin, Boswell

4. Conner Brown, Wellston

5. Tyler Harrell, Sallisaw

F. Establishments-**All Approved**

1. Stephens-Key Funeral & Cremation Care, Pryor, request to change FDIC from Clarissa Yates to Chris Highsmith

2. Ninde Funeral Directors, Inc-Mosaic Memorial, Tulsa, request to change name to Ninde Funeral Directors, Inc.

3. Clifford D Garrett Family Funeral Home and Crematory, Muskogee, New Establishment, Garrett Funeral Home LLC, Owner, Clifford D Garrett, FDIC

4. Forever Memories Funeral Service, Sallisaw, request to change FDIC from Kari Harrell to Tyler Harrell

G. Crematories-**Approved**

1. Clifford D Garrett Family Funeral Home and Crematory, Muskogee, New Crematory, Garrett Funeral Home LLC, Owner, Clifford D Garrett, FDIC

9. **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**

10. Executive Director's Report

A. Agency Financial Update- Mr. Stiles reported gross receipts for February 2023 to be \$12,780.00 with \$937.00 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$40,048.08 and net income after expenses totaled - \$28,205.08

11. Review, discussion, and possible action regarding 2023 Legislation limited to the following Bills: HB 1074, HB 1234, HB1235, HB2240, HB2642, HB2671, HB2807, SB128, SB161, SB356, SB599, SB722, SB957

HB 1074, by Rep. Smith, allows for unlicensed individuals to sell caskets. Passed out of committee and will watch to see if it makes it to the House Floor.

HB 1234, by Speaker McCall, Shell Bill that Creates the Oklahoma Cemeteries Act. Dormant pursuant to Rules.

HB1235, by Speaker McCall, Shell Bill that Creates the Oklahoma Cemeteries Act. Dormant pursuant to Rules.

HB2240, by Rep. Dobrinski, lowers the age of licensure from 20 to 18. Passed out of committee and will watch to see if it makes it to the House Floor.

HB2642, by Rep. Lepak, Shell Bill that creates the Cremations Approval Process Reform Act Dormant pursuant to Rules.

HB2671, by Rep. Lepak, Shell Bill that creates the Funerals Act. Dormant pursuant to Rules.

HB2807, by Rep. Kendrix, extends the sunset of the Funeral Board for 5 years.- Language was changed to remove the sunset. Passed out of House and is now in the Senate.

SB128, by Sen. Rogers and Sen. Sims, adjusts provisions of Cemetery Merchandise Trust Act

SB161, by Sen. Daniels, extends the sunset of the Funeral Board for 1 year.- Passed out of the Senate and is now in the House.

SB356, by Sen. Daniels, requires funeral establishments to provide notice and identifying information of subcontractors. Dormant pursuant to Rules.

SB599, by Sen. Montgomery, extends the time for medical certification to 14 days and gives authority for prosecution for noncompliance by medical professionals.

SB722, by Sen. Stewart, prohibits first responders and funeral home staff from transmitting photo or video of collisions or crime scenes. Passed out of committee and will watch to see if it makes it to the Senate Floor.

SB957 by Sen. Jett, removes the requirement of accreditation by the American Board of Funeral Service Education for licensure. Dormant pursuant to Rules.

12. **Review, discussion, and possible action regarding adoption of rule changes 2023: OAC 235:10-3-1 and OAC 235:10-3-2 (9)(C) and (D).**- Adopted

13. **Adjournment -10:42AM**

Tyler Stiles, MBA
Executive Director

The next regular meeting of the Oklahoma Funeral Board will be held: **April 13, 2023. Office of Chief Medical Examiner –OKC 921 N.E. 23rd Street Conference Room – 1st Floor Oklahoma City, OK 73105.**