

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. 23<sup>rd</sup> Street  
Conference Room 1<sup>st</sup> Floor Oklahoma City, OK 73105.

DATE & TIME: October 12, 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 October 11, 2023 at 8:30AM. A copy of this agenda is available on the Funeral Board website at [www.oklahoma.gov/funeral](http://www.oklahoma.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](mailto: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
2. Approval of the September 14, 2023 Regular Board meeting minutes
3. Oklahoma Funeral Director Association Update from a Representative of OKFDA, with possible discussion
4. Oklahoma Insurance Department Update from a Representative of OID, with possible discussion
5. Lifeshare Update from a Representative of Lifeshare, with possible discussion
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 23-70 Turner Funeral Home-Geary, Geary, Turner Funeral Home Ent. Inc., Owner, Hinton, Kori Turner, FDIC, Hinton. Member Davenport needs to be recused.

6B. Complaint 23-71 Henninger-Hinson Funeral Home Inc, Enid, Henninger-Allen Funeral Home Inc, Owner, Matt Hinson, Enid, FDIC. Member Roberts needs to be recused.

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

A. Apprenticeship (Original)

- 1. Ariana Stevens-Mujica, Noble, Advantage F&CS, OKC
- 2. Kloie Clegg, Bartlesville, Rice FS, Claremore
- 3. Rylan McPeak, Idabel, Miller & Miller FH, Hugo
- 4. Colton Morgan, Duncan, Whitt FH, Duncan
- 5. McKalynn Pitchford, Guthrie, Matthews FH, Edmond
- 6. Mekailyn Boice, Duncan, Whitt FH, Duncan
- 7. Charles Sorrell, Bethany, OMS, OKC
- 8. Kristen Wajda, Moore, Moore F&CS, Moore (FD only)
- 9. Rachael Landreville, Broken Arrow, Ford FS, MWC
- 10. Hannah Lambert, Ardmore, Smith & Kernke FH, OKC

11. Breanne Strawn, Piedmont, Ingram, Smith & Turner, Yukon (FD only)

B. Apprenticeship (1st extension)

1. Kammi Robinson-Snodgrass, Lone Grove, Craddock, Ardmore
2. Riley Caple, Catoosa, Butler-Stumpff & Dyer FH, Tulsa (FD Only)
3. Karley Page, Muskogee, Bixby- South Tulsa FS, Bixby
4. Kenslie Villoni, Tulsa, Floral Haven, Broken Arrow
5. Tierrika Hutton, OKC, Chapel Hill, OKC
6. Caitlin Snell, Rose, Shipman's F&CS, Pryor (FD Only)

C. Apprenticeship (2<sup>nd</sup> Extension)

1. Chad Kaminski, Ada, Criswell FH, Ada
2. Graciela Guillen, Woodward, Billings FH, Woodward
3. Samantha Davis, Swink, Miller & Miller FH, Hugo
4. Benjamin Wilbourn, Wilbourn Family FH, Lindsay
5. Mathew Burch, Antlers, Serenity FS, Antlers
6. Taylor Harris, Edmond, Buchanan FS, OKC

D. Funeral Director and/or Embalmer (Reciprocal)

1. Stuart Thompson, Texas
2. Rodney Ford, Texas
3. Georgia Brasier, Texas (EM only)
4. Vonda Gifford, Arkansas
5. James Walker, Texas (FD only)

E. Funeral Director and/or Embalmer (Original)

1. Alannah Hill, Midwest City

2. Mackenzie Parks, Oklahoma City
3. Melissa Delgado, Norman
4. Kylee Vaughan, Stilwell (FD only)
5. Samantha Davis, Swink (FD only)
6. Skyler Watters, Nowata (FD only)
7. Payton Pacholski, Oklahoma City
8. Zoe Nichols, Oklahoma City

F. Establishments

1. Roberts & Son FH, Blackwell, request to change FDIC from Heidi Greve to James Roberts
2. Kincannon FH, Altus, request to change FDIC from Robert Gable to Gary Kincannon
3. Kincannon FH, El Dorado, request to change FDIC from Robert Gable to Gary Kincannon

8. **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.
9. **Executive Director's Report**
  - A. Transporting Veteran's/ Medical Examiner's Transport Permit
  - B. Agency Financial Update
10. **Strategic Planning: Discussion and possible action regarding change of Board Statutes or Board Rules:**
  - A. Natural Organic Reduction
  - B. Committee report, committee discussion, and Board discussion for Crematory Operator License

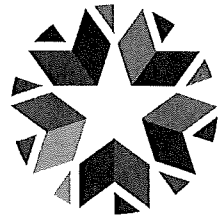
- C. Committee report, committee discussion, and Board discussion for Funeral Director Assistant License
- D. Casket Bill

## 11. Adjournment

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Tyler Stiles, MBA  
Executive Director

The next regular meeting of the Oklahoma Funeral Board will be held: November 9, 2023. 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.



# OKLAHOMA Funeral Board

## MINUTES OF A REGULAR MEETING

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

September 14, 2023

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### BOARD MEMBERS

Tom Coble  
Darin Corbett  
Glenn Dunn  
John Davenport  
Joe Highberger  
Brent Matherly  
Jim Roberts

### STAFF

Rochelle Covington  
Tyler Stiles  
Dustin Watters  
Kylie Cooper, AAG  
Liz Stevens, AAG

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### MEETING PLACE: MEETING PLACE:

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 August 7, 2023 at 9:00AM. A copy of this agenda is available on the Funeral Board website at [www.ok.gov/funeral](http://www.ok.gov/funeral)

President Roberts called the meeting to order at 10:00AM. Members Corbett, Davenport, Dunn, Highberger, Matherly, and Roberts were present. Member Coble was absent. A quorum was always present.

Motion by Highberger second by Davenport to approve the August 10, 2023 Regular Board meeting minutes. The motion passed unanimously.

Ronnie Dighton with OKFDA reported that the NFDA Convention was be September 10-13 in Vegas, the Fall district meetings will be the first, second, and third weeks of October with the topic of "the new consumer". More information can be found on the OKFDA website.

Rowena Ehrman with OID reported that their staff is at the State fair and feel free to come see them. Preneed permits are due at the end of the year but can send them in 90 days early. Please email Rowena any questions [rowena.ehrman@oid.ok.gov](mailto:rowena.ehrman@oid.ok.gov).

Motion by Highberger second by Roberts to dismiss complaint 24-01 regarding Next of Kin Issues. The motion passed unanimously.

Motion by Roberts second by Dunn to dismiss complaint 24-03 regarding Vendor Payment Issues. The motion passed unanimously.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 23-53 Michael's Funeral Home, Drumright, Michael's Funeral Home Inc, Owner, Michael Davis, Drumright, FDIC. The prosecution was represented by Kylie Cooper, AAG. Liz Stevens, AAG, was the Board's legal advisor. Members Davenport, Dunn, Highberger, Matherly, and Roberts heard the case. Member Corbett was recused from the case and he left the room.

After the presentation of the agreed upon Consent Order, motion by Highberger second by Matherly to accept the consent order. The consent order consisted of the following: The agreed violations were: failing to comply with the requirements of the Insurance Department relating to pre-need funeral arrangements, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$200. The motion passed unanimously.

Member Corbett reentered the room.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 23-57 Yanda and Son Funeral Home & Cremation Services, Yukon, Yanda and Son Funeral Home & Cremation Services Inc, Owner, Donna Yanda, Yukon, FDIC. The prosecution was represented by Kylie Cooper, AAG. Liz Stevens, AAG, was the Board's legal advisor. Members Corbett, Davenport, Dunn, Matherly, and Roberts heard the case. Member Highberger recused himself from the case and he left the room.

After the presentation of the agreed upon Consent Order, motion by Matherly second by Dunn to accept the consent order. The consent order consisted of the following: The agreed violations were: failing to comply with the

requirements of the Insurance Department relating to pre-need funeral arrangements, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$100. The motion passed unanimously.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 23-59 Yanda and Son Funeral Home & Cremation Services, Yukon, Yanda and Son Funeral Home & Cremation Services Inc, Owner, Donna Yanda, Yukon, FDIC. The prosecution was represented by Kylie Cooper, AAG. Liz Stevens, AAG, was the Board's legal advisor. Members Corbett, Davenport, Dunn, Matherly, and Roberts heard the case. Member Highberger recused himself from the case and he left the room.

After the presentation of the agreed upon Consent Order, motion by Dunn second by Davenport to accept the consent order. The consent order consisted of the following: The agreed violations were: failing to comply with the requirements of the Insurance Department relating to pre-need funeral arrangements, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$200. The motion passed unanimously.

Member Highberger reentered the room.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 23-71 Henninger-Hinson Funeral Home Inc, Enid, Henninger-Allen Funeral Home Inc, Owner, Matt Hinson, Enid, FDIC. The prosecution was represented by Kylie Cooper, AAG. Liz Stevens, AAG, was the Board's legal advisor. Members Corbett, Davenport, Dunn, Matherly, and Roberts heard the case. Motion by Highberger second by Roberts to table the case to October. The motion passed unanimously.

Motion by Highberger second by Roberts to table the following: Apprenticeship (Original) Ariana Stevens-Mujica, Noble, Cruz Family FH, OKC. The motion passed unanimously.

Motion by Highberger second by Dunn to approve the following: Apprenticeship (Original) Ashlee Mikesell-McCarroll, Forest Park, Bill Eisenhower FH, OKC; Austin Howell, Lawton, Becker-Rabon, Lawton; Glenn Palmer-Roberts, Yukon, Bill Merritt FS, Bethany (FD Only); April Kile, (FD Only), Chickasha, Sevier FH, Chickasha; Maddison Smith, Ada, Criswell FH, Ada; Carrie Brooner, Tulsa, Serenity FH, Tulsa. The motion passed unanimously.

Motion by Highberger second by Davenport to approve the following: Apprenticeship (1st Extension). Tara Cook, Tulsa, Dillon FS, Tulsa. The motion passed unanimously.



Motion by Highberger second by Dunn to table the following: Apprenticeship (1st Extension). Kammi Robinson-Snodgrass, Lone Grove, Craddock, Ardmore. The motion passed unanimously.

Motion by Matherly second by Dunn to approve the following: Apprenticeship (1st Extension). Brennan Goforth, Edmond, Crawford, Edmond; Matthew Bowser, Broken Bow, Crawford, Edmond; Emily Eastman, Broken Arrow, Floral Haven FH, Broken Arrow; Benjamin Young, Wayne, Wilson- Little FH, Purcell; Rose Smith, Ada, Phillip-Estes, Ada; Randi Reeves, Sapulpa, Moore FH, Tulsa; Courtney Maine, Pauls Valley, Wooster FH, Pauls Valley; Alpha Alex, OKC, Resthaven, OKC; Marlin Giles, (FD Only), Skiatook, Chapman Black, Cleveland; Tabitha Brown, Stillwater, Strode FH, Stillwater; Deanna Evans, Dewey, Davis Family FH, Bartlesville (FD Only). The motion passed unanimously

Motion by Highberger second by Dunn to approve the following: Apprenticeship (2nd Extension). Thomas Applegate, Wagoner, Mallet FH, Wagoner; Sarah Blank, Edmond, John Ireland, Moore; Mercedes Castro, Tuttle, Yanda and Son FH, Yukon. The motion passed unanimously.

Motion by Highberger second by Dunn to approve the following: Apprenticeship (3rd Extension). Michael Frazier, (FD Only), Hugo, Prater-Lampton-Mills & Coffey, Hugo; Brighton Potter, Tulsa, Gary Kelley Add'vantage, Tulsa. The motion passed unanimously.

Motion by Highberger second by Dunn to approve the following: Apprenticeship (4th Extension). Stephen Smith, OKC, Ford FS, MWC. The motion passed unanimously.

Motion by Highberger second by Dunn to table the following: Funeral Director and/or Embalmer (Reciprocal), Stuart Thompson, Texas; Rodney Ford, Texas; Georgia Brasier, Texas, Vonda Gifford, Arkansas. The motion passed unanimously.

Motion by Highberger second by Dunn to approve the following: Funeral Director and/or Embalmer (Original) Morghane Gonzalez, OKC; Ashley King, Edmond; Nicholas Holdeman, Ames. The motion passed unanimously.

Motion by Highberger second by Dunn to approve the following: Establishments, Cruz Family FH, OKC, request to change FDIC from Dana Bradford to Jocelyn Bell; Southhaven FS, Purcell, request to close establishment.; Southhaven FS, Purcell, New Establishment, Service Group of Oklahoma LLC, Owner, Kevin Montgomery, FDIC; Tribute Memorial Care Southwest, Tuttle, request to close establishment; Tribute Memorial Care

Southwest, Tuttle, new establishment, Service Group of Oklahoma LLC, Owner, John Davenport, Norman, FDIC; Tribute Memorial Care, Norman, request to close establishment; Tribute Memorial Care, Norman, new establishment, Service Group of Oklahoma LLC, Owner, Shane Vice, Norman, FDIC; Kincannon FH and Cremation Service, Altus, request to close establishment; Kincannon FH and Cremation Service, Altus, new establishment, Service Group of Oklahoma LLC, Owner, Robert Gable, Altus, FDIC; Kincannon Eldorado Chapel, Eldorado, request to close establishment; Kincannon Funeral Home Eldorado, new establishment, Service Group of Oklahoma LLC, Owner, Robert Gable, Altus, FDIC; Smith FH, Sapulpa, request to change FDIC from Marie Thompson to Josh Linn; Schaudt FS and Cremation Care, Tulsa, request to change FDIC from Alan Hall to Stephen Schaudt; Tulsa Caskets and Cremation, Tulsa, new establishment, Tulsa Caskets and Cremation, LLC, Tulsa, Alan Hall, Broken Arrow, FDIC; House of Winn FH, Okmulgee, request to close establishment; House of Winn FH, Inc., Okmulgee, New Establishment, D2's House of Winn FH LLC, Owner, Edward Winn II, FDIC; House of Winn FH and Cremations, Muskogee, request to close establishment; House of Winn FH and Cremations, Muskogee, New Establishment, D2's House of Winn FH LLC, Owner, Edward Winn II, FDIC; Heritage FH and Cremation Services, OKC, request to close establishment; Central Oklahoma Heritage Funeral Directors LLC, OKC, New Establishment, Central Oklahoma Heritage Funeral Directors LLC, Owner, Kristi Pendleton Harrison, FDIC. The motion passed unanimously.

Motion by Highberger second by Dunn to approve the following: Crematories- Southhaven Crematory, Purcell, request to close establishment.; Southhaven Crematory, Purcell, New Crematory, Service Group of Oklahoma LLC, Owner, Kevin Montgomery, FDIC; Green Country Cremation Center, Sapulpa, request to change FDIC from Marie Thompson to Daniel Collier. The motion passed unanimously.

Motion by Highberger second by Dunn to approve the following: Mortuary Schools- UCO Funeral Service Department, Edmond, Oklahoma, Embalmer Only Course of Study. The motion passed unanimously.

There was no new business

Agency Financial update- Mr. Stiles reported gross receipts for August 2023 to be \$13,397.50 with \$989.75 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$41,087.57 and net income after expenses totaled -\$28,679.82.

Strategic Planning: Discussion and possible action regarding change of Board Statutes or Board Rules: Crematory Operator license, FD Assistant

license, and Natural Organic Reduction were all brought up for the Board to discuss in October. No votes were taken.

Casket of Honors requested support for the casket bill (allows anyone to sell a casket to the public). No vote was taken.

Motion by Roberts second by Davenport to approve Joe Highberger, Darin Corbett, John Astle, Ronnie Dighton, and Linda Murphy being placed on a committee to discuss the particulars for the crematory operator license.

Motion by Highberger second by Dunn to approve Brent Matherly, John Davenport, Christina Shipman, and Todd Martin being placed on a committee to discuss the particulars for the FD Assistant license

Motion by Highberger second by Corbett to adjourn the meeting at 11:24AM. The motion passed unanimously.

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Jim Roberts  
Oklahoma Funeral Board President

**BEFORE THE OKLAHOMA FUNERAL BOARD  
STATE OF OKLAHOMA**

**IN THE MATTER OF THE COMPLAINT  
AGAINST:**

**TURNER FUNERAL HOME - GEARY**

A Licensed Funeral Establishment,  
Establishment License # 1109ES  
203 West Main  
Geary, OK 73040

owned by:

**TURNER FUNERAL HOME ENT. INC.**

PO Box 250  
Hinton, OK 73047

**KORI TURNER**

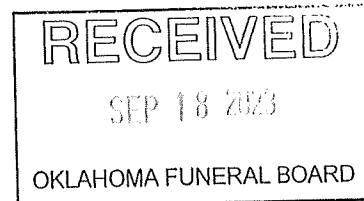
Licenses: 2993FD and 3378EM,  
Address: PO Box 250  
Hinton, OK 73047

A Licensed Funeral Director and Embalmer  
and the Funeral Director in Charge at

**TURNER FUNERAL HOME-GEARY,**

**Respondents.**

**Complaint No. 23-70**



**COMPLAINT AND NOTICE OF HEARING**

The State of Oklahoma, *ex rel.*, Oklahoma Funeral Board ("Board"), by and through Assistant Attorney General Kylie Cooper, files this Complaint and Notice of Hearing, alleging that the Respondents, TURNER FUNERAL HOME-GEARY, TURNER FUNERAL HOME ENT INC. and KORI TURNER, have violated provisions of the State Funeral Services Licensing Act, 59 O.S. § 395.1 *et seq.* (the "Act"), and Rules of the Board, Oklahoma Administrative Code ("O.A.C.") Section 235:10-1-1 *et seq.* (the "Rules"), in the manner set forth below:

## **JURISDICTION**

1. Respondent TURNER FUNERAL HOME-GEARY (“Funeral Home”) is licensed by the Board, establishment license number 1109ES, and is located at 203 West Main, Geary, OK 73047.
2. Respondent KORI TURNER (“Funeral Director in Charge” or “FDIC”) is licensed by the Board as a funeral director and embalmer, license numbers 2993FD and 3378EM, and at all relevant times was the Funeral Director in Charge at Funeral Home.
3. Respondent TURNER FUNERAL HOME ENT INC. (“Owner”) is, and at all relevant times was, the owner of record for Funeral Home. Upon information and belief, Respondent KORI TURNER is the owner and registered agent for Respondent TURNER FUNERAL HOME ENT INC.
4. The Board has jurisdiction over Respondents pursuant to 59 O.S. §§ 396.2a(9) and (11). *See also* 59 O.S. § 396.12f(F).

## **FACTUAL ALLEGATIONS**

5. On or about June 5, 2023, Board staff conducted an inspection of the Funeral Home and determined that the Body Intake Log (the “Log”) was deficient: there were no dates and times reflecting when bodies were received, there were no dates or times reflected under “care given;” dates and times of embalming were not listed in the log, the embalmer did not sign the Log under “embalmer signature;” and the name, signature, and license number of the embalmer is not in the Log.
6. On June 19, 2023, Board staff filed a complaint with the Board, alleging that Respondents had a deficient Log in violation of O.A.C. 235:10-3-2(5)(vii). The Board provided Respondents with the Notice of Complaint via certified letter, which was mailed on the same date the complaint was filed.

7. On June 29, 2023, Respondents filed their response to Complaint 23-70 with the Board. Respondents stated that they do not have a preparation room and typically use the location only for viewing. Respondents did provide a corrected body log.

8. By public vote during the meeting on August 10, 2023, the Board found probable cause to file a formal complaint against Respondents for the violations alleged herein.

9. The prosecution has sufficient evidence which, if presented to the Board at an evidentiary hearing, would constitute clear and convincing evidence of the alleged violations.

#### **ALLEGED CONCLUSIONS OF LAW**

10. Respondents violated O.A.C. 235:10-3-2(5)(vii) by failing to have a complete and up-to-date Log. The relevant Rule, O.A.C. 235:10-3-2(5)(vii), with emphasis added, provides:

**Body Intake Log.** Each funeral establishment or commercial embalming service shall maintain in the preparation room of that establishment, or within a reasonable proximity of the preparation room, a log book. **The log book shall list the name of each human remains received at this location including the date and time the remains were received, the care or preparation of the remains (i.e., bathe, disinfect, refrigerate, or embalm), the date and time that the embalming occurred, the disposition of the remains, and the name, signature, and license number of the embalmer(s) and apprentice(s).** If the remains were prepared at another location, that location shall be listed in lieu of the name and signature of the embalmer(s) and apprentice(s). The log book must be available at all times for inspection by the Board.

11. FDIC is “responsible for the legal and ethical operation of the [Funeral Home] and is accountable to the Board.” 59 O.S. § 396.2(12). Therefore, Respondent KORI TURNER, as the Funeral Director in Charge of the Funeral Home is also liable for the above violations.

12. Due to the above violations, Respondents are subject to disciplinary action by the Board. *See* 59 O.S. §§ 396.2a(9) and (11); *id.* at §§ 396.12c(A)(5) and (8); *id.* at § 396.12d; *id.* at § 396.12e.

## AUTHORIZED PENALTIES

13. The Board is authorized to impose any of the following penalties for violations of the Act or Rules: (1) denial, revocation, suspension, or nonrenewal of license or certificate of apprenticeship; (2) administrative fines up to ten thousand dollars (\$10,000.00) per series of related violations<sup>1</sup>; (3) injunctive proceedings; and (4) other disciplinary action. 59 O.S. §§ 396.12c(5) and (8); *id.* at § 396.12c; *id.* at § 396.12d; *id.* at § 396.12e.

14. Further, the Board is authorized to “impose . . . as a condition of any adverse disciplinary action, the payment of costs expended by the Board in investigating and prosecuting the violation.” 59 O.S. § 396.12e(B). Costs may include, but are not limited to, “staff time, salary and travel expenses, [and] witness fees and attorney fees.” *Id.*

15. In lieu of prosecution, Respondents “may elect to surrender the license.” *Id.* at § 396.12e(D). However, should Respondents surrender their licenses, they “shall be forever barred from obtaining a reissuance of said license or certificate of apprenticeship.” *Id.*

## NOTICE OF HEARING

An **EVIDENTARY HEARING** will be held before the Board on **OCTOBER 12, 2023 at 10:00 A.M.** Respondents may appear personally or through an attorney. If Respondents fail to appear, the hearing will be held in their absence. Respondents have the right to submit a written response, cross-examine witnesses, and present evidence on their behalf. *See* 75 O.S. §§ 309 and 310. If the Board decides, after considering all the evidence presented, that Respondents are in

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<sup>1</sup> When determining the amount of an administrative penalty, the Board shall consider, but not be limited to:

the nature, circumstances and gravity of the violation and, with respect to the person or entity found to have committed the violation, the degree of culpability, the effect on ability of the person or entity to continue to do business and any show of good faith in attempting to achieve compliance with the provisions of the Funeral Services Licensing Act.

59 O.S. § 396.12e(C).

violation of any of the above-referenced laws, the Board may take any authorized disciplinary action it deems appropriate.

Instead of proceeding with the aforementioned hearing, the parties may present a **JOINT PROPOSED CONSENT ORDER** to the Board on the same date and time. *See* 75 O.S. § 309(E).

Respectfully submitted:

A handwritten signature in black ink, appearing to read 'Kylie Cooper', with a horizontal line extending from the end of the signature.

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Kylie Cooper, OBA # 23758  
Assistant Attorney General  
Office of the Oklahoma Attorney General  
313 NE 21<sup>st</sup> Street  
Oklahoma City, OK 73105  
kylie.cooper@oag.ok.gov

Attorney for Oklahoma Funeral Board



**CERTIFICATE OF SERVICE**

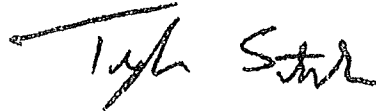
I hereby certify that on the 18<sup>th</sup> day of September, 2023, a true and correct copy of the foregoing *Complaint and Notice of Hearing* was served either mailing by Certified Mail or by handing to a process server for service in person, as follows:

**BY CERTIFIED MAIL:**

TURNER FUNERAL HOME-GEARY  
203 West Main  
Geary, OK 73040

TURNER FUNERAL HOME ENT INC.  
PO BOX 250  
Hinton, OK 73047

KORI TURNER  
PO BOX 250  
Hinton, OK 73047

A handwritten signature in black ink, appearing to read "Tyler Stiles", is written over a horizontal line.

Tyler Stiles, MBA  
Executive Director

**BEFORE THE OKLAHOMA FUNERAL BOARD  
STATE OF OKLAHOMA**

**IN THE MATTER OF THE COMPLAINT  
AGAINST:**

**HENNINGER-HINSON FUNERAL HOME INC**

A Licensed Funeral Establishment,  
Establishment License # 1095ES  
601 W Broadway  
Enid, OK 73701

**owned by:**

**HENNINGER-ALLEN FUNERAL HOME INC**

PO Box 507  
Enid, OK 73702

**MATT HINSON**

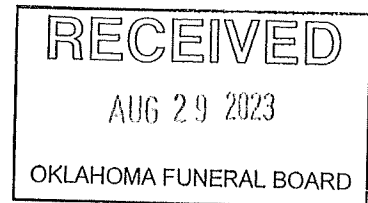
Licenses: 2938FD and 3320EM  
Address: 906 Brookside  
Enid, OK 73703

A Licensed Funeral Director  
and the Funeral Director in Charge at

**HENNINGER-HINSON FUNERAL HOME,**

**Respondents.**

**Complaint No. 23-71**



**COMPLAINT AND NOTICE OF HEARING**

The State of Oklahoma, *ex rel.*, Oklahoma Funeral Board ("Board"), by and through Assistant Attorney General Kylie Cooper, files this Complaint and Notice of Hearing, alleging that the Respondents, HENNINGER-HINSON FUNERAL HOME INC, HENNINGER-ALLEN FUNERAL HOME INC., and MATT HINSON, have violated provisions of the State Funeral Services Licensing Act, 59 O.S. § 395.1 *et seq.* (the "Act"), and Rules of the Board, Oklahoma Administrative Code ("O.A.C.") Section 235:10-1-1 *et seq.* (the "Rules"), in the manner set forth below:

## **JURISDICTION**

1. Respondent HENNINGER-HINSON FUNERAL HOME ("Funeral Home") is licensed by the Board, establishment license number 1095ES, and is located at 601 W Broadway, Enid, OK 73701.

2. Respondent MATT HINSON ("Funeral Director in Charge" or "FDIC") is licensed by the Board as a funeral director and embalmer, license numbers 2938FD and 3320EM and at all relevant times was the Funeral Director in Charge at Funeral Home.

3. Respondent HENNINGER-ALLEN FUNERAL HOME, INC. ("Owner") is, and at all relevant times was, the owner of record for Funeral Home. Upon information and belief, Respondent MATT HINSON is the owner and registered agent for Respondent HENNINGER-ALLEN FUNERAL HOME, INC.

4. The Board has jurisdiction over Respondents pursuant to 59 O.S. §§ 396.2a(9) and (11). *See also* 59 O.S. § 396.12f(F).

## **FACTUAL ALLEGATIONS**

5. On or about May 15, 2023, Board staff received an Amended Conditional Administrative Order in State of Oklahoma, ex re. Glen Mulready v. Henninger-Allen Funeral Home Inc, dba Henninger-Hinson Funeral Home, Case No. 23-0204-DIS (Exhibit "A"). This Order alleged that Henninger-Hinson Funeral Home failed to file a completed 2021 annual report, in violation of 36 O.S. § 6128 and 36 O.S. § 6129.1.

6. On May 18, 2023, Board staff filed a complaint with the Board, alleging that Respondents were in violation of O.A.C. 235:10-7-2(5) by failing to comply with the requirements of the

Oklahoma Statutes and Rules of the State Insurance Commission. The Board provided Respondents with the Notice of Complaint via certified mail.

7. On July 10, 2023, Respondents filed their response to Complaint 23-71 with the Board. Respondent's counsel stated that the \$500 fine was paid and the annual report was submitted.

8. By public vote during the meeting on August 10, 2023, the Board found probable cause to file a formal complaint against Respondents for the violations alleged herein.

9. The prosecution has sufficient evidence which, if presented to the Board at an evidentiary hearing, would constitute clear and convincing evidence of the alleged violations.

#### **ALLEGED CONCLUSIONS OF LAW**

10. Respondents violated O.A.C. 235:10-7-2(5) by failing to comply with the requirements of the Oklahoma Statutes and Rules of the State Insurance Commission pertaining to pre-need funeral service arrangements.

11. FDIC is "responsible for the legal and ethical operation of the [Funeral Home] and is accountable to the Board." 59 O.S. § 396.2(12). Therefore, Respondent Matt Hinson, as the Funeral Director in Charge of the Funeral Home is also liable for the above violations.

12. Due to the above violations, Respondents are subject to disciplinary action by the Board. *See* 59 O.S. §§ 396.2a(9) and (11); *id.* at §§ 396.12c(A)(5) and (8); *id.* at § 396.12d; *id.* at § 396.12e.

#### **AUTHORIZED PENALTIES**

13. The Board is authorized to impose any of the following penalties for violations of the Act or Rules: (1) denial, revocation, suspension, or nonrenewal of license or certificate of apprenticeship; (2) administrative fines up to ten thousand dollars (\$10,000.00) per series of related

violations<sup>1</sup>; (3) injunctive proceedings; and (4) other disciplinary action. 59 O.S. §§ 396.12c(5) and (8); *id.* at § 396.12c; *id.* at § 396.12d; *id.* at § 396.12e.

14. Further, the Board is authorized to “impose . . . as a condition of any adverse disciplinary action, the payment of costs expended by the Board in investigating and prosecuting the violation.” 59 O.S. § 396.12e(B). Costs may include, but are not limited to, “staff time, salary and travel expenses, [and] witness fees and attorney fees.” *Id.*

15. In lieu of prosecution, Respondents “may elect to surrender the license.” *Id.* at § 396.12e(D). However, should Respondents surrender their licenses, they “shall be forever barred from obtaining a reissuance of said license or certificate of apprenticeship.” *Id.*

### NOTICE OF HEARING

An **EVIDENTARY HEARING** will be held before the Board on **SEPTEMBER 14, 2023 at 10:00 A.M.** Respondents may appear personally or through an attorney. If Respondents fail to appear, the hearing will be held in their absence. Respondents have the right to submit a written response, cross-examine witnesses, and present evidence on their behalf. *See* 75 O.S. §§ 309 and 310. If the Board decides, after considering all the evidence presented, that Respondents are in violation of any of the above-referenced laws, the Board may take any authorized disciplinary action it deems appropriate.


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<sup>1</sup> When determining the amount of an administrative penalty, the Board shall consider, but not be limited to:

the nature, circumstances and gravity of the violation and, with respect to the person or entity found to have committed the violation, the degree of culpability, the effect on ability of the person or entity to continue to do business and any show of good faith in attempting to achieve compliance with the provisions of the Funeral Services Licensing Act.

Instead of proceeding with the aforementioned hearing, the parties may present a **JOINT PROPOSED CONSENT ORDER** to the Board on the same date and time. *See* 75 O.S. § 309(E).

Respectfully submitted:

A handwritten signature in black ink that reads "Kylie Cooper". The signature is fluid and cursive, with a long horizontal line extending from the end of the name.

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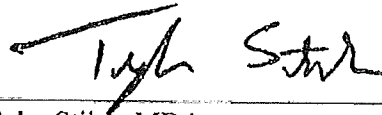
Kylie Cooper, OBA # 23758  
Assistant Attorney General  
Office of the Oklahoma Attorney General  
313 NE 21<sup>st</sup> Street  
Oklahoma City, OK 73105  
kylie.cooper@oag.ok.gov  
(405) 522-2894  
Attorney for Oklahoma Funeral Board

**CERTIFICATE OF SERVICE**

I hereby certify that on the 29<sup>th</sup> day of August, 2023, a true and correct copy of the foregoing *Complaint and Notice of Hearing* was served either mailing by Certified Mail or by handing to a process server for service in person, as follows:

**BY CERTIFIED MAIL:**

MATT J. SEDBROOK  
Sedbrook Law Firm, PC  
1010 W. Maple  
Enid, OK 73703  
ATTORNEY FOR RESPONDENTS

A handwritten signature in black ink, appearing to read "Tyler Stiles", is written over a horizontal line.

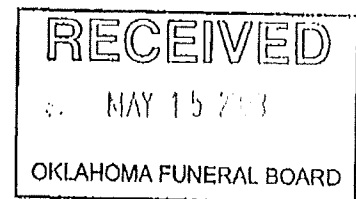
Tyler Stiles, MBA  
Executive Director

BEFORE THE INSURANCE COMMISSIONER OF THE  
STATE OF OKLAHOMA

STATE OF OKLAHOMA, ex rel. GLEN )  
MULREADY, Insurance Commissioner, )  
 )  
Petitioner, )  
vs. )  
 )  
HENNINGER-ALLEN FUNERAL HOME, )  
INC, dba HENNINGER-HINSON FUNERAL )  
HOME, )  
 )  
Prepaid Funeral Services Permit No: 44200091 )  
 )  
Respondent. )

**FILED**  
MAY 04 2023  
INSURANCE COMMISSIONER  
OKLAHOMA

CASE NO. 23-0204-DIS

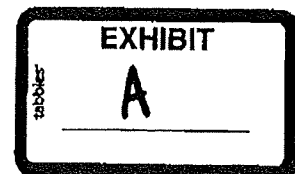


**CONDITIONAL ADMINISTRATIVE ORDER**  
**AND NOTICE OF RIGHT TO BE HEARD**

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner,  
by and through counsel, Antuanya "Bo" DeBose, and alleges and states as follows:

**JURISDICTION**

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma and, as such, is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101-7401, and the Prepaid Funeral Benefits Act 36 O.S. §§ 6121-6136.18.
2. Henninger-Allen Funeral Home, Inc d/b/a Henninger-Hinson Funeral Home ("Respondent") is a permitted provider of prepaid funeral benefit contracts in the state of Oklahoma and holds permit number 44200091. Respondent's address of record is PO Box 507, Enid, Oklahoma 73702-0507.
3. The Insurance Commissioner has jurisdiction over the subject matter raised in this dispute and may issue penalties pursuant to 36 O.S. §§ 6123 and 6130.





4. Pursuant to 36 O.S. § 6130(B) the Insurance Commissioner may censure, suspend, or revoke a prepaid funeral permit or impose a fine in the amount of \$100.00 to \$1,000.00 or impose both such punishment and fine, for violating any provision of the Prepaid Funeral Benefits Act.

5. If Respondent requests a hearing in writing in this matter, pursuant to OAC 365:1-7-1, the Insurance Commissioner will appoint an independent hearing examiner who shall sit as a quasi-judicial officer and preside over the hearing requested by Respondent.

#### **FINDINGS OF FACT**

6. Pursuant to 36 O.S. §6128, "Each organization shall file an annual report with the Insurance Commissioner on or before March 15 of each year in such form as the Insurance Commissioner may require, showing the names and addresses of all persons with whom contracts for prepaid funeral benefits have been made prior to December 31 of the preceding year which had not been fully discharged on December 31 and, also showing the date of the contract, the name of the bank or depository holding the trust fund and the amount of the trust fund under each contract on the preceding December 31."

7. Respondent filed its 2021 annual report on or about March 14, 2022 via OPTins.

8. Respondent's 2021 annual report is in need of many corrections and not complete;

a. The annual report has an Agreed Upon Procedures Report attached that is incomplete;

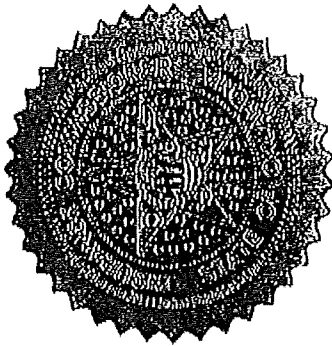
b. The PF-2-a does not equal the total from each insurance company report;

c. The PF-2-c does not have an amount listed for the Total of All Assignments Held.

9. The Oklahoma Insurance Department's Financial division ("Financial") emailed Respondent and requested Respondent make the required corrections to its annual report several times. The Respondent's Certified Public Accountant ("CPA") requested two (2) extensions,

Oklahoma City, Oklahoma 73105. The request for hearing must state the grounds for the request to set aside or modify the Order and must be served on the Oklahoma Insurance Department within the 30 days allotted. The proceedings on such requested hearing will be conducted in accordance with the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., and the Oklahoma Administrative Procedures Act, 75 O.S. §§ 250 through 324. If the Respondent serves a request for hearing on the Oklahoma Insurance Department, this Conditional Order will act as a notice of the matters to be reviewed at the hearing and the Findings of Fact, Conclusions of Law, and penalties imposed in this Conditional Order shall be considered withdrawn, pending final resolution at the hearing.

WITNESS My Hand and Official Seal this 4<sup>th</sup> day of May, 2023.



GLEN MULREADY  
INSURANCE COMMISSIONER  
STATE OF OKLAHOMA

A. DeBose

Antuanya "Bo" DeBose  
Assistant General Counsel  
Oklahoma Insurance Department  
400 NE 50<sup>th</sup> Street  
Oklahoma City, Oklahoma, 73105  
Tel. (405) 522-4805  
[Bo.debose@oid.ok.gov](mailto:Bo.debose@oid.ok.gov)

CERTIFICATE OF MAILING

I hereby certify that a true and correct copy of the above and foregoing *Conditional Administrative Order and Notice of Right to Be Heard* was mailed by regular mail and by certified mail, with postage prepaid and return receipt requested, on this 4th day of May 2023, to:

Henninger-Allen Funeral Home, Inc  
Attn: Henninger-Hinson Funeral Home  
PO Box 507  
Enid, Oklahoma 73702-0507  
[keri@enidwecare.com](mailto:keri@enidwecare.com)  
[matt@enidwecare.com](mailto:matt@enidwecare.com)

CERTIFIED MAIL NO:  
9214 8902 0982 7500 0538 99

and a copy was delivered to:

RIS and Financial Division



Antuanya "Bo" DeBose  
Assistant General Counsel