



OKLAHOMA Funeral Board

MINUTES OF A REGULAR MEETING

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

October 10, 2024

BOARD MEMBERS

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

STAFF

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

MEETING PLACE: MEETING PLACE:

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 October 7, 2024 at 9:00AM. A copy of this agenda is available on the Funeral Board website at www.ok.gov/funeral

President Matherly called the meeting to order at 10AM. Members Coble, Corbett, Davenport, Dunn, Matherly, Roberts, Watkins were present. A quorum was always present.

Member Bart Watkins of Vici was sworn in as the newly appointed Board member.

Motion by Davenport second by Dunn to approve the September 12, 2024 Regular Board meeting minutes. The motion passed unanimously with members Roberts and Watkins abstaining.

Christina Shipman with OKFDA provided the following update: OKFDA District meetings had a great turnout where 290 funeral directors attended statewide and received an hour of CE. OKFDA will have a CE opportunity December 8-9 in Midwest City. There will be a tour of the OKC Lifeshare building on December 17 at 10:30. Check OKFDA's website for specific details and registrations.

OID did not provide an update.

Motion by Roberts second by Coble to dismiss complaint 25-07 regarding Unprofessional Staff. The motion passed unanimously.

Motion by Dunn second by Roberts to dismiss complaint 25-09 regarding Next of Kin Issues. The motion passed unanimously.

Motion by Coble second by Dunn to find probable cause on complaint 25-10 regarding Cremation Permit/Death Certificate Issues. The motion passed unanimously.

Motion by Roberts second by Dunn to find probable cause complaint 25-11 regarding Non-payment of Vendor. The motion passed unanimously.

Regarding the matters for consideration: Consent Order or Scheduling Order: Complaint 25-01, Vondel L. Smith and Son Mortuary, Inc, OKC, Vondel L. Smith and Son Mortuary, Inc, OKC, Owner, Charles Trevor Smith, FD and EM, Derek Czajkoski, Newalla, FDIC. The prosecution was represented by Kylie Cooper, AAG. Liz Stevens, AAG, was the Board's legal advisor. Members Coble, Corbett, Davenport, Dunn, Roberts, and Watkins 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 Roberts second by Watkins to accept the consent order. The consent order consisted of the following: The agreed violations were: not filing a death certificate in a timely manner, violation of the Funeral Service Licensing Act, and Rules of the Board. The terms consisted of the following: Administrative Penalty of \$7,500, Vondel L. Smith and Son Mortuary, Inc, OKC, Charles Trevor Smith, Derek Czajkoski are placed on one year of probation, Charles Trevor Smith's funeral director license is suspended for 30 days and must complete a firearm safety course, and \$750 costs. The motion passed unanimously.

Member Matherly reentered the room.

Motion by Roberts second by Davenport to approve the following: Apprenticeship (Original) Kirsten Kizer, Kellyville, Traditions F&CS, Kellyville; Sharari Adams, Idabel, Nunley's FH, Idabel (FD Only); Tiffany Manley, Kingfisher, Sanders FH, Kingfisher; Samantha Horschler, Lawton, Asbury Mortuary, Lawton; Kathleen Salas Roldan, Tulsa, Schaudt's FS&C, Glenpool; Glenn Kias Palmer-Roberts, Guthrie, Bill Eisenhower FH, OKC (EM Only); Aeryn Rekward, Edmond, Ford FS, MWC. The motion passed unanimously.

Motion by Roberts second by Davenport to approve the following: Apprenticeship (1st extension) Charles Grisham, Henryetta, Integrity FS, Henryetta; Kloie Clegg, Claremore, Rice FS, Claremore; Ariana Stevens-Mujica, OKC, Advantage F&CS, OKC. The motion passed unanimously.

Motion by Roberts second by Dunn to approve the following: Apprenticeship (2nd Extension). Lauren Sloan, Sapulpa, Smith FH, Sapulpa. The motion passed unanimously.

Motion by Roberts second by Davenport to approve the following: Apprenticeship (3rd Extension). Mathew Burch, Antlers, Serenity FS, Antlers. The motion passed unanimously.

Motion by Roberts second by Watkins to approve the following: Funeral Director and/or Embalmer (Original), Alpha Alex, OKC (EM Only); Joshua Smith, Guthrie; Ruth Ewing, Bixby; Amy Borazjani, Weatherford (FD Only); Chelsea Evans, Broken Arrow; Reagan Crenshaw, Edmond (EM Only). The motion passed unanimously.

Motion by Roberts second by Davenport to approve the following: Establishments, Whinery Funeral Service and Cremation Center, Elk City, New Establishment, Affordable, Inc., Owner, Elk City, Chris Whinery, FDIC, Elk City; Reynolds+Adamscrest Funeral Service, Tulsa, request to change name to Reynolds-Holz Cremation and Funeral Service; Ferguson Funeral Home, Chickasha, request to close; Ferguson Funeral Home, Chickasha, new establishment, Ferguson & Son Funeral Home LLC, Owner, Chickasha, Christopher Ferguson, FDIC, Chickasha; Grace Funeral Service LLC, Poteau, request to change name to Dowden-Roberts Cremation Center, LLC; Dighton-Moore FS, Owasso, request to change FDIC from Deena Nickerson to Cynthia Ross; Alternatives Cremation & Funeral Service, New Establishment, OKC, Alternatives Cremation and Funeral Service LLC, Owner, Richard Varner, FDIC. The motion passed unanimously.

There was no new business

Strategic Planning: Discussion and possible action regarding change of Board Statutes or Board Rules:

Motion by Davenport second by Roberts to authorize the agency to begin the 2025 permanent rulemaking process, in consultation with legal counsel, to include revising rules including, but not limited to, OAC 235:10-3-2(11), 235:10-14-1, 235:10-15-3, and/or adding new rules. The motion passed unanimously.

Motion by Davenport second by Coble to authorize the agency to begin the 2025 legislative session bill making process, in consultation with legal counsel, in coordination with legislators, to include revising statutes including, but not limited to, §59-396.29, §59-396.30, and/or adding new statutes. The motion passed unanimously.

Motion by Davenport second by Dunn to amend OAC 235:10-3-2(11) to properly reflect procedures regarding FDIC and Establishment name changes. The motion passed unanimously.

Motion by Corbett second by Coble to change the number of caskets required in the selection room. Member Davenport will work on the specific language. The motion passed unanimously.

Motion by Roberts second by Davenport to create a penalty fee schedule. The motion passed unanimously.

Motion by Roberts second by Dunn to table the removal of non-payment of vendor violation. The motion passed unanimously.

Motion by Roberts second by Dunn to table the removal of mandating the NBE provided by the Conference and creation of the State Exam. The motion passed unanimously.

Member Corbett recommended that the Board change the establishment renewal fee to \$750 instead of the base fee plus the \$3 disposition fee. Motion by Roberts second by Coble to table. The motion passed unanimously.

Member Davenport recommended that the Board create a way for the Board to draft emergency rules in the event a complaint needs to fast-track the complaint process for an egregious complaint. Motion by Roberts second by Dunn to table. The motion passed unanimously.

Motion by Corbett second by Davenport to change the definition of cremation to include reduction and direct staff to begin making those statute and rule changes. The motion passed unanimously.

Motion by Roberts second by Corbett for staff to begin the process of rule making and drafting language for: Remove the requirement to submit annually the cremation log for renewals;-create a section with instructions on how to get a crematory licensed;-definitions in the rule to reflect the same as it is in statute;-the Board shall be notified of a new machine being installed and the machines be permitted;-facilities are permanent license and per machine receives a permit;-the crematory shall receive preventative maintenance every 24 months ;- an authorization form shall be submitted to the crematory at the same time the cremation permit is submitted;-there shall be a cremation container used for cremation;-Inspector will lock out crematories for lack of metal disks, containers due to lack of dignified cremation;-a disk shall be used and placed in the primary chamber;-the crematory shall notify the Board of the disk acronym information that the crematory uses;-operators of the crematory shall be reflected on the crematory renewals;-advertising shall not separate the name that is licensed with the Board and a crematory license is not equivalent to the establishment license;- prohibit the solicitation, sale, or marketing of cremation services to Oklahoma via the internet unless they own and operate a licensed funeral establishment within Oklahoma;-modifying the using "cremation" or "crematory" in advertising shall include "we do not own or operate a licensed crematory" if they do not own or operate a crematory. The motion passed unanimously.

Motion by Roberts second by Coble for staff to begin the process of statute changes and working with Legislature and drafting language for: Remove the requirement to submit annually the cremation log for renewals;-create a section with instructions on how to get a crematory licensed;-definitions in the rule to reflect the same as it is in statute;-the Board shall be notified of a new machine being installed and the machines be permitted;-facilities are permanent license and per machine receives a permit;-the crematory shall receive preventative maintenance every 24 months ;- an authorization form shall be submitted to the crematory at the same time the cremation permit is submitted;-there shall be a cremation container used for cremation;- Inspector will lock out crematories for lack of metal disks, containers due to lack of dignified cremation;-a disk shall be used and placed in the primary chamber;-the crematory shall notify the Board of the disk acronym information that the crematory uses;-operators of the crematory shall be reflected on the crematory renewals;-advertising shall not separate the name that is licensed with the Board and a crematory license is not equivalent to the establishment license;- prohibit the solicitation, sale, or marketing of cremation services to Oklahoma via the internet unless they own and operate

a licensed funeral establishment within Oklahoma;-modifying the using “cremation” or “crematory” in advertising shall include “we do not own or operate a licensed crematory” if they do not own or operate a crematory. The motion passed unanimously.

Agency Financial update- Mr. Stiles reported gross receipts for September 2024 to be \$21,970.00 with \$937.50 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$40,037.02 and net income after expenses totaled -\$19,004.52

Motion by Davenport second by Corbett to adjourn the meeting at 11:55AM. The motion passed unanimously.

Brent Matherly
Oklahoma Funeral Board President