



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

**ATTORNEY GENERAL OPINION
2016-320A**

Chris Ferguson, Executive Director
Oklahoma Funeral Board
3700 N. Classen Blvd., Ste. 175
Oklahoma City, Oklahoma 73118

May 31, 2016

Dear Executive Director Ferguson:

This office has received your request for a written Attorney General Opinion regarding agency action that the Oklahoma Funeral Board intends to take pursuant to a consent agreement with respect to complaint 16-12. The proposed action is to impose fines and costs totaling \$500 and to require completion of one hour of continuing education before October 1, 2016. The licensee failed to complete one hour of the in-person continuing education during 2014.

The Funeral Services Licensing Act, 59 O.S.2011 & Supp.2015, §§ 395.1–396.33, authorizes the Funeral Board to take enforcement action against licensees for failure to comply with the Act, 59 O.S.Supp.2015, § 396.12c(5). The Act elsewhere requires licensees to complete continuing education each year, 59 O.S.2011, § 396.5b(A), and the Board has set the required number of hours at six with at least one hour in-person, OAC 235:10-13-10(a). The action seeks to enforce the continuing education requirement. The Board may reasonably believe that requiring completion of the missing education and imposing a moderate fine will adequately deter future violations.

It is, therefore, the official opinion of the Attorney General that the Oklahoma Funeral Board has adequate support for the conclusion that this action advances the State of Oklahoma's policy to require funeral directors to obtain continuing professional education.

A handwritten signature in black ink, appearing to read "E. Scott Pruitt", is written over a horizontal line.

E. SCOTT PRUITT
ATTORNEY GENERAL OF OKLAHOMA