



OFFICE OF ATTORNEY GENERAL  
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION  
2017-826A

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

December 5, 2017

Dear Executive Director Ferguson:

This office has received your request for a written Attorney General Opinion regarding action that the Oklahoma Funeral Board intends to take pursuant to consent order regarding complaint 18-10. The apprentice is before the Board for an embalming misrepresentation on the apprenticeship report. The Board proposes to require the apprentice, as a condition to licensure as a funeral director and embalmer, to embalm and provide reports and embalming logs for an additional eleven bodies, and pay \$1,650 in Board costs. Once licensed, the apprentice will be placed on probation for one year.

The Funeral Services Licensing Act authorizes the Funeral Board to take enforcement action against licensees for failure to comply with Board rules or the Act. 59 O.S.2011, & Supp.2017, §§ 396.12d; 396.12c(5). It is a violation to misrepresent a body had been embalmed when it had not. OAC 235:10-7-2(1). The Board may reasonably believe that the proposed action 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's policy of protecting consumers of funeral services.

Handwritten signature of Mike Hunter in black ink.

MIKE HUNTER  
ATTORNEY GENERAL OF OKLAHOMA

Handwritten signature of Amanda Otis in black ink.

AMANDA OTIS  
ASSISTANT ATTORNEY GENERAL