



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-188A

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

June 12, 2018

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 with respect to complaint 18-44. The licensee failed to display casket prices. After the complaint was filed, the licensee displayed prices. The Board proposes to dismiss the complaint and issue a letter of concern.

The Funeral Services Licensing Act authorizes the Board to “refuse to issue or renew, or...revoke or suspend, any license or registration for . . . [v]iolation of any of the rules of the Board[.]” 59 O.S.Supp.2017, § 396.12c(8). Board rules prohibit a licensee’s “[f]ailure to comply with the requirements of Oklahoma Statutes and Rules of the State Insurance Commission pertaining to pre-need funeral service arrangements.” OAC 235-10-7-2(5). The State Insurance Commission requires “[a]ny organization or person offering for sale caskets . . . [to] prominently display thereon the retail price of said caskets.” 36 O.S.2011, § 6127. The Board may reasonably believe that the proposed action is necessary to 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 to uphold the integrity of funeral services contracts and protect the citizens of Oklahoma from misleading advertising.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

RYAN CHAFFIN
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