



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2017-297A

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

July 31, 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 pursuant to a consent order with respect to complaint 18-55. The licensee failed to comply with the 2017 continuing education requirements. The Board proposes to require the licensee to pay a \$300 penalty and \$200 in costs and complete the missing hours of continuing education on or before December 31, 2018.

The Funeral Services Licensing Act authorizes the Funeral Board to take enforcement action against licensees for failure to comply with the Act or Board rules promulgated thereunder. *See* 59 O.S.Supp.2017, § 396.12c(5), (8), (15). Every licensed funeral director and/or embalmer is required to complete six hours of continuing education on or prior to the annual license renewal. *See* OAC 235:10-13-10(a); 59 O.S.2011, § 396.5b(A). 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 protect the public health, welfare and safety by ensuring all licensees have completed the required continuing education requirements.

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

RYAN CHAFFIN
DEPUTY CHIEF ASSISTANT ATTORNEY GENERAL