



OFFICE OF ATTORNEY GENERAL
STATE OF OKLAHOMA

ATTORNEY GENERAL OPINION
2018-478A

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

December 11, 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 19-05. The licensee admits to soliciting business from a decedent's family. The Board proposes to impose a \$2,000 administrative penalty and \$500 in costs.

The Funeral Services Licensing Act authorizes the Board to "refuse to issue or renew, or...revoke or suspend, any license or registration for . . . [s]olicitation of business, either personally or by an agent, from a dying individual or the relatives of a dead individual." 59 O.S.Supp.2017, § 396.12c(10). The Act further gives the Board the authority to impose administrative fines when a licensee violates the Act. *Id.* § 396.12d(2). 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 consumers when purchasing funeral services.

A handwritten signature in black ink that reads "Mike Hunter".

MIKE HUNTER
ATTORNEY GENERAL OF OKLAHOMA

A handwritten signature in black ink that reads "Amanda Otis".

AMANDA OTIS
ASSISTANT ATTORNEY GENERAL