

OKLAHOMA FUNERAL BOARD
3700 North Classen Blvd, Suite 175
Oklahoma City, Oklahoma 73118

NOTICE OF REGULAR MEETING

MEETING PLACE: Office of Chief Medical Examiner OKC, 921 N.E. 23rd Street
Conference Room 1st Floor Oklahoma City, OK 73105.

DATE & TIME: March 13, 2025 10:00AM

A copy of this notice of meeting and agenda has been posted in a prominent location at the office of the Oklahoma Funeral Board, 3700 North Classen Blvd Suite 175, Oklahoma City, Oklahoma, on March 11, 2025 at 10:00AM. A copy of this agenda is available on the Funeral Board website at www.oklahoma.gov/funeral

If you plan to attend a Board meeting for Continuing Education credit and would like a rough estimate of the length of time Board staff estimates the meeting might last, please email your request to info@funeral.ok.gov.

ORDER OF BUSINESS: The Board may discuss, vote to approve, vote to disapprove, vote to table, change the sequence of any agenda item, or decide not to discuss any item on the agenda.

1. Roll Call
2. Approval of the February 13, 2025 Regular Board meeting minutes
3. Oklahoma Funeral Director's Association Update from a Representative of OKFDA, with possible discussion
4. Oklahoma Insurance Department Update from a Representative of OID, with possible discussion
5. Oklahoma Department of Health Update from a Representative of OKDH, with possible discussion
6. Review complaints with possible vote for probable cause or other action

24-28 Overcharging
7. Matters for consideration: Consent Order or Scheduling Order

At the conclusion of the parties' presentation and any questions or public discussion by the Board, the Board may in each complaint case:

- i. consider and vote on motion(s) to conduct executive session(s) pursuant to 25 O.S.2011, Section 307(B)(8) to engage in deliberations or rendering a final or intermediate decision in an individual proceeding pursuant to Article II of the Administrative Procedures Act;
- ii. if an executive session is held, designate a person to keep written minutes of the executive session;
- iii. consider and vote on motion(s) to exit executive session and return to open meeting; and
- iv. consider and vote on motion(s) regarding possible action to be taken regarding matter discussed in executive session.

7A. Complaint 24-46, Hopkins Funeral Service LLC, Collinsville, Hopkins-Reynolds Funeral Service, Collinsville, Owner, Harold Winton, Jenks, FDIC. Member Davenport needs to recuse.

7B. Complaint 24-49, Hopkins Funeral Service LLC, Collinsville, Hopkins-Reynolds Funeral Service, Collinsville, Owner, Harold Winton, Jenks, FDIC. Member Davenport needs to recuse.

7C. Complaint 25-10, Hopkins Funeral Service LLC, Collinsville, Hopkins-Reynolds Funeral Service, Collinsville, Owner, Harold Winton, Jenks, FDIC. Member Davenport needs to recuse.

7D. Complaint 25-11, Hopkins Funeral Service LLC, Collinsville, Hopkins-Reynolds Funeral Service, Collinsville, Owner, Harold Winton, Jenks, FDIC. Member Davenport needs to recuse.

7E. Complaint 25-15, Hopkins Funeral Service LLC, Collinsville, Hopkins-Reynolds Funeral Service, Collinsville, Owner, Harold Winton, Jenks, FDIC. Mike Hopkins, Apprentice. Member Davenport needs to recuse.

7F. Complaint 25-19, Hopkins Funeral Service LLC, Collinsville, Hopkins-Reynolds Funeral Service, Collinsville, Owner, Harold Winton, Jenks, FDIC. Member Davenport needs to recuse.

8. Vote to affirm or disaffirm the issuance of the following licenses, registrations, certificates, dissolution or other action

A. Apprenticeship (Original)

1. Morgan White, Keithville, LA, Wilson-Little FH, Purcell
2. Jessica Watkins, Mill Creek, DeArman-Clark FH, Tishomingo
3. Dylan Sanders, Sallisaw, Green Country FH, Tahlequah
4. Madelyn McElyea, OKC, McElyea & Owens, Shawnee
5. Abigayle Beyer, Edmond, OMS, OKC
6. Patrick Hamilton, Tulsa, Tulsa Caskets & Cremation, Tulsa
7. Emma Green, Yukon, Bill Eisenhour, OKC
8. Amy Borazjani, Weatherford, OMS-OKC, OKC (EM Only)
9. Jacob Lee, Clinton, Lee Hometown FH, Clinton

B. Apprenticeship (1st Extension)

1. Grace Holesapple, Jones, Crawford Family FS, Edmond
2. Faith Alvarez, Hebron, Ind, Barnes & Friederich, MWC
3. Alesia Mann, Moore, Tribute Memorial Care, Norman

C. Apprenticeship (2nd Extension)

1. Becky Shupe, Ponca City, Trout, Ponca City (EM Only)
2. Quade Varner, OKC, Alternatives, OKC

D. Funeral Director and/or Embalmer (Reciprocal)

1. Tucson Smith, Texas
2. Joshua Risman, Arkansas (EM Only)

E. Funeral Director and/or Embalmer (Original)

1. Brennon Goforth, Stillwater
2. Grayson Axsom, Atoka
3. Shayla King, Henryetta (FD Only)
4. Megan Parker, Owasso
5. Ty Astle, OKC (EM Only)

9. **New Business.** Any matter not known about or which could not have been reasonably foreseen prior to the time of posting the agenda or any revised agenda. 25 O.S. Section 311.9.

10. Executive Director's Report

A. Agency Financial Update

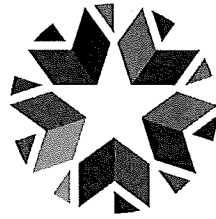
B. 2025 Legislative Session Bills-HB1029, HB1365, HB1688, HB2286, HB2922, SB559

11. Discussion and possible action regarding creation and utilization of QR code for license verification

12. Adjournment

Tyler Stiles, MBA
Executive Director

The next regular meeting of the Oklahoma Funeral Board will be held: April 10, 2025. Office of Chief Medical Examiner –OKC 921 N.E. 23rd Street
Conference Room – 1st Floor Oklahoma City, OK 73105.



OKLAHOMA Funeral Board

MINUTES OF A REGULAR MEETING

OKLAHOMA FUNERAL BOARD
3700 N. Classen, Suite 175
Oklahoma City, Oklahoma 73118

February 13, 2025

BOARD MEMBERS

Tom Coble
Darin Corbett
Glenn Dunn
John Davenport
Brent Matherly
Jim Roberts

STAFF

Rochelle Covington
Tyler Stiles
Kylie Cooper, AAG

MEETING PLACE: MEETING PLACE:

If attending in person at the physical location: Office of Chief Medical Examiner OKC,
921 N.E. 23rd Street Conference Room 1st Floor
Oklahoma City, OK 73105.

A copy of this notice of meeting and agenda has been posted in a prominent location at the office of the Oklahoma Funeral Board, 3700 North Classen Blvd Suite 175, Oklahoma City, Oklahoma, on February 10, 2025 at 10:30AM. A copy of this agenda is available on the Funeral Board website at www.ok.gov/funeral

President Matherly called the meeting to order at 10AM. Members Coble, Corbett, Davenport, Dunn, Matherly, and Roberts were present. Member Watkins was absent. A quorum was always present.

Motion by Davenport second by Corbett to approve the January 9, 2025 Regular Board meeting minutes. The motion passed unanimously.

Motion by Davenport second by Corbett to approve the January 29, 2025 Special Board meeting minutes. The motion passed unanimously.

OKFDA was not present at the meeting and no update was provided.

Lorie Jones with OID provided the following report: Annual reports are due March 15 but you can submit prior to that date. There has been an update to the instructions on filing, so please review. Reports do auto-populate information but please proofread the contact information.

Motion by Roberts second by Davenport to dismiss complaint 24-23 regarding Holding Body for Payment Issues. The motion passed unanimously.

Motion by Roberts second by Coble to dismiss complaint 25-18 regarding Contract Issues. The motion passed unanimously.

Motion by Roberts second by Matherly to dismiss complaint 25-20 with a letter of concern regarding Non-Payment of Vendor Issues. The motion passed unanimously.

Motion by Coble second by Davenport to find probable cause on complaint 25-21 regarding Non-Payment of Vendor. The motion passed unanimously.

Motion by Dunn second by Davenport to find probable cause on complaint 25-22 regarding Death Certificate Issues. The motion passed unanimously.

Motion by Roberts second by Dunn to dismiss complaint 25-23 regarding Death Certificate Issues. The motion passed unanimously.

Motion by Dunn second by Coble to dismiss complaint 25-24 regarding Management Issues. The motion passed unanimously.

Motion by Roberts second by Dunn to dismiss complaint 25-25 regarding Contract/Funeral Issues. The motion passed unanimously.

Motion by Dunn second by Coble to dismiss complaint 25-26 regarding Death Certificate Issues. The motion passed unanimously.

Motion by Coble second by Davenport to approve the following: Apprenticeship (Original) Tyler Johnson, Commerce, Brown-Winters FH&CS, Miami (EM Only); Katherine Johnson, Wellston, Smith-Parks Bros FS, Harrah; Amber Howard, Claremore, Ray Francisco, Tulsa (EM Only). The motion passed unanimously.

Motion by Coble second by Davenport to approve the following: Apprenticeship (1st Extension). Laci Duffy, Enid, Anderson-Burris FH&C, Enid; Alexander Marshall, Alva, Marshall FH, Alva. The motion passed unanimously.

Motion by Coble second by Dunn to approve the following: Apprenticeship (2nd Extension). Natalee Pryor, Edmond, Matthews FH, Edmond; Megan Thackery, Bixby, OMS- Tulsa; Brittany Roe, Moore, Bill Eisenhower FH, OKC; Lorna Schofield, Park Hill, Reed-Culver FH, Tahlequah. The motion passed unanimously.

Motion by Coble second by Davenport to approve the following: Apprenticeship (3rd Extension). Caitlin Snell, Rose, Shipman's F&CS, Pryor (FD Only). The motion passed unanimously.

Motion by Coble second by Dunn to approve the following: Funeral Director and/or Embalmer (Reciprocal), Don Wright, Texas. The motion passed unanimously.

Motion by Coble second by Dunn to approve the following: Funeral Director and/or Embalmer (Original), Jackie Burch, Antlers (FD Only); Perry-Michelle Simpson, Noble; Trysta Kershner, Marietta; Rodd Avry Wood, Shawnee; Robert Wood, Sallisaw (FD Only); Emily Eastman, Broken Arrow (FD Only); Kenslie Villoni, Tulsa; Lilly Close, Copan (FD Only); Randi Martin, Sapulpa (FD Only). The motion passed unanimously.

Motion by Coble second by Davenport to table the following: Funeral Director and/or Embalmer (Original), Brennon Goforth, Stillwater; Grayson Axsom, Atoka; Shayla King, Henryetta (FD Only). The motion passed unanimously.

Motion by Coble second by Dunn to approve the following: Establishments, Advantage F&CS South, OKC, request to change FDIC from Jeremy Sparks to Dana Bradford; Bill Merritt FS, Bethany, request to change FDIC from Debra Wilkerson to Jeremy Sparks; Rice FS and Cremation Care Plus, Catoosa, request to change FDIC from Harlea Walker to Danilo Gatón; Luginbuel's S. Grand Lakes FH, Langley, request to change FDIC from Joseph Faulkner to Andrew Haire; Luginbuel FH, Vinita, request to change FDIC from Joseph Faulkner to Andrew Haire. The motion passed unanimously.

Motion by Coble second by Davenport to approve the following: Crematories, Affordable Cremation Service-West Crematory, Elk City, New Crematory, Affordable, Inc, Owner, Christopher Whinery, Elk City, FDIC; Dowden-Roberts Cremation Center, LLC, Poteau, New Crematory, Dylan Roberts, Heavener, FDIC. The motion passed unanimously.

AAG Kylie Cooper requested that each Board member be in attendance for the March meeting due to anticipated conflicts.

Agency Financial update- Mr. Stiles reported gross receipts for January 2025 to be \$68,112.00 with \$6,811.20 going to the State of Oklahoma general fund. The expenses for the same timeframe totaled \$32,324.93 and net income after expenses totaled \$28,975.87

2025 Legislative Session Bills- A new session has started and staff is tracking numerous bills this session. Many of the bills have not been heard at this time.

HB1029, by Rep. Kendrix, Extends the sunset of the Funeral Board by 1 year.
Passed from committee.

HB1365, by Rep. Culver, Adjusts qualifying examinations to add the State exams. Passed from committee.

HB1688, by Rep. Roe, Allows for minor changes to Death Certificates within 1 year. Was not heard in committee but staff will keep tracking.

HB1878, by Rep. Lepak, This is a shell bill that creates the quicker release of a body for cremation act.

HB2035, by Rep. Archer, exempts agreements for transportation of human remains. This bill was withdrawn from committee but staff will keep tracking.

HB2172, by Rep. Pfeiffer, extends the sunset of the Funeral Board. This was a staff request bill to ensure that the Board gets their sunset extended.

HB2173, by Rep. Pfeiffer, creates requirements regarding cremation, OFB request bill.

HB2174, by Rep. Pfeiffer, creates the Funeral Director Assistant license, OFB request bill.

HB2286, creates the Funeral Director Assistant license, OFB request bill.

HB2922, by Rep. Pittman, increases the time frame a death certificate can be amended due to clerical errors from 60 days to 180 days.

HB2926, by Rep. Pittman, modifies the vendor payment rules. This was not a OFB request even though it was previously discussed.

SB559, by Sen. Bergstrom, casket bill that allows anyone to sell a casket, this was being heard in committee at the time of the Funeral Board meeting.

Motion by Coble second by Davenport to adjourn the meeting at 10:29AM. The motion passed unanimously.

Brent Matherly
Oklahoma Funeral Board President

**BEFORE THE OKLAHOMA FUNERAL BOARD
STATE OF OKLAHOMA**

**IN THE MATTER OF THE COMPLAINT
AGAINST:**

HOPKINS FUNERAL SERVICE LLC

A Licensed Funeral Establishment,
Establishment License # 2024ES
1501 W Main St
Collinsville, OK 74021

owned by:

HOPKINS-REYNOLDS FUNERAL SERVICE

1501 W Main St
Collinsville, OK 74021

HAROLD WINTON

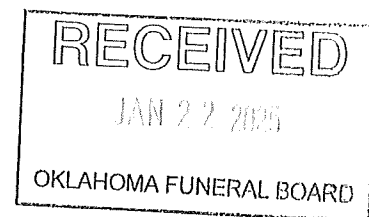
Licenses: 1692FD and 1980EM,
Address: 105 Veterans Dr. #G
Jenks, OK 74037

A Licensed Funeral Director and Embalmer
and the Funeral Director in Charge at

HOPKINS FUNERAL SERVICE LLC

Respondents.

Complaint No. 24-46



COMPLAINT AND NOTICE OF HEARING

The State of Oklahoma, *ex rel.*, Oklahoma Funeral Board (“Board”), by and through Assistant Attorney General Kylie Cooper, files this Complaint and Notice of Hearing, alleging that the Respondents, HOPKINS-REYNOLDS FUNERAL SERVICE, HOPKINS FUNERAL SERVICE LLC and HAROLD WINTON, have violated provisions of the State Funeral Services Licensing Act, 59 O.S. § 395.1 *et seq.* (the “Act”), and Rules of the Board, Oklahoma Administrative Code (“O.A.C.”) Section 235:10-1-1 *et seq.* (the “Rules”), in the manner set forth below:

JURISDICTION

1. Respondent HOPKINS FUNERAL SERVICE LLC (“Funeral Home”) is licensed by the Board, establishment license number 2024ES, and is located at 1501 W Main St, Collinsville, OK 74021.

2. Respondent HAROLD WINTON (“Funeral Director in Charge” or “FDIC”) is licensed by the Board as a funeral director and embalmer, license numbers 1692FD and 1980EM, and at all relevant times was the Funeral Director in Charge at Funeral Home and registered agent for Respondent HOPKINS FUNERAL SERVICE LLC.

3. Respondent HOPKINS-REYNOLDS FUNERAL SERVICE (“Owner”) is, and at all relevant times was, the owner of record for Funeral Home. Upon information and belief, Respondent HAROLD WINTON is the owner and registered agent for Respondent HOPKINS-REYNOLDS FUNERAL SERVICE.

4. The Board has jurisdiction over Respondents pursuant to 59 O.S. §§ 396.2a(9) and (11). *See also* 59 O.S. § 396.12f(F).

FACTUAL ALLEGATIONS

5. On or about April 24, 2024, Board staff received a complaint from a consumer regarding the cremation of her sister. At the time of the complaint, it had been over two months since payment was made for services and she had still not received her sister’s cremated remains.

6. Further, Board Staff investigated and discovered that the Medical Examiner’s office placed a hold on the funeral home’s account, for failure to pay outstanding balances. The cremation permit was applied for on February 22, 2024 and was sent back to the funeral home by the ME’s office on April 22, 2024. The cause for the delay was the outstanding balances.

7. Further, the complaint alleged that Respondents had failed to file a death certificate, cremation permit, disinterment permit or any other necessary permit as required by law in a timely manner, in violation of OAC 235: 10-7-2(14). The Board provided Respondents with the Notice of Complaint via certified mail, and it was delivered on April 30, 2024.

8. Further, the complaint alleged that Respondents had failed to discharge a financial obligation within 90 days, in violation of OAC 235: 10-7-2(9). The Board provided Respondents with Notice of Complaint via certified mail, and it was delivered on April 30, 2024.

9. Further, the complaint alleged that Respondents had failed to provide the services or merchandise contracted for, in violation of OAC 235: 10-7-2(13). The Board provided Respondents with the Notice of Complaint via certified mail, and it was delivered on April 30, 2024.

10. On May 7, 2024, Respondents filed their response to Complaint 24-46 with the Board. Respondents stated that the delay in receiving the cremation permit was due to the family not having all of the information for the death certificate. They indicated in their response that the family had since received the cremated remains.

11. By public vote during the meeting on July 11, 2024, the Board found probable cause to file a formal complaint against Respondents for the violations alleged herein.

12. The prosecution has sufficient evidence which, if presented to the Board at an evidentiary hearing, would constitute clear and convincing evidence of the alleged violations.

ALLEGED CONCLUSIONS OF LAW

13. Respondents violated OAC 235: 10-7-2(14) by failing to file necessary permits as required by law in a timely fashion. The relevant Board rule, 235: 10-7-2(14), provides:

Failure to file a death certificate, cremation permit, disinterment permit or any other necessary permit as required by law in a timely manner.

14. Respondents violated OAC 235:10-7-2(9) by failing to discharge a financial obligation within 90 days. The relevant Board rule, 235:10-7-2(9), provides:

Failure to pay any vendor or third party obligation, within 90 days, that arises out of a Statement of Goods and Services that has been signed by the authorized person or failure to satisfy a judgment rendered by a court of proper jurisdiction, within 90 days or as ordered by the court, in favor of a vendor or third party provider, as designated on the Statement of Goods and Services or in connection with goods and services provided for a specific buyer.

15. Respondents violated OAC 235: 10-7-2(13) by failing to provide the services or merchandise contracted for. The relevant Board rule, 235:10-7-2(13), provides:

Charging for service or merchandise not contracted for or failing to provide the services or merchandise contracted for or making substitution for services or merchandise contracted for without the authorization of the customer.

16. FDIC is “responsible for the legal and ethical operation of the [Funeral Home] and is accountable to the Board.” 59 O.S. § 396.2(12). Therefore, Respondent HAROLD WINTON as the Funeral Director in Charge of the Funeral Home is also liable for the above violations.

17. Due to the above violations, Respondents are subject to disciplinary action by the Board. *See* 59 O.S. §§ 396.2a(9) and (11); *id.* at §§ 396.12c(A)(5) and (8); *id.* at § 396.12d; *id.* at § 396.12e.

AUTHORIZED PENALTIES

18. The Board is authorized to impose any of the following penalties for violations of the Act or Rules: (1) denial, revocation, suspension, or nonrenewal of license or certificate of apprenticeship; (2) administrative fines up to ten thousand dollars (\$10,000.00) per series of related violations¹; (3) injunctive proceedings; and (4) other disciplinary action. 59 O.S. §§ 396.12c(5) and (8); *id.* at § 396.12c; *id.* at § 396.12d; *id.* at § 396.12e.

¹ When determining the amount of an administrative penalty, the Board shall consider, but not be limited to:

the nature, circumstances and gravity of the violation and, with respect to the person or entity found to have committed the violation, the degree of culpability,

19. Further, the Board is authorized to “impose . . . as a condition of any adverse disciplinary action, the payment of costs expended by the Board in investigating and prosecuting the violation.” 59 O.S. § 396.12e(B). Costs may include, but are not limited to, “staff time, salary and travel expenses, [and] witness fees and attorney fees.” *Id.*

20. In lieu of prosecution, Respondents “may elect to surrender the license.” *Id.* at § 396.12e(D). However, should Respondents surrender their licenses, they “shall be forever barred from obtaining a reissuance of said license or certificate of apprenticeship.” *Id.*

NOTICE OF HEARING

An **EVIDENTARY HEARING** will be held before the Board on **FEBRUARY 13, 2025 at 10:00 A.M.** Respondents may appear personally or through an attorney. If Respondents fail to appear, the hearing will be held in their absence. Respondents have the right to submit a written response, cross-examine witnesses, and present evidence on their behalf. *See* 75 O.S. §§ 309 and 310. If the Board decides, after considering all the evidence presented, that Respondents are in violation of any of the above-referenced laws, the Board may take any authorized disciplinary action it deems appropriate.

Instead of proceeding with the aforementioned hearing, the parties may present a **JOINT PROPOSED CONSENT ORDER** to the Board on the same date and time. *See* 75 O.S. § 309(E).

Respectfully submitted:

the effect on ability of the person or entity to continue to do business and any show of good faith in attempting to achieve compliance with the provisions of the Funeral Services Licensing Act.

59 O.S. § 396.12e(C).

A handwritten signature in black ink that reads "Kylie Cooper". The signature is fluid and cursive, with a long horizontal stroke extending from the end of the name.

Kylie Cooper, OBA # 32758
Assistant Attorney General
Office of the Oklahoma Attorney General
313 NE 21st Street
Oklahoma City, OK 73105
kylie.cooper@oag.ok.gov

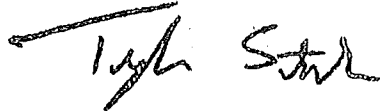
Attorney for Oklahoma Funeral Board

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of January, 2025, a true and correct copy of the foregoing *Complaint and Notice of Hearing* was served either mailing by Certified Mail or by handing to a process server for service in person, as follows:

BY CERTIFIED MAIL:

Steve Pontius
1515 E. 71st Street, Suite 200
Tulsa, OK 74136
spontius@law-lkl.com
ATTORNEY FOR RESPONDENTS



Tyler Stiles, MBA
Executive Director

**BEFORE THE OKLAHOMA FUNERAL BOARD
STATE OF OKLAHOMA**

**IN THE MATTER OF THE COMPLAINT
AGAINST:**

HOPKINS FUNERAL SERVICE LLC

A Licensed Funeral Establishment,
Establishment License # 2024ES
1501 W Main St
Collinsville, OK 74021

owned by:

HOPKINS-REYNOLDS FUNERAL SERVICE

1501 W Main St
Collinsville, OK 74021

HAROLD WINTON

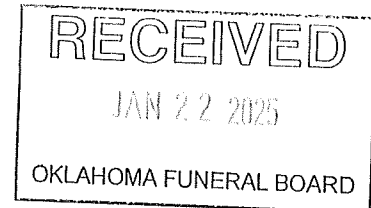
Licenses: 1692FD and 1980EM,
Address: 105 Veterans Dr. #G
Jenks, OK 74037

A Licensed Funeral Director and Embalmer
and the Funeral Director in Charge at

HOPKINS FUNERAL SERVICE LLC

Respondents.

Complaint No. 24-49



COMPLAINT AND NOTICE OF HEARING

The State of Oklahoma, *ex rel.*, Oklahoma Funeral Board ("Board"), by and through Assistant Attorney General Kylie Cooper, files this Complaint and Notice of Hearing, alleging that the Respondents, HOPKINS-REYNOLDS FUNERAL SERVICE, HOPKINS FUNERAL SERVICE LLC and HAROLD WINTON, have violated provisions of the State Funeral Services Licensing Act, 59 O.S. § 395.1 *et seq.* (the "Act"), and Rules of the Board, Oklahoma Administrative Code ("O.A.C.") Section 235:10-1-1 *et seq.* (the "Rules"), in the manner set forth below:

JURISDICTION

1. Respondent HOPKINS FUNERAL SERVICE LLC (“Funeral Home”) is licensed by the Board, establishment license number 2024ES, and is located at 1501 W Main St, Collinsville, OK 74021.

2. Respondent HAROLD WINTON (“Funeral Director in Charge” or “FDIC”) is licensed by the Board as a funeral director and embalmer, license numbers 1692FD and 1980EM, and at all relevant times was the Funeral Director in Charge at Funeral Home and registered agent for Respondent HOPKINS FUNERAL SERVICE LLC.

3. Respondent HOPKINS-REYNOLDS FUNERAL SERVICE (“Owner”) is, and at all relevant times was, the owner of record for Funeral Home. Upon information and belief, Respondent HAROLD WINTON is the owner and registered agent for Respondent HOPKINS-REYNOLDS FUNERAL SERVICE.

4. The Board has jurisdiction over Respondents pursuant to 59 O.S. §§ 396.2a(9) and (11). *See also* 59 O.S. § 396.12f(F).

FACTUAL ALLEGATIONS

5. On or about April 29, 2024, Board staff received a complaint from a consumer regarding the cremation of his wife. At the time of the complaint, the consumer had still not received her cremated remains.

6. Further, Board Staff investigated and discovered the decedent died on March 6, 2024 and the cremation permit was submitted the same day. On April 23, 2024, the cremation permit was signed. As of May 7, 2024, the cremation had not been completed and the family has yet to receive the cremated remains.

7. Further, the complaint alleged that Respondents had failed to file a death certificate, cremation permit, disinterment permit or any other necessary permit as required by law in a timely manner, in violation of OAC 235: 10-7-2(14). The Board provided Respondents with the Notice of Complaint via certified mail, and it was delivered on May 6, 2024.

8. Further, the complaint alleged that Respondents had failed to provide the services or merchandise contracted for, in violation of OAC 235: 10-7-2(13). The Board provided Respondents with the Notice of Complaint via certified mail, and it was delivered on May 6, 2024.

9. On May 7, 2024, Respondents filed their response to Complaint 24-49 with the Board. Respondents stated that the delay has been caused by the cremation permit not being signed and issues deciding which crematory to use.

10. By public vote during the meeting on July 11, 2024, the Board found probable cause to file a formal complaint against Respondents for the violations alleged herein.

11. The prosecution has sufficient evidence which, if presented to the Board at an evidentiary hearing, would constitute clear and convincing evidence of the alleged violations.

ALLEGED CONCLUSIONS OF LAW

12. Respondents violated OAC 235: 10-7-2(14) by failing to file necessary permits as required by law in a timely fashion. The relevant Board rule, 235: 10-7-2(14), provides:

Failure to file a death certificate, cremation permit, disinterment permit or any other necessary permit as required by law in a timely manner.

13. Respondents violated OAC 235: 10-7-2(13) by failing to provide the services or merchandise contracted for. The relevant Board rule, 235:10-7-2(13), provides:

Charging for service or merchandise not contracted for or failing to provide the services or merchandise contracted for or making substitution for services or merchandise contracted for without the authorization of the customer.

14. FDIC is “responsible for the legal and ethical operation of the [Funeral Home] and is accountable to the Board.” 59 O.S. § 396.2(12). Therefore, Respondent HAROLD WINTON as the Funeral Director in Charge of the Funeral Home is also liable for the above violations.

15. Due to the above violations, Respondents are subject to disciplinary action by the Board. *See* 59 O.S. §§ 396.2a(9) and (11); *id.* at §§ 396.12c(A)(5) and (8); *id.* at § 396.12d; *id.* at § 396.12e.

AUTHORIZED PENALTIES

16. The Board is authorized to impose any of the following penalties for violations of the Act or Rules: (1) denial, revocation, suspension, or nonrenewal of license or certificate of apprenticeship; (2) administrative fines up to ten thousand dollars (\$10,000.00) per series of related violations¹; (3) injunctive proceedings; and (4) other disciplinary action. 59 O.S. §§ 396.12c(5) and (8); *id.* at § 396.12c; *id.* at § 396.12d; *id.* at § 396.12e.

17. Further, the Board is authorized to “impose . . . as a condition of any adverse disciplinary action, the payment of costs expended by the Board in investigating and prosecuting the violation.” 59 O.S. § 396.12e(B). Costs may include, but are not limited to, “staff time, salary and travel expenses, [and] witness fees and attorney fees.” *Id.*

18. In lieu of prosecution, Respondents “may elect to surrender the license.” *Id.* at § 396.12e(D). However, should Respondents surrender their licenses, they “shall be forever barred from obtaining a reissuance of said license or certificate of apprenticeship.” *Id.*

¹ When determining the amount of an administrative penalty, the Board shall consider, but not be limited to:

the nature, circumstances and gravity of the violation and, with respect to the person or entity found to have committed the violation, the degree of culpability, the effect on ability of the person or entity to continue to do business and any show of good faith in attempting to achieve compliance with the provisions of the Funeral Services Licensing Act.

59 O.S. § 396.12e(C).

NOTICE OF HEARING

An **EVIDENTARY HEARING** will be held before the Board on **FEBRUARY 13, 2025** at **10:00 A.M.** Respondents may appear personally or through an attorney. If Respondents fail to appear, the hearing will be held in their absence. Respondents have the right to submit a written response, cross-examine witnesses, and present evidence on their behalf. *See* 75 O.S. §§ 309 and 310. If the Board decides, after considering all the evidence presented, that Respondents are in violation of any of the above-referenced laws, the Board may take any authorized disciplinary action it deems appropriate.

Instead of proceeding with the aforementioned hearing, the parties may present a **JOINT PROPOSED CONSENT ORDER** to the Board on the same date and time. *See* 75 O.S. § 309(E).

Respectfully submitted:

A handwritten signature in black ink that reads "Kylie Cooper". The signature is fluid and cursive, with a horizontal line extending from the end of the name.

Kylie Cooper, OBA # 32758
Assistant Attorney General
Office of the Oklahoma Attorney General
313 NE 21st Street
Oklahoma City, OK 73105
kylie.cooper@oag.ok.gov

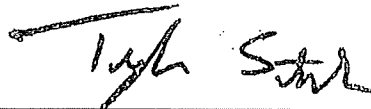
Attorney for Oklahoma Funeral Board

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of January, 2025, a true and correct copy of the foregoing *Complaint and Notice of Hearing* was served either mailing by Certified Mail or by handing to a process server for service in person, as follows:

BY CERTIFIED MAIL:

Steve Pontius
1515 E. 71st Street, Suite 200
Tulsa, OK 74136
spontius@law-lkl.com
ATTORNEY FOR RESPONDENTS



Tyler Stiles, MBA
Executive Director

**BEFORE THE OKLAHOMA FUNERAL BOARD
STATE OF OKLAHOMA**

**IN THE MATTER OF THE COMPLAINT
AGAINST:**

HOPKINS FUNERAL SERVICE LLC

A Licensed Funeral Establishment,
Establishment License # 2024ES
1501 W Main St
Collinsville, OK 74021

owned by:

HOPKINS-REYNOLDS FUNERAL SERVICE

1501 W Main St
Collinsville, OK 74021

HAROLD WINTON

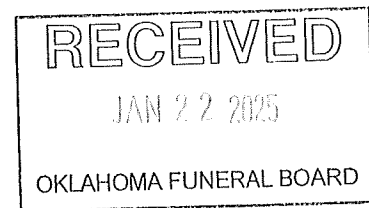
Licenses: 1692FD and 1980EM,
Address: 105 Veterans Dr. #G
Jenks, OK 74037

A Licensed Funeral Director and Embalmer
and the Funeral Director in Charge at

HOPKINS FUNERAL SERVICE LLC

Respondents.

Complaint No. 25-10



COMPLAINT AND NOTICE OF HEARING

The State of Oklahoma, *ex rel.*, Oklahoma Funeral Board ("Board"), by and through Assistant Attorney General Kylie Cooper, files this Complaint and Notice of Hearing, alleging that the Respondents, HOPKINS-REYNOLDS FUNERAL SERVICE, HOPKINS FUNERAL SERVICE LLC and HAROLD WINTON, have violated provisions of the State Funeral Services Licensing Act, 59 O.S. § 395.1 *et seq.* (the "Act"), and Rules of the Board, Oklahoma Administrative Code ("O.A.C.") Section 235:10-1-1 *et seq.* (the "Rules"), in the manner set forth below:

JURISDICTION

1. Respondent HOPKINS FUNERAL SERVICE LLC (“Funeral Home”) is licensed by the Board, establishment license number 2024ES, and is located at 1501 W Main St, Collinsville, OK 74021.

2. Respondent HAROLD WINTON (“Funeral Director in Charge” or “FDIC”) is licensed by the Board as a funeral director and embalmer, license numbers 1692FD and 1980EM, and at all relevant times was the Funeral Director in Charge at Funeral Home and registered agent for Respondent HOPKINS FUNERAL SERVICE LLC.

3. Respondent HOPKINS-REYNOLDS FUNERAL SERVICE (“Owner”) is, and at all relevant times was, the owner of record for Funeral Home. Upon information and belief, Respondent HAROLD WINTON is the registered agent for Respondent HOPKINS-REYNOLDS FUNERAL SERVICE.

4. The Board has jurisdiction over Respondents pursuant to 59 O.S. §§ 396.2a(9) and (11). *See also* 59 O.S. § 396.12f(F).

FACTUAL ALLEGATIONS

5. On or about September 4, 2024, Board staff filed a complaint against Respondents, alleging that between July 1, 2024, and August 31, 2024, Respondent had failed to timely obtain cremation permits and death certificates on at least ten (10) decedents in their care. The decedents at issue are Jack Moss, George Hubbs, Constance White, Lynn Shofner, Sylvia Kirk, Youree Holloway, John Davidson, Joshua Green, Jamie Pride, and Sylvia Cox.

6. Further, the complaint alleged that Respondents had failed to file a death certificate, cremation permit, disinterment permit or any other necessary permit as required by law in a timely

manner, in violation of OAC 235: 10-7-2(14). The Board provided Respondents with the Notice of Complaint via certified mail.

7. Further, the complaint alleged that Respondents had failed to provide services or merchandise that had been contracted for, in violation of OAC 235: 10-7-2(13).

8. Further, the complaint alleged that Respondents had failed to comply with the Funeral Rules of the Federal Trade Commission, in violation of 59 O.S. §396.12c (14).

9. On September 24, 2024, Respondents filed their response to Complaint 25-10 with the Board. Respondents indicated various reasons for the delay, including waiting on authorization from Tulsa County and it being the end of the County's fiscal year.

10. By public vote during the meeting on October 10, 2024, the Board found probable cause to file a formal complaint against Respondents for the violations alleged herein.

11. The prosecution has sufficient evidence which, if presented to the Board at an evidentiary hearing, would constitute clear and convincing evidence of the alleged violations.

ALLEGED CONCLUSIONS OF LAW

12. Respondents violated OAC 235: 10-7-2(14) by failing to file necessary permits as required by law in a timely fashion. The relevant Board rule, OAC 235: 10-7-2(14), provides:

Failure to file a death certificate, cremation permit, disinterment permit or any other necessary permit as required by law in a timely manner.

13. Respondents violated OAC 235:10-7-2(13) by failing to provide services or merchandise that had been contracted for. The relevant Board rule, OAC 235: 10-7-2(13), provides:

Charging for service or merchandise not contracted for or failing to provide the services or merchandise contracted for or making substitution for services or merchandise contracted for without the authorization of the customer.

14. Respondents violated 59 O.S. § 396.12c(14) by charging customers prices that are not reflected in their General Price List, not providing a price range for direct cremations, and not providing the required disclosure regarding the availability of an alternative container. The relevant Statute, 59 O.S. § 396.12c(14) provides that after notice and hearing pursuant to Article II of the Administrative Procedures Act, the Oklahoma Funeral Board may revoke or suspend, any license for: “failing to comply with the Funeral Rules of the Federal Trade Commission, 15 U.S.C., Section 57a(a).”

15. FDIC is “responsible for the legal and ethical operation of the [Funeral Home] and is accountable to the Board.” 59 O.S. § 396.2(12). Therefore, Respondent HAROLD WINTON as the Funeral Director in Charge of the Funeral Home is also liable for the above violations.

16. Due to the above violations, Respondents are subject to disciplinary action by the Board. *See* 59 O.S. §§ 396.2a(9) and (11); *id.* at §§ 396.12c(A)(5) and (8); *id.* at § 396.12d; *id.* at § 396.12e.

AUTHORIZED PENALTIES

17. The Board is authorized to impose any of the following penalties for violations of the Act or Rules: (1) denial, revocation, suspension, or nonrenewal of license or certificate of apprenticeship; (2) administrative fines up to ten thousand dollars (\$10,000.00) per series of related violations¹; (3) injunctive proceedings; and (4) other disciplinary action. 59 O.S. §§ 396.12c(5) and (8); *id.* at § 396.12c; *id.* at § 396.12d; *id.* at § 396.12e.

¹ When determining the amount of an administrative penalty, the Board shall consider, but not be limited to:

the nature, circumstances and gravity of the violation and, with respect to the person or entity found to have committed the violation, the degree of culpability, the effect on ability of the person or entity to continue to do business and any show of good faith in attempting to achieve compliance with the provisions of the Funeral Services Licensing Act.

59 O.S. § 396.12e(C).

18. Further, the Board is authorized to “impose . . . as a condition of any adverse disciplinary action, the payment of costs expended by the Board in investigating and prosecuting the violation.”

59 O.S. § 396.12e(B). Costs may include, but are not limited to, “staff time, salary and travel expenses, [and] witness fees and attorney fees.” *Id.*

19. In lieu of prosecution, Respondents “may elect to surrender the license.” *Id.* at § 396.12e(D). However, should Respondents surrender their licenses, they “shall be forever barred from obtaining a reissuance of said license or certificate of apprenticeship.” *Id.*

NOTICE OF HEARING

An **EVIDENTARY HEARING** will be held before the Board on **FEBRUARY 13, 2025 at 10:00 A.M.** Respondents may appear personally or through an attorney. If Respondents fail to appear, the hearing will be held in their absence. Respondents have the right to submit a written response, cross-examine witnesses, and present evidence on their behalf. *See* 75 O.S. §§ 309 and 310. If the Board decides, after considering all the evidence presented, that Respondents are in violation of any of the above-referenced laws, the Board may take any authorized disciplinary action it deems appropriate.

Instead of proceeding with the aforementioned hearing, the parties may present a **JOINT PROPOSED CONSENT ORDER** to the Board on the same date and time. *See* 75 O.S. § 309(E).

Respectfully submitted:

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Kylie Cooper, OBA # 32758

Assistant Attorney General
Office of the Oklahoma Attorney General
313 NE 21st Street
Oklahoma City, OK 73105
kylie.cooper@oag.ok.gov

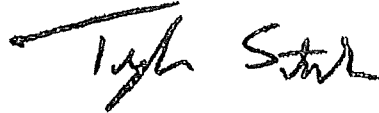
Attorney for Oklahoma Funeral Board

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of January, 2025, a true and correct copy of the foregoing *Complaint and Notice of Hearing* was served either mailing by Certified Mail or by handing to a process server for service in person, as follows:

BY CERTIFIED MAIL:

Steve Pontius
1515 E. 71st Street, Suite 200
Tulsa, OK 74136
spontius@law-lkl.com
ATTORNEY FOR RESPONDENTS



Tyler Stiles, MBA
Executive Director

**BEFORE THE OKLAHOMA FUNERAL BOARD
STATE OF OKLAHOMA**

**IN THE MATTER OF THE COMPLAINT
AGAINST:**

HOPKINS FUNERAL SERVICE LLC

A Licensed Funeral Establishment,
Establishment License # 2024ES
1501 W Main St
Collinsville, OK 74021

owned by:

HOPKINS-REYNOLDS FUNERAL SERVICE

1501 W Main St
Collinsville, OK 74021

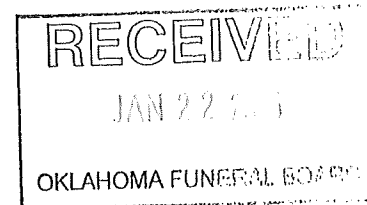
HAROLD WINTON

Licenses: 1692FD and 1980EM,
Address: 105 Veterans Dr. #G
Jenks, OK 74037

A Licensed Funeral Director and Embalmer
and the Funeral Director in Charge at

HOPKINS FUNERAL SERVICE LLC

Complaint No. 25-11



Respondents.

COMPLAINT AND NOTICE OF HEARING

The State of Oklahoma, *ex rel.*, Oklahoma Funeral Board (“Board”), by and through Assistant Attorney General Kylie Cooper, files this Complaint and Notice of Hearing, alleging that the Respondents, HOPKINS-REYNOLDS FUNERAL SERVICE, HOPKINS FUNERAL SERVICE LLC, and HAROLD WINTON, have violated provisions of the State Funeral Services Licensing Act, 59 O.S. § 395.1 *et seq.* (the “Act”), and Rules of the Board, Oklahoma Administrative Code (“O.A.C.”) Section 235:10-1-1 *et seq.* (the “Rules”), in the manner set forth below:

JURISDICTION

1. Respondent HOPKINS FUNERAL SERVICE LLC (“Funeral Home”) is licensed by the Board, establishment license number 2024ES, and is located at 1501 West Main Street, Collinsville, OK 74021.

2. Respondent HAROLD WINTON (“Funeral Director in Charge” or “FDIC”) is licensed by the Board as a funeral director and embalmer, license numbers 1692FD and 1980EM, and at all relevant times was the Funeral Director in Charge at Funeral Home.

3. Respondent HOPKINS-REYNOLDS FUNERAL SERVICE (“Owner”) is, and at all relevant times was, the owner of record for Funeral Home. Upon information and belief, Respondent HAROLD WINTON is the registered agent for Respondent HOPKINS-REYNOLDS FUNERAL SERVICE.

4. The Board has jurisdiction over Respondents pursuant to 59 O.S. §§ 396.2a(9) and (11). *See also* 59 O.S. § 396.12f(F).

FACTUAL ALLEGATIONS

5. On or about September 6, 2024, Board staff received a complaint from a vendor, alleging that they had not been paid within 90 days upon the funeral home receiving vendor’s invoice.

6. On September 9, 2024, Board staff processed the complaint, alleging that Respondents had violated Board rule O.A.C. 235:10-7-2(9), by failing to discharge a financial obligation within 90 days. The Board provided Respondents with the Notice of Complaint via certified mail on the same day.

7. On September 11, 2024, Respondents filed their response to Complaint 25-11 with the Board. Respondents stated that they were currently in litigation with the vendor and were advised not to pay the invoice until the matter was resolved.

8. By public vote during the meeting on October 10, 2024, the Board found probable cause to file a formal complaint against Respondents for the violations alleged herein.

9. The prosecution has sufficient evidence which, if presented to the Board at an evidentiary hearing, would constitute clear and convincing evidence of the alleged violations.

ALLEGED CONCLUSIONS OF LAW

10. Respondents violated O.A.C. 235:10-7-2(9) by failing to discharge a financial obligation within 90 days. The relevant Rule, O.A.C. 235:10-7-2(9), provides:

Failure to discharge financial obligation. Failure to pay any vendor or third-party obligation, within 90 days, that arises out of a Statement of Goods and Services that has been signed by the authorized person or failure to satisfy a judgment rendered by a court of proper jurisdiction, within 90 days or as ordered by the court, in favor of a vendor or third party provider as designated on the Statement of Goods and Services or in connection with goods and services provided for a specific buyer.

11. FDIC is “responsible for the legal and ethical operation of the [Funeral Home] and is accountable to the Board.” 59 O.S. § 396.2(12). Therefore, Respondent HAROLD WINTON, as the Funeral Director in Charge of the Funeral Home is also liable for the above violations.

12. Due to the above violations, Respondents are subject to disciplinary action by the Board. *See* 59 O.S. §§ 396.2a(9) and (11); *id.* at §§ 396.12c(A)(5) and (8); *id.* at § 396.12d; *id.* at § 396.12e.

AUTHORIZED PENALTIES

13. The Board is authorized to impose any of the following penalties for violations of the Act or Rules: (1) denial, revocation, suspension, or nonrenewal of license or certificate of

apprenticeship; (2) administrative fines up to ten thousand dollars (\$10,000.00) per series of related violations¹; (3) injunctive proceedings; and (4) other disciplinary action. 59 O.S. §§ 396.12c(5) and (8); *id.* at § 396.12c; *id.* at § 396.12d; *id.* at § 396.12e.

14. Further, the Board is authorized to “impose . . . as a condition of any adverse disciplinary action, the payment of costs expended by the Board in investigating and prosecuting the violation.” 59 O.S. § 396.12e(B). Costs may include, but are not limited to, “staff time, salary and travel expenses, [and] witness fees and attorney fees.” *Id.*

15. In lieu of prosecution, Respondents “may elect to surrender the license.” *Id.* at § 396.12e(D). However, should Respondents surrender their licenses, they “shall be forever barred from obtaining a reissuance of said license or certificate of apprenticeship.” *Id.*

NOTICE OF HEARING

An **EVIDENTARY HEARING** will be held before the Board on **FEBRUARY 13, 2025 at 10:00 A.M.** Respondents may appear personally or through an attorney. If Respondents fail to appear, the hearing will be held in their absence. Respondents have the right to submit a written response, cross-examine witnesses, and present evidence on their behalf. *See* 75 O.S. §§ 309 and 310. If the Board decides, after considering all the evidence presented, that Respondents are in violation of any of the above-referenced laws, the Board may take any authorized disciplinary action it deems appropriate.

Instead of proceeding with the aforementioned hearing, the parties may present a **JOINT**

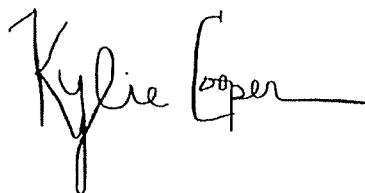
¹ When determining the amount of an administrative penalty, the Board shall consider, but not be limited to:

the nature, circumstances and gravity of the violation and, with respect to the person or entity found to have committed the violation, the degree of culpability, the effect on ability of the person or entity to continue to do business and any show of good faith in attempting to achieve compliance with the provisions of the Funeral Services Licensing Act.

59 O.S. § 396.12e(C).

PROPOSED CONSENT ORDER to the Board on the same date and time. *See* 75 O.S. § 309(E).

Respectfully submitted:

A handwritten signature in black ink that reads "Kylie Cooper". The signature is fluid and cursive, with the first name "Kylie" and the last name "Cooper" clearly legible.

Kylie Cooper, OBA # 23758
Assistant Attorney General
Office of the Oklahoma Attorney General
313 NE 21st Street
Oklahoma City, OK 73105
kylie.cooper@oag.ok.gov

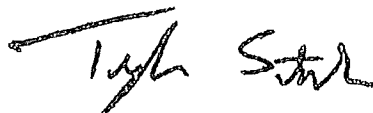
Attorney for Oklahoma Funeral Board

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of January, 2025, a true and correct copy of the foregoing *Complaint and Notice of Hearing* was served either mailing by Certified Mail or by handing to a process server for service in person, as follows:

BY CERTIFIED MAIL:

Steve Pontius
1515 E. 71st Street, Suite 200
Tulsa, OK 74136
spontius@law-lkl.com
ATTORNEY FOR RESPONDENTS

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Tyler Stiles, MBA
Executive Director

**BEFORE THE OKLAHOMA FUNERAL BOARD
STATE OF OKLAHOMA**

**IN THE MATTER OF THE COMPLAINT
AGAINST:**

HOPKINS FUNERAL SERVICE LLC

A Licensed Funeral Establishment,
Establishment License # 2024ES
1501 W Main St
Collinsville, OK 74021

owned by:

HOPKINS-REYNOLDS FUNERAL SERVICE

1501 W Main St
Collinsville, OK 74021

MICHAEL HOPKINS

License: AP5148
Address: 1204 N. 80th St
Broken Arrow, OK 74014

HAROLD WINTON

Licenses: 1692FD and 1980EM,
Address: 105 Veterans Dr. #G
Jenks, OK 74037

A Licensed Funeral Director and Embalmer
and the Funeral Director in Charge at

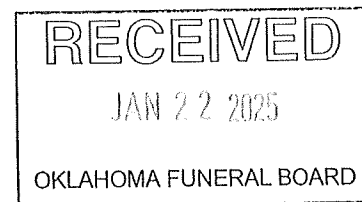
HOPKINS FUNERAL SERVICE LLC

Respondents.

COMPLAINT AND NOTICE OF HEARING

The State of Oklahoma, *ex rel.*, Oklahoma Funeral Board ("Board"), by and through Assistant Attorney General Kylie Cooper, files this Complaint and Notice of Hearing, alleging that the Respondents, HOPKINS-REYNOLDS FUNERAL SERVICE, HOPKINS FUNERAL SERVICE LLC, MICHAEL HOPKINS, and HAROLD WINTON, have violated provisions of the

Complaint No. 25-15



State Funeral Services Licensing Act, 59 O.S. § 395.1 *et seq.* (the “Act”), and Rules of the Board, Oklahoma Administrative Code (“O.A.C.”) Section 235:10-1-1 *et seq.* (the “Rules”), in the manner set forth below:

JURISDICTION

1. Respondent HOPKINS FUNERAL SERVICE LLC (“Funeral Home”) is licensed by the Board, establishment license number 2024ES, and is located at 1501 West Main Street, Collinsville, OK 74021.

2. Respondent HAROLD WINTON (“Funeral Director in Charge” or “FDIC”) is licensed by the Board as a funeral director and embalmer, license numbers 1692FD and 1980EM, and at all relevant times was the Funeral Director in Charge at Funeral Home.

3. Respondent MICHAEL HOPKINS is an apprentice licensed by the Board, license number 5148AP.

4. Respondent HOPKINS-REYNOLDS FUNERAL SERVICE (“Owner”) is, and at all relevant times was, the owner of record for Funeral Home. Upon information and belief, Respondent HAROLD WINTON is the registered agent for Respondent HOPKINS-REYNOLDS FUNERAL SERVICE.

5. The Board has jurisdiction over Respondents pursuant to 59 O.S. §§ 396.2a(9) and (11). *See also* 59 O.S. § 396.12f(F).

FACTUAL ALLEGATIONS

6. On or about October 8, 2024, Board staff received a complaint from a consumer, alleging that Michael Hopkins had practiced funeral directing without a license and alleging a violation of the FTC rules.

7. On or about October 8, 2024, Board staff processed the complaint, alleging that Respondents had violated Board rule O.A.C. 235:10-7-2(6) by engaging in the practice of funeral directing without a license from this Board.

8. Further, Board staff alleged a violation of 59 O.S. §396.12c(14) by failing to comply with the Funeral Rules of the Federal Trade Commission, 15 U.S.C., Section 57a(a).

9. On October 24, 2024, Respondents filed their response to Complaint 25-15 with the Board. Respondents stated Mr. Hopkins did not call himself a funeral director but that he was with Hopkins Funeral Service.

10. By public vote during the meeting on December 12, 2024, the Board found probable cause to file a formal complaint against Respondents for the violations alleged herein.

11. The prosecution has sufficient evidence which, if presented to the Board at an evidentiary hearing, would constitute clear and convincing evidence of the alleged violations.

ALLEGED CONCLUSIONS OF LAW

12. Respondents violated O.A.C. 235:10-7-2(6) by identifying himself as a funeral director when he does not have a license from this Board and meeting with the consumer without supervision. The relevant Rule, O.A.C. 235:10-7-2(6), provides:

The following prohibited acts shall constitute grounds for the suspension or revocation of any license or registration issued by the Board.

(6) Non-licensed director. The practice of funeral directing by an individual not licensed as a funeral director.

13. Respondents violated 59 O.S. §396.12c(14) by failing to comply with the Funeral Rules of the Federal Trade Commission, 15 U.S.C., Section 57a(a) by charging a price for cremation that is different from the price advertised on Respondent's GPL. This GPL was supplied to Board staff by Respondents.

14. FDIC is “responsible for the legal and ethical operation of the [Funeral Home] and is accountable to the Board.” 59 O.S. § 396.2(12). Therefore, Respondent HAROLD WINTON, as the Funeral Director in Charge of the Funeral Home is also liable for the above violations.

15. Due to the above violations, Respondents are subject to disciplinary action by the Board. *See* 59 O.S. §§ 396.2a(9) and (11); *id.* at §§ 396.12c(A)(5) and (8); *id.* at § 396.12d; *id.* at § 396.12e.

AUTHORIZED PENALTIES

16. The Board is authorized to impose any of the following penalties for violations of the Act or Rules: (1) denial, revocation, suspension, or nonrenewal of license or certificate of apprenticeship; (2) administrative fines up to ten thousand dollars (\$10,000.00) per series of related violations¹; (3) injunctive proceedings; and (4) other disciplinary action. 59 O.S. §§ 396.12c(5) and (8); *id.* at § 396.12c; *id.* at § 396.12d; *id.* at § 396.12e.

17. Further, the Board is authorized to “impose . . . as a condition of any adverse disciplinary action, the payment of costs expended by the Board in investigating and prosecuting the violation.” 59 O.S. § 396.12e(B). Costs may include, but are not limited to, “staff time, salary and travel expenses, [and] witness fees and attorney fees.” *Id.*

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Respectfully submitted:

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Kylie Cooper, OBA # 23758
Assistant Attorney General
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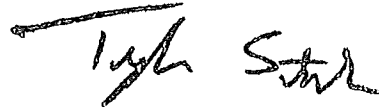
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spontius@law-lkl.com
ATTORNEY FOR RESPONDENTS

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Tyler Stiles, MBA
Executive Director

**BEFORE THE OKLAHOMA FUNERAL BOARD
STATE OF OKLAHOMA**

**IN THE MATTER OF THE COMPLAINT
AGAINST:**

HOPKINS FUNERAL SERVICE LLC

A Licensed Funeral Establishment,
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1501 W Main St
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owned by:

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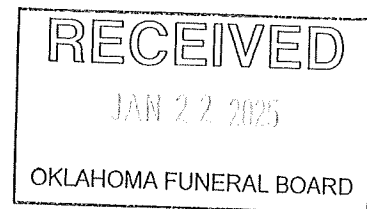
1501 W Main St
Collinsville, OK 74021

Complaint No. 25-19

HAROLD WINTON

Licenses: 1692FD and 1980EM,
Address: 105 Veterans Dr. #G
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A Licensed Funeral Director and Embalmer
and the Funeral Director in Charge at



HOPKINS FUNERAL SERVICE LLC

Respondents.

COMPLAINT AND NOTICE OF HEARING

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Administrative Code (“O.A.C.”) Section 235:10-1-1 *et seq.* (the “Rules”), in the manner set forth below:

JURISDICTION

1. Respondent HOPKINS FUNERAL SERVICE LLC (“Funeral Home”) is licensed by the Board, establishment license number 2024ES, and is located at 1501 West Main Street, Collinsville, OK 74021.

2. Respondent HAROLD WINTON (“Funeral Director in Charge” or “FDIC”) is licensed by the Board as a funeral director and embalmer, license numbers 1692FD and 1980EM, and at all relevant times was the Funeral Director in Charge at Funeral Home.

3. Respondent HOPKINS-REYNOLDS FUNERAL SERVICE (“Owner”) is, and at all relevant times was, the owner of record for Funeral Home. Upon information and belief, Respondent HAROLD WINTON is the registered agent for Respondent HOPKINS-REYNOLDS FUNERAL SERVICE.

4. The Board has jurisdiction over Respondents pursuant to 59 O.S. §§ 396.2a(9) and (11). *See also* 59 O.S. § 396.12f(F).

FACTUAL ALLEGATIONS

5. On or about November 19, 2024, Board staff received a complaint from a vendor, alleging that they had not been paid within 90 days upon the funeral home receiving vendor’s invoice.

6. On November 19, 2024, Board staff processed the complaint, alleging that Respondents had violated Board rule O.A.C. 235:10-7-2(9), by failing to discharge a financial obligation within 90 days. The Board provided Respondents with the Notice of Complaint via certified mail on the same day.

7. On November 4, 2024, Respondents filed their response to Complaint 25-19 with the Board. Respondents stated that they had been told they owed various amounts to the vendor and that the vendor was had harassed them. Respondent further stated that they had legal counsel concerning the matter.

8. By public vote during the meeting on December 12, 2024, the Board found probable cause to file a formal complaint against Respondents for the violations alleged herein.

9. The prosecution has sufficient evidence which, if presented to the Board at an evidentiary hearing, would constitute clear and convincing evidence of the alleged violations.

ALLEGED CONCLUSIONS OF LAW

10. Respondents violated O.A.C. 235:10-7-2(9) by failing to discharge a financial obligation within 90 days. The relevant Rule, O.A.C. 235:10-7-2(9), provides:

Failure to discharge financial obligation. Failure to pay any vendor or third-party obligation, within 90 days, that arises out of a Statement of Goods and Services that has been signed by the authorized person or failure to satisfy a judgment rendered by a court of proper jurisdiction, within 90 days or as ordered by the court, in favor of a vendor or third party provider as designated on the Statement of Goods and Services or in connection with goods and services provided for a specific buyer.

11. FDIC is “responsible for the legal and ethical operation of the [Funeral Home] and is accountable to the Board.” 59 O.S. § 396.2(12). Therefore, Respondent HAROLD WINTON, as the Funeral Director in Charge of the Funeral Home is also liable for the above violations.

12. Due to the above violations, Respondents are subject to disciplinary action by the Board. *See* 59 O.S. §§ 396.2a(9) and (11); *id.* at §§ 396.12c(A)(5) and (8); *id.* at § 396.12d; *id.* at § 396.12e.

AUTHORIZED PENALTIES

13. The Board is authorized to impose any of the following penalties for violations of the Act or Rules: (1) denial, revocation, suspension, or nonrenewal of license or certificate of apprenticeship; (2) administrative fines up to ten thousand dollars (\$10,000.00) per series of related violations¹; (3) injunctive proceedings; and (4) other disciplinary action. 59 O.S. §§ 396.12c(5) and (8); *id.* at § 396.12c; *id.* at § 396.12d; *id.* at § 396.12e.

14. Further, the Board is authorized to “impose . . . as a condition of any adverse disciplinary action, the payment of costs expended by the Board in investigating and prosecuting the violation.” 59 O.S. § 396.12e(B). Costs may include, but are not limited to, “staff time, salary and travel expenses, [and] witness fees and attorney fees.” *Id.*

15. In lieu of prosecution, Respondents “may elect to surrender the license.” *Id.* at § 396.12e(D). However, should Respondents surrender their licenses, they “shall be forever barred from obtaining a reissuance of said license or certificate of apprenticeship.” *Id.*

NOTICE OF HEARING

An **EVIDENTARY HEARING** will be held before the Board on **FEBRUARY 13, 2025** at **10:00 A.M.** Respondents may appear personally or through an attorney. If Respondents fail to appear, the hearing will be held in their absence. Respondents have the right to submit a written response, cross-examine witnesses, and present evidence on their behalf. *See* 75 O.S. §§ 309 and 310. If the Board decides, after considering all the evidence presented, that Respondents are in violation of any of the above-referenced laws, the Board may take any authorized disciplinary

¹ When determining the amount of an administrative penalty, the Board shall consider, but not be limited to:

the nature, circumstances and gravity of the violation and, with respect to the person or entity found to have committed the violation, the degree of culpability, the effect on ability of the person or entity to continue to do business and any show of good faith in attempting to achieve compliance with the provisions of the Funeral Services Licensing Act.

59 O.S. § 396.12e(C).

action it deems appropriate.

Instead of proceeding with the aforementioned hearing, the parties may present a **JOINT PROPOSED CONSENT ORDER** to the Board on the same date and time. *See* 75 O.S. § 309(E).

Respectfully submitted:

A handwritten signature in black ink that reads "Kylie Cooper". The signature is fluid and cursive, with the first name "Kylie" written in a larger, more prominent script than the last name "Cooper".

Kylie Cooper, OBA # 23758
Assistant Attorney General
Office of the Oklahoma Attorney General
313 NE 21st Street
Oklahoma City, OK 73105
kylie.cooper@oag.ok.gov

Attorney for Oklahoma Funeral Board

CERTIFICATE OF SERVICE

I hereby certify that on the 22nd day of January, 2025, a true and correct copy of the foregoing *Complaint and Notice of Hearing* was served either mailing by Certified Mail or by handing to a process server for service in person, as follows:

BY CERTIFIED MAIL:

Steve Pontius
1515 E. 71st Street, Suite 200
Tulsa, OK 74136
spontius@law-lkl.com
ATTORNEY FOR RESPONDENTS

A handwritten signature in black ink, appearing to read "Tyler Stiles", is written over a horizontal line.

Tyler Stiles, MBA
Executive Director