

## Notice of Proposed Disciplinary Action

State Mortuary and Cemetery Board  
State of Oregon

In the Matter of the funeral establishment  
license of  
**ADAMSON'S, INC. dba ADAMSON'S  
SHERIDAN FUNERAL HOME,**

And

In the Matter of the funeral service practitioner  
license of  
**VELDON VAL ADAMSON,**

**LICENSEES**

Notice of Proposed Disciplinary Action  
(Reprimand and Civil Penalties)

And

Opportunity for a Hearing

**CASE NO. 09-1043A & B**

Pursuant to ORS 692.180, the Oregon Mortuary & Cemetery Board (hereafter "OMCB," "Board") proposes to take disciplinary action in the form of a reprimand and civil penalties against the funeral establishment license of Adamson's, Inc. dba Adamson's Sheridan Funeral Home and against the funeral service practitioner license of Veldon Val Adamson on the grounds noted below.

### Grounds for Disciplinary Action:

**1a.** At all times mentioned herein Adamson's, Inc. dba Adamson's Sheridan Funeral Home (hereafter "Licensee A") was licensed by the Board as a funeral establishment in Sheridan (OMCB License No. FE-8611); and at all times mentioned herein, Veldon "Val" Adamson (hereafter "Licensee B") was a licensed funeral service practitioner (OMCB License No. FS-0003), and Licensee B was the assigned manager and corporate shareholder of Licensee A funeral establishment.

**1b.** Definitions that may be relevant to this notice are contained in OAR 830-011-0000 and ORS 692.010.

**2.**

**2a.** On or about December 27, 2005 during an inspection of Licensee A funeral establishment the Board found that the permanent records of the following decedents identified by Oregon State ID Tag Nos. #414629 (VS)", #414628 (RD)" and #414616 (RM) did not contain proper instructions to the Licensees as to the final disposition of the cremated remains. Licensees A and B were warned that the cremation authorization must contain further instructions to the licensed funeral service practitioner as to the final disposition of the cremated remains pursuant to ORS 97.150.

**2b.** Despite the foregoing warning, on or about October 8, 2007, Licensees failed to properly complete the cremation authorization for the decedent with Oregon State ID Tag # 483360 (SC) by obtaining, from the person with the right to control final disposition, further instructions to the funeral licensee as to the final disposition for the cremated remains of the decedent.

**2c.** The foregoing four instances of failing to obtain instructions for final disposition of cremated remains are violations of OAR 830-040-0000(7) which are cause for disciplinary action including reprimand and civil penalties of up to \$1,000 for each violation under ORS 692.180(1)(g); and the foregoing are violations of ORS 97.150(1) which are cause for disciplinary action including reprimand and civil penalties of up to \$1,000 for each violation under ORS 692.180(1)(j).

**3.**

**3a.** On or about June 26, 2001, during an inspection of Licensee A funeral establishment the Board found that the permanent records of the decedents with Oregon State ID #329261 (AL) and #328253 (AL) did not contain a receipt for the release of the cremated remains of the decedent and the facility had released the cremated remains. Licensees were advised that failure to obtain a receipt for cremated remains when releasing the cremated remains was a violation of OAR 830-040-0000(8).

**3b.** On or about December 27, 2005, during an inspection of Licensee A funeral establishment the Board found that the permanent record of the decedent with Oregon State ID Tag #414616 (RM) did not contain a signed receipt for the release of the cremated remains. Licensees were advised that failure to obtain a completed receipt for cremated remains when releasing the cremated remains was a violation of OAR 830-040-0000(8).

**3c.** Despite the foregoing warnings, on or about October 12, 2007 Licensees failed to obtain a signed receipt for cremated remains of OR State ID #483360 (SC) when Licensees released the cremated remains.

**3d.** The foregoing four instances of failing to obtain an accurate and complete receipt for cremated remains are violations of OAR 830-040-0000(8) which are cause for disciplinary action including reprimand and civil penalties of up to \$1,000 for each violation under ORS 692.180(1)(g).

**4.**

The Board therefore proposes to take disciplinary action in the form of a reprimand and civil penalties against Licensee A and Licensee B.

**Rights and Procedures**

**You are entitled to a hearing as provided by the Administrative Procedures Act (ORS Chapter 183) and ORS 692.265(1). If you want a hearing, you must file a written request for hearing with the State Mortuary & Cemetery Board (the "Board") within 21 days from the date this notice was mailed. The Board's address is 800 NE Oregon Street #430, Portland OR 97232-2195. If a request for hearing is not received within this 21-day period, your right to a hearing shall be considered waived.**

**If you request a hearing, you will be notified of the time and place of the hearing. A Notice of Contested Case Hearing Right and Procedures is enclosed with this Notice of**

**Proposed Disciplinary Action and Opportunity for Hearing. If you do not request a hearing within 21 days, or if you withdraw a hearing request, notify the Board or administrative law judge that you will not appear or fail to appear at a scheduled hearing, the Board may issue a final order by default revoking your license. If the Board issues a final order by default, it designates its file on this matter as the record for purposes of a prima facie case.**

DATED this 21<sup>st</sup> day of July, 2011.

STATE MORTUARY AND CEMETERY BOARD

\_\_\_\_<s> Lynne Nelson\_\_\_\_\_  
Designee: Lynne Nelson, Compliance Manager