

**BEFORE THE MORTUARY AND CEMETERY BOARD  
OF THE STATE OF OREGON**

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	)	
In the Matter of the funeral establishment	)	
License of <b>CITY VIEW FUNERAL HOME, LLC</b>	)	<b>CONSENT ORDER</b>
	)	
and	)	
	)	
In the Matter of the funeral service practitioner	)	<b>CASE NOS. 10-1021A &amp; B</b>
License of <b>RICHARD HILTS,</b>	)	
<b>LICENSEES</b>	)	

WHEREAS, the Oregon Mortuary and Cemetery Board (Board, OMCB) is prepared to issue Notices of Proposed Disciplinary Action (Notices), against Licensee City View Funeral Home, LLC. in Case No. 10-1021A and against Licensee Richard Hilts in Case No. 10-1021B upon the following bases:

1. At all times mentioned herein, City View Funeral Home, LLC. was licensed by the Board as funeral establishment in Salem (OMCB License No. FE-8663).
  
2. At all times mentioned herein, Richard Hilts was licensed by the Board as a funeral service practitioner (OMCB License No. FS-0466) and Richard Hilts was the managing member of City View Funeral Home, LLC. and manager of the funeral establishment.
  
3. On February 18, 2009, Robert M. died. Licensees handled the final disposition arrangements of cremation. On or about February 12, 2009, a daughter and one of the sons of the decedent who had the right to control final disposition of the remains under ORS 97.130(2) signed a cremation authorization form. Pursuant to ORS 97.150, the cremation authorization includes a statement of disposition for the cremated remains which states “Bev M or Greg M to receive the cremated remains”. Bev M was a close acquaintance of Robert M. Greg M is the decedent’s son.
  
4. Sometime between the cremation of Robert M. on February 20, 2009, and May 21, 2009, Licensees released a small portion of the cremated remains to Bev M. without obtaining a signed receipt for cremated remains from Bev M. in violation of OAR 830-040-0000(8). The foregoing is cause for disciplinary action under ORS 692.180(1)(g).

WHEREAS, the Board and the Licensees are desirous of resolving and settling those matters regarding Case Nos. 10-1021A & B without further proceedings thereon; and

WHEREAS, Licensees are aware of the right to a hearing with the assistance of counsel and the right to judicial review of the Board's decision in Case Nos. 10-1021A & B and hereby freely and voluntarily waives those rights; and

WHEREAS, Licensees hereby acknowledge that Licensees have read, understands, and agrees to the terms of this Consent Order and that this Consent Order constitutes the entire agreement of the parties and is a final order of the Board; and

WHEREAS, the Licensees agree that the Board enter the following order:

NOW THEREFORE IT IS HEREBY ORDERED:

1. Licensees are reprimanded for violating OAR 830-040-0000(8) and ORS 692.180(1)(g) by their failure to obtain a receipt for cremated remains.
2. This Consent Order shall become effective when signed by the Executive Director.

DATED this 18th day of February, 2011

OREGON STATE MORTUARY AND CEMETERY BOARD

By: <s> Michelle Gaines  
Michelle Gaines, Executive Director

**It is so agreed.**

2-9-11  
Date

<s> Richard Hiltz, Managing Member  
Licensee, City View Funeral Home, LLC., Representative

2-9-11  
Date

<s> Richard Hiltz  
Licensee, Richard Hiltz