

CONSENT ORDER

**State Mortuary and Cemetery Board
State of Oregon**

In the Matter of the funeral service practitioner and embalmer license of Larry A. Peterson, Licensee	Case No. 08-1055C Consent Order
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WHEREAS, the Oregon Mortuary and Cemetery Board (OMCB, Board) is prepared to issue a Notice of Proposed Disciplinary Action against the Licensee in Case No. 08-1055C upon the following bases:

1. On or about September 4, 2007, Hughes Ransom Cremation & Mortuaries, Inc. dba Hughes Ransom Mortuary – Astoria, (OMCB License No. FE-8452, “Hughes Ransom”), and manager, Larry Peterson (OMCB License No. CO-3306, “Licensee”), contracted with the Funeral Consumers Alliance of Oregon, Inc. (“FCAO”) whereby Licensee agreed to offer final disposition arrangements of a direct cremation package to FCAO members for \$747.00.
2. On or about August 22, 2008, Frances D. met with Licensee’s funeral service practitioner and embalmer apprentice, Phillip Siemens (OMCB License Nos. AF-2035 and AE-3206, “Siemens”), to make final disposition arrangements for Henry D., her deceased husband. Frances D. identified herself and her deceased husband as FCAO members and requested the FCAO price for a direct cremation.
3. Siemens quoted the family approximately \$400.00 more than the current FCAO price of \$747.00. Frances D. left the funeral establishment to verify the correct

FCAO price of a direct cremation on the FCAO website. When she later contacted the facility, she was able to receive the FCAO membership price.

4. Failing to quote and initially honor an accurate FCAO price for a direct cremation to an FCAO member is a violation of OAR 830-030-0090(1) or OAR 830-030-0090(1)(d), ORS 692.180(1)(b) and (b), and OAR 830-050-0050(9).

5. Licensee, therefore, failed to properly supervise his apprentice, Phillip Siemens, in violation of OAR 830-030-0090(1)(f) which is cause for disciplinary action under ORS 692.180(1)(g).

6. In a review of several permanent records at Hughes Ransom, investigation did not find other instances where an apprentice or other employee quoted an inaccurate FCAO price, or that an apprentice or employee failed to honor an FCAO price to members.

WHEREAS, the Board and the Licensee are desirous of resolving and settling those matters regarding Case No. 08-1055C without further proceedings thereon; and

WHEREAS, the Licensee is aware of his right to a contested case hearing with the assistance of counsel and the right to judicial review of the Board's decision in Case No. 08-1055C and hereby freely and voluntarily waives those rights; and

WHEREAS, by agreeing to the entry of this Consent Order the Licensee admits to the bases for disciplinary action; and

WHEREAS, the Licensee consents to the entry of this Board order.

NOW THEREFORE IT IS HEREBY ORDERED:

1. Licensee is hereby reprimanded for violating OAR 830-030-0090(1)(f).
2. This Consent Order shall become effective when signed by the Executive Director of the Board.

DATED this 12th day of February, 2009.

MORTUARY AND CEMETERY BOARD
OF THE STATE OF OREGON

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

CONSENT

I hereby acknowledge that I have read and understand the terms of the Consent Order. I agree to the Board entering the Consent Order.

Feb 8, 2009
Date

<s> Larry A. Peterson
Licensee Representative, Larry Peterson