

**BEFORE THE OREGON MORTUARY AND CEMETERY BOARD
CONSENT ORDER**

<p>In the Matter of the Funeral Establishment License of</p> <p>C & M WESTERN, INC. dba CONGER- MORRIS CENTRAL POINT CHAPEL, (FE-8573),</p> <p style="text-align: center;">LICENSEE</p>	<p style="text-align: center;">CONSENT ORDER</p> <p style="text-align: center;">CASE NO. 14-1014A</p>
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The Oregon Mortuary and Cemetery Board (Board) received a complaint regarding final disposition arrangements made at a funeral establishment licensed as C & M Western, Inc. dba Conger-Morris Central Point Chapel (Conger-Morris) and initiated an investigation.

The Board finds it has grounds to issue a Notice of Proposed Disciplinary Action, upon which Conger-Morris would be provided with the opportunity to request a hearing. In lieu thereof, the parties wish to resolve this matter informally by entering into this Consent Order on the terms set forth below, pursuant to ORS 183.417(3).

The Board and Conger-Morris agree to the following:

1. On March 15, 2014, Decedent died and two days later, on March 17, 2014, Decedent's family met with a funeral service practitioner representing Conger-Morris and initially made arrangements for a direct cremation without a family viewing. During the discussion, the family decided to add a viewing before cremation.
2. Conger-Morris' representative failed to clearly note on the paperwork that a viewing was to be held and Decedent was cremated at Conger-Morris two days prior to the scheduled viewing.
3. Conger-Morris, through the actions of its funeral service practitioner, failed to implement and follow through with contractual arrangements with the person with the legal right to control final disposition, which is a violation of OAR 830-030-0090(1)(b).
4. Conger-Morris has subsequently modified the procedure on the cremation authorization, adding in large font the words "Family View—Yes or No" so the family can initial their preference.
5. Conger-Morris refunded all fees to the family.
6. Conger-Morris fully cooperated with the Board during its investigation.

7. Conger-Morris agrees that they have violated OAR 830-030-0090(1)(b), which is cause for disciplinary action of a reprimand by the Board under ORS 692.180(1)(g).
8. Conger-Morris acknowledges that they have read, understand, and agree to the terms of this Consent Order.
9. Conger-Morris understands that they have the right to a contested case hearing under the Administrative Procedures Act (ORS Chapter 183), and hereby fully and finally waive any and all right to a hearing and any rights to appeal or otherwise challenge this Consent Order.
10. Conger-Morris agrees the Board may issue the Order set forth below.
11. This Consent Order is a public document.
12. This Consent Order shall be effective when signed by the Executive Director of the Board.

ORDER

The Board issues the following final order:

- 1. Conger-Morris is reprimanded for violating OAR 830-030-0090(1)(b).**

DATED this __19th__ day of __August__, 2014.

OREGON MORTUARY AND CEMETERY BOARD

By: __<s> Cheryl Koshuta for _____
Michelle Gaines
Executive Director

It is so agreed.

__Aug 12, 2014_____
Date

__<s> Robert M. Neff _____
Robert Neff for
C & M Western, Inc. dba Conger-Morris Central Point
Chapel

__Aug 12, 2014_____
Date

__<s> Steven C. Morris _____
Steven Morris for
C & M Western, Inc. dba Conger-Morris Central Point
Chapel