

NOTICE OF PROPOSED DISCIPLINARY ACTION

State Mortuary and Cemetery Board State of Oregon

In the Matter of the funeral service
practitioner license of **G. Craig Collins**
(FS-0500),

Respondent

Notice of Proposed Disciplinary Action
And
Opportunity for Hearing

Case No. 06-1005D

Pursuant to ORS 692.180, the Oregon Mortuary & Cemetery Board proposes to take disciplinary action in the form of a civil penalty against you on the grounds noted below. For statutory and rule violations the Board may impose one or more of the following sanctions: Reprimand; license revocation; civil penalty of up to \$1000 for each violation; or other sanctions as authorized by law.

Grounds for Disciplinary Action:

1. At all times mentioned herein, G. Craig Collins (hereafter "Respondent") was licensed by the Oregon Mortuary and Cemetery Board as a funeral service practitioner (OMCB License No. FS-0500); and Respondent was the manager of Portland Cremation Center, LLC. (OMCB License No. CR-0694), a crematory (hereafter "PCC").
2. At all times mentioned herein, Amber Roley-Ensign, an unlicensed individual, was employed by Respondent and PCC as a crematory operator.
3. Various funeral establishments, including Affordable Funeral Alternatives, Inc. (OMCB License No. FE-8386), and Gresham Funeral Chapel (OMCB License No. FE-8368), contract PCC to perform cremations.
4. Affordable Funeral Alternatives uses Gresham Funeral Chapel's refrigeration unit for holding remains.

5.

5a. On February 10, 2006, a widowed female, M. Morris, died. The person with the right to control final disposition of the remains, pursuant to ORS 97.130(1) and (2), was her son, T. Morris. The remains of M. Morris were transported to Gresham Funeral Chapel.

5b. On or about February 11, 2006, Affordable Funeral Alternatives entered into an agreement with T. Morris to perform the final disposition arrangements of his mother's remains. The method of final disposition chosen by T. Morris was interment at a local cemetery.

6.

6a. On February 13, 2006, Respondent arrived at Gresham Funeral Chapel to transport the remains of another decedent (A. Browne) to PCC for cremation.

6b. While at Gresham Funeral Chapel, Respondent failed to properly identify the decedent and mistakenly removed and transported the remains of M. Morris to the crematory, instead of the remains of A. Browne.

6c. Respondent, therefore, failed to abide by the accepted standards of the Death Care Industry and the minimum standards when Respondent failed to correctly identify remains prior to removal from a funeral establishment to the crematory. The foregoing is a violation of OAR 830-030-0090 which is cause for discipline under ORS 692.180(1)(g).

7.

7a. On February 13, 2006, Respondent's employee, Amber Roley-Ensign, failed to accurately verify the remains of M. Morris prior to cremating her remains at PCC, which was a violation of OAR 830-030-0040(5) and ORS 432.317(6).

7b. OAR 830-030-0090(1)(f) requires that every licensee shall maintain supervision of unlicensed persons to whom tasks are assigned.

7c. Respondent, therefore, violated OAR 830-030-0090(1)(f) when Respondent failed to maintain supervision of Amber Ensign-Roley. The foregoing is cause for discipline under ORS 692.180(1)(g).

8.

Respondent immediately self-disclosed the foregoing circumstances to the Board.

9.

Definitions that may be relevant to this notice are found in OAR 830-011-0000 and ORS 432.005.

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 20 days from the date this notice was mailed. If a request for hearing is not received within this 20-day period, your right to a hearing shall be considered waived. Hearing requests may be mailed to State Office Building, 800 NE Oregon St., Suite 430, Portland, Oregon 97232-2195.

If you request a hearing, you will be notified of the time and place of the hearing. You may be represented by legal counsel at a hearing. A Notice of Contested Case Rights and Procedures is enclosed with this Notice of Proposed Disciplinary Action. If you do not request a hearing within 20 days, or if you withdraw a hearing request, notify the Board or hearing officer that you will not appear or fail to appear at a scheduled hearing, the Board may issue a final order by default imposing discipline as determined by the Board. If the Board issues a final order by default, it designates its file on this matter as the record for purposes of establishing a prima facie case.

DATED this 2nd day of April, 2007.

MORTUARY AND CEMETERY BOARD
OF THE STATE OF OREGON

By: _____ <s> Lynne Nelson _____
Designee: Lynne Nelson, Compliance Manager