

CONSENT ORDER

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

<p>In the Matter of the cemetery authority license of Eternal Hills,</p> <p style="text-align: center;">Licensee</p>		<p style="text-align: center;">Case No. 08-1011A</p> <p style="text-align: center;">Consent Order</p>
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WHEREAS, the Oregon State Mortuary and Cemetery Board (Board) is prepared to issue a Notice of Proposed Disciplinary Action against the Licensee in Case No. 08-1011A upon the following bases:

1. At all times mentioned herein, Eternal Hills (hereafter "Licensee") was licensed by the Board as a cemetery (OMCB License No. CE-0130).
2. Sometime prior to February 6, 2008, a funeral establishment contacted Eternal Hills to arrange for a grave opening for an interment scheduled to occur on the afternoon of February 6, 2008. On the morning of February 6, 2008, Licensee's staff held a meeting and discussed the opening and scheduled interment.
3. After the funeral services at the funeral establishment, the family of the decedent followed the funeral hearse to Licensee cemetery for the interment to find the grave had not been opened as requested and agreed. Licensee declared inclement weather made the opening of the grave impossible to perform.
4. Licensee failed to notify the funeral establishment that the grave was not prepared for the interment. The foregoing is failure to abide by the accepted minimum standards of the death care industry or failure to implement or follow through with agreed upon arrangements.

WHEREAS, the Board and the Licensee are desirous of resolving and settling those matters regarding Case No. 08-1011A without further proceedings thereon; and

WHEREAS, the Licensee is 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 No. 08-1011A and hereby freely and voluntarily waives those rights; and

WHEREAS, Licensee hereby acknowledges that Licensee has 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 Licensee agrees that the Board enter the following order:

NOW THEREFORE IT IS HEREBY ORDERED:

1. Licensee is reprimanded for violating OAR 830-030-0090(1) or OAR 830-030-0090(1)(d) and ORS 692.180(1)(g).
2. This Consent Order shall become effective when signed by the Executive Director

DATED this 10th day of June, 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.

6-8-09
Date

<s> Tim Lancaster
Licensee Representative, signature

<p> Tim Lancaster
Licensee Representative's printed name