

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

<p>In the Matter of the crematory license of <b>Oregon Funeral Service, Inc. dba OREGON CREMATORY,</b></p> <p style="text-align: center;"><b>Licensee</b></p>	<p>Notice of Proposed Disciplinary Action And Opportunity for a Hearing</p> <p style="text-align: center;"><b>CASE NO. 08-1048C</b></p>
-----------------------------------------------------------------------------------------------------------------------------------------------------------------------	-------------------------------------------------------------------------------------------------------------------------------------------------

Pursuant to ORS 692.180, the Oregon Mortuary & Cemetery Board proposes to take disciplinary action against your crematory license on the grounds noted below.

**Grounds for Discipline:**

**1.**

**1a.** At all times mentioned herein, Oregon Funeral Service, Inc. dba Oregon Crematory was licensed by the Oregon Mortuary and Cemetery Board (hereafter "OMCB") as a crematory (OMCB License #CR-0763, hereafter "Licensee").

**1b.** At all times mentioned herein, Christopher L. Bartlett was licensed by the OMCB as a funeral service practitioner and embalmer (OMCB License #CO-3603, hereafter "Bartlett").

**1c.** At all times mentioned herein, Bartlett was a principal of Licensee crematory. As principal, Bartlett had decision-making authority; and Bartlett's duties included reviewing cremation authorizations for completeness, accuracy and for specific actions as directed by Licensee's clients prior to authorizing cremations to proceed.

**1d.** At all times mentioned herein, Holman-Hankins-Bowker & Waud Inc. dba Cochran & Waud Sunset Chapel was licensed by the OMCB as a funeral establishment (OMCB License No. FE-8228, hereafter "Cochran & Waud"); and at all times mentioned herein Cochran & Waud used Licensee crematory to perform cremations.

**1e.** At all times mentioned herein, Ron Rohde was licensed as a funeral service practitioner (OMCB License No. FS-0417, hereafter "Rohde"); and at all times mentioned herein Rohde was employed by Cochran & Waud.

**2.**

**2a.** On or about February 8, 2007, Pamela G died.

**2b.** On or about February 10, 2007, the decedent's family met with Rohde to make final disposition arrangements at Cochran & Waud. The method of final disposition chosen by the family was cremation.

**2c.** The decedent's family told Rohde that they would provide certain sentimental items for placement with the remains of Pamela G prior to the cremation. Therefore, Rohde wrote the following instructions to Licensee on the bottom of the cremation authorization: "*Hold until we call.*"

**3.**

**3a.** On or about February 13, 2007, Bartlett reviewed the documents related to the final disposition of Pamela G to ensure accuracy, completeness, and specific direction; however, when reviewing the cremation authorization, Bartlett failed to notice the words "*Hold until we call*" that were written on the cremation authorization. Instead, Bartlett instructed the crematory operator to proceed with the cremation of Pamela G's remains.

**3b.** On February 13, 2007, the remains of Pamela G. were cremated at Licensee crematory.

**4.**

**4a.** Licensee's failure, through the actions of Bartlett, to follow the instructions on the cremation authorization and hold the remains until items could be placed with them, as requested by the family and the funeral establishment, is considered failure to abide by the accepted standards of the Death Care Industry and the minimum standards of practice.

**4b.** Therefore, Licensee violated OAR 830-030-0090 or OAR 830-030-0090(1)(d) which is cause for disciplinary action under ORS 692.180(1)(g).

5.

Definitions that may be relevant to this notice may be contained in ORS 692.010 and OAR 830-011-0000.

**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 Oregon Mortuary & Cemetery Board (the "Board") at 800 NE Oregon Street, Suite 430, Portland, OR 97232, within 21 days from the date this notice was mailed. If a request for hearing is not received within this 21-day period, your right to a hearing shall be considered waived.

If you request a hearing, you will be notified of the time and place of the 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 21 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. If the Board issues a final order by default, it designates its file on this matter as the record.

**DATED this 9th day of October, 2008**

**STATE MORTUARY AND CEMETERY BOARD**

\_\_\_\_\_  
<s> Lynne Nelson  
**Designee: Lynne Nelson, Compliance Manager**