

**BEFORE THE INSURANCE COMMISSIONER OF THE
STATE OF OKLAHOMA**

FILED
MAY 11 2016
INSURANCE COMMISSIONER
OKLAHOMA

STATE OF OKLAHOMA, ex rel. JOHN)
D. DOAK, Insurance Commissioner,)
)
Petitioner,)
v.)
)
KING & SHEARWOOD FUNERAL)
HOME,)
Prepaid Funeral Services Permit No: 863513,)
)
Respondent.)

Case No. 16-0462-DIS

**CONDITIONAL ADMINISTRATIVE ORDER AND
NOTICE OF RIGHT TO BE HEARD**

The State of Oklahoma, ex rel., John D. Doak, Insurance Commissioner, alleges and states as follows:

JURSDICTION AND AUTHORITY

1. John D. Doak is the Insurance Commissioner of the State of Oklahoma and, as such, is charged with the duty of administering and enforcing all provisions of the Oklahoma Insurance Code, 36 O.S. §§ 101 et seq., including the Prepaid Funeral Benefits Act: 36 O.S. §§ 6121-6136.18.

2. Respondent King & Shearwood Funeral Home ("Respondent") is a permitted provider of Prepaid Funeral Benefit Contracts in the State of Oklahoma and holds Permit Number 863513.

3. The Insurance Commissioner may censure, suspend, or revoke a prepaid funeral permit or impose a fine in the amount of \$100 to \$1,000, or impose both such punishment and fine, for violating any provision of the Prepaid Funeral Benefits Act. *See* 36 O.S. § 6130 (B).

FINDINGS OF FACT

1. Respondent submitted its Annual Report to the Oklahoma Insurance Department (the "Department") on Thursday, March 17, 2016 – 2 days after the Annual Report was due on Tuesday, March 15, 2016.

CONCLUSIONS OF LAW

1. Respondent failed to submit its Annual Report to the Department in a timely fashion and submitted its Annual Report late to the Department in violation of 36 O.S. § 6128.

2. The Insurance Commissioner may censure, suspend, or revoke a prepaid funeral permit or impose a fine in the amount of \$100 to \$1,000, or impose both such punishment and fine, for violating any provision of the Prepaid Funeral Benefits Act. *See* 36 O.S. § 6130 (B). Additionally, the Oklahoma Funeral Board may be informed of any future violation.

ORDER

IT IS THEREFORE ORDERED that King & Shearwood Funeral Home is **CENSURED** and **FINED** One Hundred Dollars (\$100.00).

Respondent is further notified that it may request a hearing within 30 days of the receipt of this Order concerning this action, and upon such request, the Oklahoma Insurance Department shall conduct a hearing before an independent hearing examiner. A request for hearing shall be made in writing to Dan R. Byrd, Oklahoma Insurance Department, Legal Division, 3625 NW 56th St., Suite 100, Oklahoma City, Oklahoma 73112, and **state the basis for requesting the hearing.**

If Respondent does not request a hearing within the 30 days allotted, this Order shall become a FINAL ORDER on the 31st day following the receipt of the Order.

WITNESS My Hand and Official Seal this 11th day of May, 2016.



JOHN D. DOAK
INSURANCE COMMISSIONER
STATE OF OKLAHOMA

A handwritten signature in black ink, appearing to read "Dan R. Byrd", is written over a horizontal line. The signature is stylized and somewhat cursive.

Dan R. Byrd
Assistant General Counsel
3625 NW 56th Street, Suite 100
Oklahoma City, Oklahoma, 73112
Tel. (405) 522-6330
Fax (405) 522-0125

CERTIFICATE OF MAILING

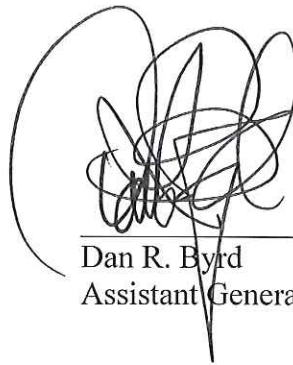
I, Dan R. Byrd, hereby certify that a true and correct copy of the *Conditional Administrative Order and Notice of Right to Be Heard* was mailed on the 1st day of May, 2016 to:

King & Shearwood Funeral Home (Certified Mail)
ATTN: Jeff King, FDIC
8008 E. Main
Stigler, OK 74462-2540

**CERTIFIED MAIL NO:
7015 3010 0001 4736 5689**

Oklahoma Funeral Board (Via Regular Mail)
ATTN: Chris Ferguson, Executive Director
3700 N. Classen Blvd., Suite 175
Oklahoma City, OK 73118

And a Copy Was Delivered to Shanna Johnson, Regulatory Supervisor, Prepaid Accounts, Oklahoma Insurance Department.



Dan R. Byrd
Assistant General Counsel

U.S. Postal Service™
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 Domestic Mail Only

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OFFICIAL USE



Certified Mail Fee

Extra Services & Fees (check box, add fee as appropriate)

- Return Receipt (hardcopy) \$
- Return Receipt (electronic) \$
- Certified Mail Restricted Delivery \$
- Adult Signature Required \$
- Adult Signature Restricted Delivery \$

Postage

Total Postage and Fees

King & Shearwood Funeral Home
 Attn: Jeff King, FDIC
 8008 E. Main
 Stigler, OK 74462-2540
16-0462-DIS/DRB(mt)
(Cond.Adm.Ord. & Notice ~5-11-16)

Sent To
 Street and Apt. No., or PO Box
 City, State, ZIP+4®

PS Form 3800, April 2015 PSN 7530-02-000-9047 See Reverse for Instructions

7015 3010 0001 4736 5689

SENDER: COMPLETE THIS SECTION	COMPLETE THIS SECTION ON DELIVERY
<ul style="list-style-type: none"> ■ Complete items 1, 2, and 3. ■ Print your name and address on the reverse so that we can return the card to you. ■ Attach this card to the back of the mailpiece or on the front if space permits. 	<p>A. Signature X <i>Laura Idleman</i> <input type="checkbox"/> Agent <input type="checkbox"/> Addressee</p> <p>B. Received by (Printed Name) C. Date of Delivery Laura Idleman 5-13-16</p>
<p>1. Article Addressed to:</p> <p>King & Shearwood Funeral Home Attn: Jeff King, FDIC 8008 E. Main Stigler, OK 74462-2540 16-0462-DIS/DRB(mt) (Cond.Adm.Ord. & Notice ~5-11-16)</p>	<p>D. Is delivery address different from item 1? <input type="checkbox"/> Yes <input type="checkbox"/> No If YES, enter delivery address below:</p>
<p>2. Article Number (Transfer from service label)</p> <p>7015 3010 0001 4736 5689</p>	<p>3. Service Type</p> <ul style="list-style-type: none"> <input type="checkbox"/> Adult Signature <input type="checkbox"/> Adult Signature Restricted Delivery <input checked="" type="checkbox"/> Certified Mail® <input type="checkbox"/> Certified Mail Restricted Delivery <input type="checkbox"/> Collect on Delivery <input type="checkbox"/> Collect on Delivery Restricted Delivery <input type="checkbox"/> Insured Mail <input type="checkbox"/> Insured Mail Restricted Delivery (over \$500) <input type="checkbox"/> Priority Mail Express® <input type="checkbox"/> Registered Mail™ <input type="checkbox"/> Registered Mail Restricted Delivery <input type="checkbox"/> Return Receipt for Merchandise <input type="checkbox"/> Signature Confirmation™ <input type="checkbox"/> Signature Confirmation Restricted Delivery