

FILED

APR 03 2020

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

**INSURANCE COMMISSIONER
OKLAHOMA**

STATE OF OKLAHOMA, ex rel. GLEN
MULREADY, Insurance Commissioner,)
))
Petitioner,)
))
v.)
))
GREEN COUNTRY FUNERAL HOME,)
LLC, a formerly licensed prepaid funeral)
benefits organization in the State of Oklahoma)
))
Respondent.)

Case No. 20-0114-DIS

CONSENT ORDER

COMES NOW the State of Oklahoma, ex rel. Glen Mulready, Insurance Commissioner, and the Respondent, Green Country Funeral Home, LLC, (“Respondent”) and stipulate to the following facts and applicable laws. The parties consent to the entry of this Order.

JURISDICTION

1. Glen Mulready is the Insurance Commissioner of the State of Oklahoma and 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 through 6136.18 and accompanying regulations, Oklahoma Administrative Code §§ 365:25-9-1 through 365:25-9-8.

2. Respondent, Green Country Funeral Home, LLC (“Respondent”), was a licensed prepaid funeral benefits organization in the State of Oklahoma, formerly holding permit #44200217.

STIPULATIONS OF FACT

3. Respondent was required to file its Prepaid Funeral Benefits permit renewal application by December 31, 2019.

4. On or about December 1, 2019, Respondent submitted a renewal application pursuant to Okla. Admin. Code § 365:25-9-3(a)(6). However, the permit number on the application was incorrect. Respondent did not submit an amended application by or before December 31, 2019.

5. As a result, Respondent's Prepaid Funeral Benefits permit expired on December 31, 2019.

6. On or about January 6, 2020, Respondent submitted an amended renewal application pursuant to Okla. Admin. Code § 365:25-9-3(a)(6). However, the name of the organization did not include "LLC," and therefore, the information was incorrect. Respondent did not submit an amended application by the January 31st deadline.

7. Respondent sold four (4) prepaid funeral benefit contracts after its license expired on December 31, 2019. Of the four (4) contracts sold, three (3) contracts were sold on February 3, 2020 and one (1) contract was sold on February 28, 2020.

8. Respondent was provided notification of the following violations:

A. 36 O.S. § 6121(A), which provides in part, that "any organization which accepts money or anything of value for prepaid funeral benefits shall first obtain a permit from the Insurance Commissioner authorizing the transaction of this type of business before entering into any such contract. It shall be unlawful to sell prepaid funeral benefits unless the seller holds a valid, current permit at the time the contract is made."

9. Respondent agrees to a censure by the Oklahoma Insurance Department and to pay a fine in the amount of One Hundred Dollars (\$100.00) related to the aforesaid conduct.

10. Respondent further agrees it must obtain a new prepaid funeral benefits permit by submitting an initial application with the Oklahoma Insurance Department and paying the initial filing fee of fifty (\$50.00) dollars.

11. Respondent recognizes that it may not issue prepaid funeral benefit contracts in the State of Oklahoma or to Oklahoma residents unless and until it is properly licensed pursuant to 36 O.S. § 6121(A).

12. Respondent has been apprised of its right to a hearing pursuant to the Oklahoma Administrative Procedures Act, 75 O.S. § 309 and has knowingly and freely waived said right for a hearing and entered into this Consent Order as a voluntary settlement of the issues and questions raised in the above-captioned case.

13. Informal disposition of this matter may be made by consent order pursuant to 75 O.S. § 309(E).

CONCLUSIONS OF LAW

14. Respondent violated 36 O.S. § 6121(A) by issuing four (4) prepaid funeral benefit contracts in Oklahoma after its license expired on December 31, 2019.

15. Pursuant to 36 O.S. § 6130(B), the Insurance Commissioner may revoke or suspend a license, censure a licensee, subject a licensee to a fine of not less than One Hundred Dollars (\$100.00) and not more than One Thousand Dollars (\$1,000.00) for any violation of the Prepaid Funeral Benefits Act, 36 O.S. §§ 6121 through 6136.18, or subject a licensee to both such fine and punishment.

ORDER

IT IS THEREFORE ORDERED by the Insurance Commissioner and **CONSENTED** to by the Respondent that it shall be and hereby is **CENSURED and FINED One Hundred Dollars (\$100.00)** for issuing four (4) prepaid funeral benefit contracts after its prepaid funeral benefits permit expired on December 31, 2019. Respondent shall pay the **\$100.00 fine** within **thirty (30) days of the date of this Order**. Said payment shall be made payable to the Oklahoma Insurance Department.

IT IS FURTHER ORDERED by the Insurance Commissioner that upon receipt of the payment of the \$100.00 fine, Respondent may submit an initial application to obtain a new prepaid funeral benefits permit.

IT IS FURTHER ORDERED that the effective date of the four (4) prepaid funeral benefit contracts that Respondent sold after December 31, 2019 shall be the date in which they were sold by Respondent. As such Respondent shall honor, report, and continue to service said contracts as of the date sold by Respondent.


IT IS FURTHER ORDERED that Respondent shall immediately discontinue all provision of prepaid funeral benefits contracts in the State of Oklahoma, and to Oklahoma residents until such time as Respondent is appropriately licensed.

IT IS FURTHER ORDERED that this Order is effective immediately and shall continue in full force and effect until further Order of the Commissioner. This Order is binding on Green Country Funeral Home, LLC, its agents, affiliates, employees, and/or other representatives.

WITNESS My Hand and Official Seal this 31 day of March 2020.

Glen Mulready
Insurance Commissioner
State of Oklahoma





Brian Downs
First Deputy Insurance Commissioner

APPROVED BY:



Kayla M. Rochelle
Assistant General Counsel
Oklahoma Insurance Department



David Dick
Green Country Funeral Home, LLC

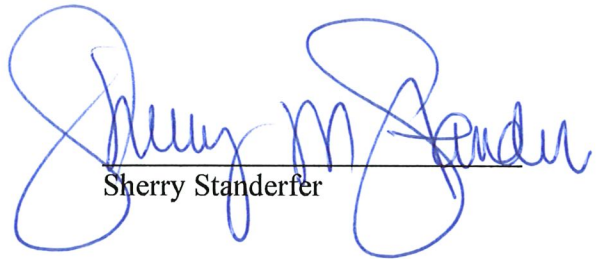
CERTIFICATE OF MAILING

I, Kayla M. Rochelle, hereby certify that a true and correct copy of the above and foregoing Consent Order was mailed by certified mail, with postage prepaid and return receipt requested on this 3rd day of April, 2020, to:

David Dick
Green Country Funeral Home, LLC
203 South Commercial Road
Tahlequah, OK 74464

And a copy was delivered to:

Aisha Turner
Regulated Industry Services Division



Sherry Standerfer

SENDER: COMPLETE THIS SECTION

- 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.

1. Article Addressed to:

David Dick
 Green Country Funeral Home, LLC
 203 South Commerical Road
 Tahlequah, OK 74464
 SMS/20-0114-DIS (KMR)/Const Ord



2. Article Number (Transfer from service label)

7019 1640 0001 3037 0567

COMPLETE THIS SECTION ON DELIVERY

A. Signature Agent
 Addressee

B. Received by (Printed Name) C. Date of Delivery

Sd Wynn

D. Is delivery address different from item 1? Yes
 If YES, enter delivery address below: No



3. Service Type
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