

STATE OF OREGON MORTUARY AND CEMETERY BOARD

<p>In the Matter of the Funeral Establishment License of</p> <p>OLSEN'S SWEET HOME FUNERAL CHAPEL, INC. dba SWEET HOME FUNERAL CHAPEL, OMCB LICENSE FE-8542,</p> <p style="text-align: center;">LICENSEE</p> <p>And</p> <p>In the Matter of the Funeral Service Practitioner License of</p> <p>ELIZABETH M. OLSEN, OMCB LICENSE FS-0533,</p> <p style="text-align: center;">LICENSEE</p>	<p>FINAL ORDER ON DEFAULT</p> <p>OMBC CASE NO. CASE NO. 14-1026A</p> <p>OMCB CASE NO. 14-1026B</p>
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On October 28th, 2014, the Oregon Mortuary & Cemetery Board (Board) properly served a Notice of Proposed Disciplinary Action and Opportunity for a Hearing (Notice) in OMCB Case No. 14-1026A and 14-1026B to Olsen's Sweet Home Funeral Chapel, Inc. dba Sweet Home Funeral Chapel (Sweet Home), OMCB FE-8542 and Elizabeth Olsen (Olsen) that proposed to take disciplinary action in the form of a reprimand. The Notice is attached to this Final Order and is incorporated by reference.

The Notice offered Respondent an opportunity for a hearing if a written request for a hearing was received by the Board within 21 days from the date the Notice was mailed. The Board mailed the Notice to the address Olsen and Sweet Home provided to the Board and it has not been returned. The Board did not receive a written request for a hearing.

NOW THEREFORE, after considering the Board's file relating to this matter, the Board enters the following Final Order on Default:

FINDINGS OF FACT

1. On May 2, 2014, Sweet Home received a call from the Sweet Home Police Department regarding a death and requesting a removal of the man (Decedent). The Medical Examiner subsequently provided Sweet Home with next of kin information naming the Decedent's sister (Sister) and brother (Brother).
2. On or about May 3, 2014, Olsen met with Sister and Brother to make final disposition arrangements. Sister and Brother requested immediate cremation and both signed the cremation authorization form. Olsen did not ask Sister or Brother if Decedent had children.
3. On or about May 3, 2014, Decedent was cremated.

4. On or about May 4, 2014, Sweet Home and Olsen became aware of the fact that Decedent had two daughters who would be the first applicable class of persons with the right to control disposition.
5. Olsen's failure to ask Brother and Sister about the applicable classes of persons with the right to control disposition is a failure to abide by the accepted standards of the Death Care Industry in violation of OAR 830-030-0090.
6. Sweet Home is responsible for the conduct of its employees at its licensed facilities and violations committed through the actions of individual employees are violations by Sweet Home pursuant to OAR 830-030-0090, (1) or (2).

CONCLUSIONS OF LAW

1. Olsen's conduct, as described above violated OAR 830-030-0090.
2. Sweet Home's conduct, as described above, violated OAR 830-030-0090, (1) or (2).
3. Violations of the Board's rules is cause for disciplinary action under ORS 692.180(1)(g).
4. For the above actions, and pursuant to ORS 692.180(1)(a) and (g), a reprimand is appropriate.

ORDER

NOW THEREFORE, after considering the Board's file relating to this matter, the Board enters the following Final Order on Default:

1. Olsen and Sweet Home are reprimanded.
2. This Final Order shall become effective when signed by the Executive Director of the Board.

Dated this 16 day of December 2014

<signed>_____

Michelle Gaines, Executive Director
Oregon Mortuary & Cemetery Board

Date of Mailing: December 17 2014

NOTICE OF OPPORTUNITY FOR JUDICIAL REVIEW (COURT OF APPEALS)

You are entitled to judicial review of this Final Order pursuant to ORS 183.482. Judicial Review may be initiated by filing a petition for review with the Oregon Court of Appeals within 60 days from the date this Order was mailed to you.