

**BEFORE THE BOARD OF MORTUARY SCIENCE EXAMINERS
OF THE STATE OF IOWA**

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| IN THE MATTER OF: |) | |
| |) | |
| |) | Case Nos. 03-15 |
| Philip Huntley, F.D. |) | |
| Lic. No. 104-02629 |) | COMBINED STATEMENT OF CHARGES |
| |) | AND CONSENT ORDER |
| Respondent. |) | |

A. Statement of Charges

1. The Iowa Board of Mortuary Science Examiners (“Board”) has jurisdiction of this disciplinary matter pursuant to Iowa Code section 147.14(16) (2003, 2005), and Iowa Code chapters 17A, 156, and 272C (2003, 2005).

2. Respondent Philip Huntley (“Huntley”) is a licensed funeral director. He was issued License No. 104-02629 on November 28, 1996. Huntley’s license lapsed on July 15, 2003, and was not reinstated until December 16, 2003. While his license was lapsed, Huntley performed mortuary science services.

3. Respondent Huntley repeatedly practiced mortuary science on a lapsed license, in violation of Iowa Code sections 147.55(3) and (8), 156.4(2), 156.9(1) and (2)(d), and 272C.10(3) and (8) (2003), and 645 Iowa Admin. Code 101.13(2) and 102.6 (2003).

4. The Board and Respondents have agreed to fully resolve these charges through the following Consent Order, rather than proceed to contested case hearing.

B. Settlement Agreement and Consent Order

5. Respondent has a right to a hearing on the charges, but waives his right to hearing and all attendant rights, including the right to seek judicial review, by freely and voluntarily entering into this Order. This Consent Order constitutes discipline against the Respondent, and is the final agency order in the contested case, pursuant to Iowa Code section 17A.10.

6. Respondent agrees the State's counsel may present this Order to the Board and may have ex parte communications with the Board while presenting it.

7. This Order shall be part of the permanent record of Respondent and shall be considered by the Board in determining the nature and severity of any future disciplinary action to be imposed in the event of any future violations.

8. This Combined Statement of Charges and Consent Order is a public record available for inspection and copying in accordance with the requirements of Iowa Code chapter

22 (2005).

9. Failure to comply with the provisions of this Order shall be grounds for further disciplinary action pursuant to Iowa Code section 272C.3(2)(a) (2005). However, no action may be taken against Respondent for violations of these provisions without a hearing, or waiver of hearing.

10. This Order is subject to approval of the Board:

(a) If the Board fails to approve this Order, it shall be of no force or effect on either party, and it shall not be admissible for any purpose in further proceedings in this matter.

(b) If the Board approves this Order, it shall fully dispose of all issues in this case.

IT IS THEREFORE ORDERED:

A. Reprimand: Respondent Huntley is reprimanded for repeatedly practicing mortuary science on a lapsed license.

B. Future Compliance: Respondent shall in the future adhere to all relevant statutes and administrative rules. Without limitation, Respondent agrees in particular to strictly abide by all licensure requirements in Iowa Code chapter 156 and associated rules.

AGREED BY AND BETWEEN:

This combined statement of charges and consent order is approved by the board on September 5, 2006.