

**BEFORE THE NEVADA STATE BOARD OF
FUNERAL AND CEMETERY SERVICES**

IN THE MATTER OF)

CHRISTIE D. WILDE, Managing)
Funeral Director)
License No. FD917,)

Respondent.)

CASE NO. FB17-22

CONSENT DECREE

The State of Nevada Board of Funeral and Cemetery Services ("BOARD") having jurisdiction over CHRISTIE D. WILDE ("WILDE"), Funeral Director License No. FD917; pursuant to NRS 642.5175; complaint against said license holder having been received alleging violations of the Nevada statutes and regulations controlling the practice of funeral directors and the parties being mutually desirous of settling the controversy between them relative to the pending complaint;

IT IS HEREBY STIPULATED AND AGREED between the undersigned parties that this matter shall be settled and resolved upon the following terms:

VOLUNTARY WAIVER OF RIGHTS

WILDE is aware of, understands, and has been advised of the effect of this Consent Decree, which has been carefully read and fully acknowledged. WILDE has had the opportunity to consult with competent counsel of her choice.

WILDE has freely and voluntarily entered into this Consent Decree, and is aware of her rights to contest the charges pending against her. These rights include representation by an attorney at her own expense, the right to file an answer in response to a formal complaint, the right to a public hearing on any charges or allegations formally filed, the right to confront and cross-examine witnesses called to testify against her, the right to present evidence on her own behalf, the right to testify on her own behalf, the right to receive written findings of fact and conclusions of law supporting the decision on

1 the merits of the complaint, and the right to obtain judicial review of the decision. All of
2 these rights are being voluntarily waived by WILDE in exchange for the BOARD'S
3 acceptance of this Consent Decree.

4 If the Consent Decree is not accepted by the BOARD, no member of the BOARD
5 will be disqualified from further hearing of this matter, by reason of his or her
6 consideration of the Consent Decree. WILDE hereby waives any claim of bias or prejudice
7 based upon said consideration by any member of the BOARD in any subsequent
8 disciplinary hearing conducted by the BOARD.

9 JURISDICTION

10 WILDE acknowledges that the BOARD has jurisdiction over her and the conduct
11 alleged in the Complaint. WILDE acknowledges that the BOARD has the legal power and
12 authority to take disciplinary action, including, but not limited to, the revocation of her
13 license to practice as a funeral director in Nevada.

14 WILDE acknowledges that the BOARD will retain jurisdiction over this matter
15 until all terms and conditions set forth in this Consent Decree have been met to the
16 satisfaction of the BOARD.

17 PUBLICATION OF CONSENT DECREE

18 WILDE acknowledges that at the time this Consent Decree becomes effective, it
19 also becomes a public document and will be reported to the State of Nevada, Legislative
20 Council Bureau, Disciplinary Action Reporting System; and such other national
21 databases as required by law. It is also understood that any meeting during which the
22 BOARD considers and accepts or rejects this Consent Decree is open to the public and
23 that the minutes of the BOARD meeting are a public document, available for inspection
24 by any person so requesting.

25 INDEMNIFICATION

26 WILDE, for herself, his heirs, executors, administrators, successors and assigns,
27 hereby indemnifies and holds harmless the State of Nevada, the BOARD, the Nevada
28 Attorney General's office and each of its members, agents and employees in their

1 individual and representative capacities against any and all claims, suits, demands,
2 actions, debts, damages, costs, charges, and expenses, including court costs and attorney's
3 fees against any persons and entities as well as all liability, losses, and damages of any
4 nature whatsoever that the persons and entities named in this paragraph shall have or
5 may at any time sustain or suffer by reason of this investigation, this disciplinary action,
6 this settlement or its administration.

7 **STIPULATED FACTS AND CONCLUSIONS OF LAW**

8 WILDE understands the nature of the allegations under consideration by the
9 BOARD. She acknowledges that the conduct alleged in the Complaint, if proven,
10 constitutes violations of the Nevada Board of Funeral and Cemetery Services Practice Act
11 (NRS and NAC 642) and NRS Chapter 451. She further recognizes that if this matter
12 were to be taken to a disciplinary hearing before the BOARD, there is a substantial
13 likelihood that the following allegations could be proven as true, and that as a result she
14 would be subject to disciplinary action by the BOARD. As such, without admitting to
15 fault, liability or guilt, WILDE does not contest the following allegations:

16 1. WILDE held a valid funeral director license on the date of the alleged
17 violations, and continues to hold a valid funeral director license through the present day.

18 2. WILDE was the approved managing funeral director of Fitzhenry's Carson
19 Valley Funeral Home ("FCVFFH") on the date of the alleged violations.

20 3. A complaint was received by the BOARD on or about September 5, 2017
21 alleging that FCVFFH cremated the remains of an individual with the initials R.B.M.
22 based upon the production of a Durable Power of Attorney for Healthcare in the name of
23 an individual with the initials A.D. who was not related to the decedent.

24 3. The Durable Power of Attorney for Healthcare did not speak to the issue of
25 burial or cremation and expired upon R.B.M's death, but granted the individual with the
26 initials A.D. "full power and authority: to make health care decisions for me before or
27 after my death...."

28 4. Decedent's brother, M.L.C. called FCVFFH on January 4, 2017 and its

1 representative refused to speak with M.L.C. on the basis that he was not next of kin and
2 stated that another individual had priority status regarding disposition authority over
3 the remains of R.B.M.

4
5 5. FCVFH allowed A.D. to order the cremation of R.B.M and the remains of
6 R.B.M. were released to A.D.

7 6. NRS 642.5174(11) states that unprofessional conduct includes violation of
8 any provision of this chapter, any regulation adopted thereto or any order of the Board.

9 7. NRS 642.5174(12) states that unprofessional conduct includes violation of
10 any state law or municipal or county ordinance affecting the handling, custody, care or
11 transportation of dead human bodies, including, without limitation, chapters 440, 451
12 and 452 of NRS.

13 8. NRS 451.024 which details the order of priority for persons authorized to
14 order burial or cremation.

15 9. NRS 642.345 states that the funeral director is responsible for the proper
16 management of each funeral establishment that he or she manages.

17 10. That pursuant to Nevada Revised Statute (NRS) 642.5175:

18 The following acts are grounds for which the Board may take disciplinary action
19 against a person who holds a license, permit, or certificate issued by the Board pursuant
20 to this chapter or chapter 451 or chapter 452 of NRS, or may refuse to issue such a
21 license, permit, or certificate to an applicant therefor:

- 22 1) Conviction of a crime involving moral turpitude.
- 23 2) Unprofessional conduct.
- 24 3) False or misleading advertising.
- 25 4) Conviction of a felony relating to the practice of funeral directors or
26 funeral arrangers.
- 27 5) Conviction of a misdemeanor that is related directly to the business
28 of a funeral establishment, direct cremation facility, cemetery, or
crematory.

11. That pursuant to Nevada Revised Statute (NRS) 642.5176:

1 If the Board determines that a person who holds a license, permit or certificate
2 issued by the Board pursuant to this chapter or chapter 451 or 452 of NRS has committed
3 any of the acts set forth in NRS 642.5175 the Board may:

- 4 1) Refuse to renew the license or permit;
- 5 2) Revoke the license or permit;
- 6 3) Suspend the license or permit for a definite period or until further
7 order of the Board;
- 8 4) Impose a fine of not more than \$5,000 for each act that constitutes
9 a ground for disciplinary action;
- 10 5) Place the person on probation for a definite period subject to any
11 reasonable conditions imposed by the Board;
- 12 6) Administer a public reprimand; or
- 13 7) Impose any combination of disciplinary actions set forth in
14 paragraphs (a) to (f), inclusive.
 - 15 a) The Board shall not administer a private reprimand.
 - 16 b) An order that imposes discipline and the findings of fact and
17 conclusions of law supporting that order are public records.

18 12. WILDE, without admitting to fault, liability or guilt, but in the interest of
19 administrative efficiency and economy, does not contest the allegations in the Complaint,
20 and acknowledges that as a consequence she is subject to discipline pursuant to the above
21 charges and statutory provisions.

22 STIPULATED ADJUDICATION

23 WILDE stipulates that pursuant to the authority of NRS 642.5176, the BOARD
24 will administer a PUBLIC REPRIMAND. In addition, WILDE agrees to comply with the
25 following conditions:

26 1. Within thirty (30) days of the approval and execution of this Consent Decree,
27 WILDE shall pay eight hundred eighteen dollars and 11/100 (\$818.11) in legal and
28 investigative fees and five hundred dollars (\$500.00) in administrative fines.

a. No grace period is permitted. Full payment not actually received by
the BOARD on or before the thirty days as indicated above, shall be construed as an
event of default by WILDE.

b. In the event of default, WILDE agrees that her funeral director
license shall be immediately suspended. The suspension of WILDE license to practice as a

1 funeral director shall continue until the unpaid balance is paid in full and the suspension
2 is subject to being reported to all appropriate agencies.

3 2. Within ninety (90) days of the approval and execution of this Consent
4 Decree, WILDE shall submit verification that she has personally reviewed all laws
5 pertaining
6 to the order of priority for persons authorized to order burial or cremation and policies
7 and procedures for release of cremated remains and has reviewed the same with any staff
8 handling arrangements for disposition at any location in which she is the managing
9 funeral director.

10 3. WILDE shall obey all federal, state and local laws, and orders of the
11 BOARD, which are not inconsistent with this Consent Decree, pertaining to funeral
12 directing in this State. Any and all violations shall be reported by WILDE to the BOARD
13 in writing within seventy-two (72) hours.

14 4. WILDE agrees that she will be financially responsible for all requirements of
15 this Consent Decree and any reasonable financial assessments by the Board for the Cost
16 of monitoring her compliance or carrying out the provisions of this Consent Decree.

17 **VIOLATION OF TERMS OF CONSENT DECREE**

18 WILDE understands that the BOARD may, upon thirty (30) days' notice to
19 respondent, convene a hearing for the limited purpose of establishing that she violated
20 the terms of this Consent Decree. If such a hearing results in a finding of a violation of
21 this Consent Decree, the BOARD may impose any penalty upon WILDE authorized by
22 NRS 642.5176.

23 WILDE agrees to waive her rights to appeal the substantive legal basis of the
24 original disciplinary action, which is the basis for this Consent Decree. In the event an
25 alleged violation of the Consent Decree is taken to hearing and the facts that constitute
26 the violation are determined to be not proven, no disciplinary action shall be taken by
27 the BOARD.

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1 **ACCEPTANCE BY THE BOARD**

2 This Consent Decree will be presented and accepted by the BOARD with a
3 recommendation for approval from the Attorney General's Office at its next meeting.

4 **COMPLETE CONSENT DECREE**

5 This Consent Decree embodies the entire agreement between the BOARD and
6 WILDE. It may not be altered, amended, or modified without the express written consent
7 of the parties.

8 DATED this 13th day of August, 2018.

9 By: 

10 CHRISTIE D. WILDE
11 Funeral Director License No. FD917

12 DATED this 24th day of August, 2018.

13 By: 

14 Daniela LaBounty
15 Weinberg Wheeler Hudgins Guinn & Dial
16 6385 South Rainbow Blvd., Suite 400
17 Las Vegas, NV 89118
(702) 938-3838

18 The foregoing Consent Decree between CHRISTIE D. WILDE and the STATE OF
19 NEVADA FUNERAL AND CEMETERY SERVICES BOARD in Case No. FB17-22 is
20 approved as to form and content.

21 DATED this 27 day of August, 2018.

22 **ADAM PAUL LAXALT**
23 **Attorney General**

24 By: 

25 HENNA RASUL
26 Senior Deputy Attorney General
27 100 North Carson Street
28 Carson City, Nevada 89701-4717
(775) 684-1234

ORDER

By a majority vote on the 02 day of OCT, 2018, the State of Nevada Board of Funeral and Cemetery Services approved and adopted the terms and conditions set forth in the attached Consent Decree with CHRISTIE D. WILDE.

IT IS HEREBY ORDERED AND MADE EFFECTIVE.

DATED this 02 day of OCT, 2018.

By: 
Dr. Randy Sharp, Chairman
for the Board of Funeral and
Cemetery Services