

SOUTH DAKOTA DEPARTMENT OF HEALTH
BOARD OF FUNERAL SERVICE

IN THE MATTER OF THE)	File # 167
LICENSURE PROCEEDINGS)	
)	
Re: Taylor C. Oster)	AGREED DISPOSITION
License No. 1388)	

Mr. Taylor C. Oster; his attorney, Richard P. Tieszen; and Assistant Attorney General Megan A. Borchert hereby enter this Agreed Disposition regarding the above-entitled matter currently pending before the South Dakota Board of Funeral Service ("the Board").

A complaint was filed with the Board alleging that Mr. Oster was arrested for unauthorized ingestion of a controlled drug or substance and possession of a loaded firearm while intoxicated. A copy of the complaint is on file with the Board and is incorporated herein by reference.

The South Dakota Attorney General's Office alleges that the facts, as contained in the complaint, may constitute violations of SDCL ch. 36-19 and may be of a nature that would constitute grounds for discipline of Licensee's license in South Dakota under SDCL § 36-19-38.

Mr. Oster; his attorney, Richard P. Tieszen; and the South Dakota Attorney General's Office (as the party responsible for presenting evidence to the Board) enter this Agreed Disposition and intend it to resolve all allegations contained within the complaint. The parties agree it is in the best interest of all concerned to

resolve this matter without holding a formal contested case hearing pursuant to SDCL chs. 1-26 and 36-1C.

Mr. Oster acknowledges that by entering this Agreed Disposition he knowingly, intelligently, and voluntarily waives all rights available to him through SDCL chs. 1-26, 36-1C, 36-19. These rights specifically include, but are not limited to, the right to be represented by counsel, the right to notice and a due process hearing regarding said allegations at which Mr. Oster would have the right to introduce evidence and testimony on his behalf; to call witnesses; and cross examine any adverse witness, and the right to appeal the Board's decision to a State Circuit Court and the South Dakota Supreme Court. Should however, the Board later determine a condition of the requirements here agreed upon were violated by Mr. Oster, due process would be afforded at any hearing to determine whether there was in fact such a violation which should result in cancelation and revocation of this Agreement and Mr Oster's license.

Based upon the foregoing acknowledgements, waivers, and admissions, Mr. Oster and the Board hereby agree the pending complaint will be resolved as follows:

1. Mr. Oster will enter a one-year period (365 days) of monitor by the board, beginning from the date this Agreed Disposition is executed.
2. Mr. Oster will continue to abide by the Walworth County Court directives in 64CRI21-000178 including:
 - a. Mr. Oster continues the use of Antabuse as physician directed;
 - b. Mr. Oster continues to attend AA and NA regularly;
 - c. Mr. Oster maintains an AA Sponsor;
 - d. Mr. Oster continues to treat with his psychiatrist as prescribed;
 - e. Mr. Oster refrains from alcohol use for a period of at least 1 year and thereafter assures no failure of sobriety or use of alcohol while performing any service as a Funeral Director or Embalmer;

- f. Mr. Oster refrains from the use of any illegal drugs or substances;
and
 - g. Any other order or directive issued by the Court relating to
64CRI21-000178.
3. Mr. Oster will self-report to the board, any violations related to the above conditions within 5 days of the event occurring through his attorney.
 4. Mr. Oster will report any dispositions related to 64CRI21-000178 to the Board within 5 days of event through his attorney.
 5. The Board may take such action against Mr. Oster's licensure as the Board deems necessary up to and including immediate revocation or other disciplinary action if Mr. Oster fails to meet the conditions set forth in this Agreed Disposition or engages in unprofessional conduct as defined in the South Dakota Practice Act (SDCL ch. 36-19) and the administrative rules promulgated thereunder.

The parties agree that this Agreed Disposition is a public record of the Board and the State of South Dakota, and it shall be reported to any entities deemed necessary by the Board as required by state and federal law. The parties further agree the Board may inform boards in any other Jurisdictions of this Agreed Disposition upon inquiry.

All Agreed Dispositions are subject to final approval by the full Board. The parties also agree that in the event the Board does not approve this Agreed Disposition, any argument is waived that the Board members considering this Agreed Disposition should be disqualified from later rendering a decision in any subsequent contested case hearing regarding the pending complaint against Mr. Oster based upon their having considered and approved the Agreed Disposition.

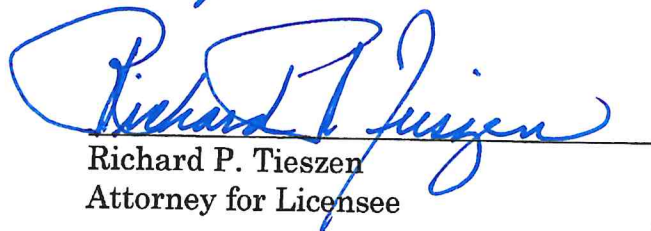
Upon completion of the conditions above, this complaint is disposed of in its entirety and not subject to additional disciplinary action. This does not bar the Board from referencing this matter in the future, but it does prevent additional disciplinary action on this case.

Dated this 20 day of September, 2021.



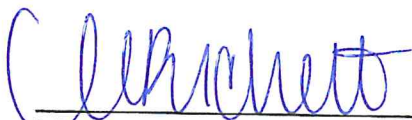
Taylor C. Oster.
Respondent and Licensee

Dated this 27th day of September, 2021.



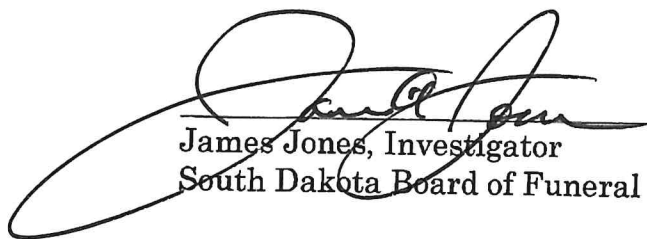
Richard P. Tieszen
Attorney for Licensee

Dated this 30 day of September, 2021.



Megan A. Borchert, AAG
Counsel for Board of Funeral Service

Dated this 4th day of October, 2021.



James Jones, Investigator
South Dakota Board of Funeral Service

ORDER

NOW THEREFORE, the South Dakota Board of Funeral Service having been provided with the above Agreed Disposition entered into in case #167 by Mr. Taylor C. Oster, and the South Dakota Office of the Attorney General, and the Board of Funeral Service finding good cause for accepting the above Disposition; it is

ORDERED, that the Board of Funeral Service accepts the Agreed Disposition and upon completion of the terms of the agreement will close its file regarding the pending complaint proceedings without further action, and without entry of findings in this matter beyond any specifically noted in the Agreed Disposition.

Dated this 15 day of December, 2021.

SOUTH DAKOTA BOARD OF FUNERAL SERVICE

By: Randy Brennick
Randy Brennick, President