



FUNERAL CONSUMERS ALLIANCE

Protecting a
consumer's
right to choose
a meaningful,
dignified, and
affordable
funeral since
1963

Fall, 2007

A Federation of Nonprofit Funeral Information Societies

Volume 11, no. 3

Take the 10K Challenge!

You know that every Fall edition of the newsletter contains our annual appeal for donations — this is the most important and most exciting one we've ever done. Kristin Kennell, a staunch supporter and member, wrote to me recently asking how she could help bring our Web site into the modern age. As luck would have it, we've got a developer working on a totally revamped national Web site right now, and it may even be ready for you by the time this hits your mailbox. But all good things come with a price tag, and we need your help to make it happen.

Here's what FCA affiliates will get with our new site

- **A total reorganization** of our pamphlets and news articles with a searchable database. No more hunting through our old, static Web site to find what you need.
- **Everything you need for your affiliate in our Member Resources Section** — our *Guidebook* for running a funeral consumer organization, model by-laws, a workbook to help your chapter achieve tax-deductible status, downloadable community presentations from our groups you can adapt for yours, and more!
- **An online forum** — you'll be able to post questions, share stories, and trade tips on our site. It will all be organized by topic, and you'll be able to sign up to receive update notices.
- **Automatic news alerts from FCA National** — you'll be able to add a small piece of code to your local Web site so that every time we post a consumer alert, organizational news, or new consumer help pieces, it will download automatically and directly to your own affiliate's Web site.

- **A standard page of your own on our national site** — we'll have an easy to update standard page where you can log in and enter information about your affiliate, how to join your organization, and your member benefits. We're one of the first results when you search Google for consumers looking for funeral help, and this will give you great national exposure.

Kristin has stepped up and offered a \$10,000 Challenge Grant to help us bring this to you. If we make this challenge, we'll pay for the site and have funds to put toward the rest of our important work. To get us started, she's pledged \$1,500 of her own. If you've never donated to us before, this is the time. Every dollar from a new donor will **double in value up to \$10,000**. Have you asked your friends and family to join us? Your pastor? Your colleagues? Now's the time. And if you're a continuing donor, we need and appreciate your ongoing support too! Please see the insert for details on how you can help. Together, we're going to do great things. — *Josh Slocum, Executive Director*

From Kristin Kennell of the Transformation Fund:

Did you know that FCA fields 10,000 phone calls a year out of their little office in Vermont? I didn't either but I did know who to call when my cousin's wife died. She was in Virginia and I was in Washington State, but I knew making one call to FCA would help my bereaved cousin. I am a member of Seattle's People's Memorial Association but have always supported FCA with additional contributions because I know that a lot of people

INSIDE

President's Corner — 2

Affiliate News — 3

National Conference 2008 — 4

Telephone Tips — 8

Getting Social Workers on Your Board — 9

who call them don't or can't send a check. Their services and advocacy help thousands of people every year.

In our circle of family and friends their work and that of PMA has saved us many thousands of dollars. This spring, I was working in Hawaii, when I got a call from a friend whose mother was dying of lung cancer in Utah. Knowing she was ill I had previously called FCA for a referral to Joyce Mitchell, President of FCA of Utah. When my friend's mother died I asked if he wanted me to make the arrangements and it was easy within a few calls to get things going and to know that I wasn't going to pay an inflated price for a lot of extras. It was a bit surreal to be so many time zones away but able to assist in this way. I'm sure there are dozens more stories like these that people should take a moment to write and share with Joshua Slocum, your national executive director.

I honor the work done by FCA. I know that most grant makers don't have organizations such as these at the top of their "giving" lists. I have asked the **Transformation Fund** to step up with a **New Donor Challenge Grant**. The Transformation Fund is a small family foundation that helps a select number of small organizations to grow their resources by offering challenge grants. These are organizations that don't get

the more traditional funding because the nature of their work is less understood. Many organizations, like FCA, quietly do a brilliant job while people continue to assume they have ample funding — but they don't! Their membership ages and people leave their money to the art museum or the animal shelter even though these other worthy organizations have a higher profile and many more funding options than FCA.

Because FCA needs to grow their base of donors the Transformation Fund has offered a challenge grant of up to **\$10,000** for every dollar they get from a **new donor**. What does this mean? It means that current donors must take a moment to think of others who can join FCA and talk to them about the work of FCA and ask if they will help FCA get to this \$10,000 match with a check for \$50 or \$100 or whatever amount seems right for them. While you're at it, send an extra check of your own too with a note about what FCA has meant to you!

Without the support of new members this organization cannot keep doing all it has done for so long on a shoestring. I urge you to put on your thinking cap, and assist with this marvelous opportunity to **double each new dollar**.

Yours truly,

Kristin Kennell

The Laptop Computer YOU Bought

- Josh Slocum, executive director

I'm in my fifth year at FCA and my board meetings and speaking engagements get me on the road about 10 times a year. Without a laptop computer I had been coming back to the office to face 100 unanswered emails, a sour note on which to end any trip. Because one of our office computers had a meltdown and had to be replaced this year, we had nothing left in the budget. They say ask and you shall receive, so I wrote to some of our affiliates and volunteer supporters for help, and they came through.

Because of their generosity, I have a laptop computer with wireless internet capability that lets me keep on top of my work duties, answer emails from affiliates and consumers, and make good use of my time in America's airports and motels. A heartfelt thank you to:

**Peg Albert
Tris Ozark,
Robert Osborn
Lowell Patterson**

Ann Werner

(All of the above from FCA of Western Pennsylvania)

Elvira Hoffman, FCA of Long Island and New York City

The Board of FCA of Hawaii

The FCA Newsletter

Vol. 11, no. 3

Joshua Slocum, editor

Editorial assistance from Margie

Bridges and Norma Beerweiler

Published quarterly by

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President's Corner

by Joyce Homan
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Your Funeral Consumers Alliance Board met in October for the second of its two required face-to-face meetings of the year. The location was Seattle with the whole board in attendance. We worked two full days considering the usual topics of committee reports and finances, but special attention was spent on the upcoming national biennial conference.

Although we had hoped to have an East Coast location, with the Syracuse Memorial Society having offered to sponsor it, we were unable to find a suitable campus. Fortunately, our largest affiliate, the Peoples Memorial Association (PMA) came to the rescue by offering to host the meeting.

Guided by key members of the PMA board and staff, the FCA directors toured the campus of Seattle University (Google it) and found a site well-suited to our needs — large, modern, and affordable. Details will follow, but be prepared to be sleepless in Seattle as plans unfold for “the best ever” Biennial 2008.

It's not too early to begin planning to send delegates. Those of you who have attended a biennial know that the experience of being with other FCA members from all over the 50 states is not only enlightening, but also downright *inspiring*. Attendees report feeling connected to the whole national organization and ready to energize their local group.

My wish as President is to have **every affiliate represented**. “Impossible”, you say? Not at all! There are many groups with money they keep for a rainy day. If your group is not gaining membership or is having trouble getting leaders, it is possible that the rain has



indeed arrived — sending a delegate to the conference might be the best money you could spend. And for those FCA groups with a larger nest egg, why not consider helping a representative from a small and struggling affiliate get to the national conference? The **Cleveland Memorial Society** has just given \$1,000 to FCA as a lead gift to establish

a scholarship fund to bring delegates from affiliates who couldn't otherwise afford it. Won't you please join CMS? What a good investment your strong organization can make in giving a helping hand to volunteers ready and willing to revitalize a neighboring affiliate. To make a gift, please contact Executive Director Joshua Slocum at josh@funerals.org, or send the national office a check marked for the Scholarship Fund.

In other board action, the Affiliate Relations Committee has become a committee of the whole with all nine board members making calls to you all concerning membership, board activity, newsletters, successes and problems. We've enjoyed the challenge of contacting all of you around the country and we're tabulating the results. If nothing else, we hope you know FCA national is made up of real people from groups like yours and we're available to you at any time!

~♦~

Notes from the Board

The Funeral Consumers Alliance Board of Directors held its second meeting of the year on October 20 and 21 in Seattle, Washington. The trip included a tour of the Seattle University Campus along with members of the Peoples Memorial Association (PMA) Board.

The board voted to:

- ✓ Discontinue using a commercial mailing service for our fundraising, and do more in-house and locally to save money.
- ✓ Approve the 2008 budget for a maximum of \$204,548 in expenditures.
- ✓ Spend up to \$4,000 to renovate the Web site to make it more accessible for affiliates and the public.
- ✓ Hold the 2008 Biennial Conference at Seattle University in Seattle, co-sponsored by PMA.

~♦~

Affiliate News

Check out the great work some of your sister groups doing to around the country. Don't forget to send us your news, too, at fca@funerals.org.

Maine — Ernie Marriner sends us this report on the FCA of Maine's efforts to get a green cemetery underway:

To give you some idea about the timing for Rainbow's End, we have not yet submitted our application for 501(c)(13) status to the Internal Revenue Service. That application will probably be submitted early in November. We have no idea how long the IRS will take before acting upon our application.

After we get [IRS status as a nonprofit cemetery], the Hills [the member couple donating 14 acres to the new cemetery] will convey their land to Rainbow's End, and shortly thereafter we will register the cemetery with the State of Maine, and then we'll be in business.

Maryland — By the time of this writing, board members will have testified before legislative committees considering a bill that would replace the

state's ineffective, funeral director-dominated regulatory board with a more balanced oversight body. Working with FCA National, the FCA of Maryland and Environs will have a chance to show lawmakers the widespread problems in the industry that President Nancy Herin has detailed in her biennial reports on funeral prices and practices throughout the state.

FCAME is really on a roll — after being awarded a \$4,000 grant from the **Consumer Federation of America** to conduct and publish their 2007 report, the board members are turning their hard work into real change that will benefit citizens in the entire state. Our hats are off to FCAME!

Rhode Island — Memorial Society of Rhode Island board member Bruce Donovan reports the organization has decided to reinvigorate itself with a proven winner — a real price survey. “I am happy to report that the members of the Board of the Memorial Society of RI, who will sponsor the survey, are now firmly behind it. I will aim for the whole state,” he wrote.

This will be Rhode Island's first-ever price survey — not just a list of special member prices from cooperating funeral homes. Price surveys gather up the price lists from funeral homes and put them on a spreadsheet so the general public can comparison-shop ahead of time. What does a funeral consumer group get out of it?

- **PUBLICITY** — surveys showing the wide range of funeral costs in a community are headline grabbers.

- **NEW MEMBERS** — affiliates that hold public meetings to unveil their price surveys bring in **new attendees who will become members.**

- **VOLUNTEERS** — members who have only thought about your group when a death occurs are energized with a sense of purpose and will join your survey team for future projects.

Save the Date – National Conference in Seattle June 27 and 28, 2008

Join us in beautiful Seattle, Washington for what's sure to be FCA's biggest national biennial conference in our history! With the help of People's Memorial Association (PMA), our oldest and largest affiliate, we've got a blockbuster two-day event for you at Seattle University, a beautiful, modern campus with top-tier facilities.

We're still working out the details, but we've already confirmed some exciting speakers:



Mark Harris, author of *Grave Matters: A Journey Through the Modern Funeral Industry to a Natural Way of Burial*. Harris's book has brought national attention to the growing interest in natural or “green” burial. A former *Los Angeles Times* environmental columnist, Harris has been a popular speaker at FCA affiliate meetings in several states.



Valerie Bayham, attorney for the Institute for Justice, a nonprofit public interest law firm that challenges unfair laws that limit competition in the market. IJ successfully overturned Tennessee's law banning the sale of caskets by non-funeral directors in 2002. The metro D.C. firm has been a staunch supporter of competition in the funeral market and has been a trusted ally for FCA on many fronts.



Kathryn L. Tucker, a graduate of Georgetown University Law School, is Director of Legal Affairs for **Compassion & Choices**, a national non-profit public interest organization dedicated to improving end-of-life care and expanding and protecting the rights of the terminally ill.

Ruth Bennett, President of People's Memorial Association. The Libertarian candidate for Washington Governor in 2004, Bennett has worked with PMA's dedicated board and staff to open the nation's largest nonprofit, member-owned funeral services cooperative, the People's Memorial Association Funeral Cooperative.

Of course, we'll have an excellent variety of small workshops for attendees on subjects that concern FCA affiliates such as fundraising, growing membership, and community outreach. Stay tuned to this newsletter for the official program and registration forms in the spring!

Special thanks to FCA National Board member Harriet Bartnick, who's been working her tail off to put this conference together. We couldn't do it without you!

Legislative Watch

Colorado — According to the *Colorado Springs Gazette*, Representative Debbie Stafford will introduce another bill that would reestablish funeral home licensure. Since 1982, Colorado hasn't required funeral directors to be licensed. Funeral Consumers Alliance supports reasonable regulations to protect consumers and give them recourse if they've been defrauded, but all too often (OK. . .almost always) state licensing schemes and the mortician-stacked boards that enforce them work against the public by driving out low-priced competition. The *Gazette* reports Stafford's efforts are backed by the **Colorado Funeral Directors Association**, a worrisome sign. We hope the bill looks a lot different from Stafford's last, **HB 07-1231**, which was tabled earlier this year. Among other things, the bill would have:

- Required 2,000 internship hours and direction of at least 50 funerals to get a license as a "mortuary science practitioner"
- Required 4,000 (yes, four-thousand) hours of embalming practice on at least 50 bodies to work as an embalmer
- Required prospective crematory operators to cremate at least 100 bodies and intern for 500 hours before getting licensed (why do you have to burn 100 bodies to learn how to run what is, let's face it, an industrial oven, but you only have to pickle 50 of them to be an embalmer?)

How would these onerous rules have stopped criminals like former Colorado Funeral Director Neva Nolan, who recently pleaded guilty to stealing customers' prepaid money and failing to bury ashes? They wouldn't have, but they sure would drive up the cost of running a funeral business while shrinking the pool of affordable employees. That's surely music to the ears of established funeral homes and association members who never met a licensing law they didn't love.

Our suggestion: ditch the excessive "training requirements" and focus on what matters. Test all prospective licensees on state and federal funeral consumer protection law, state prepaid funeral law, and best practices for investing customers' money. If they pass, let them practice. If they fail, keep them out. Set up a clear, efficient process for the state to handle consumer complaints, and keep the trade associations out of the picture.

HB 07-1231 is almost identical to a bill Stafford introduced in 2006. Our **Funeral Consumer Society of Colorado** has opposed both. The process would be a whole lot more fair and efficient if lawmakers actually consulted with our nonprofit consumer advocates rather than relying solely on industry sources.

Delaware — The Governor signed HB 137, an act to require all prepaid funeral sellers to post surety bonds of between \$50,000 and \$200,000. The law allows the State Bank Commissioner to set the amount of the bond. A surety bond is a sort of insurance that's supposed to pay back a customer if the seller defaults on a contract.

Idaho — The **FCA of Idaho** has been staying on top of the regulatory and legislative proposals put forward by the Idaho Board of (three) Morticians, and consumers should thank them. President Tom von Alten reports:

The one matter of substance we wrote to the BOM about . . . that is promulgated despite our objection is the requirement that funeral establishments must have embalming facilities, chapels, and viewing/visitation rooms. This requirement is in the current rules, although not as clearly stated as they propose to make it. A provider of funeral services should not be compelled to provide specific services or facilities that have no basis in legal requirements [embalming is not required by law in Idaho, and we can't see why a business that wants to offer only simple cremations should be required to have staterooms and for-profit "chapels" on site - ed].

Von Alten also reports the BOM dropped the idea of stopping the annual reports prepaid funeral sellers are required to file with the state. With millions of prepaid dollars stolen and going missing every year in this country, we can't imagine who thought that was a good idea.

Most importantly, the FCA of Idaho is moving past putting out fires and on to a proactive agenda. They're considering how to get the makeup of the state board changed from its current composition — three funeral directors — into something resembling a balanced and accountable oversight body. We wish them luck.

Iowa — **SF 559** became effective July 1, 2007. The 31-page bill beefed up protection for consumers of prepaid funerals by:

- Barring preneed sellers from skimming 50 percent of the interest from customers' accounts annually
- Requiring preneed sellers to submit annual sales reports to the insurance commissioner (unfortunately, there's no requirement to send them to the customer!)
- Stopping the practice of "constructive delivery." This is when a funeral home, for example, gives the customer a certificate that says, "You're the proud owner of the Onyx 123 Casket, which we'll deliver to you for your funeral." The casket is considered legally "delivered," meaning the customer can't change his mind or get a refund if he cancels the contract. Oh, and yep — the seller can just go ahead and re-sell that phantom casket to the next client.
- Requiring applicants for preneed sales licenses to undergo criminal background checks
- Increasing the state's regulatory fund (money used when the state has to take over a bankrupt cemetery, for example, to make sure customer burial contracts are honored) by \$300,000

But the bill didn't clear up huge problems in the existing law, and its vague, sloppy language will surely lead to mischief and confusion:

- Preneed sellers can still keep 20 percent of a customer's preneed money right off the bat, leaving only 80 percent to deposit in trust

- Preneed sellers can buy surety bonds instead of placing a consumer's prepaid money in trust. Since surety bonds don't accrue interest, neither does the customer's account. This is terrible for business (history shows some funeral homes **will** renege on guaranteed contracts if they have to eat the difference) and for consumers.

- The bill drafters left a ton of old language in the definitions section of the law, language that allows constructive delivery. In order to figure out that the practice is now banned for **current preneed contracts**, you have to parse sentences and work backwards from dates. It's one of the worst cases of legal prolixity we've ever seen, and it's guaranteed to cause trouble for those eager to "misunderstand" the new rules.

- Preneed sellers are allowed to convert customers' trust accounts to insurance policies, but **they don't have to explain the potential consequences to the buyer**. When you convert a trust account to insurance, the cash value available for refund or withdrawal instantly plummets, often to pennies on the original dollar. So, the funeral director gets a nice commission from the insurance company while the consumer remains ignorant of what just happened to the value of his investment.

In other Iowa news, **HF 442**, a bill that would increase the trusting requirement from 80 percent to 95 percent, has gone nowhere since February, 2007.

Special thanks to Dennis Britson of the Iowa Insurance Department for helping us sift through the new law and figure it out.

Minnesota — The state renowned for its niceness gets this edition of the **Consumer UN-Friendly Hall of Shame Award**. Before we tell you why, it's important to note that the main sponsor behind a bill that wreaked havoc with citizens' rights to care for their own dead was seriously misled and is now

eager to work with consumer advocates to put things right. The lawmakers here aren't to blame, it was uninformed state health department employees (and, we suspect, funeral directors behind the scenes) who were responsible.

SF 802, made significant changes to the state's Mortuary Science laws. These laws are administered by the Minnesota Department of Health, for reasons we can't figure out (death isn't a health issue). Astonishingly, the MDH's Director of Mortuary Science, David Benke, appears to have instigated and has certainly defended the outrageous new restrictions on citizens' rights promulgated under the banner of "public health":

- Family members of the deceased are now banned from the embalming/preparation rooms of funeral homes. They're no longer allowed to observe how their family members are cared for.

- Citizens and religious groups used to have autonomy in taking on the intimate duty of caring for the dead privately, without pay. Now, religious groups are restricted to merely washing, dressing, and casketing their dead congregants. They're no longer allowed — even at the family's request — to help them transport the body or complete any other preparations.

In a stunning intrusion into family autonomy, the law now bars anyone in a family — except the closest next-of-kin or the decedent's designated agent — from helping transport a body or "arranging for final disposition." This means that if a mother lost her son in a car accident and wants to do a home funeral, she can't ask her sons to help move the body or file necessary paperwork in her stead! The MDH's Web site states this clearly, "This exemption [from funeral director licensure] can no longer be transferred to other relatives of non-relatives of the deceased." This is beyond cruel — it's likely unconstitutional.

It just gets more bizarre. Remember, these are supposedly "public health laws":

- It's now illegal to transport a body in a pickup truck, trailer, or any other vehicle unless the vehicle "is de-

signed so that the driver and the dead human body are in the same cab." Huh? What does this leave? Hearses. It's now a criminal act for an Amish family to take grandpa's coffin to the grave in a horse and buggy; it's against the law for the grandsons to take Farmer Jones to his private burial in his prized antique pickup. And the justification for banning these vehicles? "We don't think that's respectful to the deceased," MDH Director Benke told the *Pioneer Press*. The paper later editorialized that state lawmakers have no business legislating "taste" or "dignity," a fact we would have thought was obvious.

- The bill kept in the flawed requirement — the only one in the nation — that bodies must be embalmed for public viewing.

- The bill continued to allow hospitals and other institutions to refuse to release a body directly to a family member, even though the next of kin has a legal right to custody of the body. How can the state justify allowing hospitals to **force families** to give their dead to a funeral home against their will? Would the state let a hospital refuse to release a woman's living, breathing child to her?

Funeral Consumers Alliance and Minnesotans who advocate for the right to home funerals will be working with legislators in coming months to undo the damage. We hope the lawmakers will be as shocked as we were at how the new law has stripped citizens' rights — this was presented to them as merely a "housekeeping" bill.

We also hope the MDH will take a good hard look at the people it's employing to protect Minnesota's health. When FCA director Joshua Slocum and Funeral Ethics Organization exec. Lisa Carlson pointed out the law's problems in a *Pioneer Press* article, MDH director David Benke said, "If that's what you want, go to one of those countries where they have no rules or regulations. You can dig a hole and bury a body in your back yard." There's no place in state government for such flippant, insulting disregard of legitimate concerns from consumer advocates. *P.S., Mr. Benke — Minnesota law allows you to establish a private cemetery on your own land.*

North Carolina — The Funeral Consumers Alliance of the Triangle (the Raleigh-Durham-Chapel Hill region) has done a great job supporting laws that tighten the dubious trade in donated body parts and tissue. FCAT member (and **FCA National** board member) **Harriet Bartnick** offered testimony on the lack of oversight of the burgeoning for-profit tissue trade, and the lack of real informed consent for donors. Her efforts surely contributed to the passage of **H 1400**, which bars funeral homes from allowing outside entities (except people such as medical examiners and academic research staff) to take tissue (except eyes and corneas) from dead bodies in their custody, and bars funeral homes from accepting payment for referring potential donors to tissue brokers.

Ohio — SB 196 would tighten preneed consumer protection law. **Marie Lorz**, board member of the **Funeral Consumers Alliance of Central Ohio** and **FCA National** has attended every meeting discussing the bill, and has offered suggestions on improving what's already proposed. On the plus side, the bill would:

- Require notification to the consumer as soon as the insurance company or trust has received the customer's prepayment
- Prohibit sellers from converting a customer's trust account into an insurance policy
- Clarify the customer's right to transfer a contract to another funeral home
- Prohibit constructive delivery of merchandise
- Create a preneed recovery fund (up to \$2 million; anything collected over that goes to the state board's preneed enforcement expenses) to reimburse consumer victims of prepaid fraud

On the downside:

- Sellers could still keep 10 percent of the principal in a customer's account and 20 percent if she cancels or transfers the contract
- The law doesn't require sellers to send prepaid customers an annual statement of the amount in their account

Lorz reports the discussion is ongoing; we look forward to seeing the bill in final form.

Oregon — We have a **CORRECTION** to make. In the Spring, 2007 Legislative Watch column, we told you about **HB 2684**, a part of which would have allowed cemeteries to convert consumers' prepaid trust accounts into insurance policies. We mistakenly wrote that the **Oregon Cemetery Association** was responsible for this provision. David Koach, Executive Director of the Oregon Mortuary and Cemetery Board, set us straight. The Dept. of Business and Consumer Services made the proposal, but quickly deleted it when they learned the problems it would create.

Our apologies to the OCA, and our thanks to Koach for catching our mistake.

Pennsylvania — The State Board of Funeral Directors wants to amend the Pennsylvania Code to give consumers' prepaid funeral money better protection and to restore the public's right to transfer a prepaid funeral account to another funeral home. On August 25, 2007, the State Board offered rule changes that would:

- Require preneed sellers to deposit 100 percent of a customer's money in escrow within 10 days
- Require preneed sellers to transfer 100 percent of a customer's money (including the interest) to a new funeral home at the customer's request

At the time of this writing there's no further information on the proposal's status.

HB 88 would give the state funeral board the duty and authority to regulate crematories, which run without oversight in the state now. A related bill, **HB 1091**, establishes standards for crematories. We're glad to see that bill makes it clear one does not have to be a licensed funeral director to operate a crematory.

~♦~

A Few of Our Favorite Funeral Directors

- by *Joshua Slocum, Executive Director*

The good deeds done by funeral directors often get swamped by the widespread problems in the business. Our mission is to expose and try to correct those problems, and one way to do it is to tip our hats to undertakers who do the right thing and set an example we wish the rest of the industry would follow.

A Veteran in Need

Kelly Knox, a social worker for the Veterans Administration in Ohio, wrote us with the sad story of a veteran whose wife's ashes were lost when his car containing them was stolen as he ran an errand. Despondent over having nothing to bury and no place to memorialize his wife, he turned the VA for help. They found a cemetery willing to give him a space to mark for his wife, but strangely, they required an urn to be buried as part of the deal (no, I can't figure that out). Knox called several funeral homes in the city, and not one of them would give the poor man even the cheapest plastic box for cremated remains for less than \$50 — more than he could afford.

Remembering the **Newcomer Family Funeral Home** company, a straightforward, low-priced private chain I've written about before, I called their location in Columbus. Funeral director **Mark Gordon** called me right back. I explained the situation and asked if he'd ship a container at wholesale cost for the veteran. "I'll do it for free," he said. "I cannot believe any funeral home wouldn't have done the same."

Knox wrote me back that Gordon had promptly shipped the urn and she was grateful for the help. Thanks for

being one of the good guys, Mark. I hope your example of plain human decency puts your competition into the early grave it deserves.

More Than a Passing Grade

After the trade magazine *Mortuary Management* ran an article I wrote featuring the Funeral Directors Guide to Consumer-Friendly General Price Lists (www.funerals.org/gplguide.pdf), funeral director **Brian Porteous** of **Westside Memorial Services** in Taft, California, sent his GPL to me. In the article I offered to grade any price lists sent to me for FTC Funeral Rule compliance, and to suggest changes if necessary.

While I found a few minor things that needed clarification, I was more impressed with the good, consumer-friendly things Porteous included in his price list:

- The GPL included a **complete copy** of the California Funeral and Cemetery Bureau's Consumer Guide to Funeral and Cemetery Purchase.
- The price list offered packaged services, but made it clear families are welcome to buy a casket from an outside source and still get the discount package prices. This is in stark contrast to the many funeral homes that penalize families who exercise their right to bring their own casket by illegally marking up their prices to cover the lost

casket sale. Of course, Porteous is only doing the right thing, but openly stating that a customer's own casket is welcome goes beyond the minimum duty.

- The price list reminds customers to deduct the body removal fee if they bring the decedent to the funeral home themselves. When so many funeral homes actually lie to families and claim they're not legally allowed to transport their own dead, I was bowled over by Porteous' courtesy in letting his customers know what their rights are.

I happen to know from a mutual friend that Porteous was sweating a little after he dropped the GPL in the mail. I do have a reputation as a tough and outspoken critic, and I have to hand it to a funeral director willing to subject his price list to my cold red pen.

I called Porteous to talk about what I found, and not surprisingly, he proved to be a genuinely nice guy with a great sense of humor and an easy conversational manner. I told him I was impressed with his fair prices, too. He told me he wasn't looking to get rich, just make to a decent living. By building volume, he could keep his prices lower than some funeral homes that rely on less than 100 services a year and make up for it by jacking their prices up to the sky.

I've put Porteous in touch with our local affiliate, the **FCA of Kern County**, and put his price list in our office's directory of funeral homes we're comfortable referring callers to.



One Ringy-Dingy . . .

FCA volunteers work hard to respond to inquiries from members and the public seeking guidance on funeral planning. But some outdated, inefficient phone and member response systems are making it harder than it has to be for volunteers to get consumers and potential members the information they need in a timely way. Too often, consumers call the FCA National office to say they weren't sure they reached their local affiliate because the answering system doesn't identify the organization, or calls aren't returned for weeks.

Laurie Powsner, Executive Director of the FCA of Princeton (also a board member of FCA National) has put together a helpful guide to the various phone and answering system options available. Technology has moved ahead — you don't have to chain your phone system to one member's home number anymore. Cheap, flexible plans are out there, and Powsner's rounded them up, along with their pros and cons.

-by Laurie Powsner
lrpjak@verizon.net

1 Some affiliates simply list a board member's phone number and that person's outgoing voice mail message is modified, i.e. *Please leave a message for the Smith family or the Funeral Consumers Alliance of Anytown.*

Advantages:

- Free

Disadvantages:

- If the board member no longer wants this role, moves or moves on — the number has to be changed, necessitating reprinting your literature
- The number cannot be listed in your affiliate's

name in the phone book

2 A slightly better option is the board member adding an additional phone number (uses the existing home phone line) with a distinctive ring.

Advantages:

- It's inexpensive (less than \$5 a month)
- Another board member could check the messages remotely

Disadvantages:

- Getting your home answering machine and the FCA answering machine to cooperate with the different rings requires newer equipment and some skill
- If the board member no longer wants this role, moves or moves on – the number has to be changed
- The number cannot be listed in the phone book other than under the household member's name.

3 A other option is to order an additional permanent residential line in the board member's home with its own answering machine.

Advantages:

- Calls can be forwarded to another board member
- Adding a permanent residential line has some start up costs but can then be a very inexpensive option. In New Jersey, Verizon charges \$42 (minimum) to install and then \$5.30 a month. This includes 20 outgoing message units (any call from 1 second to 5 minutes = 1 message unit) and 10 cents each after that. Incoming calls are free.

Disadvantages:

- If the board member no longer wants this role, moves or moves on – the number has to be changed
- The number cannot be listed in the phone book other than under the household member's name unless they pay for a business line.

4 If the board member installed an additional permanent *business* line in their home with it's own answering machine, there are some additional pros and cons.

Advantages:

- Calls can be forwarded to another board member
- A free one-line white and yellow page listing is included

Disadvantages:

- If the board member no longer wants this role, moves or moves on – the number has to be changed

• It's not cheap. In New Jersey, Verizon charges \$105 to install and then \$23 a month. This includes 75 outgoing message units (any call from 1 second to 5 minutes = 1 message unit) and 10 cents each after that. Incoming calls are free. If your affiliate can afford this, consider the **virtual voice mail** option below.

5 Some affiliates use a cell phone.

Advantages:

- Inexpensive
- Can be passed around among board members to share responsibility

Disadvantages:

- The number cannot be listed in the phone book

6 Some hospitals and larger businesses will "donate" a number on their voice mail system to a non-profit agency. They can assign you an "outside" number (7 digits) that will go directly into their voice mail system, not ringing on any actual phone.

Advantages:

- Free
- Voice mail can be checked by any board member
- Pretty permanent since hospitals and similar institutions generally stay put

Disadvantages:

- The number cannot be listed in the phone book

7 Some affiliates use a church or other organization to accept their phone calls. We think this is one of the **worst** options for a variety of reasons.

Advantages:

- Free
- Pretty permanent since religious institutions generally stay put

Disadvantages:

- You give the appearance of being affiliated with that church, which can turn off anyone who belongs to a different religion, denomination, or doesn't want to deal with a religious institution at all
- Calls cannot be forwarded
- The offices are not staffed 24 hours a day, so you are not reachable
- The church is unlikely to be willing to change their outgoing message to include necessary information for your affiliate
- The number cannot be listed in the phone book

8 There is a related option that can work. Some churches and other organizations will be willing to place an additional permanent line in their building that you could staff with an answering machine, or add an additional phone number with a distinctive ring to their account.

Advantages:

- Pretty permanent since religious institutions generally stay put
- An additional number with a distinctive ring is inexpensive
- You pay for an additional listing in the white pages with your FCA name for a minimal charge (in NJ Verizon charges \$1.05/month for this). In addition, you can pay for a yellow pages ad (locally \$6 - \$12/month) if you want.
- Calls from a permanent line can be forwarded

Disadvantages:

- If you go with the permanent line, it is somewhat more expensive but at least it's not in a board member's home
- Distinctive ring calls cannot be forwarded

9 We think the best option in this category and overall is **virtual voice mail** from your local phone company. The phone company can give you a phone number and voice mail, with no actual phone line and no need for a phone or answering machine. In NJ, Verizon charges \$21.66 a month for this service plus 6.6 cents per call (under 5 minutes). If you receive 30 calls a month, your total bill will be about \$23.64 a month.

Advantages:

- Inexpensive
- Permanent "virtual" location
- Voice mail can be checked by any board member
- Can be listed in the phone book

Disadvantages:

- Not free

Remember: All telephone carriers offer call-forwarding today, which you can add to your phone service for a nominal price. This lets you transfer incoming calls to another board member's home. On the downside, ALL of your calls, personal and otherwise, would be transferred.

It is very important that you can be found in the phone book. At minimum, you should be in the white pages. See if you can pay a little extra (usually under \$1) to be printed in capital letters or bold. Also, if you are going to be in the Yellow Pages try to get yourself properly placed. Ask to be under "Funeral Consumer Information." It comes alphabetically before "Funeral Directors." But, if they won't add that category, it's probably better to be in with the funeral directors and not after in "Funeral Information" and certainly not in "Funeral Pre-planning". Said one Yellow Pages sales rep candidly, "Tell your people to yell and holler until they get this heading. If enough people request it, they'll get it."

If you can't afford the yellow pages, try to get in the "blue," "community," or "resources" pages of your phone book. These listings are free, but you may need to show that you are a nonprofit organization.

Social Workers to the Rescue!

How to recruit them to serve on your FCA board.

— by Mercedes Bern-Klug, Assistant Professor at the University of Iowa School of Social Work, Iowa City, Iowa. Bern-Klug is a longtime FCA supporter and a former board member of the Funeral Consumers Alliance of Greater Kansas City.

There are social workers all around you. Social workers are in hospitals, nursing homes, home health agencies, hospices, schools, disaster relief programs, employee assistance programs, veteran's programs, child welfare settings, prisons, and at local homeless and domestic violence shelters...but are they on your local board? They should be!

In health care settings, social workers are often responsible for helping individuals and families with making discharge plans. Unfortunately, sometimes

the reason for being discharged from the hospital is death. Social workers need to know about your local FCA and you need to be on a first-name basis with local social workers.

In addition to being the largest professional provider of mental health services, social workers work with people, groups, and communities who are considered to be vulnerable. The vulnerability may come from being part of a stigmatized group or a group that lacks the resources to fully engage in society.

Another vulnerable group includes people experiencing a crisis, such as a terrible car accident, a serious cancer diagnosis, or a natural disaster. Social workers, are trained to work with people in all of these situations.

The National Association of Social Workers' (NASW) code of ethics requires that social workers get involved in advocacy and political action. One way you can build interest in your local FCA is to educate social workers about the Federal Trade Commission's "Fu-

neral Rule” and state laws related to final arrangements. With this background information, you can help social workers understand the ongoing need to work with federal and state laws to ensure they are in the public interest.

Ideas for your board to interact with local social workers:

- Go to the NASW website — **socialworkers.org** — and look for a chapter in your state. Contact the state office and offer to present a session about helping individuals and families with final arrangements at their annual meeting. Bring copies of your price survey to distribute! You can also offer to conduct an in-service session for members who may not attend the annual meeting, but who may be able to attend a meeting in their city. Lamar Hankins developed a wonderful in-service PowerPoint presentation for FCA members to show groups of social workers. For a copy of his “8 Reasons Undertakers Almost Always Have the Upperhand,” email **fca@funerals.org**. You can also offer to write an article for your NASW state chapter newsletter. At the very least, make sure you add the state social workers association to your own newsletter mailing list.

- Aside from educating social workers who are NASW members (not all social workers are), your board can do a mailing to local nursing home social work directors. Call first and get the name of the social work director (sometimes called the social service director) and put him or her on your mailing list. You might also offer to conduct an information session for the nursing home staff about local final arrangement options.

- Get to know the faculty at your local college or university’s social work department. There has been a major effort in recent years to get faculty and

Consider sharing these tips with local social workers. . .

Ideas for People Who Prefer to Limit the Amount of Money Spent on Final Arrangements

- Remind yourself that the amount of money spent on final arrangements is not a reflection of the amount of love toward the deceased. There are many ways to memorialize a loved one that do not require thousands of dollars of final arrangements.
- With that in mind, review at least three local funeral home General Price Lists before making decisions.
- If you decide on immediate burial, direct cremation, forwarding or receiving the remains, you can hire a funeral home as far as an hour away, and that may help to lower your costs.
- Choose a low-cost casket or cremation container. Most funeral homes can get any casket or container a family would like within a day or so. Even if they do not have a low-cost casket on the premises, they can order one. If you don’t like the looks of the casket/container, toss a hand-made quilt over it for the public viewing and service.
- Consider not using a casket at all. No state law requires the use of a casket.
- If the cemetery requires an outer burial container select a cement liner rather than a vault and save hundreds if not thousands of dollars.
- Consider donating the body to science at a local medical or dental school. It is best to investigate this option well in advance of the need, as there may be some paperwork required. Some body donation programs pay for the cost of transporting the body to the medical center; others do not pay those costs.
- Remember that there is no hurry to decide on the grave marker. Take your time. Shop around.

students interested in aging-related issues as well as in end-of-life issues. You may be able to recruit volunteers or board members from local social work college departments. They may have the skills to help you plan, conduct, organize, and disseminate your funeral price and options survey. Many will invite you to come to a class and talk directly with students about the history of the funeral consumer movement, public policy related to final arrangements, and consumer protection.

Your FCA affiliate has much to offer hospital nursing home, home health, and hospice social workers, and they have much to offer in return. Finally, don’t overlook retired social workers. Many have decades of experience working with individuals, families, and communities and interpersonal, planning, and crisis management skills that would help to grow a local FCA.

~ ♦ ~

IN THIS ISSUE:

- **FCA's 10K Challenge**
- **Recruiting social worker for your organization**
- **Tips for a better telephone system**
- **Funeral directors doing it right**
...and more!



Fall, 2007

Funeral Consumers Alliance

A Federation of Nonprofit Funeral Information Societies
33 Patchen Road
South Burlington, VT 05403

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Subscribe to the FCA Online Discussion List!

Want to talk about death and funerals, but can't find a conversation partner? Have questions about funeral practices, laws and regulations, or about FCA affiliate groups? The FCA email discussion list is open to anyone. Join by sending an email to:

join-deathcare@lists.listmoms.net

People from around the country — FCA volunteers, board members, the public, and even some funeral directors — participate in this email discussion. Many post funeral and death-related news articles several times weekly. Join today!

FUNERAL CONSUMERS ALLIANCE is the only national, nonprofit, nonsectarian, 501(c)(3) organization solely dedicated to protecting the public's right to choose meaningful, dignified, and affordable funerals.

Since our beginning in 1963, we have served as a source of information and advocacy to grieving families, lawmakers, the media, and the funeral business. We offer accurate, authoritative advice on all matters relating to funerals, cremations, burials, and other after-death arrangements. We support legal reforms to better protect the public against abusive practices, and we serve as a clearinghouse for consumer complaints of illegal or unethical treatment. We also give educational materials and advice to our more than 100 volunteer-run consumer information groups around the country.

With our help, thousands of families are better educated about their rights under federal, state, and local laws. FCA has helped people save hundreds of thousands of dollars in unnecessary funeral costs by showing families how to make informed decisions in a time of crisis.

FCA is not funded by any government agency. We do not have any corporate or funeral industry sponsors. For more information, write:

**Funeral Consumers Alliance
33 Patchen Road
South Burlington, VT 05403
www.funerals.org**

2008 Fund Drive



Help Us Continue to Ensure Individuals and Families Have Access to Meaningful and Affordable Funerals

Kristin Kennell of the Transformation Fund wrote about our mission more eloquently than we can, from the perspective of a member who knows firsthand how valuable FCA's services are. Without members like Kristin, we couldn't keep our doors open for the tens of thousands of consumers, FCA affiliate members, and regulators who depend on our small staff of three every year. Your **tax-deductible gifts** are literally life and death to Funeral Consumers Alliance — we have no corporate sponsors and no government grants.

So many of you have supported us steadfastly over the years; you can't know how grateful we are for that. This time, I'm asking you to do just a little bit more. If you usually send us \$50, will you consider \$100 this time? If you contribute just once a year, how about making a lasting commitment by enrolling in our automatic donor program to give quarterly?

MOST importantly — you can help us grow our membership and double our support. We need contributions from new donors and members to meet the \$10,000 challenge grant Kristin has offered. New donors double their gift to FCA thanks to matching funds from the Transformation Fund. When you're sending your gift this fall, please take a moment to think of the friend, neighbor, or colleague who will eventually benefit from the help and advocacy FCA and its affiliates have brought to you. There's an invitation to become a Friend of FCA on the reverse of this sheet that you can clip out and forward. You'll be helping a friend who probably hasn't planned as thoughtfully as you have for end-of-life matters, and you'll help ensure that we'll be there for you and for them when the time comes.

Happy Holidays and THANK YOU!

A handwritten signature in dark ink, reading "Joshua J. Slocum". The signature is fluid and cursive, with a long, sweeping underline.

Josh Slocum, Executive Director

(turn over for gift options!)

THANK YOU FOR YOUR TAX-DEDUCTIBLE CONTRIBUTION

Name _____ Address: _____

Telephone: _____ Email (if you want to receive emails from us) _____

Yes! I'd like to contribute to FCA's consumer education and protection in the amount of:

\$50 \$100 \$500 \$1,000 Other _____

I've enclosed a check made out to Funeral Consumers Alliance.

or, My Visa/MC number is _____ - _____ - _____ - _____

Exp. date _____ Signature _____

☐

Yes, I'd like information on making regular, automatic donations!

☐

Yes, I'd like information on remembering FCA in my estate plans!

~Just mail in the enclosed envelope~

To my friends and family,

I'm a member of the nonprofit Funeral Consumers Alliance, and I know how hard they work to help grieving families make sensible, affordable end-of-life arrangements. To continue this valuable service, they need our help. A membership in **Friends of FCA** will bring you their helpful **Before I Go, You Should Know** end-of-life planning kit, a subscription to their helpful quarterly newsletter, and access to a network of 112 nonprofit funeral planning societies. My membership has allowed me to plan wisely for the future so that a difficult time will be just a little easier for my friends and family. Won't you join me? For more information about FCA, call them at **800-765-0107**.

Name _____ Address: _____

Telephone: _____ Email (if you want to receive emails from us) _____

Yes! I'd like to make a **tax-deductible** gift to FCA:

\$35 \$50 \$100 \$500 Other _____

I've enclosed a check made out to Funeral Consumers Alliance.

or, My Visa/MC number is _____ - _____ - _____ - _____

Exp. date _____ Signature _____

Please Mail to:
Friends of Funeral Consumers Alliance, 2007
33 Patchen Road, South Burlington
VT 05403