

Funeral Consumers Alliance

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

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A Federation of Nonprofit Funeral Information Societies

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Consumer, Help Thyself!

Joshua Slocum, Executive Director

I joined the staff of Funeral Consumers Alliance four years ago ready to hold every family's hand from death to the last spadeful. I spent 20 minutes or more with each caller (and there are thousands in a year), plotting every detail. I gave elaborate instructions. I dictated "to-do" lists. I called cemeteries. florists, mortuaries, vault companies, medical examiners, health departments, and casket-sellers. Call me back tonight if you run into any problems, I told grieving families. Why, death is so complicated, so confusing, these people need me; they'll never get through this with their wits and purse intact without me.

Before I knew it, I was acting like an undertaker. Just leave the details to me, I'd say, this is all too much for you. Like many funeral directors, my motives were good, but my method flawed. I wasn't helping families so much as infantilizing them — treating each caller as if the world would stop turning if he didn't have me there to help bury Dad. I'd become the consumer advocate version of the over-attentive mortician, taking over every detail from the bewildered bereaved.

Four years on, I still make calls for consumers. I still invite them to call me at home and on weekends if they run into a serious problem. I still do legal research for families who don't have the

skills or the time to mess around with death certificate laws when they have a corpse on their hands. But I've stopped spoon-feeding solutions to the public. I can only accomplish so much by cooking every family a fish dinner; I can do a lot more by putting a fishing pole in every caller's hands.

The bulk of this newsletter is about learning "how to fish" for funerals. There's something here for everyone. Funeral Consumer Alliances can adapt these articles for their own use. Social workers and caregivers can use them to train their staff. The general reader will find practical, plain-language advice that will help control funeral costs and choices no matter what arrangement he's looking for.

Throughout the 19th century, most American families buried their own dead. The women of the house washed and laid out the corpse. The local cabinet maker supplied a coffin, maybe some chairs, and often some general assistance. But for the most part, death was a family affair. An unwelcome visitor, to be sure, but the grim reaper wasn't a mysterious figure from a foreign land, babbling in a language no one could understand. As one Australian funeral director recently quipped, "death has been around a lot longer than licensed funeral directors." Somehow, we managed to muddle through. (continued page 2)

You Can't Live — or Die — Without This Issue!

If you're an FCA volunteer, board member, or just a general reader, this is the one issue of the newsletter you can't live without. You'll find useful, practical articles throughout these pages. FCA volunteers — keep this newsletter in your file to help answer questions for your members. General readers — keep this newsletter in your "death file," or better yet, ask us for reprints of articles to share with your friends and family!

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for FCA Affiliates

Death today is a far cry from the plain undertakings of a century ago. Our sanitized, cosmetized, professionalized send-offs would flummox our great-grandparents. The entire process is a posthumous Rube Goldberg contraption, tortured into shape by industry, law, and the ethic of conspicuous consumption.

Dying became so medicalized, industrialized, commercialized, and legalized that most people hadn't the vaguest idea what to do except call the local mortuary. The mid-twentieth century family was lost in a maze of costly caskets and ceremonies, with no idea what they had to buy, no idea what was legal, no idea what was "right." Memorial Societies sprung up around the country to bring sanity and simplicity back to death. Our volunteer, nonprofit groups helped make cremation socially acceptable, and they worked with other concerned organizations to secure Americans the basic legal right to buy only what they pleased in funerals without being lied to or cajoled by aggressive mortuary salesmen.

It's been 67 years since the first Memorial Society opened its doors. Today, Americans enjoy the fruits of our labors in the form of the Federal Trade Commission's Funeral Rule, which gives them the right to buy the funerals they want and can afford. Cremation, once constituting less than one percent of all deaths, is now the disposition of choice for 30 percent of Americans. Around the country, 110 Funeral Consumer Alliances exist, each dispensing dozens of brochures on smart funeral shopping, consumers' rights, and creative ways to remember the dead without going into hock.

But there's something wrong in Valhalla. Consumer surveys show up to 90 percent of adults have no idea they have legal rights in buying a funeral — 22 years after those legal rights were established by the government. Industry surveys show the vast majority pick funeral homes either because they used them before, or they're close to their

home — and pay top dollar for a sendoff they could have had for a fraction of the price had they shopped around. At least 80 percent of the hundreds of mortuary price lists I've reviewed are violating federal consumer protection rules. With little government oversight, and inadequate pressure from an uninformed consumer base, it's no wonder funeral homes get away with breaking the law.

Worst of all, some of our own members appear to be just as helpless and easily manipulated as those who don't belong to funeral planning organizations. At the dozens of talks I've given to funeral associations around the U.S., not more than 10 percent of the audience has ever heard of the Funeral Rule. Many times each day, a member of a Funeral Consumer Alliance calls the national office because a death occurred states away from home, and the member has no idea what to do because there's no FCA with a "cooperating funeral home" to turn to. Board members of local FCAs still call me to ask whether embalming is required in their state.

This is unacceptable. Agreements between FCA groups and mortuaries for simple services at set prices are not the answer anymore. At least they're not the whole answer. By emphasizing the convenience and simplicity of "Plan A, B, or C," while neglecting basic funeral shopping skills, we've encouraged our members to be helpless and dependent. Like the prepaid funeral salesmen who say "one call does it all," we've often given our members a false sense of security, leaving them with no coping skills when death throws in a monkey wrench.

American consumers *do need us*. We are the only unbiased source of funeral information for most families. We're the only ones who lobby for the dead and the bereaved. We're the only dedicated watchdogs standing guard between vulnerable mourners and avaricious mortuaries. But we can't act *in loco parentis* for our members and the public. We have to teach them how to stand up for themselves, how to make

sensible decisions they can live with, even when they're outside the safe bosom of the local Memorial Society.

Now, let's go learn how to fish.



Message from the President

— Joyce Homan, Syracuse Memorial Society jhoman@twcny.rr.com

Your Funeral Consumer Alliance Board has two face-to-face meetings each year plus conference calls as needed. Our 2006 fall meeting was scheduled at FCA headquarters in Burlington, Vermont. The beautiful scenery of New England was to be an extra benefit. Alas, it snowed!

Despite terrible travel weather, the nine board members from all points in the United States were present for the weekend meeting. Although each officer had a travel tale to tell we must make special note of our board member from Pennsylvania, who finding his plane cancelled, drove through the night to get to Vermont.

This is a board with excellent experience in the funeral consumer movement and a fine mix of life and professional skills in finance, technology, endof-life issues, publicity and public relations. There was excellent discussion during this two-day agenda involving substantial items confronting FCA, such

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as finances, budget, legal issues, the need for a permanent office, and the general health and activity of affiliates.

The advance planning by our hosts, FCA staff, Josh Slocum, Sherry Swett, and Leda Nutting, made the meeting flow smoothly. Members of our consumer movement should know that the board is hard at work... and affiliate officers, you'll be hearing from us!

A Home for FCA

We've got exciting news! The FCA Board has voted to buy the organization's first permanent headquarters. Since our founding in 1963, we've rented space in Chicago, Wisconsin, Washington D.C., and Vermont. We've decided to redirect that rent money into an asset—a permanent address to give us stability to better serve our 112 affiliates and our members.

We're going to need your help. We'll soon be launching the FCA Capital Campaign to raise money for the downpayment and purchase of a modest building near Burlington, Vermont. As for everything we do, we can only take this step with your contributions. Watch your mailbox and our Web site for details soon on how you can help bring us a home! For more information, email Executive Director Joshua Slocum at joshua@funerals.org.

Party of Eight?

The FCA national office phone number is close to a number for a dinner cruise company popular on Lake Champlain. One day, a woman called us and said, "I want to confirm my reservations for eight this evening." Administrator Sherry Swett replied, "At the Funeral Consumers Alliance?" After a brief pause the woman said, "Oh dear. . . I don't think so!"

Board Notes and Miscellany

The Funeral Consumers Alliance Board held its second meeting of 2006 at the national headquarters in South Burlington, Vermont. The Board voted to:

- Consolidate the organization's investments under one financial firm, the Vanguard Group. This will be a change from the current portfolio, which contains a mix of funds administered by Lincoln and Fidelity.
- Approve a \$202,000 budget for 2007.
- Raise the suggested donation amounts for a Friends of FCA membership and the subscription rate for the quarterly newsletter.
- Purchase the organization's first permanent building to house the headquarters office (see article at left).

Note to Subscribers and Friends of FCA

Starting in 2007, we'll be raising the suggested subscription rate for this newsletter to \$15 per year. For several years, we've given subscriptions to anyone who donates \$25 or more to Funeral Consumers Alliance. We see the newsletter as a public service and we're glad to be generous with its distribution. But, the newsletter takes a great deal of time and money to publish. We think it's worth it, and we hope you do, too!

As always, the volunteer board members of FCA's 110 affiliated organizations will continue to receive the newsletter as a benefit for their service to the organization (though we hope they'll want to make a donation to defray the cost, too). In addition, we'll continue to distribute a certain number of *gratis* copies to sympathetic organizations, news outlets, and government regulators involved in funeral and cemetery issues. We'll be asking others to donate at least \$15 for a subscription each year.

We appreciate how many loyal readers we have; the letters you send us indicate you're pleased with our publication. There's no other periodical in the country that rounds up funeral and end-of-life news specifically from a consumer perspective, and we're delighted to have you as readers. We hope you understand that all good things have a cost to produce, and we look forward to your continued support.

We've also raised our suggested donation rate for a *Friends of FCA* membership to \$35 — a \$10 increase. Since we started the *Friends of FCA* program seven years ago, we've held the rate to \$25, but costs have risen. New *Friends* will continue to get the same benefits of membership: a free *Before I Go, You Should Know* end-of-life planning kit, a copy of the Federal Trade Commission's booklet *Paying Final Respects: Your Rights When Purchasing Funeral Goods and Services*, and a one-year subscription to our quarterly newsletter. And, of course, we'll continue to accept *Friends* who can't afford the suggested donation we request.

Thank you for your continued support!

When Best-Laid Plans Go Astray

Several of Funeral Consumers Alliance's oldest established funeral planning groups have solid reputations for reliability and service. Their members have turned to them for decades to secure reasonably priced, simple funerals with a minimum of fuss. The glowing letters these groups receive testify to the deep appreciation members have for the unique help they get.

But there is a downside to this success. Members can become too dependent on the arrangement between the local affiliate and its cooperating funeral homes. If the affiliate hasn't educated its members on how to fend for themselves, the results can be disastrous. If a family's plans change, if the death occurs out of town, members without these skills feel adrift, helpless, betrayed.

Here's a typical conversation between the FCA national office and a member of one of our most established funeral planning organizations. It's a composite of many conversations we've had with members who've moved away from an affiliate's service area, or who experience a death out of state. The names and locations are made up:

Mrs. Jones: My husband died while we are on vacation in Southern California. I'm a member of the Memorial Society in Iowa. What's the nearest society funeral home?

FCA: Unfortunately, there's no local Funeral Consumers Alliance where you are, so there's also no funeral home that has an agreement with our members. But, I can help you shop for the most affordable option.

Mrs. Jones: Um. . .OK.

FCA: What kind of funeral were you looking for?

Mrs. Jones: Well. . . you know, we had Plan A.

FCA: What is "Plan A?"

Mrs. Jones: Just cremation. . .the one you have with Smith Funeral Home.

FCA: So are you looking for a simple cremation without ceremony?

Mrs. Jones: Yes, just like I put down on the planning form you gave me!

FCA: That's called "direct cremation," and by law, funeral homes must offer that simple cremation. A reasonable price is between \$500 and \$1,000. The best thing to do is open the yellow pages and call as many funeral homes and crematories as are listed and ask for a price.

Mrs. Jones: But you're supposed to help me — that's why we signed up! When my father died, I didn't have to deal with any of this.

FCA: Ma'am, I am helping you by showing you how to make the simplest, most economical arrangements. I'd be happy to go over the steps again with you.

You can imagine the rest of the conversation. It's even worse when the caller is the child of a member, and believes mom's membership in the Iowa Memorial Society was a prepaid cremation, guaranteed good anywhere in the U.S. (that's no joke – it's a common assumption). There is no pleasing a member who believes she's helpless, and believes the FCA group has betrayed a promise to her. Too many of our members are left without even the most ba-

sic, common-sense tools they need – and that they *are* capable of using if we provide them. Here's why Mrs. Jones couldn't help herself, even when we coached her on the phone:

- For decades, the Iowa Memorial Society has promised its members "simple, dignified funerals" through one cooperating funeral home. The member introduction packet urged members to choose "Plan A, B, or C" with Smith Funeral Home. The packet included no instructions to the member's survivors.
- The Iowa Memorial Society gave Mrs. Jones a membership card that said "Call Smith Funeral Home When Death Occurs," with no other information.
- The member introduction packet included no basic funeral shopping brochures with practical advice.
- The Iowa Memorial Society's newsletter is a once-a-year, one-page affair with nothing in it but the updated member prices with Smith Funeral Home.

The Iowa Memorial Society could have prepared Mrs. Jones better. How?

√ By sending her a member introduction letter explaining the Society is an educational organization that will show her how to control funeral costs. The packet would include basic funeral shopping pamphlets, such as "How to Read a General Price List," "Cremation Explained," "Earth Burial," and "Death Away from Home."

√ By sending her funeral planning forms such as the "Before I Go, You Should Know" funeral planning kit, and encouraging her to photocopy her completed plans it and distribute them to her survivors.

 $\sqrt{\text{By sending her a price survey of fu}}$

neral homes and crematories in the area, with an explanation of how to shop for a funeral, even if she doesn't use "Plan A" at the cooperating funeral home.

√ By including useful information in the Society newsletter, including updates on funeral consumer rights under state law, planning tips, and invitations to Society workshops on funeral planning.

The funeral industry has captured about 30 percent of all funerals in the form of prepaid arrangements. Their promises that "one call does it all," and that signing a check buys "peace of mind" can lead to great grief for survivors who can't negotiate changing circumstances or unanticipated problems. We must not perpetuate this. Our job is to help our members and the public stand on their own two feet. Don't become the nonprofit equivalent of the preneed salesman — we need to educate our

Stories From the Field

— Ed Mcham, a board member of the FCA of North Texas, wrote the following piece illustrating the importance of member education.

Example # 1

A recent experience highlighted for me the shortsightedness of FCA affiliates concentrating on arranging for lowcost funeral options, while failing to educate their members on basic consumer shopping skills. One of my duties as a member of the Board of the Funeral Consumers Alliance of North Texas (FCANT) is monitoring emergency telephone calls to our Alliance. I received a voice mail message from Sam (not his real name) calling from a town about two hours from Dallas. Sam said his mother had just died in a local hospital. He said he was a member of an out-of-state FCA affiliate and wished to arrange cremation for his mother.

I was unable to contact Sam due

to problems with his cell phone wireless network. Fortunately, the member services coordinator from Sam's FCA affiliate called our emergency number to explain to me that he was working with Sam to arrange for his mother's cremation. He wanted to contact one of FCANT's cooperating funeral homes to arrange the cremation. I explained to the coordinator that all our cooperating funeral homes were located in the Dallas - Fort Worth area. Body transportation to crematories in Dallas would not be cost-effective. Sam's best bet was to find a low cost funeral provider closer to him.

The FCA coordinator's response shocked me: "How does he do that?" Due to the need to quickly make cremation arrangements, I suggested contacting the hospital's social services department for referrals. I also gave the coordinator basic comparison shopping guidance — information *he should have known* and should have been able to give to Sam and his other members.

When FCA affiliates stress the convenience of cooperating funeral homes with special member prices more than they communicate basic comparison shopping skills, we are not serving our members. We're unintentionally encouraging dependency and helplessness. Our members and the public need to know how to protect themselves and negotiate funerals when they're outside the protective wing of our service area. At the very minimum, we should be telling our members about their rights under the Funeral Rule, such as their right to get price quotes over the telephone.

So let's concentrate less on "doing it all" for our members and more on teaching them how to do it for themselves.

Example # 2

Many of us are experienced comparison shoppers when buying cars and major appliances, but we often fail to apply these same skills when making endof-life decisions. This failure was highlighted in an email received by the Funeral Consumers Alliance of North Texas from a retired federal flight controller in Oklahoma City: "What is the order of things to do if my wife's mother dies? She has dementia and is slowly going downhill. I have no idea of what to do when death occurs. Whom do I call?"

The pain of the situation was evident in the email, and the questions were broad, so I replied by return email asking the inquirer to telephone me to give more details. After an extensive discussion of the situation and his confusion about end-of-life decisions, I asked, "Have you ever purchased a car or a major appliance?" "Yes," the caller responded, "I research the information and recommendations in Consumer Reports Magazine, ask friends about their experiences, and visit the business establishments for a close look at the product. When I have decided what features I want, I shop the dealers for the best price."

I said, "Apply the same comparison shopping skills to funeral buying. The General Price List (GPL) required by the Federal Trade Commission contains the same type of feature and pricing information you see on the car window in a dealer's lot or on a washing machine at your local Sears. Ask your area funeral homes to give you their GPL. Ask friends about their experiences with funeral providers. Research the consumer information available on the FCA web site. Call your family doctor or hospice to determine whom you should call when death occurs."

"In other words, use common sense," the caller responded.

"Unleash your inner shopper for funeral buying!" I said.

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Four-Step Funeral Planning

NERAL BEFORE? You might be daunted by the choices, intimidated by the commercial funeral industry, unsure of the "right" thing to do. Like many, you might not even know where to begin, or what

SO, YOU'VE NEVER PLANNED A FU-

questions to ask. This article will help you decide how to figure out what's right for you and your family, what your choices are, and what your legal rights

are.

The multi-billion dollar American funeral industry has worked hard to lay expensive obstacles in our path, but honoring our dead doesn't have to be complicated or expensive. Whether you choose a very simple disposition, or a more elaborate funeral, the choice is your family's. Your taste, beliefs, and budget should dictate the type of funeral you arrange. You have no obligation to satisfy anyone else's idea of what's right or proper.

STEP 1: Funeral Planning Is a Family Matter

Funeral planning starts at home. Just as most families discuss weddings, home-buying, college, and other major events, so should they discuss funerals. Avoiding the topic won't stave off death, but it will make the funeral more difficult, and likely more expensive, for survivors. Families who make funeral planning a normal part of life tell us that conversation made a painful time easier to bear. Many families say they found great meaning and peace carrying out thoughtful funeral plans that honored their dead in an appropriate and affordable way.

There are as many ways to honor the dead as there are cultures, religions and budgets. Your personal philosophy should guide your choices. No religion or philosophy dictates how much money should be spent on a funeral, and no belief system encourages burdensome spending in funeral rites. Families can choose simple arrangements such as a cremation with no ceremony, or they can choose a long wake with the body present. They can choose to use no coffin at all, or they can pick a handcrafted oak casket. They can keep the body at home for a private visitation, or they can hold a public viewing at a funeral home or church. Whatever your family chooses, be sure it's based on what's meaningful to you, not on what you think "the community" expects you to do. No amount of money, great or small, can express how we feel about those who have died. Taking an active role in our family's funeral arrangementswhether that means carrying out the whole process without a funeral home, or just delivering the eulogy — is more meaningful than the money we spend.

STEP 2: What Are My Options?

Most people are confused about what they can and can't do. While the funeral industry usually pushes what it calls a "traditional funeral" --- embalming, fancy casket, open-casket wake, funeral ceremony, procession, and graveside service — this type of funeral is a relatively recent commercial invention rarely practiced outside the U.S. and Canada. Do not be swayed by funeral home salesmanship, or exhortations to do "what's traditional." The modern open-casket American funeral has no roots in Christianity, Judaism, Islam, or any other religion. In Israel and the Islamic Middle East, for example, burial in a shroud without a coffin is still the predominant burial method. Many Christian sects, such as the Amish, continue to perform funerals themselves without involving a mortuary. If a typical American funeral brings you comfort and you can afford it, then by all means you should have it. But every family should know it has the right to dispose of its dead in any legal way it sees fit without justifying that choice to neighbors, friends, or funeral directors. Here are some types of funerals families around the country have told us about:

- One woman in her 90s had lived in a nursing home for many years. When she died, she had no friends left to attend a big funeral. Her daughters decided to cremate her body and place her ashes in a cookie jar, as a tribute to her legendary baking skills. They held a memorial service at the nursing home complete with Mom's bake-off ribbons where her friends remembered her with laughter and tears.
- Beth's 7-year-old daughter died in a car accident. Because she had cared for Alison in every way a mother could, Beth couldn't bear to give her body to strangers. Beth dressed Alison at home, and laid her in her bed with her favorite stuffed animals. She invited Alison's friends and schoolmates to come to the home to say goodbye to the little girl in a very private setting. Alison's friends spent time with her in her own bedroom, and talked with their parents about the mystery and pain of her death. As difficult as it was, Beth says Alison's brothers and sisters came to terms with her death in a natural, family-centered way that no commercial funeral could have provided.
- One family didn't want a public viewing of the body, but they did want a place where friends and family could gather. For them, a funeral home was the most convenient choice. They chose a quick burial with no ceremony, but welcomed family and friends to the calling hours at the funeral home afterward. They were especially pleased to find a funeral home willing to help them have food and drinks brought in for a more comfortable, less lugubrious gathering.

STEP 3: Shopping Around

A funeral can be simple or elaborate, cheap or costly. But unless you plan well in advance and shop around, you're likely to pay well more than you need to for what you want. Consumer surveys show the majority of the public doesn't shop around for a funeral. Most people pick the funeral home closest to them, or the one their family has always used. Neither of these criteria tell you whether you're getting a good value. If you've never checked another funeral home for its prices and services, you may have been paying the highest rate in town for three generations.

By federal regulation, funeral homes must give you price quotes over the phone. In addition, regulations require them to give you printed, itemized price lists when you show up in person to discuss funeral arrangements. That means you have the right to stop in to any funeral home and request a General Price List (GPL), no questions asked. It's a good idea to pick up three, four, five, or more, and take them home for comparison at your own kitchen table. Share them with your family. Compare the cost of the items among funeral homes. You'll likely find a variation in price, sometimes quite substantial. See the next article, How to Read a Funeral Home's Price List, to understand your rights and options

The best place to start shopping is your local funeral consumer group. A nationwide directory of our nonprofit information organizations can be found at **www.funerals.org**. These volunteer groups can often recommend reasonably priced, ethical funeral homes and crematories. Some of our groups have contracted for substantial discounts for our members, too.

When shopping on your own, your local Yellow Pages is a good place to start. You can get numbers for funeral homes and crematories online, too, through Web sites such as www.superpages.com, Verizon's

online telephone directory. Look for listings under "funerals" and "cremation."

STEP 4: Putting It All Together

Once you've found a funeral home you want to use, or a list of good choices, what then? Again, bring your survivors in on the conversation. Tell them what you've found, share your wishes with them, and show them what a funeral home price list looks like. **Share this newsletter with them**. If your plans go awry, or your death occurs away from home, they'll need the skills you've developed to negotiate for themselves.

Most importantly, put down your plans in writing, in as much detail as necessary. We offer a funeral planning kit that comes with a 16-page fill-in-theblanks booklet for your funeral plans, the locations of your important papers, your computer passwords, and more. The Before I Go, You Should Know planning kit also comes with state-specific advance medical directives. Kits are \$10 each from the national FCA, but check with your local FCA group to see if they supply them. Whether you buy a planning kit, or draft up your plans on your own stationery, the most important thing is to copy them and distribute them to vour survivors.

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How to Read a Funeral Home's Price List

The funeral home's General Price List (GPL) is one of the most important tools you have for controlling and understanding funeral costs. The GPL lists (or should list) all the goods and services the funeral home offers, along with the price of each. Like a menu in a restaurant, the GPL allows you to select only those items you want, and it tells how much

each will cost.

The Federal Trade Commission's Funeral Rule compels funeral directors to give you a copy to keep, and it's a good idea to ask the director to leave the room so you can contemplate the GPL in private. Better yet, take it home and discuss it with your family, if time permits, so you can make an informed decision.

The Funeral Rule, developed in response to consumer pressure after ten years of research and hearings by the FTC, took away some of the disadvantages consumers face when they purchase funeral goods and services. FTC regulations mandate that funeral homes "unbundle" their prices and allow customers to buy only those things they choose (except for the non-declinable "basic services fee" discussed below). While funeral homes are allowed to offer packages of services at a discount over the itemized total, they must also offer services priced individually.

Required Items on the GPL

GPLs must print certain disclosures that give you important information, including:

- Consumers may select only the goods and services desired.
- 2 Embalming is not required by law except in certain special cases.
- **3** A "basic services fee" will be added to any items purchased.
- 4 "Alternative containers," such as those made of cardboard, are available for direct cremation.
- 5 A Casket Price List is available
- 6 An Outer Burial Container (vault) Price List is available.

The Funeral Rule requires that

GPLs list the prices of 16 items—if they are services the funeral home offers—including the basic services fee, embalming charge, cost of picking up the body, the price of a viewing, the price of a funeral or memorial service, the cost of funeral vehicles, and other commonly offered goods and services.

How to Interpret the GPL

These choices can seem daunting to people who are making funeral arrangements at any time, but this is especially true if they have just experienced a death in the family. Worse, many funeral homes now devote the first several pages of their price lists to funeral packages, leaving the itemized list for the last page. This practice can discourage consumers from "shopping," because it wears them out long before they reach the itemized list. Remember that you have the right to pick and choose the items you want. If all you see are packages, ask the funeral home to point out the itemized selections.

The simplest options—direct cremation and immediate burial — include pickup of the body, the basic services fee, the filing of death certificates, and transportation to the crematory or cemetery. For cremation, remember to ask if the price includes the crematory fee; some funeral homes don't include that fee in their price and the family is surprised when it appears on the final statement. For immediate burial, costs for interment (usually charged by the cemetery) and a graveside service are extra. The cost of the casket for immediate burial is also extra unless the funeral home offers an immediate burial option that includes a particular casket. You also have the right to build your own casket, or buy one from an independent discounter, who may offer comparable caskets for less than the funeral home. For a list of some casket-sellers, see www.funerals.org/caskets.htm.

Anyone who wants more elaborate

services will have to start with the basic services fee. This is the only fee on a funeral home's price list that you can't refuse to pay. It was originally intended to cover services common to most arrangements — filing death certificates and obtaining copies for the family; coordinating plans with the cemetery and crematory; and filing for Social Security, veterans, and insurance benefits, and overhead.

Many funeral homes have abused this fee by inflating it to several thousand dollars. Because the customer can't say no to the fee, it can be raised at any time by the funeral director to increase profits. Most other goods and services are sold by funeral homes at prices that **already include profitable markups.** The national average for the basic services fee is around \$1,200, but it may be less than \$500 at some funeral homes.

Aside from the basic services fee, you can choose freely. For example, you might want to schedule a funeral ceremony, but skip the viewing and embalming. If you want a service that is not listed on the GPL, be sure to ask. Many funeral directors are glad to accommodate your wishes. For example, you might choose to have a private family viewing without embalming. Many funeral homes don't charge for this. Or there may be a lesser charge if a brief family viewing is held on the same day and immediately before the funeral.

A note on embalming— Embalming is one of the most misunderstood aspects of funerals. While the FTC prohibits funeral homes from misrepresenting laws in order to coerce customers to choose embalming, the FTC requires the following embalming disclosure on all GPLs: "Except in certain special cases, embalming is not required by law. Embalming may be necessary if you select certain funeral arrangements, such as a funeral with viewing ..." The phrase "may be necessary" allows funeral homes to require embalming for public viewing. Most funeral directors do require it for public viewing because they

believe many people would be offended or shocked if confronted with an unembalmed body on public display. There is no practical reason for this, however, if refrigeration is available or the ceremonies are concluded quickly.

For more information on the Funeral Rule, see the FTC's new pamphlet, Paying Final Respects: Your Rights When Buying Funeral Goods and Services. It's linked from our Frequently Asked Questions page:

www.funerals.org/faq

Common Funeral Myths and Facts

DON'T DIE BEFORE YOU READ THIS! Here are some of the most common myths about funerals and funeral law that cost people more than they need to spend. Share these myths and facts with your funeral alliance board members or your family and friends. They're guaranteed to say, "I never knew that!"

MYTH: Embalming is required by law.

FACT: Embalming is never required for the first 24 hours. In many states, it's not required at all under any circumstances. Refrigeration is almost always an alternative to embalming if there will be a delay before final disposition.

MYTH: Embalming protects the public health

FACT: There is no public health purpose served by embalming. While medical science has trounced this myth time and again, mortuary school-educated funeral directors continue to make this false claim. A dead body is less of a threat to public health than a live one that is still coughing and breathing.

MYTH: It's always necessary to view the body for "closure."

FACT: Some families feel a need to view the dead, especially if the death was sudden, traumatic, or came at a young age. But for natural deaths that come at the end of a long life, many people have said their goodbyes while the person was alive. Friends and neighbors outside the family circle rarely feel a burning need to view the corpse—they've come to the funeral to support the family.

MYTH: "Protective" caskets help to preserve the body.

FACT: While gasketed caskets may keep out air, water, and dirt for a while, the body will decompose regardless. In fact, a gasketed or "sealer" casket interferes with the natural dehydration that would otherwise occur. Fluids are released from the body as it begins to decompose, and the casket is likely to rust out from the inside. Likewise, no vault will keep the casket or body dry and preserved indefinitely.

MYTH: Cremated remains must be placed in an urn in a cemetery lot or niche.

FACT: There is no reason you can't keep the cremated remains in the cardboard or plastic box that comes from the crematory. It's legal in all states to scatter or bury cremated remains on private property (with the land-owner's permission). Feel free to scatter in the woods or the water — there are no "cremains police" checking on what you do, and government officials confirm they're not concerned about scattered ashes, no matter what laws are on the books (and there are very few at that).

MYTH: It's a good idea to prepay for a funeral, to lock-in prices.

FACT: Funeral directors selling preneed funerals expect the interest on your money to pay for any increase in prices. They wouldn't let you prepay unless

there was some benefit for the funeral home, such as capturing more market share or being allowed to pocket some of your money now. Prepaid funeral money is not well-protected against embezzlement in most states. Furthermore, if you were to move, die while traveling, or simply change your mind—from body burial to cremation, perhaps—you may not get all your money back or transferred to a new funeral home. The interest on your money, in a pay-on-death account at your own bank, should keep up with inflation and will let you stay in control.

NOTE — If you are going on Medicaid or SSI, you may need to set aside your funeral money to shelter it from an asset spend-down requirement. Check with your state's Medicaid office to see if a private, irrevocable account — one that stays in your name, not with a funeral home — will satisfy the asset test.

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Who Calls the Shots? A Guide to Your Legal Rights to Decide on Funeral Arrangements

Ask any funeral director; nothing's worse than a family who can't agree on a funeral. If a person left no written instructions—burial? cremation? viewing? funeral service? —what should be a time for family coming together can turn into a nasty war of egos and score-settling. Funeral directors have told us of numerous times when siblings can't agree on disposition, and the matter ends up going to probate court.

Say you're widowed, and you want to be cremated. Your three children gather at the mortuary, but one insists he can't bear to cremate dad. In most cases, the one stubborn child calls the shots and the body ends up buried (at a higher cost) because no funeral director wants to be sued. You can't uncremate a body, the logic goes.

Another problem arises for gay and lesbian couples, or any other unconventional household with unmarried partners. Too often, blood kin who refuse to speak to their gay or lesbian family members in life are all too keen to use their status as next-of-kin to override the partner's decisions in death.

Fortunately, people in most states can head this off. About two thirds of the states have laws that allow you to state your wishes in a legally binding, written document. Other states allow you to designate any person you want — your son, your best friend, your pastor —to have the **sole** authority to make arrangements for the disposition of your body. Still other states allow both.

FCA keeps the most comprehensive list of these laws— we call them "personal preference" and "designated agent" laws —around at www.funerals.org/pref.htm. (Note: do NOT type the period after htm)

Be sure to check out this page to learn your rights in your state. We've even got links to the laws, and sometimes to the forms themselves. If your state isn't listed, contact us at **fca@funerals.org** and we'll research it. Beware— some states are still in the stone age and rely on the usual next-of-kin structure, which doesn't help if the kin disagree.

Make the Law Work For You

Unfortunately, personal preference and designated agent laws are one of the best-kept secrets in funeral law. Even many funeral homes are unaware of them, and will wrongly insist that **every** kin member sign off on a funeral or cremation. You need to think ahead, fill out your paperwork, and distribute it.

1. Learn the law – fill out your preference or designated agent forms. Also, print off a copy of your state's law that gives these papers authority in case a

funeral director or family member is unaware of them. These laws are listed at www.funerals.org/pref.htm.

- **2.** Copy and distribute give all your survivors, your lawyer, your doctor, your nursing home, and your best friend a copy of these forms.
- **3. Tuck it away** keep a copy of your preference forms with your funeral planning file, **and with your advance medical directives.** If you go into the hospital or a nursing home, have the staff file these papers with your medical directives, as only a few states incorporate them all together in one form.

What if Your State Doesn't Have These Laws?

If your funeral goes to probate court, a written, notarized statement of your wishes will often prevail, but there's no guarantee. It's time to bring your laws up-to-date. Contact your local Funeral Consumers Alliance chapter and suggest they find a lawmaker who will consider updating the law. Our consumer groups have worked successfully with funeral trade associations to enact these laws, as they benefit the consumer and the funeral business. Email us at fca@funerals.org to get in contact with FCA chapters who've been successful.

Death in One State, Burial in Another

One of the most common calls we get at FCA pertains to getting a body from one state to another for a distant burial. Who to call? How much will it cost? Can it be done any cheaper?

Most families make the big mistake of calling two funeral homes; one at the place of death and another in the distant state where the body will be sent. This means the family has two funeral homes to pay at full retail price. But there are better, cheaper ways. Follow the tips below:

• Cremate at the place of death—this is the least expensive, because you have only the cost of mailing the ashes (about \$50 if a mortuary does it, or the cost of registered mail if you do it). Or, you can carry the ashes yourself on the plane or in your car.

Consider driving the body yourself—in most states, it's perfectly legal for the family to transport the body themselves, so long as the proper paperwork is done. It's not "weird," or "creepy;" it's a practical, family-centered activity. From the calls we get, we know that many dozens of families do so every year, and that's only counting those who tell us about it. If you're considering this option, check out several groups devoted to helping families take care of their own funerals at www.crossingscarecircle.org and www.crossings.net.

• Use a mortuary shipping ser-

vice — If you're not going to have a gathering or ceremony with the body present at the place of death, it's not a good idea to call a funeral home at the place of death. Instead, call a receiving mortuary in the other state. Ask the receiving funeral home mortuary to use a body shipping service such as Inman Nationwide Shipping (800-321-0566 — this number is for undertakers only; the company will not talk with consumers). The charge for picking up a body, getting permits and the death certificate, embalming, and delivery to the airport is about \$765. There may be an additional mileage charge if the Inman agent (which is usually a local funeral home that agrees to do the work at wholesale cost for Inman) in your area must travel any great distance.

By comparison, the charge for this service is likely to be anywhere from \$1,000 to \$2,700 or more if you walk in to a local funeral home. The local funeral home will treat you as a retail customer, with retail prices, for this service called **forwarding remains**.

How to choose a receiving mortuary? Calling your local Funeral Consumers Alliance for a recommendation is a good start. Ask the receiving funeral home how much it charges for **receiving remains**. This usually includes picking up the body at the airport, filing permits, and transportation to the cemetery. It might be as low as \$500, or as high as \$2,500, so shop around! Remember, the charge for Inman or whatever service is used for shipping will be added to the receiving funeral home's final bill.

If the body has already been taken to a funeral home, ask the price for **forwarding remains**. This will usually include pick-up of the body, the basic service fee, embalming, and possibly a shipping container as well as transportation to the nearest airport. The funeral home's price list should include forwarding remains as a package, with one charge for all the necessary services.

You may buy a casket from the forwarding funeral home, or from the receiving funeral home, but a casket isn't required for body shipment. There are two kinds of shipping containers you can use: one carries just the body, the other covers and protects a casket. Sometimes this is not included, so it is helpful to know what is reasonable. The wholesale cost of the first one (somewhat more rugged) is about \$68; the wholesale cost for the other is about \$49.

Finally, remember the airline ticket is a separate and additional fee. The funeral home handling the shipping will usually pay this on your behalf as a cash advance and add it to the final bill. \$350 is an average to expect for the plane ticket, but it could be higher or lower.

In selecting a casket through either funeral home, keep an eye on cost. An affordable casket would be a 20-gauge non-gasketed steel casket or a cloth covered wood or fiberboard casket. Or you might want to check the internet for casket artisans and retailers that can ship overnight to any destination. Cloth covered caskets run about \$400 plus \$200 or so for shipping; they come in pink, blue, taupe, and gray. A 20-gauge steel starts at about \$495 plus a similar shipping charge, if you use a casket retailer.

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Is Your House in Order? — Backup Planning for Funeral Consumer Groups

Even though we preach the gospel of planning ahead, all of us can forget we're mortal. But we need to make sure our funeral consumer group is not! Two recent deaths in funeral planning organizations highlighted the need for careful planning to make sure our organizations can carry on if the leadership dies or steps down.

The longtime director of the San Diego Memorial Society, Al Alferos, died in the society office earlier this year. More recently, Ernie Landauer, for decades the director of the Bay Area Funeral Society (formerly an affiliate of Funeral Consumers Alliance), died and left the organization in disarray. The volunteer board had no idea where the membership list is, where the organization's assets are invested, or even the passwords for the office computer.

So many funeral consumer groups have been built up and maintained by long-time, dedicated volunteers. The temptation to leave everything to the all-knowing, all-competent volunteer is great, but you must avoid it unless you're begging for a disaster. Marjorie Bridges, President of the FCAs of California, and a board member of the national Funeral Consumers Alliance, prepared this practical tip sheet you can use to make sure your organization is in good hands when the inevitable occurs.

- **1.** Make duplicate keys to the office and post office box and put them in the hands of several key members of the Board.
- **2.** Share any combinations, passwords, etc. with two other people.
- **3.** Make backup disks or flash drives of your databases and important computer contents each time you work on them and take it home daily or keep it in another place in case of fire or disaster.
- **4.** Make a couple printouts of the membership list twice a year and give to key board members. In the meantime they can be used for volunteer recruitment or discovering possible new Board members.
- **5.** Show several people how to access and work with the computer database (or however you maintain membership and mailing records).
- **6.** Make a manual of procedures for your office and keep it up to date. Distribute it to your board and volunteers.
- **7.** Committee chairs should choose a vice-chair and train them to take over. Maybe rotating between being chair one year, vice-chair the next year would work.
- **8.** An office manager should choose two volunteers or board members who substitute during illnesses and vacations. (I say two because many of us are retired and are away a lot.)

- **9.** Board members should visit the office once a month or more and ask questions and notice needs.
- **10.** Membership secretaries and office managers should keep the board informed about forthcoming events, needs, progress of the organization, and problems.
- **11.** Make arrangements with the phone company for call forwarding of the office phone number from another telephone in case of fire, earthquake, or other emergency when no one can get in the office.
- **12.** Make a disk or flash drive backup of all the files that make up your Web site. If the server that hosts it goes down (this recently happened to the national organization), you'll need this backup.

Organizations in Trouble

If your funeral consumer group is having particular problems recruiting board members and volunteers, getting new members, raising money, or with cooperating funeral homes, please call the national office for guidance. They can help. They've heard this before and can give you advice. They also have a Guidebook for Running a Funeral Consumers Alliance with practical advice for solving such problems - you should buy several for your Board (see insert for information on ordering).!

Contact Marjorie Bridges at margiebr2002@yahoo.com

Funeral Prices Scare
You To Death? Fear
Not! Look inside for
tips on —

- Funeral Planning in Four Steps
- Cutting Your Distant-Burial Bill in Half
- Making Your Funeral Wishes Legally Binding
- ... and more!

Fall, 2006



Funeral Consumers Alliance

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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

CHEAT SHEET: What Every FCA Volunteer Needs to Know and Where to Find it!

One of the things the national staff love about our jobs is being able to talk personally to so many of the volunteers that make up Funeral Consumers Alliance. Unlike massive nonprofit organizations, we're not walled off behind an army of secretaries and voicemail trees. We've met many of you, and we know most of you by phone and email. We're glad to be the people you call when you want to report news, offer tips, or ask for help.

But there is a price to pay for having such a close-knit organization. Your national staff is made up of just two full-time people and one part-timer. By contrast, there are more than 900 FCA affiliate board members and volunteers. That's a lot for three people to keep up with! Through our publications and Web site, we've made it easy to get up-to-date information instantly at home without having to write a letter or place a phone call. Don't get us wrong—we **love** hearing from you, but it can be very time-consuming to answer basic questions repeatedly when the information is out there for the taking.

With that in mind, every affiliate board member **should clip this sheet and keep next to the phone**, or in your FCA file. Check this list first for basic questions— if it's not answered here, give us a ring or drop a line by email.

WHAT: I need the number for an FCA in another state.

WHERE: Our national directory is always up to date online at **www.funerals.org/directry.htm** (yes, with that misspelling. Long story; don't ask). You can also download a printable, four-fold copy, suitable for distribution.

WHAT: I need an updated list/copies of your pamphlets.

WHERE: The list of pamphlets, their text, and downloadable, printable tri-fold masters are at **www.funerals.org/faq**. If you have trouble with the downloadable versions, call us for a set of paper masters or a bulk order of preprinted pamphlets (but **do** check the site first – it's easy, trust us).

WHAT: I need to order more Before I Go Kits/Books for our affiliate.

WHERE: Email assistant Leda Nutting at **leda@funerals.org**. She processes and ships all affiliate orders. We'll invoice you. Give Leda a lift and send a funeral joke along with your order – she loves a laugh.

WHAT: Who are the national FCA board members and staff, and how can I reach them personally? WHERE: The board and staff list, along with contact information, is at www.funerals.org/board.htm.

WHAT: I have a member who needs to know the law about embalming/shipping/funeral shopping.

WHERE: First, each affiliate **must** be responsible for knowing the funeral law in their state. This is not optional, it's not "something to leave for the national office," it's a **basic duty** of operating a Funeral Consumers Alliance. With state laws online now, and with books on the subject readily available, there's no longer any excuse for not knowing what your state permits and requires. Knowing your state law will make you more confident, effective, and respected among your membership. So check out:

- Caring for the Dead: Your Final Act of Love, by Lisa Carlson. The book is a state-by-state manual of funeral and burial law for the consumer. Since it was published in 1998, the national office keeps a list of changes to state law as we find out about them. You can order the book from us, and we'll send you an email or paper copy of the updates. This book is the bible of funeral law and should be on every affiliate's shelf. To order, go to www.funerals.org/bookstore
- Your state legislature's Web site. Every state but Pennsylvania has its laws and regulations online. To find your state's site, go to Google and type in (for example) "Maryland Legislature." The first link that comes up will usually be your state's legislative Web site, where you can search and print out laws and regulations. If you're a first-timer looking at laws, Josh Slocum is happy to consult and offer advice. Email him at joshua@funerals.org.

The BEST RESOURCE for FCA affiliates is our 100-page **Guidebook for Running a Funeral Consumers** (over)

Alliance. This bound book compiles all the best wisdom from funeral consumer groups around the country, as well as advice from the national organization. When you have a question, consult the **Guidebook** first. Here's a sampling of what it contains: Chapter 7 Chapter 1 The FTC Funeral Rule Organization structure Monitoring state legislation Operating procedures The state funeral board Chapter 2 Consumer activism or a buyer's club? Chapter 8 Officer duties **Publicity and Outreach** Sample Bylaws Newsletters Incorporating in your state Speakers bureau Chapter 3 Chapter 9 Cooperating mortuaries – benefits and pitfalls **Annual Meetings** Sample funeral home agreement form Parliamentary procedure Monitoring member satisfaction Chapter 10 Chapter 4 Relations with FCA Nuts and Bolts of Running an Alliance The FCA newsletter Executive committee The biennial conference Membership records and mail list Chapter 11 Reciprocity and transfer of membership Web sites with downloadable information Chapter 5 Pamphlets available from FCA Finances Books and videos to build your reference library Membership fees Guide to Building Publicity for Affiliates with Dues sample press releases Your quarterly contribution to FCA **Appendices**

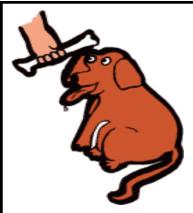
How to achieve 501(c)(3) status with the IRS

Chapter 6

Federal Income Tax Exemption

FCA National Bylaws

Guide to Writing a Newsletter



Watchdogs Need Feeding. . Join our FALL 2006 FUNDRAISER!

I want you to know what a huge difference your support for FCA makes to real families across the country. We've told you before how our staff at the national office field 10,000 calls, 5,000 emails, and hundreds of letters from people every year. But those numbers don't capture the real human need your support lets us meet. On November 6, a rabbi from West Virginia put it better than we ever could:

"As I begin writing down my final wishes I am reading many sites for my personal research. I am surprised at how many sites are saying embalming is required by state law, and that it is sanitary, necessary for public health, etc.. I only wish I had known the facts and insisted that when we buried my grandmother two years ago that it be done traditionally."

Because you support our unique effort to educate families on their rights, this writer found what he needed to take control of one of the most important events in a family's life:

I have been telling my family exactly what is done and insisting that I will not permit them being embalmed nor placed in metal sealed caskets. My sister has recently purchased a land lot which includes a very small country cemetery. It has been decided that we will expand the cemetery for our own family and have some space reserved for those not wishing to be embalmed, have sealed caskets, or even vaults at all. Thank you."

Funeral Consumers Alliance can only do this because you support us. We're the only national nonprofit organization that stands up as a watchdog for the rights of the bereaved. This man's letter is a testament to the vital role we fill, and a testament to your support that allows us to be there for him and for every American family.

Here's a small sample of the other work your generosity enabled us to accomplish this year:

- ✓ FCA national worked with the board of our Seattle affiliate, the Peoples Memorial Association, to help ensure new state rules on viewing the dead didn't ride roughshod over religious and personal preferences. Because of our work, Washington residents have the right to choose funeral rituals that fit their faiths and personal values without being forced into the commercial funeral industry's preferred (and costly) practices.
- $\sqrt{}$ FCA worked with the Federal Trade Commission to produce a new brochure on *(over)*

Americans' legal rights to shop for funerals that fit their tastes and budgets. This simple, plain-English brochure gives readers the "quick and dirty" on smart funeral shopping, and dispels myths that cost families money and deny them choice. We're distributing it free on our Web site and we'll bring you a copy in a future issue of this newsletter.

During the next year, we've got a number of exciting projects. We'll be revamping our Web site to make it easier for you to find the information you need quickly and easily, and to help our affiliated organizations with a standard, easy-to-use format. In addition, we're working on a **Guide to Good General Price Lists** for funeral directors to follow in order to make their offerings easier to understand for people like you.

Won't you support our efforts with a tax-deductible donation to FCA? We need you to be as generous as possible to make sure the only funeral consumer watchdog in the nation gets fed! Just clip the coupon below and mail your contribution to us in the enclosed envelope. Or, call us at 800-765-0107. Thank you for your support!

Jornie S. H.

Joshua Slocum, Executive Director

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